

Forman, North Dakota
January 6, 2016

The Sargent County Board of Commissioners met at 5:00 p.m. for a special pre-action meeting to consider termination of the social services director pursuant to the request of the Sargent County Social Services Board. The following members were present: Jerry Waswick, Mike Walstead, and Bill Anderson. Absent were David Jacobson and Sherry Hosford. Also present were: Social Services Director Wendy Jacobson; Calvin Jacobson; Lyle Bopp, State's Attorney; Jayne Pfau, Assistant State's Attorney; Teresa Brummond, Social Service Board Member; Jeanne Sexton-Brown, The Sargent County Teller; and, Pam Maloney, Sargent County Auditor.

Commission Chairman Jerry Waswick stated the purpose of the meeting and read the proposed Pre-Action Letter to those present. At the social service board meeting on January 5, 2016, it was the recommendation of that board to terminate the employment of social services director, Wendy Jacobson, as soon as possible. The Social Service Board has determined that Ms. Jacobson has failed to complete the Performance Improvement Plan (PIP) in the time and in the manner provided for in the plan, and the Director's behavior and treatment of subordinates that compelled the Social Service Board to institute the PIP has not significantly changed. Social service staff state they find it difficult to communicate with the director about matters important to the proper functioning of the department and also cited lack of ability to conduct open communications within the department. There is also a strained relationship with law enforcement.

Calvin Jacobson inquired who had drafted the pre-action letter and he also wanted to know if a meeting had been held. He was informed that there hadn't been a meeting. Commissioner Waswick stated that he had drafted the letter to save time at this meeting, but that it was just a working draft, and changes could be made.

Commissioners Walstead and Anderson stated that this was a very important matter, both for Sargent County and for Ms. Jacobson, and that they were not comfortable taking action on the Social Services Board's recommendation without a full board present. Commissioner Walstead also asked if any progress reports from the Village Business Institute regarding Ms. Jacobson's PIP had been received.

Commissioner Anderson asked the States Attorney if, in his opinion, the pre-action letter complied with North Dakota Human Services Department requirements, to which Lyle Bopp, State's Attorney, replied "yes". He also stated that this is a very serious matter for Ms. Jacobson and also for the Sargent County Commission and encouraged Ms. Jacobson to review and respond to the pre-action letter. Ms. Jacobson stated that she follows policy and always consults Lyle Bopp, State's Attorney, before making important decisions, and that they were in agreement regarding a certain case last week.

Motion to approve and deliver the pre-action letter as drafted, except to change the date for a written response from Wednesday, January 13, to Friday, January 29, at 9:00 a.m. Paid administrative leave will begin immediately and continue until further notice. Ms. Jacobson is to conduct no business on behalf of Sargent County, and to have no contact with office staff during that time. Ms. Jacobson is not allowed in the social services department without being accompanied by those persons Chairman Waswick appointed, that being Sargent County Auditor Pam Maloney; any social service board member; State's Attorney, Lyle Bopp; or Assistant State's Attorney, Jayne Pfau. Further action will be taken when the full Commission meets on February 2, 2016 or at such later time as the Commission designates. (Anderson/Walstead) Roll Call Vote: Yes – Walstead, Anderson and Waswick. No – None. Absent: Jacobson and Hosford.

Meeting adjourned at 5:30 p.m.

JERRY WASWICK - CHAIRMAN

ATTEST:

PAM MALONEY – COUNTY AUDITOR