

Home Rule Charter

- The Board of County Commissioners may follow state law converting the elected offices of the county auditor/treasurer and the county recorder into appointed offices. Any resolution to convert an elected office to an appointed office shall not shorten the term for which the official was elected nor reduce the salary of the official's office for that term.

Home Rule Charter

- The Board of County Commissioners may follow state law concerning the organization and structure of elected county offices in accordance with state law.

N.D.C.C. § 11-09.1-05(6)

- Powers.
 - After the filing with the secretary of state of a charter approved in reasonable conformity with this chapter, the county and its citizens may, if included in the charter and implemented through ordinances:
 - Provide for county elected and appointed officers and employees, their selection, powers, duties, qualifications, and compensation, and the terms of county appointed officers and employees. However, after adoption of a home rule charter a county elected office may not be eliminated or combined with another office except:
 - Upon approval of a majority of the electors of the county voting upon the question at a primary or general election; OR
 - Pursuant to the county officer combination, separation, or redesignation procedures of chapter 11-10.2

Job Duties of Auditor

- Make and preserve records
 - Clerk for county commission (keep accurate records of official proceedings)
 - Keep books required to be kept by county commission
 - File documents, bonds, other papers required to be filed in auditor's office
 - Preserve all items required to be kept in auditor's office
 - Ensure certain bonds are recorded by county recorder
 - Certify status of taxes and special assessments on property transfers
 - Prepare, and update as needed, a record or plat showing boundaries of school districts in county
 - Keep tax deed records for property foreclosed upon due to unpaid taxes

Job Duties of Auditor

- Chief financial officer
 - Perform and transact all county business
 - Keep complete and detailed records of all financial transactions
 - Annual financial statement
 - File & preserve all accounts, vouchers, papers pertaining to settlement of accounts involving the county
 - Issue warrants to taxing districts
 - Annual report of depreciated value of county buildings and contents to state insurance commissioner
 - Compile annual financial statements from entities authorized to levy property taxes
 - Provide annual report of account balances to ND state auditor

Job Duties of Auditor

- County administrator of elections
 - Procure & distribute supplies required for voting
 - Prepare & disseminate voter information
 - Comply with test election
 - Conduct training for election officials
 - Attend state election conferences convened by ND SOS
 - Comply with form of ballot
 - Comply with standards set by ND SOS for precincts and locations, pollbook, supplies, ballots, etc.
 - Assistant with elections investigations initiated by ND SOS
 - Receive and handle complaints involving circulation of petitions, challenges to voter, actions of election officials, voting irregularities and refer complaints to ND SOS or prosecutor as appropriate.
 - Certify all duties completed
 - Call special election if county commission fails or refuses to call special election required by law

Job Duties of Treasurer

- Receive all moneys belonging to the county
- Pay out moneys belonging to the county
- Keep accurate & detailed record & receipts of all incoming moneys
- Daily statement of receipts & disbursements to county auditor
- Send estimated tax statement & final tax statement to property owners
- Keep just & true account of receipts & expenditures of all tax moneys
- Annual accounting for collection of current taxes to be audited or verified by county auditor
- Furnish county auditor a list of delinquent taxes
- Pay taxes levied and collected to entity levying taxes
- Keep regular account with each school district and file annual itemized statement with county superintendent of schools

Counties with appointed auditor

- Cass - \$59M
- Grand Forks - \$59M
- LaMoure - \$7.9M
- Nelson - \$5.3M
- Pierce - \$5.2M
- Richland - \$13.7M
- Stutsman - \$32M
- Towner - \$3.6M
- Walsh - \$10M
- Ward - \$60M
- Wells - \$11M



Michael Schmidt / The Forum

State Sen. Judy Lee, R-West Fargo, urges the Cass County Commission to make the positions of auditor, treasurer and recorder appointed, rather than elected, during a hearing Monday at the Cass County Courthouse.

Fargo Forum
August 22, 2017

No opposition for proposal to appoint three Cass officers

By Michael Schmidt
mschmidt@theforum.com

FARGO — A proposal to make the Cass County auditor, treasurer and recorder offices into appointed posts, and to possibly combine the auditor and treasurer positions, saw no opposition during a public hearing held by the County Commission on Monday, Aug. 21.

Only one citizen spoke, and that person was in favor of the move.

"I think the really scary thing for everybody is that I could run for every one of those offices and I'm not qualified for any of them," said Judy Lee, a Republican state senator from West Fargo.

"I encourage you to look seriously at the possibility of approving the idea of appointing those three positions. And, I think that the county will thrive just fine with that," Lee said.

Appointing the three positions was first suggested in a study a dozen years ago, and draft ordinances were prepared, but the idea was shelved.

However, the approaching retirements of Treas-

urer Charlette Sembek and Recorder Jewel Spies, who will step down when their terms end in 2019, has rekindled the discussion.

Auditor Mike Menzel's term also expires at the start of 2019, but he plans to run for another term — or, if the change is made, seek appointment to the job.

Commissioner Arland Rasmussen asked Lee whether she thought appointing the positions would take power from voters they have used well.

"I struggle with this, because you know the citizens are smart enough to elect me, but they're not smart enough to elect an auditor, or a recorder, or whatever? When somebody says that to me, what's my comeback?" Rasmussen asked.

Lee said government has gotten more complex, and some positions require specialized skills.

"I think that I don't want to have a state medical director or a county health officer who is not a physician. I think there are certain positions that require certain cre-

entials, education and background," Lee said. "A county auditor needs a certain background of financial experience. There is not a unique skill (required) of elected officials in a specific manner."

Commission Chairman Chad Peterson said he hasn't received a phone call, email or text on the issue from constituents.

Peterson agreed with Lee that the three posts require special skills.

"There's a technical aspect to these positions now. They've gotten more complex with time. I wouldn't dream to elect our county engineer" or the director of social services, Peterson said. "We look at the (Fargo) Park District, we look at the City of Fargo, we look at the City of West Fargo, all their budgets are substantive, all their budgets actually are quite similar to ours, and no one balks for one second that their budgets are controlled by people who are not elected, other than by the commissioners who select the people" in those positions.

An ordinance must be

drafted and first and second readings must be held. The commission must then vote before the ordinance could go into effect, Peterson said.

The next hearing could be as soon as the commission's Sept. 3 meeting, Peterson said, though that will depend on how long it takes to draft the ordinance.

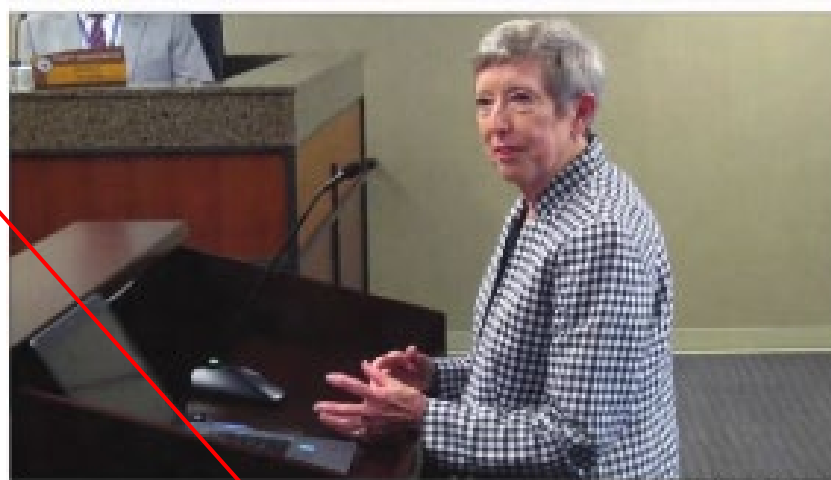
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The treasurer receives, manages and disburses public funds. That person also collects, manages and distributes property taxes levied by various units of local government. The treasurer also administers marriage licenses and performs wedding ceremonies.

Readers can reach Forum reporter Michael Schmidt at (701) 542-5992.

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Burleigh County budget

- 2025 approved budget - \$40.6M

Applicant 1

- Education: Bachelor's – Chemistry
Master's – Administration
- Work Experience: Assistant Director of Education
Includes budgeting up to \$9M in grants
Environmental Quality Manager

Applicant 2

- Education: Associate's – Health / Health Care Admin & Mgmt
Bachelor's – Human Services Management
- Work Experience: Outreach Director, Parent Care Center
Executive Director, Non-Profit for Disabled

Applicant 3

- Education: High School Diploma, Home School Study
- Work Experience: Weed Sprayer
Construction Worker
Valuation of Property

Applicant 6

- Education: Bachelor's – Accounting
- Work Experience: Accountant at Local Business
Director, County Tax Equalization

Applicant 4

- Education: Bachelor's – Accounting
- Work Experience: Auditor, ND State Auditor
Includes county financial audits
Construction Manager

Applicant 5

- Education: Bachelor's – History
Master's – History
- Work Experience: Executive Director of Heritage Tourism

Applicant 7

- Education: Bachelor's – Finance & International Business
CPA – Finance and Internal Auditing
- Work Experience: Accountant, City Government
Accountant, Hospital
Accountant, Corporation

Options

1. Redesignate County Auditor / Treasurer as appointed by resolution
2. Separate County Auditor / Treasurer into two or more elective or appointive offices by resolution
 - Designate selection, powers, duties, functions, qualifications and training, terms, and compensation of affected county offices
 - Appoint county manager

Option 2

- Separate out financial duties
- All treasurer duties are financial – separate auditor / treasurer
- Keep auditor elected
 - Record-keeping duties
 - Election duties
- Reassign financial duties to appointed “Treasurer” with minimum education & experience requirements
- Require elected auditor to attend election training, open records & meeting training
 - Determination of compensation based upon completing training requirements

Special Election

- If election on the issue is held
- Can be by special election