

County Counselor

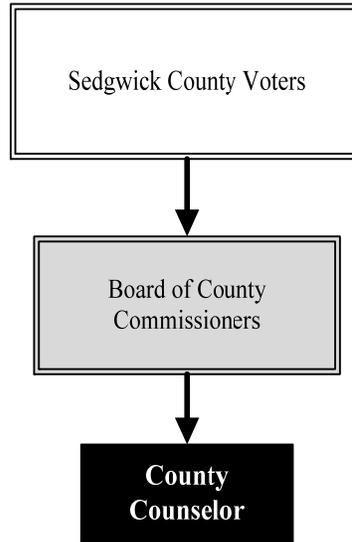
Mission: Provide high quality, non-partisan legal services to the County Commissioners, elected and appointed officials, departments, and advisory boards.

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Overview

The County Counselor provides legal advice and representation to the Board of County Commissioners, County elected and appointed officials, County management, and advisory boards on civil matters affecting the County and Fire District One. These services include drafting and reviewing resolutions, contracts and other legal documents, giving advice and rendering opinions as requested, and prosecuting and defending the County's interests before State and Federal courts and administrative agencies, including the Board of Tax Appeals.

The County Counselor also prosecutes violations of all County resolutions committed within the unincorporated area of Sedgwick County in County Court.

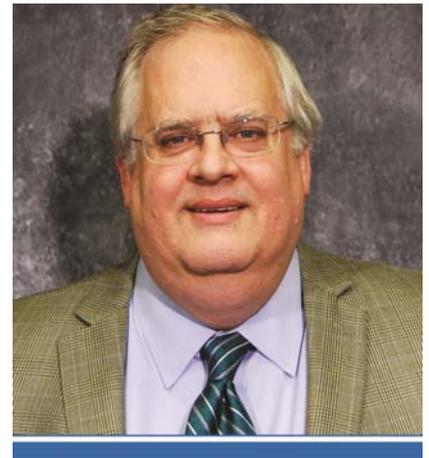


Strategic Goals:

- Assist County departments and leadership by prevention and avoidance of legal claims
- Render sound legal advice in a prompt and responsive manner
- Provide training to County officers and managers

Highlights

- Karen Powell serves on the Hoarding Coalition and the Criminal Justice Coordinating Council
- Justin Waggoner serves on the Board of Directors for CASA of Sedgwick County and the 2015 Technology Review Committee
- Two complicated lawsuits were successfully litigated and concluded in the County's favor. One suit was filed in 2005, and the trial started in October 2014. The second suit was filed in 2012, and trial started in December 2014.



Accomplishments and Priorities

Accomplishments

In 2014, the County Counselor’s Office worked on 50 cases: 18 lawsuits, four Kansas Human Rights Commission/Equal Employment Opportunity Commission (KHRC/EEOC) matters, and 28 claims for damages, of which 19 were 12-105b claims. Through the prudent use of settlement negotiations, mediations, administrative hearings, and bench and jury trials, the County Counselor’s Office was able to successfully dispose of 12 lawsuits, all four KHRC/EEOC matters, and 18 claims for damages, of which 12 were 12-105b claims. Outside counsel assisted with the disposition of six of the closed lawsuits as well as one of the closed claims for damages matters. The County Counselor’s Office also handled several matters on behalf of Risk Management. Lastly, 140 economic units were concluded before the Board of Tax Appeals, seven of five adult entertainment cases, and 29 of 63 jail claims were concluded.

The County Counselor’s Office legal staff celebrated numerous professional accomplishments. Karen Powell gave multiple presentations regarding Criminal and Civil Liability for training recruits. Patricia Parker served as a presenter and moderator for “Legal Seminars and Prep and Trial Seminars” at the International Association of Assessing Officers (IAAO) 2014 Seminar. Ms. Parker also served on a panel titled “Comments on Witness Depositions” at the IAAO seminar. Justin Waggoner presented on a panel at the Kansas Association of Local Health Departments regarding public health issues that public health departments and their legal counsel might encounter.

Priorities

The County Counselor’s Office prioritizes services in accordance with Charter Resolution No. 46, Kansas Administrative Regulation (K.A.R.) No. 94-2-10 and Kansas Statute Annotated (K.S.A.) 19-4701 as implemented by County Resolution No. 260-1990. Charter 46 defines the general areas of civil law required to be handled by the County Counselor, and it also defines specific requirements such as attending County Commission meetings, rendering opinions, drafting contracts, prosecuting and defending civil actions, and assisting elected and appointed County officials in performing their duties. K.A.R. 94-2-10, together with Court Rules, requires the County Counselor to appear before the Kansas Board of Tax Appeals to defend the County’s interests in certain cases. K.S.A. 19-4701 and County Resolution No. 260-1990 establish a County Court for the criminal prosecution of violations of Sedgwick County resolutions and require the County Counselor to prosecute such violations.

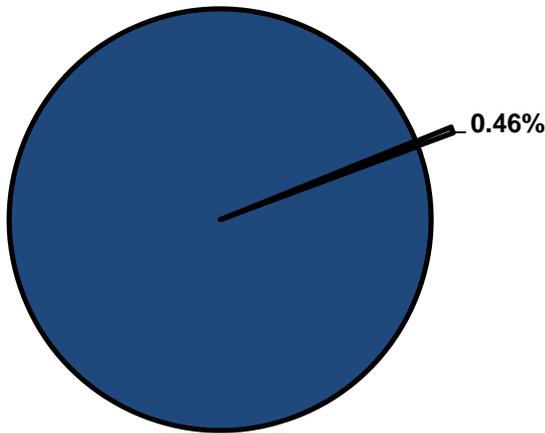


Significant Budget Adjustments

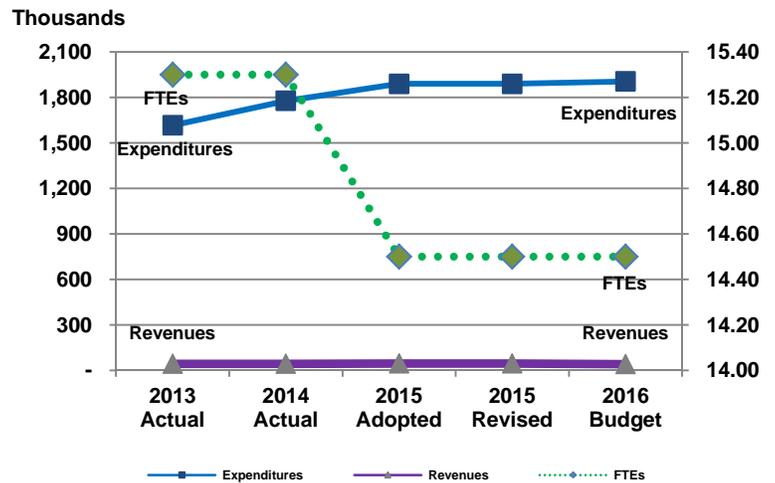
There are no significant adjustments to the County Counselor’s 2016 budget.

Departmental Graphical Summary

County Counselor
Percent of Total County Operating Budget



Expenditures, Program Revenue & FTEs
All Operating Funds



Budget Summary by Category

	2013 Actual	2014 Actual	2015 Adopted	2015 Revised	2016 Budget	Amount Chg '15 Rev.-'16	% Chg '15 Rev.-'16
Expenditures							
Personnel	1,265,499	1,312,342	1,396,987	1,396,987	1,412,814	15,827	1.13%
Contractual Services	322,470	449,322	465,261	465,261	457,122	(8,139)	-1.75%
Debt Service	-	-	-	-	-	-	-
Commodities	28,233	16,328	27,976	27,976	35,600	7,624	27.25%
Capital Improvements	-	-	-	-	-	-	-
Capital Equipment	-	-	-	-	-	-	-
Interfund Transfers	-	-	-	-	-	-	-
Total Expenditures	1,616,202	1,777,992	1,890,224	1,890,224	1,905,536	15,312	0.81%
Revenues							
Tax Revenues	-	-	-	-	-	-	-
Licenses and Permits	-	-	-	-	-	-	-
Intergovernmental	-	-	-	-	-	-	-
Charges for Services	-	-	-	-	-	-	-
All Other Revenue	41,525	42,765	44,038	44,038	40,208	(3,830)	-8.70%
Total Revenues	41,525	42,765	44,038	44,038	40,208	(3,830)	-8.70%
Full-Time Equivalents (FTEs)							
Property Tax Funded	15.30	15.30	14.50	14.50	14.50	-	0.00%
Non-Property Tax Funded	-	-	-	-	-	-	-
Total FTEs	15.30	15.30	14.50	14.50	14.50	-	0.00%

Budget Summary by Fund

Fund	2013 Actual	2014 Actual	2015 Adopted	2015 Revised	2016 Budget	Amount Chg '15 Rev.-'16	% Chg '15 Rev.-'16
General Fund	1,616,202	1,777,992	1,890,224	1,890,224	1,905,536	15,312	0.81%
Total Expenditures	1,616,202	1,777,992	1,890,224	1,890,224	1,905,536	15,312	0.81%

Personnel Summary By Fund

Position Titles	Fund	Grade	Budgeted Compensation Comparison			FTE Comparison		
			2015 Adopted	2015 Revised	2016 Budget	2015 Adopted	2015 Revised	2016 Budget
County Counselor	110	GRADE144	136,394	139,782	139,782	1.00	1.00	1.00
Deputy County Counselor	110	GRADE141	110,137	114,530	114,530	1.00	1.00	1.00
Chief Attorney I	110	GRADE136	442,594	460,270	460,270	5.00	5.00	5.00
Administrative Officer	110	GRADE124	35,526	36,907	36,907	1.00	1.00	1.00
Administrative Assistant	110	GRADE120	146,289	151,740	151,740	4.00	4.00	4.00
Office Specialist	110	GRADE117	25,795	26,310	26,310	1.00	1.00	1.00
Judge Pro Tem	110	EXFLAT	14,400	14,400	14,400	0.50	0.50	0.50
Assistant County Counselor	110	FROZEN	112,919	117,408	117,408	1.00	1.00	1.00
Subtotal					1,061,348			
Add:								
Budgeted Personnel Savings					-			
Compensation Adjustments					22,441			
Overtime/On Call/Holiday Pay					-			
Benefits					329,025			
Total Personnel Budget					1,412,814	14.50	14.50	14.50



• Counselor's Office

Administration in the County Counselor's Office is responsible for all aspects of Counselor's operations shared in common, such as management, budgeting, purchasing, and reception for the department.

Fund(s): County General Fund 110

Expenditures	2013 Actual	2014 Actual	2015 Adopted	2015 Revised	2016 Budget	Amnt. Chg. '15 - '16	% Chg. '15 - '16
Personnel	111,954	94,607	98,524	98,524	100,175	1,651	1.7%
Contractual Services	2,343	2,553	4,270	4,270	4,295	25	0.6%
Debt Service	-	-	-	-	-	-	0.0%
Commodities	-	-	50	50	25	(25)	-50.0%
Capital Improvements	-	-	-	-	-	-	0.0%
Capital Equipment	-	-	-	-	-	-	0.0%
Interfund Transfers	-	-	-	-	-	-	0.0%
Total Expenditures	114,298	97,160	102,844	102,844	104,495	1,651	1.6%
Revenues							
Taxes	-	-	-	-	-	-	0.0%
Intergovernmental	-	-	-	-	-	-	0.0%
Charges For Service	-	-	-	-	-	-	0.0%
All Other Revenue	30	-	30	30	-	(30)	-100.0%
Total Revenues	30	-	30	30	-	(30)	-100.0%
Full-Time Equivalents (FTEs)	1.90	1.90	1.10	1.10	1.10	-	0.0%

• General Legal Services

The County Counselor provides in-house legal services to the Board of County Commissioners, elected and appointed officials, and advisory boards. Services include advising with oral and written legal opinions, representation in legal proceedings, and the review and preparation of contracts, resolutions, policies, and procedures and mitigation of all cases of liability against the County, including claims originating from the County jail. Primarily supported by County revenues, the budget authority includes partial funding for legal professional services (funding set aside for payment to attorneys hired to handle special situations) and case settlement.

Fund(s): County General Fund 110

Expenditures	2013 Actual	2014 Actual	2015 Adopted	2015 Revised	2016 Budget	Amnt. Chg. '15 - '16	% Chg. '15 - '16
Personnel	1,025,432	1,072,928	1,146,794	1,146,794	1,158,709	11,915	1.0%
Contractual Services	316,403	92,784	162,522	162,522	136,268	(26,254)	-16.2%
Debt Service	-	-	-	-	-	-	0.0%
Commodities	27,625	16,164	26,626	26,626	34,250	7,624	28.6%
Capital Improvements	-	-	-	-	-	-	0.0%
Capital Equipment	-	-	-	-	-	-	0.0%
Interfund Transfers	-	-	-	-	-	-	0.0%
Total Expenditures	1,369,460	1,181,877	1,335,942	1,335,942	1,329,227	(6,715)	-0.5%
Revenues							
Taxes	-	-	-	-	-	-	0.0%
Intergovernmental	-	-	-	-	-	-	0.0%
Charges For Service	-	-	-	-	-	-	0.0%
All Other Revenue	368	204	375	375	208	(167)	-44.6%
Total Revenues	368	204	375	375	208	(167)	-44.6%
Full-Time Equivalents (FTEs)	10.60	10.60	10.60	10.60	10.60	-	0.0%

• Sedgwick County Court

County Court is authorized by K.S.A. 19-101(d) and was created to enforce County Codes and resolutions through the criminal prosecution of violators. It was created by BoCC resolution in 1990, when it handled only Animal Control cases. Since its creation, more “enforcing” departments have become aware of its functional authority and have begun to seek prosecution for violations of the County Code. The County Counselor is responsible for prosecution of all cases filed in County Court.

Fund(s): County General Fund 110

Expenditures	2013 Actual	2014 Actual	2015 Adopted	2015 Revised	2016 Budget	Amnt. Chg. '15 - '16	% Chg. '15 - '16
Personnel	128,112	144,806	151,669	151,669	153,929	2,261	1.5%
Contractual Services	3,724	1,433	4,670	4,670	4,130	(540)	-11.6%
Debt Service	-	-	-	-	-	-	0.0%
Commodities	608	163	1,300	1,300	1,325	25	1.9%
Capital Improvements	-	-	-	-	-	-	0.0%
Capital Equipment	-	-	-	-	-	-	0.0%
Interfund Transfers	-	-	-	-	-	-	0.0%
Total Expenditures	132,445	146,403	157,639	157,639	159,384	1,746	1.1%
Revenues							
Taxes	-	-	-	-	-	-	0.0%
Intergovernmental	-	-	-	-	-	-	0.0%
Charges For Service	-	-	-	-	-	-	0.0%
All Other Revenue	41,128	42,561	43,632	43,632	40,000	(3,632)	-8.3%
Total Revenues	41,128	42,561	43,632	43,632	40,000	(3,632)	-8.3%
Full-Time Equivalents (FTEs)	2.80	2.80	2.80	2.80	2.80	-	0.0%

• External Counsel & Legal Expense

The External Counsel Fees and Legal Expenses fund center provides budget authority for legal professional services, primarily for payment to attorneys engaged to represent the County in lawsuits and situations requiring special expertise, including any associated legal expenses for both in-house and outside counsel. In 2014, this fund center changed from a contingency to an operational fund center and external legal costs incurred by the department are accounted for in this fund center.

Fund(s): County General Fund 110

Expenditures	2013 Actual	2014 Actual	2015 Adopted	2015 Revised	2016 Budget	Amnt. Chg. '15 - '16	% Chg. '15 - '16
Personnel	-	-	-	-	-	-	0.0%
Contractual Services	-	352,552	293,799	293,799	312,429	18,630	6.3%
Debt Service	-	-	-	-	-	-	0.0%
Commodities	-	-	-	-	-	-	0.0%
Capital Improvements	-	-	-	-	-	-	0.0%
Capital Equipment	-	-	-	-	-	-	0.0%
Interfund Transfers	-	-	-	-	-	-	0.0%
Total Expenditures	-	352,552	293,799	293,799	312,429	18,630	6.3%
Revenues							
Taxes	-	-	-	-	-	-	0.0%
Intergovernmental	-	-	-	-	-	-	0.0%
Charges For Service	-	-	-	-	-	-	0.0%
All Other Revenue	-	-	-	-	-	-	0.0%
Total Revenues	-	-	-	-	-	-	0.0%
Full-Time Equivalents (FTEs)	-	-	-	-	-	-	0.0%