

County Counselor

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

Michael Pepoon
Interim Sedgwick County Counselor

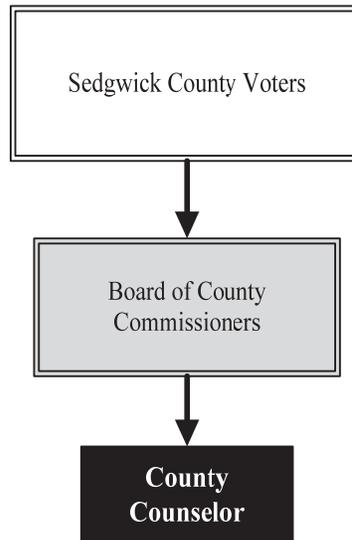
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Overview

The County Counselor provides legal advice and representation to the Board of County Commissioners (BOCC), County elected and appointed officials, County management, and advisory boards on civil matters affecting the County and Fire District 1. 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.

In Sedgwick County Court, the County Counselor prosecutes violations of County codes committed within the unincorporated area of Sedgwick County.

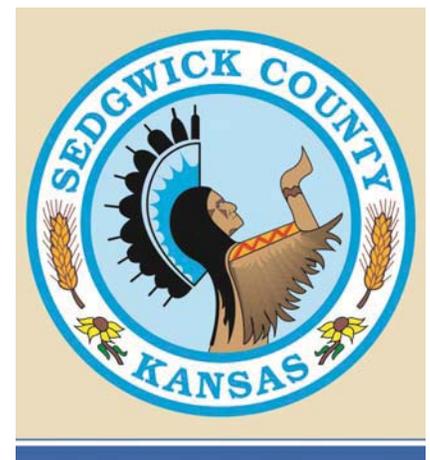


Strategic Goals:

- Assist County divisions and leadership by prevention and avoidance of legal claims
- Render sound legal advice in a prompt and responsive manner
- Provide training to the County's elected officials, managers, and employees

Highlights

- Deputy County Counselor Karen L. Powell serves as counsel for the Criminal Justice Coordinating Council (CJCC) and the Law Enforcement Training Center joint board
- Operates County Court, which addresses unclassified misdemeanor criminal violations occurring in the unincorporated area
- Assistant County Counselor Patricia Parker holds an Assessment Administration Specialist designation from the International Association of Assessing Officers and frequently presents educational seminars to other attorneys on the subject of ad valorem valuation



Accomplishments and Priorities

Accomplishments

In 2017, the County Counselor’s Office represented the County’s interests in 421 cases and claims (not including bankruptcy and County Court cases). These were comprised of: 40 lawsuits; six employment related complaints involving the Kansas Human Rights Commission (KHRC), Equal Employment Opportunity Commission (EEOC), Department of Labor (DOL), or Department of Justice (DOJ); nine eminent domain claims; two adult entertainment code prosecution cases; 46 jail claims; 289 economic units before the Board of Tax Appeals (BOTA); and 29 claims for damages, 20 of which were K.S.A. 12-105b claims. The County Counselor’s Office also handled several matters on behalf of Risk Management.

Through the prudent use of settlement negotiations, mediations, administrative hearings, and trials, the County Counselor’s Office was able to successfully dispose of 23 lawsuits, one employment matter, five eminent domain matters, 44 jail claims, 72 economic units before the BOTA, and 19 claims for damages, 12 of which were K.S.A. 12-105b claims.

Outside counsel assisted with the disposition of one lawsuit, three claims for damages, and multiple specialized research projects.

Strategic Results

Division Metric:	2017	2018	2019
	Actual	Estimated	Projected
Cases and claims managed (not including bankruptcy and County Court cases)	421	415	415
Percent of disputed valuations upheld in BOTA commercial cases	91.0%	91.0%	91.0%
Continuing Legal Education (CLE) hours obtained	95	125	125
County Court cases handled	205	400	360
Average length of disposition of County Court cases in days	35	35	35

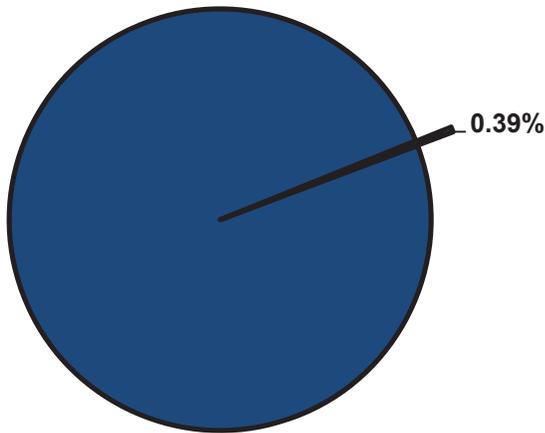


Significant Budget Adjustments

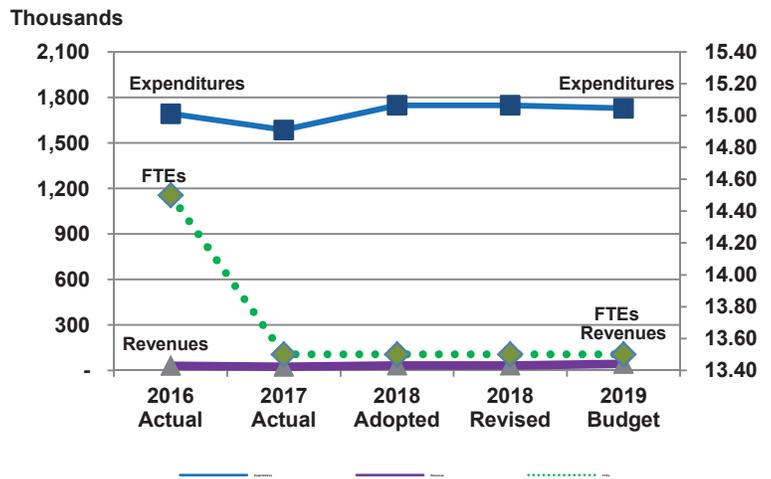
There are no significant adjustments to the County Counselor’s 2019 budget.

Divisional Graphical Summary

County Counselor
Percent of Total County Operating Budget



Expenditures, Program Revenue & FTEs
All Operating Funds



Budget Summary by Category

	2016 Actual	2017 Actual	2018 Adopted	2018 Revised	2019 Budget	Amount Chg '18 Rev.-'19	% Chg '18 Rev.-'19
Expenditures							
Personnel	1,373,867	1,260,824	1,371,256	1,371,256	1,351,862	(19,394)	-1.41%
Contractual Services	278,676	296,882	322,449	322,449	340,397	17,948	5.57%
Debt Service	-	-	-	-	-	-	-
Commodities	39,814	27,587	54,255	54,255	36,307	(17,948)	-33.08%
Capital Improvements	-	-	-	-	-	-	-
Capital Equipment	-	-	-	-	-	-	-
Interfund Transfers	-	-	-	-	-	-	-
Total Expenditures	1,692,357	1,585,292	1,747,960	1,747,960	1,728,566	(19,394)	-1.11%
Revenues							
Tax Revenues	-	-	-	-	-	-	-
Licenses and Permits	(175)	-	-	-	-	-	-
Intergovernmental	-	-	-	-	-	-	-
Charges for Services	-	-	-	-	-	-	-
All Other Revenue	30,827	24,239	32,380	32,380	42,528	10,149	31.34%
Total Revenues	30,652	24,239	32,380	32,380	42,528	10,149	31.34%
Full-Time Equivalents (FTEs)							
Property Tax Funded	14.50	13.50	13.50	13.50	13.50	-	0.00%
Non-Property Tax Funded	-	-	-	-	-	-	-
Total FTEs	14.50	13.50	13.50	13.50	13.50	-	0.00%

Budget Summary by Fund

Fund	2016 Actual	2017 Actual	2018 Adopted	2018 Revised	2019 Budget	Amount Chg '18 Rev.-'19	% Chg '18 Rev.-'19
General Fund	1,692,357	1,585,292	1,747,960	1,747,960	1,728,566	(19,394)	-1.11%
Total Expenditures	1,692,357	1,585,292	1,747,960	1,747,960	1,728,566	(19,394)	-1.11%

Significant Budget Adjustments from Prior Year Revised Budget

Expenditures Revenues FTEs

Total - - -

Budget Summary by Program

Program	Fund	2016 Actual	2017 Actual	2018 Adopted	2018 Revised	2019 Budget	% Chg '18 Rev.-'19	2019 FTEs
Counselor's Office	110	163,454	207,440	262,264	215,957	165,511	-23.36%	1.70
General Legal Services	110	1,176,072	983,121	1,087,297	1,193,678	1,188,147	-0.46%	9.80
Sedgwick County Court	110	140,049	173,247	186,247	126,173	124,907	-1.00%	2.00
Ext.Counsel & Legal Exp.	110	212,782	221,484	212,152	212,152	250,000	17.84%	-
Total		1,692,357	1,585,292	1,747,960	1,747,960	1,728,566	-1.11%	13.50

Personnel Summary By Fund

Position Titles	Fund	Grade	Budgeted Compensation Comparison			FTE Comparison		
			2018 Adopted	2018 Revised	2019 Budget	2018 Adopted	2018 Revised	2019 Budget
County Counselor	110	GRADE144	137,668	141,110	141,110	1.00	1.00	1.00
Deputy County Counselor	110	GRADE141	124,245	125,202	125,202	1.00	1.00	1.00
Assistant County Counselor	110	GRADE139	504,631	457,890	457,890	5.00	5.00	5.00
Administrative Officer	110	GRADE124	36,414	46,326	46,326	1.00	1.00	1.00
Administrative Assistant	110	GRADE120	166,991	186,364	186,364	4.00	5.00	5.00
Administrative Assistant	110	GRADE117	28,829	-	-	1.00	-	-
Judge Pro Tem	110	EXFLAT	14,400	14,400	14,400	0.50	0.50	0.50
Subtotal					971,292			
Add:								
Budgeted Personnel Savings					-			
Compensation Adjustments					43,156			
Overtime/On Call/Holiday Pay					-			
Benefits					337,414			
Total Personnel Budget					1,351,862	13.50	13.50	13.50

• 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, and purchasing for the division.

Fund(s): County General Fund 110

Expenditures	2016 Actual	2017 Actual	2018 Adopted	2018 Revised	2019 Budget	Amnt. Chg. '18 - '19	% Chg. '18 - '19
Personnel	162,139	205,979	257,882	211,575	161,129	(50,446)	-23.8%
Contractual Services	1,290	1,444	4,357	4,357	4,357	-	0.0%
Debt Service	-	-	-	-	-	-	0.0%
Commodities	24	16	25	25	25	-	0.0%
Capital Improvements	-	-	-	-	-	-	0.0%
Capital Equipment	-	-	-	-	-	-	0.0%
Interfund Transfers	-	-	-	-	-	-	0.0%
Total Expenditures	163,454	207,440	262,264	215,957	165,511	(50,446)	-23.4%
Revenues							
Taxes	-	-	-	-	-	-	0.0%
Intergovernmental	-	-	-	-	-	-	0.0%
Charges For Service	-	-	-	-	-	-	0.0%
All Other Revenue	143	-	143	143	-	(143)	-100.0%
Total Revenues	143	-	143	143	-	(143)	-100.0%
Full-Time Equivalents (FTEs)	1.40	2.70	2.70	1.70	1.70	-	0.0%

• General Legal Services

The County Counselor provides in-house legal services to the Board of County Commissioners (BOCC), elected and appointed officials, divisions, 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 funding for case settlement.

Fund(s): County General Fund 110

Expenditures	2016 Actual	2017 Actual	2018 Adopted	2018 Revised	2019 Budget	Amnt. Chg. '18 - '19	% Chg. '18 - '19
Personnel	1,074,837	882,802	931,757	1,038,138	1,070,455	32,317	3.1%
Contractual Services	62,572	73,016	101,680	101,680	81,780	(19,900)	-19.6%
Debt Service	-	-	-	-	-	-	0.0%
Commodities	38,663	27,304	53,860	53,860	35,912	(17,948)	-33.3%
Capital Improvements	-	-	-	-	-	-	0.0%
Capital Equipment	-	-	-	-	-	-	0.0%
Interfund Transfers	-	-	-	-	-	-	0.0%
Total Expenditures	1,176,072	983,121	1,087,297	1,193,678	1,188,147	(5,531)	-0.5%
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)	10.50	7.95	7.95	9.80	9.80	-	0.0%

• Sedgwick County Court

County Court is authorized by K.S.A. 19-101d 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” divisions 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	2016 Actual	2017 Actual	2018 Adopted	2018 Revised	2019 Budget	Amnt. Chg. '18 - '19	% Chg. '18 - '19
Personnel	136,891	172,043	181,617	121,543	120,277	(1,266)	-1.0%
Contractual Services	2,032	938	4,260	4,260	4,260	-	0.0%
Debt Service	-	-	-	-	-	-	0.0%
Commodities	1,126	266	370	370	370	-	0.0%
Capital Improvements	-	-	-	-	-	-	0.0%
Capital Equipment	-	-	-	-	-	-	0.0%
Interfund Transfers	-	-	-	-	-	-	0.0%
Total Expenditures	140,049	173,247	186,247	126,173	124,907	(1,266)	-1.0%
Revenues							
Taxes	-	-	-	-	-	-	0.0%
Intergovernmental	-	-	-	-	-	-	0.0%
Charges For Service	-	-	-	-	-	-	0.0%
All Other Revenue	30,509	24,239	32,237	32,237	42,528	10,291	31.9%
Total Revenues	30,509	24,239	32,237	32,237	42,528	10,291	31.9%
Full-Time Equivalents (FTEs)	2.60	2.85	2.85	2.00	2.00	-	0.0%

• External Counsel & Legal Expense

The External Counsel and Legal Expense fund center provides budget authority for legal professional services. This fund is used exclusively for payment of fees and authorized expenses incurred by attorneys who have been engaged to represent the County in lawsuits and situations requiring special expertise.

Fund(s): County General Fund 110

Expenditures	2016 Actual	2017 Actual	2018 Adopted	2018 Revised	2019 Budget	Amnt. Chg. '18 - '19	% Chg. '18 - '19
Personnel	-	-	-	-	-	-	0.0%
Contractual Services	212,782	221,484	212,152	212,152	250,000	37,848	17.8%
Debt Service	-	-	-	-	-	-	0.0%
Commodities	-	-	-	-	-	-	0.0%
Capital Improvements	-	-	-	-	-	-	0.0%
Capital Equipment	-	-	-	-	-	-	0.0%
Interfund Transfers	-	-	-	-	-	-	0.0%
Total Expenditures	212,782	221,484	212,152	212,152	250,000	37,848	17.8%
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%