

County Counselor

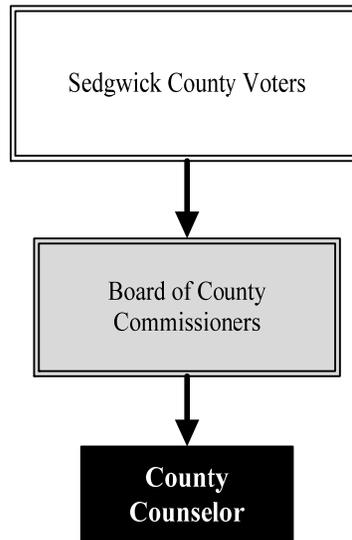
Mission: Provide high quality, non-partisan legal services to the County Commissioners, elected and appointed officials, divisions, and advisory boards.

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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 (BOTA).

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

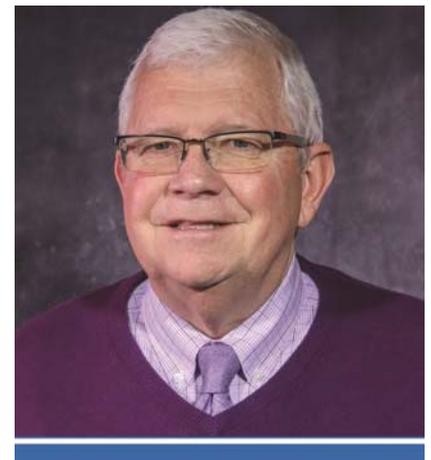


Strategic Goals:

- 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 Justin Waggoner was awarded the Wichita Bar Association (WBA) President's Award in 2021. This recognizes the accomplishment of a law-related project or service where the work substantially exceeds that which is normally expected



Accomplishments and Strategic Results

Accomplishments

In 2021, the County Counselor's Office worked on 491 total cases and claims (excluding bankruptcy and County Court cases). These were comprised of 36 lawsuits; eight employment related complaints involving Kansas Human Rights Commission/Equal Employment Opportunity Commission (KHRC/EEOC), Department of Labor (DOL) or Department of Justice (DOJ); 411 economic units before the BOTA; eight jail claims; and 28 claims for damages, 18 of which were K.S.A. 12-105b claims. In addition, the County Counselor's Office handled several matters on behalf of Risk Management.

The County Counselor's Office prioritizes services in accordance with Charter Resolution No. 46, Kansas Administrative Regulation 94-2-10, and K.S.A. 19-4701 as implemented by Resolution No. 260-1990. Such services include practicing in areas of civil law and include specific requirements such as attending County Commission meetings, rendering legal opinions, drafting contracts, prosecuting and defending civil actions, and assisting elected and appointed County officials in performing their duties. The County Counselor's Office defends the County's interest in matters before the Kansas BOTA.

Strategic Results

	2021	2022	2023
Department Metric:	Actual	Estimated	Projected
Cases and claims managed (not including bankruptcy and County Court cases)	491	432	436
Percent of disputed valuations upheld in BOTA commercial cases	80.0%	95.0%	85.0%
Continuing Legal Education (CLE) hours obtained	125	125	125
County Court cases handled	290	525	482
Average length of disposition of County Court cases in days	35	35	35

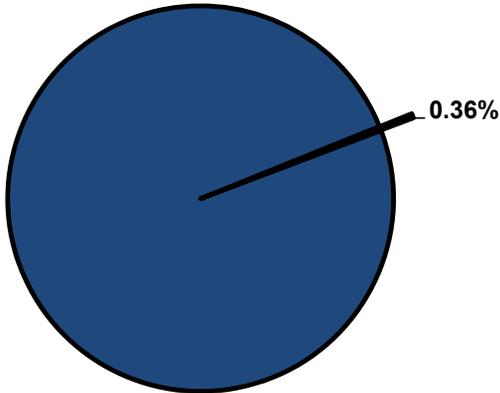


Significant Budget Adjustments

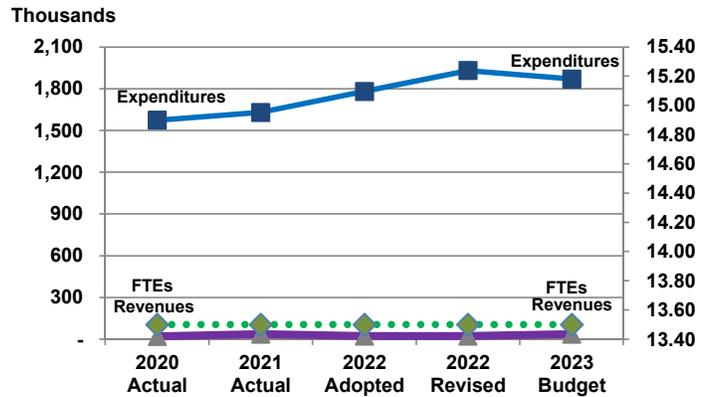
Significant adjustments to the County Counselor's 2023 budget include a decrease in expenditures due to a one-time transfer for external counsel fees (\$150,000).

Departmental Graphical Summary

County Counselor
Percent of Total County Operating Budget



Expenditures, Program Revenue & FTEs
All Operating Funds



Budget Summary by Category

	2020 Actual	2021 Actual	2022 Adopted	2022 Revised	2023 Budget	Amount Chg '22 Rev.-'23	% Chg '22 Rev.-'23
Expenditures							
Personnel	1,290,392	1,278,925	1,404,467	1,404,467	1,493,688	89,222	6.35%
Contractual Services	274,647	329,272	330,300	480,300	330,315	(149,985)	-31.23%
Debt Service	-	-	-	-	-	-	-
Commodities	8,858	21,122	45,898	45,898	45,883	(15)	-0.03%
Capital Improvements	-	-	-	-	-	-	-
Capital Equipment	-	-	-	-	-	-	-
Interfund Transfers	-	-	-	-	-	-	-
Total Expenditures	1,573,897	1,629,319	1,780,665	1,930,665	1,869,886	(60,778)	-3.15%
Revenues							
Tax Revenues	-	-	-	-	-	-	-
Licenses and Permits	-	-	-	-	-	-	-
Intergovernmental	-	-	-	-	-	-	-
Charges for Services	269	1,501	285	285	1,592	1,307	457.95%
All Other Revenue	21,357	34,650	22,219	22,219	36,050	13,830	62.24%
Total Revenues	21,626	36,151	22,505	22,505	37,642	15,137	67.26%
Full-Time Equivalentents (FTEs)							
Property Tax Funded	13.50	13.50	13.50	13.50	13.50	-	0.00%
Non-Property Tax Funded	-	-	-	-	-	-	-
Total FTEs	13.50	13.50	13.50	13.50	13.50	-	0.00%

Budget Summary by Fund

Fund	2020 Actual	2021 Actual	2022 Adopted	2022 Revised	2023 Budget	Amount Chg '22 Rev.-'23	% Chg '22 Rev.-'23
General Fund	1,573,897	1,629,319	1,780,665	1,930,665	1,869,886	(60,778)	-3.15%
Total Expenditures	1,573,897	1,629,319	1,780,665	1,930,665	1,869,886	(60,778)	-3.15%

Significant Budget Adjustments from Prior Year Revised Budget

	Expenditures	Revenues	FTEs
Decrease due to one-time transfer for external counsel fees	(150,000)		
Total	(150,000)	-	-

Budget Summary by Program

Program	Fund	2020 Actual	2021 Actual	2022 Adopted	2022 Revised	2023 Budget	% Chg '22 Rev.-'23	22-'23' FTEs
Counselor's Office	110	114,359	159,068	167,379	176,278	189,695	7.61%	1.90
General Legal Services	110	1,134,662	1,072,562	1,280,557	1,235,557	1,347,121	9.03%	9.80
Sedgwick County Court	110	112,738	118,788	132,729	123,830	133,071	7.46%	1.80
Ext.Counsel & Legal Exp.	110	212,139	278,901	200,000	395,000	200,000	-49.37%	-
Total		1,573,897	1,629,319	1,780,665	1,930,665	1,869,886	-3.15%	13.50

Personnel Summary By Fund

Position Titles	Fund	Grade	Budgeted Compensation Comparison			FTE Comparison		
			2022 Adopted	2022 Revised	2023 Budget	2022 Adopted	2022 Revised	2023 Budget
County Counselor	110	APPOINT	133,628	133,628	133,628	1.00	1.00	1.00
Deputy County Counselor	110	GRADE141	123,522	124,003	124,003	1.00	1.00	1.00
Assistant County Counselor	110	GRADE140	472,854	483,963	483,963	5.00	5.00	5.00
Administrative Supervisor II	110	GRADE126	51,521	51,521	51,521	1.00	1.00	1.00
Administrative Support III	110	GRADE122	186,970	187,304	187,304	5.00	5.00	5.00
Judge Pro Tem	110	EXFLAT	14,400	14,400	14,400	0.50	0.50	0.50
Subtotal					994,819			
Add:								
Budgeted Personnel Savings					-			
Compensation Adjustments					103,906			
Overtime/On Call/Holiday Pay					-			
Benefits					394,964			
Total Personnel Budget					1,493,688	13.50	13.50	13.50

• Counselor's Office

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

Fund(s): County General Fund 110

Expenditures	2020 Actual	2021 Actual	2022 Adopted	2022 Revised	2023 Budget	Amnt. Chg. '22 - '23	% Chg. '22 - '23
Personnel	113,784	158,738	161,229	170,128	183,545	13,417	7.9%
Contractual Services	575	330	6,000	6,000	6,000	-	0.0%
Debt Service	-	-	-	-	-	-	0.0%
Commodities	-	-	150	150	150	-	0.0%
Capital Improvements	-	-	-	-	-	-	0.0%
Capital Equipment	-	-	-	-	-	-	0.0%
Interfund Transfers	-	-	-	-	-	-	0.0%
Total Expenditures	114,359	159,068	167,379	176,278	189,695	13,417	7.6%
Revenues							
Taxes	-	-	-	-	-	-	0.0%
Intergovernmental	-	-	-	-	-	-	0.0%
Charges For Service	-	208	-	-	221	221	0.0%
All Other Revenue	-	-	-	-	-	-	0.0%
Total Revenues	-	208	-	-	221	221	0.0%
Full-Time Equivalents (FTEs)	1.70	1.70	1.70	1.90	1.90	-	0.0%

• General Legal Services

The County Counselor provides in-house legal services to the Board of County Commissioners (BOCC), elected and appointed officials, departments, 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 Sedgwick County Adult Detention Facility. Primarily supported by County revenues, the budget authority includes funding for case settlement.

Fund(s): County General Fund 110

Expenditures	2020 Actual	2021 Actual	2022 Adopted	2022 Revised	2023 Budget	Amnt. Chg. '22 - '23	% Chg. '22 - '23
Personnel	1,064,577	1,004,395	1,115,907	1,115,907	1,182,456	66,549	6.0%
Contractual Services	61,227	48,929	120,100	75,100	120,115	45,015	59.9%
Debt Service	-	-	-	-	-	-	0.0%
Commodities	8,858	19,238	44,550	44,550	44,550	-	0.0%
Capital Improvements	-	-	-	-	-	-	0.0%
Capital Equipment	-	-	-	-	-	-	0.0%
Interfund Transfers	-	-	-	-	-	-	0.0%
Total Expenditures	1,134,662	1,072,562	1,280,557	1,235,557	1,347,121	111,564	9.0%
Revenues							
Taxes	-	-	-	-	-	-	0.0%
Intergovernmental	-	-	-	-	-	-	0.0%
Charges For Service	269	1,293	285	285	1,371	1,086	380.6%
All Other Revenue	1,951	1,253	2,030	2,030	1,304	(726)	-35.8%
Total Revenues	2,220	2,546	2,315	2,315	2,676	360	16%
Full-Time Equivalents (FTEs)	9.80	9.80	9.80	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” departments have become aware of its functional authority and have begun to seek prosecution for violations of County Codes. The County Counselor is responsible for prosecution of all cases filed in County Court.

Fund(s): County General Fund 110								
Expenditures	2020 Actual	2021 Actual	2022 Adopted	2022 Revised	2023 Budget	Amnt. Chg. '22 - '23	% Chg. '22 - '23	
Personnel	112,032	115,791	127,331	118,432	127,688	9,256	7.8%	
Contractual Services	706	1,113	4,200	4,200	4,200	-	0.0%	
Debt Service	-	-	-	-	-	-	0.0%	
Commodities	-	1,884	1,198	1,198	1,183	(15)	-1.3%	
Capital Improvements	-	-	-	-	-	-	0.0%	
Capital Equipment	-	-	-	-	-	-	0.0%	
Interfund Transfers	-	-	-	-	-	-	0.0%	
Total Expenditures	112,738	118,788	132,729	123,830	133,071	9,241	7.5%	
Revenues								
Taxes	-	-	-	-	-	-	0.0%	
Intergovernmental	-	-	-	-	-	-	0.0%	
Charges For Service	-	-	-	-	-	-	0.0%	
All Other Revenue	19,406	33,396	20,189	20,189	34,746	14,556	72.1%	
Total Revenues	19,406	33,396	20,189	20,189	34,746	14,556	72.1%	
Full-Time Equivalents (FTEs)	2.00	2.00	2.00	1.80	1.80	-	0.0%	

• External Counsel & Legal Expense

The External Counsel and Legal Expense fund center provides budget authority for legal professional services. This fund center 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	2020 Actual	2021 Actual	2022 Adopted	2022 Revised	2023 Budget	Amnt. Chg. '22 - '23	% Chg. '22 - '23	
Personnel	-	-	-	-	-	-	0.0%	
Contractual Services	212,139	278,901	200,000	395,000	200,000	(195,000)	-49.4%	
Debt Service	-	-	-	-	-	-	0.0%	
Commodities	-	-	-	-	-	-	0.0%	
Capital Improvements	-	-	-	-	-	-	0.0%	
Capital Equipment	-	-	-	-	-	-	0.0%	
Interfund Transfers	-	-	-	-	-	-	0.0%	
Total Expenditures	212,139	278,901	200,000	395,000	200,000	(195,000)	-49.4%	
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%	