

**Department Mission:**

The mission of the Klamath County Counsel's office is to provide Klamath County with the best legal support possible to achieve Klamath County's goals and objectives and to preserve and protect Klamath County resources.

**Mandated Services:**

County Counsel services are not mandated by state law but by the client, the Board of County Commissioners (BOCC). Some of those services are:

- Advise BOCC on a legal matters; attend Public Hearings;
- Review all weekly agenda items that are presented to the BOCC (blue sheets - 253 as of 3/31/2011);
- Review all county contracts, agreements and orders (156 as of 3/31/2011);
- Prepare Resolutions and Ordinances as directed by the BOCC;
- Special District annexations, formations, withdrawals;
- Prepare Ballot Titles as directed by the BOCC (2 as of 3/31/2011);
- Press Releases (8 as of 3/31/2011);
- Attend Executive Sessions and prepare notices (56 as of 3/31/2011);
- Various County department projects as authorized by the BOCC (46 as of 3/31/2011)
- Requests for legal advice from various County departments (14 from 12/2010 to present);
- Represent County at Klamath Basin Restoration Agreement (KBRA) meetings;
- Coordinate with outside Counsel on all litigation, including Total Maximum Daily Load (TMDL) issue;
- Current court/case load: Federal – 3; State – 3; Land Use Board of Appeals (LUBA) – 3; Torts – 9; Tax Court - 1.

**Self-Imposed Services:**

Contract Specialist – This service is not mandated by law. The Contract Specialist position was located within the Finance department but was eliminated by the Finance Director on April 1, 2010. This caused intense frustration and confusion within the County and it became apparent that this position was needed in order to advise departments on correct contracting procedures and requirements. The BOCC made the decision to move the position within the County Counsel department and was re-written as a half-time position and subsequently filled on 12/1/2010.

**Department Overview:**

County Counsel's office consists of one attorney, one paralegal and one half-time contract specialist. Although the client is actually "Klamath County" as represented by the **Board** of County Commissioners, our office strives to provide the best legal advice not only to the Board, but each County department on a wide variety of issues thereby limiting the possibility of litigation and the costs associated with it.

The Contract Specialist provides informational services to each department to insure compliance with state and local contracting procedures. Ms. Grant is currently working on revisions to boilerplate documents i.e. Request For Proposals, Invitation to Bid, Intergovernmental Agreements and various personal service contracts, and is also in the process of revising the County's Contracting Policies and Procedures to make them current with state law thereby limiting liability to the County.

**Successes and Challenges:**

A series of internal investigations and human resource related issues have demanded significant legal attention in the last 6 months; budget-related issues have increased projects across the board. As our office is limited to one counsel, it has become increasingly necessary to refer some matters to outside counsel. This causes increased costs as outside attorney fees range from \$200/hour up to \$400/hour vs. in-house counsel which, including benefits, costs the County \$60/hour. As a practical matter, the overload of legal issues means we have been too often reactive on our legal advice, rather than proactive. Budget constraints do not allow for additional assistant counsel, and the major challenge next year will be efficiently prioritizing appropriate legal matters and – unfortunately – declining to provide service on others.

**Budget Overview:**

County Counsel's office is completely funded through administrative costs and does not receive outside revenue.

These are not mandated services; but by having in-house counsel, it not only provides the County with a significant cost savings, it also provides:

- Ease of accessibility
- Client knowledge
- Working relationships with the Board and Departments
- Fees versus incentive to solve problems efficiently
- Credibility issues (perception).

**Significant Changes:****Personal Services**

Current Budget	\$200,620
Requested Budget	\$223,755

Increase is due to having the contract specialist position for the full fiscal year of 2011-2012 versus half of fiscal year 2010-2011 (December 2010 through June 2011).

**Materials and Services**

Current Budget	\$70,705
Requested Budget	\$60,927

Reduction reflects cancellation of the Westlaw contract and reduction of legal fees for hiring outside counsel.

**Interfund Transfers**

Current Budget	\$ 9,126
Requested Budget	\$15,745

Increase due to administrative costs for adding contract specialist position to our budget.

Reduction in legal fees for outside counsel may limit certain departments on legal representation such as the Planning Department on LUBA matters, Code Enforcement on abatement issues and Dog Control on animal citations.

Westlaw provided us with the means to research case law, attorney general opinions, statutes and administrative rules. By cancelling this contract, research will now be done at the Law Library. This will slow response time to the client and will require time being spent out of the office while performing research.

**Key issues:**

Long-term challenges are an extension of next year's short-term challenges. Klamath County's legal demands are growing, and there is no capacity for expansion. Costs for outside counsel on limited matters can be efficient, especially when an area of expertise is required. But for general matters, paying hourly rates to private attorneys is far more costly than in-house advice. A long-term strategy to provide comprehensive services will necessarily involve creation of assistant county counsel positions.

Klamath County, Oregon  
2011-2012 Budget Financial Presentation  
103 County Council

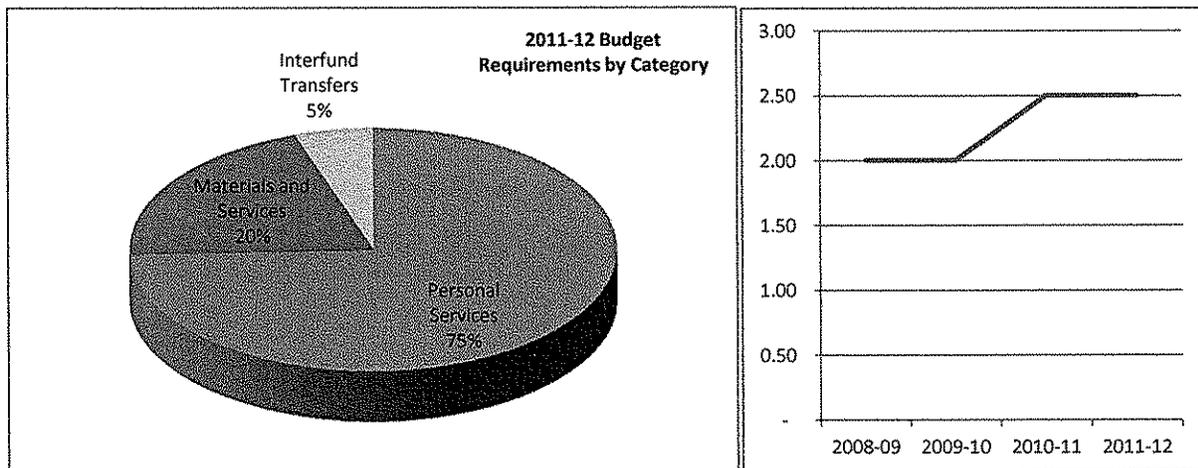
	2008-09 Actual	2009-10 Actual	2010-11 Budget	2011-12 Budget
<b>Requirements by Budgetary Category</b>				
Personal Services	169,857	196,380	200,620	223,755
Materials and Services	64,915	64,915	70,705	60,927
Interfund Transfers	7,664	9,010	9,126	15,745
<b>Total Requirements by Budgetary Category</b>	<b>242,436</b>	<b>270,305</b>	<b>280,450</b>	<b>300,427</b>

<b>Requirements by Fund</b>				
Internal Services (150)	242,436	270,305	280,450	300,427
<b>Total Requirements by Fund</b>	<b>242,436</b>	<b>270,305</b>	<b>280,450</b>	<b>300,427</b>

<b>Resources by Budgetary Category</b>				
Interfund Transfers	242,436	270,305	280,450	300,427
<b>Total Resources by Budgetary Category</b>	<b>242,436</b>	<b>270,305</b>	<b>280,450</b>	<b>300,427</b>

<b>Full-Time Employee Equivalents</b>	2.00	2.00	2.50	2.50
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<b>Mandate</b>	<b>Total Cost</b>	<b>Personal Services</b>	<b>FTE</b>
County Council	300,196	223,755	2.50
<b>Total Mandates</b>	<b>300,196</b>	<b>223,755</b>	<b>2.50</b>



# Budget Worksheet Report

Account Number	Description	2009 Actual Amount	2010 Actual Amount	2011 Amended Budget	2012 Proposed Budget
Fund: 150 . Internal Services					
Revenue					
Department: 151 . Internal Service Dept					
Sub Department: 103 . County Counsel					
Account Classification: IG . Intergovernmental					
33930	Reimbursements - Witness Fee	\$0.00	\$0.00	\$0.00	\$0.00
Account Classification Total: Intergovernmental					
Account Classification: CS . Charges for Service					
34015	Fees - Special District	\$0.00	\$0.00	\$0.00	\$0.00
Account Classification Total: Charges for Service					
Account Classification: OT . Other					
36100	Miscellaneous	\$0.00	\$0.00	\$0.00	\$0.00
Account Classification Total: Other					
Account Classification: TI . Interfund Transfers					
36760	Trans - Admin Non Dept	\$0.00	\$270,306.00	\$268,010.00	\$300,196.00
Account Classification Total: Interfund Transfers					
Sub Department Total: County Counsel					
Department Total: Internal Service Dept					
Revenue Totals					
		\$0.00	\$270,306.00	\$268,010.00	\$300,196.00

# Budget Worksheet Report

Account Number	Description	2009 Actual Amount	2010 Actual Amount	2011 Amended Budget	2012 Proposed
Expenses					
Department: 151 . Internal Service Dept					
Sub Department: 103 . County Counsel					
Account Classification: PS . Personal Services					
60682	Contract/Grant Specialist	\$0.00	\$0.00	\$10,494.00	\$18,665.00
61080	County Counsel	\$0.00	\$100,272.89	\$91,726.00	\$94,349.00
61548	Paralegal	\$0.00	\$49,092.02	\$51,295.00	\$54,973.00
61555	Accounting Specialist	\$0.00	\$0.00	\$152.08	\$0.00
63900	Overtime	\$0.00	\$0.00	\$0.00	\$0.00
63930	FICA	\$0.00	\$10,982.41	\$11,865.43	\$12,961.00
63940	Workmans Compensation Tax	\$0.00	\$0.00	\$110.57	\$88.00
63941	Workmans Compensation	\$0.00	\$0.00	\$116.57	\$0.00
63949	Oregon Premium Tax	\$0.00	\$108.40	\$0.00	\$0.00
63950	Medical Insurance	\$0.00	\$15,176.91	\$15,240.00	\$20,250.00
63951	Life Insurance	\$0.00	\$135.29	\$125.00	\$138.00
63952	Short Term Disability	\$0.00	\$40.80	\$41.00	\$51.00
63960	Retirement - General	\$0.00	\$14,792.59	\$14,446.00	\$16,943.00
63980	Unemployment Compensation	\$0.00	\$3,499.00	\$3,567.86	\$3,897.00
63990	Cell Phone Allowance	\$0.00	\$720.00	\$1,440.00	\$1,440.00
Account Classification Total: Personal Services		\$0.00	\$194,820.31	\$200,619.51	\$223,755.00
Account Classification: MS . Material and Services					
44010	Mgmt Travel & Training	\$0.00	\$9,885.58	\$10,000.00	\$10,000.00
44100	Supplies - Office	\$0.00	\$1,312.51	\$1,590.00	\$1,400.00

# Budget Worksheet Report

Account Number	Description	2009 Actual Amount	2010 Actual Amount	2011 Amended Budget	2012 Proposed
44110	Supplies - Other	\$0.00	\$192.00	\$370.00	\$370.00
44200	Dues / Fees	\$0.00	\$572.00	\$950.00	\$950.00
44450	Witness Fees	\$0.00	\$0.00	\$500.00	\$0.00
44520	Legal Fees	\$0.00	\$41,082.50	\$45,000.00	\$41,483.00
44640	Telephone	\$0.00	\$646.58	\$2,215.00	\$2,200.00
44645	Teleprocessing	\$0.00	\$4,968.13	\$5,520.00	\$438.00
44646	E Mail Services	\$0.00	\$0.00	\$0.00	\$0.00
44700	Postage	\$0.00	\$240.30	\$460.00	\$455.00
44710	Publications / Periodicals	\$0.00	\$2,251.79	\$2,200.00	\$2,200.00
44730	Printing	\$0.00	\$197.24	\$1,200.00	\$1,200.00
45940	Investigation - General	\$0.00	\$0.00	\$700.00	\$0.00
99760	Insurance/Liability	\$0.00	\$542.00	\$542.00	\$542.00
99765	Insurance/Workmans Compensation	\$0.00	\$461.00	\$461.00	\$461.00
99770	Administrative Services	\$0.00	\$3,162.00	\$3,162.00	\$3,162.00
99780	Space Rent	\$0.00	\$3,028.00	\$3,028.00	\$8,019.00
	Account Classification Total: Material and Services	\$0.00	\$68,541.63	\$77,898.00	\$72,880.00
	Account Classification: IF - Interfund Transfers				
99460	Trans - Equip Rent & Revolving	\$0.00	\$1,421.00	\$1,421.00	\$1,350.00
99781	Trans - Steering Committee	\$0.00	\$0.00	\$0.00	\$1,350.00
99782	Trans - EMail Accounts	\$0.00	\$396.00	\$511.50	\$630.00
99783	Trans - Phones	\$0.00	\$0.00	\$0.00	\$231.00
	Account Classification Total: Interfund Transfers	\$0.00	\$1,817.00	\$1,932.50	\$3,561.00
	Sub Department Total: County Counsel	\$0.00	\$265,178.94	\$280,450.01	\$300,196.00

# Budget Worksheet Report

Account Number	Description	2009 Actual Amount	2010 Actual Amount	2011 Amended Budget	2012 Proposed Budget
<b>Department Total: Internal Service Dept</b>					
		\$0.00	\$265,178.94	\$280,450.01	\$300,196.00
<b>Revenue Totals:</b>					
		\$0.00	\$270,306.00	\$268,010.00	\$300,196.00
<b>Expense Totals</b>					
		\$0.00	\$265,178.94	\$280,450.01	\$300,196.00
<b>Fund Total: Internal Services</b>					
		\$0.00	\$5,127.06	(\$12,440.01)	\$0.00

# Budget Worksheet Report

Revenue Grand Totals:	\$0.00	\$270,306.00	\$268,010.00	\$300,196.00
Expense Grand Totals:	\$0.00	\$265,178.94	\$280,450.01	\$300,196.00
Net Grand Totals:	\$0.00	\$5,127.06	(\$12,440.01)	\$0.00