

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:

There are quite a number of actions (appearing in court on behalf of another, legal pleadings, tax foreclosures, etc.) that can only be accomplished via an attorney licensed to practice in Oregon. Although there is no statutory requirement for a county to maintain an in-house "county counsel," the county would be required to hire outside counsel to accomplish any of the tasks that would be considered "practicing law." Some of those services are:

- Advise BOCC on legal matters; attend public hearings as needed;
- Review all weekly agenda items that are presented to the BOCC (blue sheets - 229 as of 3/3/2016 [increase of 84 from prior FY]);
- Review all county contracts, agreements and orders;
- Draft county policies/procedures (contracts, property management) for consideration by the BOCC;
- Prepare Resolutions, Orders and Ordinances as directed by the BOCC;
- Special District annexations, formations, withdrawals;
- Prepare Ballot Titles as directed by the BOCC;
- Attend Executive Sessions and prepare notices;
- Various County department projects as authorized by the BOCC;
- Requests for legal advice from various County departments;
- Prepare legal pleadings and eFile with Circuit Court for various departments;
- Represent County at numerous meetings, depositions & mediation;
- Coordinate with outside Counsel on all litigation;
- Current court/case load (3/3/2016): Federal – 13 [increase of 10 cases from prior FY]; State – 17 [increased 2 from prior FY]; Land Use Board of Appeals (LUBA) – 1; Torts – 17 [increased 2 from prior FY]; State Appeals – 0; Federal Appeals – 2.

Department Overview:

County Counsel's office consists of one attorney and one paralegal. 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.

Successes and Challenges:

There has been an increase in litigation matters. 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 \$200.00/hour up to \$490.00/hour (attorney only) vs. in-house counsel which, including benefits, costs the County \$116.00/hour (counsel and paralegal combined). 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:

Due to increase in internal services, space rent, and user charges we decreased the legal fee line item for FY 14-15 by \$6,502, an additional \$1,049 for FY 15-16 and an additional \$7,000 for the coming 2016-2017 FY to remain “flat”. The Board authorized an increase in legal fees to \$100,000 in 2016-17 FY due to the current outstanding legal claims against the county.

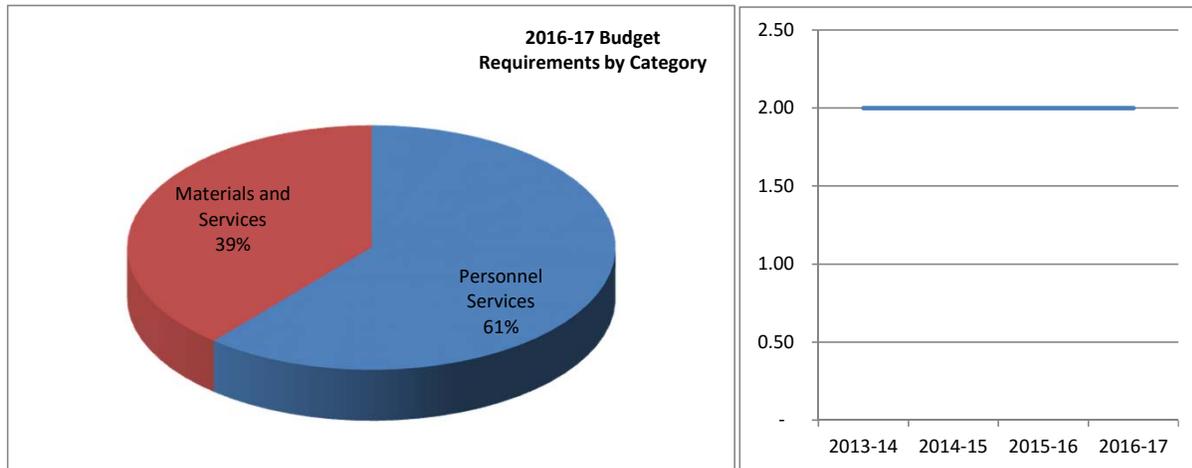
Key issues:

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
2016-2017 Budget Financial Presentation
1520 Counsel

	2013-14 Actual	2014-15 Actual	2015-16 Budget	2016-17 Budget
<u>Requirements by Budgetary Category</u>				
Personnel Services	228,548	230,026	237,520	242,415
Materials and Services	43,926	63,893	66,596	153,962
Total Requirements by Budgetary Category	272,474	293,919	304,116	396,377
<u>Requirements by Fund</u>				
Internal Services (6000)	272,474	293,919	304,116	396,377
Total Requirements by Fund	272,474	293,919	304,116	396,377
<u>Resources by Budgetary Category</u>				
Interfund Transfers	272,430	293,469	304,116	396,377
Miscellaneous	44	450	-	-
Total Resources by Budgetary Category	272,474	293,919	304,116	396,377
Full-Time Employee Equivalents	2.00	2.00	2.00	2.00

<u>Mandate</u>	Total Cost	Personnel Services	FTE
County Counsel	396,377	242,415	2.00
Total Mandates	396,377	242,415	2.00



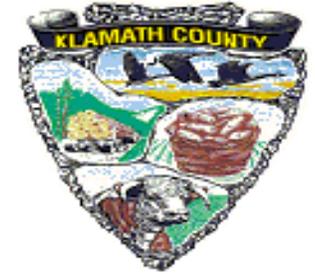
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General Ledger

Budget Analysis

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 Fiscal Year: 2017



2014 Actual	2015 Actual	2016 Adopted	2016 Estimated	Account	Description	FTE	2017 Requested	2017 Proposed	2017 Approved	2017 Adopted
				6000	Internal Services					
				1520	County Counsel					
				R30	Charges for Service					
0.00	0.00	0.00	0.00	1521-1500-4300	Charges for Service	0.00	0.00	0.00	0.00	0.00
0.00	0.00	0.00	0.00	1521-1500-4304	Reimbursements	0.00	0.00	0.00	0.00	0.00
0.00	0.00	0.00	0.00	1521-1500-4317	Fees - Special District	0.00	0.00	0.00	0.00	0.00
0.00	0.00	0.00	0.00		Charges for Service Totals:	0.00	0.00	0.00	0.00	0.00
				R40	Other Local Revenue					
44.00	449.74	0.00	0.00	1521-1500-4400	Miscellaneous	0.00	0.00	0.00	0.00	0.00
44.00	449.74	0.00	0.00		Other Local Revenue Totals:	0.00	0.00	0.00	0.00	0.00
				R70	Interfund Transfers					
0.00	0.00	0.00	0.00	1521-1500-4900	Trans - General Non Dept	0.00	4,258.00	0.00	0.00	0.00
272,430.15	293,469.52	304,116.00	0.00	1521-1500-4901	Trans - Internal Serv Non Dept	0.00	0.00	396,377.00	0.00	0.00
272,430.15	293,469.52	304,116.00	0.00		Interfund Transfers Totals:	0.00	4,258.00	396,377.00	0.00	0.00
272,474.15	293,919.26	304,116.00	0.00		REVENUES TOTALS:	0.00	4,258.00	396,377.00	0.00	0.00
				E10	Personnel Services					
163,785.26	166,182.25	167,300.00	0.00	1521-1500-5000	Salaries and Wages	2.00	169,947.92	169,948.00	0.00	0.00
0.00	0.00	0.00	0.00	1521-1500-5011	Overtime	0.00	0.00	0.00	0.00	0.00
11,971.44	12,270.37	12,798.00	0.00	1521-1500-5110	FICA	0.00	10,536.77	13,001.00	0.00	0.00
59.13	56.05	69.00	0.00	1521-1500-5120	Workmans Compensation Tax	0.00	68.90	69.00	0.00	0.00
18,800.00	14,875.06	22,200.00	0.00	1521-1500-5130	Medical Insurance	0.00	24,120.00	24,120.00	0.00	0.00
0.00	2,450.00	0.00	0.00	1521-1500-5131	VEBA	0.00	0.00	0.00	0.00	0.00
106.92	104.04	72.00	0.00	1521-1500-5133	Life Insurance	0.00	72.36	72.00	0.00	0.00
40.80	73.40	366.00	0.00	1521-1500-5134	Short Term Disability	0.00	366.00	366.00	0.00	0.00

2014 Actual	2015 Actual	2016 Adopted	2016 Estimated	Account	Description	FTE	2017 Requested	2017 Proposed	2017 Approved	2017 Adopted
26,203.43	28,124.64	28,441.00	0.00	1521-1500-5140	Retirement - General	0.00	28,891.15	28,891.00	0.00	0.00
3,766.84	2,908.17	2,928.00	0.00	1521-1500-5156	Unemployment Compensation	0.00	2,549.22	2,549.00	0.00	0.00
3,814.40	2,981.57	3,346.00	0.00	1521-1500-5157	Workmans Compensation	0.00	3,398.96	3,399.00	0.00	0.00
228,548.22	230,025.55	237,520.00	0.00		Personnel Services Totals:	2.00	239,951.28	242,415.00	0.00	0.00
				E20	Material and Services					
9,130.50	25,327.64	15,739.00	0.00	1521-1500-6202	Legal Fees	0.00	15,311.00	100,000.00	0.00	0.00
0.00	0.00	0.00	0.00	1521-1500-6233	E Mail Services	0.00	0.00	0.00	0.00	0.00
0.00	0.00	0.00	0.00	1521-1500-6240	Investigation - General	0.00	0.00	0.00	0.00	0.00
0.00	0.00	0.00	0.00	1521-1500-6242	Witness Fees	0.00	0.00	0.00	0.00	0.00
787.00	1,012.00	950.00	0.00	1521-1500-6310	Dues & Fees	0.00	950.00	950.00	0.00	0.00
0.00	0.00	0.00	0.00	1521-1500-6331	Computer Software	0.00	200.00	200.00	0.00	0.00
0.00	0.00	0.00	0.00	1521-1500-6332	Computer Equipment	0.00	0.00	0.00	0.00	0.00
875.19	0.00	0.00	0.00	1521-1500-6600	Supplies - Office	0.00	0.00	0.00	0.00	0.00
178.92	602.98	370.00	0.00	1521-1500-6601	Supplies - Other	0.00	900.00	900.00	0.00	0.00
141.11	55.21	0.00	0.00	1521-1500-6603	Postage	0.00	100.00	100.00	0.00	0.00
2,029.90	1,599.93	2,200.00	0.00	1521-1500-6604	Publications & Periodicals	0.00	2,200.00	2,200.00	0.00	0.00
1,079.94	0.00	0.00	0.00	1521-1500-6605	Printing	0.00	0.00	0.00	0.00	0.00
0.00	0.00	0.00	0.00	1521-1500-6700	Travel & Training	0.00	10,000.00	10,000.00	0.00	0.00
4,655.85	3,325.09	10,000.00	0.00	1521-1500-6701	Mgmt Travel & Training	0.00	0.00	0.00	0.00	0.00
32.08	147.50	0.00	0.00	1521-1500-6753	Utilities - Cable TV	0.00	0.00	0.00	0.00	0.00
849.44	862.66	2,200.00	0.00	1521-1500-6755	Telephone	0.00	1,200.00	1,200.00	0.00	0.00
0.00	0.00	0.00	0.00	1521-1500-6756	Data Service Charges	0.00	0.00	0.00	0.00	0.00
19,759.93	32,933.01	31,459.00	0.00		Material and Services Totals:	0.00	30,861.00	115,550.00	0.00	0.00
				E21	Interdepartmental Charges					
14,547.00	15,589.00	16,091.00	0.00	1521-1500-6990	Internal Services	0.00	18,359.00	19,549.00	0.00	0.00
6,454.00	6,958.00	6,876.00	0.00	1521-1500-6991	Facility Services	0.00	6,904.00	6,904.00	0.00	0.00
750.00	748.00	784.00	0.00	1521-1500-6992	Steering Comm Hardware Chg	0.00	794.00	794.00	0.00	0.00
610.00	906.00	950.00	0.00	1521-1500-6993	Steering Comm User Chg	0.00	1,000.00	1,000.00	0.00	0.00
628.00	600.00	634.00	0.00	1521-1500-6994	Risk Management	0.00	600.00	260.00	0.00	0.00
1,177.00	1,124.00	1,247.00	0.00	1521-1500-6995	Insurance Liability	0.00	1,180.00	1,180.00	0.00	0.00
0.00	0.00	0.00	0.00	1521-1500-6997	Insurance Work Comp	0.00	0.00	0.00	0.00	0.00
0.00	3,500.00	6,000.00	0.00	1521-1500-6999	Contract Services - Internal	0.00	6,000.00	6,000.00	0.00	0.00

2014 Actual	2015 Actual	2016 Adopted	2016 Estimated	Account	Description	FTE	2017 Requested	2017 Proposed	2017 Approved	2017 Adopted
0.00	799.86	900.00	0.00	1521-1500-6999	Office Supplies - Internal	0.00	1,100.00	1,100.00	0.00	0.00
0.00	77.43	455.00	0.00	1521-1500-6999	Postage - Internal	0.00	425.00	425.00	0.00	0.00
0.00	0.00	0.00	0.00	1521-1500-6999	Tech Supplies - Internal	0.00	0.00	0.00	0.00	0.00
0.00	658.41	1,200.00	0.00	1521-1500-6999	Printing - Internal	0.00	1,200.00	1,200.00	0.00	0.00
24,166.00	30,960.70	35,137.00	0.00		Interdepartmental Charges Totals:	0.00	37,562.00	38,412.00	0.00	0.00
0.00	0.00	0.00	0.00	E70	Interfund Transfers					
0.00	0.00	0.00	0.00	1521-1500-9003	Trans - Equipment Reserve	0.00	0.00	0.00	0.00	0.00
0.00	0.00	0.00	0.00		Interfund Transfers Totals:	0.00	0.00	0.00	0.00	0.00
272,474.15	293,919.26	304,116.00	0.00		EXPENDITURES TOTALS:	2.00	308,374.28	396,377.00	0.00	0.00
272,474.15	293,919.26	304,116.00	0.00		DEPARTMENT REVENUES	0.00	4,258.00	396,377.00	0.00	0.00
272,474.15	293,919.26	304,116.00	0.00		DEPARTMENT EXPENSES	2.00	308,374.28	396,377.00	0.00	0.00
0.00	0.00	0.00	0.00		County Counsel Totals:	(2.00)	(304,116.28)	0.00	0.00	0.00
272,474.15	293,919.26	304,116.00	0.00		FUND REVENUES	0.00	4,258.00	396,377.00	0.00	0.00
272,474.15	293,919.26	304,116.00	0.00		FUND EXPENSES	2.00	308,374.28	396,377.00	0.00	0.00
0.00	0.00	0.00	0.00		Internal Services Totals:	(2.00)	(304,116.28)	0.00	0.00	0.00

2014 Actual	2015 Actual	2016 Adopted	2016 Estimated	Account	Description	FTE	2017 Requested	2017 Proposed	2017 Approved	2017 Adopted
272,474.15	293,919.26	304,116.00	0.00		REPORT REVENUES	0.00	4,258.00	396,377.00	0.00	0.00
272,474.15	293,919.26	304,116.00	0.00		REPORT EXPENSES	2.00	308,374.28	396,377.00	0.00	0.00
0.00	0.00	0.00	0.00		REPORT TOTALS:	(2.00)	(304,116.28)	0.00	0.00	0.00