

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 (187 as of 3/15/2017);
- 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 (3/15/2017): Federal – 10; State – 4; Torts – 4; State Appeals – 1; Federal Appeals – 3; LUBA - 0.

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 \$525.00/hour (attorney only) vs. in-house counsel which, including benefits, costs the County \$60.00/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 in FY 14-15 by \$6,502, an additional \$1,049 in FY 15-16 and an additional \$7,000 in FY 2016-2017 to remain "flat". Due to the increase in litigation costs, the Board of County Commissioners authorized an increase in County Counsel's budget for legal fees during the current fiscal year.

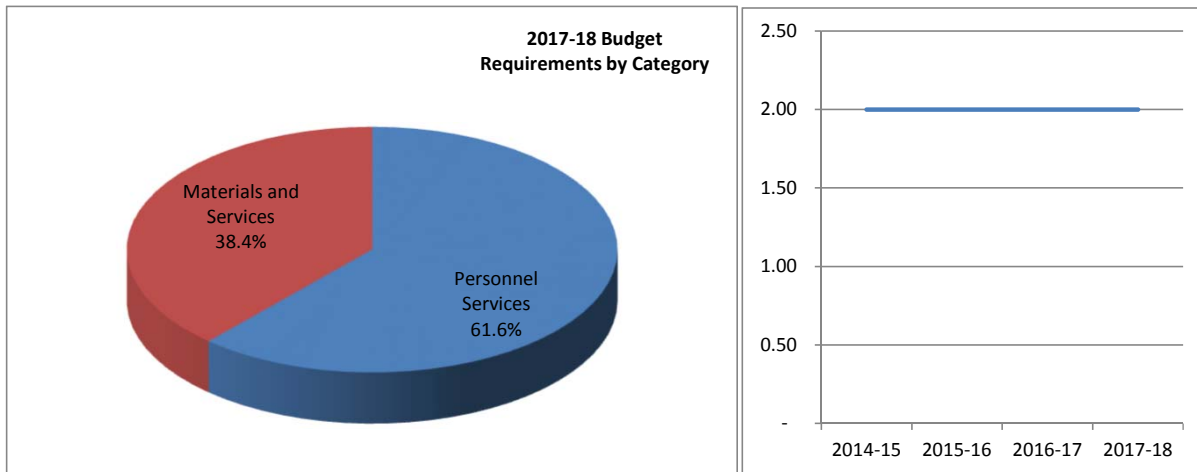
Key Issues:

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
2017-2018 Budget Financial Presentation
1520 Counsel

| | 2014-15 Actual | 2015-16 Actual | 2016-17 Budget | 2017-18 Budget |
|--|-------------------|-------------------|-------------------|-------------------|
| <u>Requirements by Budgetary Category</u> | | | | |
| Personnel Services | 230,026 | 232,339 | 242,415 | 248,050 |
| Materials and Services | 63,893 | 247,068 | 153,962 | 154,707 |
| Total Requirements by Budgetary Category | 293,919 | 479,407 | 396,377 | 402,757 |
| <u>Requirements by Fund</u> | | | | |
| Internal Services (6000) | 293,919 | 479,407 | 396,377 | 402,757 |
| Total Requirements by Fund | 293,919 | 479,407 | 396,377 | 402,757 |
| <u>Resources by Budgetary Category</u> | | | | |
| Interfund Transfers | 293,469 | 471,907 | 396,377 | 402,757 |
| Miscellaneous | 450 | 7,500 | - | - |
| Total Resources by Budgetary Category | 293,919 | 479,407 | 396,377 | 402,757 |
| Full-Time Employee Equivalents | 2.00 | 2.00 | 2.00 | 2.00 |

| <u>Mandate</u> | Total Cost | Personnel Services | FTE |
|-----------------------|-------------------|---------------------------|-------------|
| County Counsel | 402,757 | 248,050 | 2.00 |
| Total Mandates | 402,757 | 248,050 | 2.00 |



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| Department | Status | Title | FTE | Benefit Group | Union | Current Grade | Current Step | Total Wages w/COLA | Unemployment | FICA/Medicare | KCWC-WCOMP | WC | Medical CAP | HRA/VEBA (Wages) | Life Insurance | STD | Retirement/PERS Amount | Grand Total w/Benefits |
|----------------|--------|-----------------|---------------|---------------------|-----------|---------------|--------------|---------------------|-----------------|--------------------|-------------------|----------------|--------------------|------------------|----------------|-----------------|------------------------|------------------------|
| | | | | | | | | | 51560 | 51100 | 51570 | 51200 | 51300 | 51310 | 51330 | 51340 | 51400/51410 | |
| County Counsel | Filled | County Counsel | 1.0000 | Department Head | Non-union | DF19 | 7 | \$111,588.98 | \$557.94 | \$8,536.56 | \$1,952.81 | \$34.32 | \$13,380.00 | \$0.00 | \$38.88 | \$132.00 | \$18,970.13 | \$155,191.62 |
| County Counsel | Filled | Special Counsel | 0.0000 | Part-Time Non-Union | Non-union | Hourly | | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 |
| County Counsel | Filled | Paralegal | 1.0000 | Full-time Non-Union | Non-Union | UH26 | 6 | \$62,488.30 | \$312.44 | \$4,780.35 | \$1,093.55 | \$34.32 | \$13,380.00 | \$0.00 | \$14.28 | \$132.00 | \$10,623.01 | \$92,858.25 |
| | | | 2.0000 | | | | | \$174,077.28 | \$870.39 | \$13,316.91 | \$3,046.35 | \$68.64 | \$26,760.00 | \$0.00 | \$53.16 | \$264.00 | \$29,593.14 | \$248,049.87 |

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General Ledger

Budget Analysis

User: vnoel
 Printed: 03/17/2017 - 11:12AM
 Fiscal Year: 2018



| 2015 Actual | 2016 Actual | 2017 Adopted | 2017 Estimated | Account | Description | FTE | 2018 Requested | 2018 Proposed | 2018 Approved | 2018 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 | | | | | |
| 449.74 | 7,500.00 | 0.00 | 0.00 | 1521-1500-4400 | Miscellaneous | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| 449.74 | 7,500.00 | 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 | 0.00 | 0.00 | 0.00 | 0.00 |
| 293,469.52 | 471,906.60 | 396,377.00 | 0.00 | 1521-1500-4901 | Trans - Internal Serv Non Dept | 0.00 | 406,257.00 | 402,757.00 | 0.00 | 0.00 |
| 293,469.52 | 471,906.60 | 396,377.00 | 0.00 | | Interfund Transfers Totals: | 0.00 | 406,257.00 | 402,757.00 | 0.00 | 0.00 |
| 293,919.26 | 479,406.60 | 396,377.00 | 0.00 | | REVENUES TOTALS: | 0.00 | 406,257.00 | 402,757.00 | 0.00 | 0.00 |
| | | | | E10 | Personnel Services | | | | | |
| 166,182.25 | 168,186.80 | 169,948.00 | 0.00 | 1521-1500-5000 | Salaries and Wages | 2.00 | 174,078.00 | 174,078.00 | 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 |
| 12,270.37 | 12,424.72 | 13,001.00 | 0.00 | 1521-1500-5110 | FICA | 0.00 | 13,317.00 | 13,317.00 | 0.00 | 0.00 |
| 56.05 | 58.15 | 69.00 | 0.00 | 1521-1500-5120 | Workmans Compensation Tax | 0.00 | 69.00 | 69.00 | 0.00 | 0.00 |
| 14,875.06 | 12,420.36 | 24,120.00 | 0.00 | 1521-1500-5130 | Medical Insurance | 0.00 | 26,760.00 | 26,760.00 | 0.00 | 0.00 |
| 2,450.00 | 4,279.64 | 0.00 | 0.00 | 1521-1500-5131 | VEBA | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| 104.04 | 72.36 | 72.00 | 0.00 | 1521-1500-5133 | Life Insurance | 0.00 | 53.00 | 53.00 | 0.00 | 0.00 |
| 73.40 | 366.00 | 366.00 | 0.00 | 1521-1500-5134 | Short Term Disability | 0.00 | 264.00 | 264.00 | 0.00 | 0.00 |

| 2015 Actual | 2016 Actual | 2017 Adopted | 2017 Estimated | Account | Description | FTE | 2018 Requested | 2018 Proposed | 2018 Approved | 2018 Adopted |
|----------------|----------------|-----------------|-------------------|----------------|-----------------------------------|------|-------------------|------------------|------------------|-----------------|
| 28,124.64 | 28,443.12 | 28,891.00 | 0.00 | 1521-1500-5140 | Retirement - General | 0.00 | 29,593.00 | 29,593.00 | 0.00 | 0.00 |
| 224,135.81 | 226,251.15 | 236,467.00 | 0.00 | | Personnel Services Totals: | 2.00 | 244,134.00 | 244,134.00 | 0.00 | 0.00 |
| 2,908.17 | 2,943.31 | 2,549.00 | 0.00 | E11 | Interdepartmental Charges | | | | | |
| 2,981.57 | 3,144.51 | 3,399.00 | 0.00 | 1521-1500-5156 | Unemployment Compensation | 0.00 | 870.00 | 870.00 | 0.00 | 0.00 |
| | | | 0.00 | 1521-1500-5157 | Workmans Compensation | 0.00 | 3,046.00 | 3,046.00 | 0.00 | 0.00 |
| 5,889.74 | 6,087.82 | 5,948.00 | 0.00 | | Interdepartmental Charges Totals: | 0.00 | 3,916.00 | 3,916.00 | 0.00 | 0.00 |
| 0.00 | 0.00 | 0.00 | 0.00 | E20 | Material and Services | | | | | |
| 25,327.64 | 200,741.22 | 100,000.00 | 0.00 | 1521-1500-6200 | Contract Services | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| 0.00 | 158.33 | 0.00 | 0.00 | 1521-1500-6202 | Legal Fees | 0.00 | 100,000.00 | 100,000.00 | 0.00 | 0.00 |
| 0.00 | 0.00 | 0.00 | 0.00 | 1521-1500-6232 | Software Support | 0.00 | 2,900.00 | 2,900.00 | 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 |
| 1,012.00 | 956.00 | 950.00 | 0.00 | 1521-1500-6310 | Dues | 0.00 | 1,000.00 | 1,000.00 | 0.00 | 0.00 |
| 0.00 | 0.00 | 0.00 | 0.00 | 1521-1500-6310 | Fees | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| 0.00 | 134.74 | 200.00 | 0.00 | 1521-1500-6331 | Computer Software | 0.00 | 0.00 | 0.00 | 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 |
| 0.00 | 59.98 | 0.00 | 0.00 | 1521-1500-6600 | Supplies - Office | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| 602.98 | 901.83 | 900.00 | 0.00 | 1521-1500-6601 | Supplies - Other | 0.00 | 1,500.00 | 1,500.00 | 0.00 | 0.00 |
| 55.21 | 24.23 | 100.00 | 0.00 | 1521-1500-6603 | Postage | 0.00 | 250.00 | 250.00 | 0.00 | 0.00 |
| 1,599.93 | 2,055.24 | 2,200.00 | 0.00 | 1521-1500-6604 | Publications & Periodicals | 0.00 | 2,200.00 | 2,200.00 | 0.00 | 0.00 |
| 0.00 | 0.00 | 0.00 | 0.00 | 1521-1500-6605 | Printing | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| 0.00 | 6,025.60 | 10,000.00 | 0.00 | 1521-1500-6700 | Travel & Training | 0.00 | 10,000.00 | 6,500.00 | 0.00 | 0.00 |
| 3,325.09 | 0.00 | 0.00 | 0.00 | 1521-1500-6701 | Mgmt Travel & Training | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| 147.50 | 498.54 | 0.00 | 0.00 | 1521-1500-6753 | Utilities - Cable TV | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| 862.66 | 829.55 | 1,200.00 | 0.00 | 1521-1500-6755 | Telephone | 0.00 | 1,000.00 | 1,000.00 | 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 |
| 32,933.01 | 212,385.26 | 115,550.00 | 0.00 | | Material and Services Totals: | 0.00 | 118,850.00 | 115,350.00 | 0.00 | 0.00 |
| 15,589.00 | 16,091.00 | 19,549.00 | 0.00 | E21 | Interdepartmental Charges | | | | | |
| 6,958.00 | 6,876.00 | 6,904.00 | 0.00 | 1521-1500-6990 | Internal Services | 0.00 | 19,161.00 | 19,161.00 | 0.00 | 0.00 |
| 748.00 | 784.00 | 794.00 | 0.00 | 1521-1500-6991 | Facility Services | 0.00 | 6,909.00 | 6,909.00 | 0.00 | 0.00 |
| | | | 0.00 | 1521-1500-6992 | Tech Maint Hardware Chg | 0.00 | 750.00 | 750.00 | 0.00 | 0.00 |

| 2015 Actual | 2016 Actual | 2017 Adopted | 2017 Estimated | Account | Description | FTE | 2018 Requested | 2018 Proposed | 2018 Approved | 2018 Adopted |
|----------------|----------------|-----------------|-------------------|----------------|-----------------------------------|--------|-------------------|------------------|------------------|-----------------|
| 906.00 | 950.00 | 1,000.00 | 0.00 | 1521-1500-6993 | Tech Maint User Chg | 0.00 | 1,162.00 | 1,162.00 | 0.00 | 0.00 |
| 600.00 | 634.00 | 260.00 | 0.00 | 1521-1500-6994 | Risk Management | 0.00 | 595.00 | 595.00 | 0.00 | 0.00 |
| 1,124.00 | 1,247.00 | 1,180.00 | 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 |
| 3,500.00 | 6,000.00 | 6,000.00 | 0.00 | 1521-1500-6999 | Contract Services - Internal | 0.00 | 6,000.00 | 6,000.00 | 0.00 | 0.00 |
| 799.86 | 1,391.85 | 1,100.00 | 0.00 | 1521-1500-6999 | Office Supplies - Internal | 0.00 | 1,100.00 | 1,100.00 | 0.00 | 0.00 |
| 77.43 | 77.80 | 425.00 | 0.00 | 1521-1500-6999 | Postage - Internal | 0.00 | 500.00 | 500.00 | 0.00 | 0.00 |
| 0.00 | 0.00 | 0.00 | 0.00 | 1521-1500-6999 | Tech Supplies - Internal | 0.00 | 1,000.00 | 1,000.00 | 0.00 | 0.00 |
| 658.41 | 630.72 | 1,200.00 | 0.00 | 1521-1500-6999 | Printing - Internal | 0.00 | 1,000.00 | 1,000.00 | 0.00 | 0.00 |
| 30,960.70 | 34,682.37 | 38,412.00 | 0.00 | | Interdepartmental Charges Totals: | 0.00 | 39,357.00 | 39,357.00 | 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 |
| 293,919.26 | 479,406.60 | 396,377.00 | 0.00 | | EXPENDITURES TOTALS: | 2.00 | 406,257.00 | 402,757.00 | 0.00 | 0.00 |
| 293,919.26 | 479,406.60 | 396,377.00 | 0.00 | | DEPARTMENT REVENUES | 0.00 | 406,257.00 | 402,757.00 | 0.00 | 0.00 |
| 293,919.26 | 479,406.60 | 396,377.00 | 0.00 | | DEPARTMENT EXPENSES | 2.00 | 406,257.00 | 402,757.00 | 0.00 | 0.00 |
| 0.00 | 0.00 | 0.00 | 0.00 | | County Counsel Totals: | (2.00) | 0.00 | 0.00 | 0.00 | 0.00 |
| 293,919.26 | 479,406.60 | 396,377.00 | 0.00 | | FUND REVENUES | 0.00 | 406,257.00 | 402,757.00 | 0.00 | 0.00 |
| 293,919.26 | 479,406.60 | 396,377.00 | 0.00 | | FUND EXPENSES | 2.00 | 406,257.00 | 402,757.00 | 0.00 | 0.00 |
| 0.00 | 0.00 | 0.00 | 0.00 | | Internal Services Totals: | (2.00) | 0.00 | 0.00 | 0.00 | 0.00 |

| 2015 Actual | 2016 Actual | 2017 Adopted | 2017 Estimated | Account | Description | FTE | 2018 Requested | 2018 Proposed | 2018 Approved | 2018 Adopted |
|----------------|----------------|-----------------|-------------------|---------|-----------------|--------|-------------------|------------------|------------------|-----------------|
| 293,919.26 | 479,406.60 | 396,377.00 | 0.00 | | REPORT REVENUES | 0.00 | 406,257.00 | 402,757.00 | 0.00 | 0.00 |
| 293,919.26 | 479,406.60 | 396,377.00 | 0.00 | | REPORT EXPENSES | 2.00 | 406,257.00 | 402,757.00 | 0.00 | 0.00 |
| 0.00 | 0.00 | 0.00 | 0.00 | | REPORT TOTALS: | (2.00) | 0.00 | 0.00 | 0.00 | 0.00 |