

LEGAL SERVICES / CLERK'S DEPARTMENT

OVERVIEW

The Legal Services/Clerk's Department completes a variety of legal tasks on behalf of the Corporation as well as regular Clerk's duties. Preparing by-laws and agreements are large components of the Department's work. The Department processes inquiries made through the Municipal Freedom of Information and Protection of Privacy Act, and is also responsible for all insurance coverage issues, including changes to policies and all claims against the County.

Collection work for various Departments is completed by Legal Services, including assignments, directions and liens on behalf of the Social Services Department. Staff within the Legal Services Department are also responsible for the Provincial Offences prosecutions, coordinating corporate-wide purchasing and inventory control, and records management.

Staff within the Legal Services Department are responsible for the County of Lambton's Accessibility Plan addressing a broad range of disability issues in accordance with The Ontario Disabilities Act, 2001. This plan identifies barriers in areas such as social housing units, departmental programming and communication practices.

Total FTE's - 3.1

Total Budget: \$331,652

Service Analysis

Agreements

Preparation, review and/or revision of all County agreements; signing, distribution and filing. 2004 – 83, Y-T-D 28

By-Laws

Preparation, review and/or revision of all County By-laws. 2004 – 62, Y-T-D 33

Real Estate

Preparation of all documentation in connection with real estate transactions

2004 – Road Widening – 6, Correcting Deeds – 2, Purchases – 1

Y-T-D - Road Widening – 3, Correcting Deeds 2, Sale of MGM

Social Services

Total of 51 hours spent on following up on collections and status of cases in 2004. Recovered \$30,989. Y-T-D – 12 hours, with \$22,924 recovered.

Insurance

Maintain and coordinate insurance program for all County departments including updating vehicle fleet, building and property information.

2004 – 25 new claims, closed 12 claims

Y-T-D 15 new claims, closed 11

Litigation

Liaison with outside council on various on-going claims against the County. (13 current)

POA Prosecution

Monitoring and Supervision of ongoing prosecution of POA matters, liaison with local police services, local municipalities requiring prosecution services, and Crown Attorney regarding enforcement and prosecution.

CORPORATE SERVICES

DEPARTMENT
SERVICE UNIT
BUDGET YEAR

LEGAL SERVICES/CLERK'S
PURCHASING SERVICES
2005

Description Of Service	Benefit of the Service	Categorization Of the Service	Legislation, Regulations, Standards	Costs and FTE's (Five largest Expense categories)	Funding Sources (as a % of Total Funds Required)														
<p>Discretionary</p> <ul style="list-style-type: none"> • Coordinate the purchasing requirements of the County. • Ensuring compliance with Municipal Act and maintaining a fair and equitable purchasing environment. • Supervise requests for tender/proposal. • Make recommend and initiate action re cost efficiencies. • Provide functional expertise related to purchasing software 	<p>Ensures equal access to all vendors to bid on County requirements.</p> <p>Provides significant cost savings or cost avoidance, which ultimately affects the levy.</p> <p>Reduces risk of liability for inappropriate award of a tender.</p> <p>Creates savings through reduction in processes by combining Departmental requirements for similar items.</p> <p>Supports Strategic Plan Area of Effort:</p> <ul style="list-style-type: none"> • Building our Local Economy – By ensuring that all expenditures that the County makes are open to all area businesses • Enhancing our Organizational Culture- Purchasing Services actively pursues continuous improvement initiatives and best practice strategies that promote a learning and progressive organization • Purchasing Services actively seeks Partnership Enhancement initiatives at all times and is active in many cooperative purchasing ventures. 	<p>Discretionary</p>	<p>Municipal Act, 2001, c. 25, s. 254 (1).</p> <p>Municipal Freedom of Information and Protection of Privacy Act, R.R.O. 1990, Reg. 823</p> <p>Occupational Health and Safety Act, O. Reg. 213/91</p> <p>County of Lambton Purchasing Policy 2002</p> <p>Purchasing Management Association of Canada Code of Ethics</p>	<table border="0"> <tr> <td>Total Budget</td> <td align="right">\$88,655</td> </tr> <tr> <td>Salaries & Benefits</td> <td align="right">\$81,685</td> </tr> <tr> <td>Conventions</td> <td align="right">\$ 3,000</td> </tr> <tr> <td>Office Supplies</td> <td align="right">\$ 250</td> </tr> <tr> <td>Telephone</td> <td align="right">\$ 1000</td> </tr> <tr> <td> FTE</td> <td align="right"> 1</td> </tr> </table>	Total Budget	\$88,655	Salaries & Benefits	\$81,685	Conventions	\$ 3,000	Office Supplies	\$ 250	Telephone	\$ 1000	 FTE	 1	<table border="0"> <tr> <td>Levy</td> <td align="right">100%</td> </tr> </table>	Levy	100%
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Service Level

The mandate of purchasing services is to obtain the goods and services required to operate the County in a timely, cost efficient manner ensuring appropriate quality while maintaining a consistent purchasing process that is ethically sound.

The present purchasing function has organized in a manner that decentralizes everyday purchasing while centralizing the purchase of high value and items of common nature. Items/services valued in excess of \$15,000 must pass through the Purchasing Coordinator and be advertised to the public. This system ensures that Departments can easily purchase the items they need to operate in a streamlined efficient manner while making certain that competitive bidding is occurring on a regular basis for all high dollar items and that purchasing processes are fair, equitable and defensible. In addition it makes certain that purchasing related contracts are consistent and provide adequate protection for the County.

This system has generated annual savings in excess of \$100,000 per year while significantly reducing the County's exposure to potential litigation. Savings have come from leveraging Departmental volume, standardization initiatives and innovative cost reduction initiatives such as the pooling of cellular phone minutes in one corporate account. Annually the County completes in excess of 10,000 purchases and spends more than \$5,000,000.00 on goods and services.

CORPORATE SERVICES

DEPARTMENT
SERVICE UNIT
BUDGET YEAR

LEGAL SERVICES/CLERK'S
FREEDOM OF INFORMATION
2005

Description Of Service	Benefit of the Service	Categorization Of the Service	Legislation, Regulations, Standards	Costs and FTE's (Five largest Expense categories)	Funding Sources (as a % of Total Funds Required)														
<p>Mandatory</p> <ul style="list-style-type: none"> Provide Access to Municipal Government Records as per Procedures set down in Legislation Establish and maintain protection of Privacy of Residents of County of Lambton 	<p>Protection to Privacy of residents</p> <p>Provides the public with fast and adequate access to Information which the County possesses</p> <p>Supports Strategic Plan Area of Effort:</p> <p>2) Enhancing our Communications: by ensuring an open approach to inquiries for information and access to County records when appropriate</p> <p>4) Enhancing our Organizational Culture: by promoting an atmosphere of openness to the general public</p>	<p>Mandatory</p>	<p>Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c.M 56</p> <p>Personal Health Information Protection Act, 2004, S.O.</p>	<table border="0"> <tr> <td>Total Budget</td> <td align="right">\$18,250</td> </tr> <tr> <td>Salaries & Benefits</td> <td align="right">\$15,964</td> </tr> <tr> <td>Office Supplies</td> <td align="right">\$ 1,025</td> </tr> <tr> <td>Training</td> <td align="right">\$ 625</td> </tr> <tr> <td>Travel</td> <td align="right">\$ 250</td> </tr> <tr> <td>Memberships</td> <td align="right">\$ 62</td> </tr> <tr> <td>FTE</td> <td align="right">.25</td> </tr> </table> <p>(shared function with Records Management)</p>	Total Budget	\$18,250	Salaries & Benefits	\$15,964	Office Supplies	\$ 1,025	Training	\$ 625	Travel	\$ 250	Memberships	\$ 62	FTE	.25	<p>Levy 100%</p>
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Service Level

- Reports annually to the Information and Privacy Commission.
- Responds to inquiries for information from the public for both general and specific requests
- Traces documents/records, determines what can be released and what is protected by the Act(s)
- Monitors information systems to ensure privacy of personal information
- Provides information and guidance to County staff regarding privacy and information issues

CORPORATE SERVICES

DEPARTMENT
SERVICE UNIT
BUDGET YEAR

LEGAL SERVICES/CLERK'S
Records Management
2005

Description Of Service	Benefit of the Service	Categorization Of the Service	Legislation, Regulations, Standards	Costs and FTE's (Five largest Expense categories)	Funding Sources (as a % of Total Funds Required)														
<p>Mandatory</p> <ul style="list-style-type: none"> Organize, Maintain and Preserve County Records Establish Policies and Procedures for handling records Ensure Retention of Records in accordance with applicable Legislation 	<p>Facilitates transfer of information and knowledge to: Citizens Elected Officials Employees</p> <p>Ensure preservation and retention of all County records in a consistent manner</p> <p>Ensure proper archival facilities and archival conservation procedures are enacted</p> <p>Supports Strategic Plan Area of Effort:</p> <p>2) Enhancing Our Communications: by providing evidence of what has been undertaken by the County</p> <p>4) Enhancing our Organizational Culture: by pursuing continuous improvement initiatives and best practice strategies that promote a learning and progressive organization</p>	<p>Mandatory</p>	<p>Municipal Act, 2001, c. 25, s. 254 (1).</p> <p>Homes for the Aged and Rest Homes Act, R.R.O. 1990, Reg. 637</p> <p>Environmental Protection Act, R.R.O. 1990, Reg. 347</p> <p>Municipal Freedom of Information and Protection of Privacy Act, R.R.O. 1990, Reg. 823</p> <p>Occupational Health and Safety Act, O. Reg. 213/91</p> <p>Child and Family Services Act, R.R.O. 1990, Reg. 70</p> <p>Day Nurseries Act, R.R.O. 1990, Reg. 262</p>	<table border="0"> <tr> <td>Total Budget</td> <td align="right">\$54,747</td> </tr> <tr> <td>Salaries & Benefits</td> <td align="right">\$47,893</td> </tr> <tr> <td>Office Supplies</td> <td align="right">\$ 3,075</td> </tr> <tr> <td>Training</td> <td align="right">\$ 1,875</td> </tr> <tr> <td>Travel</td> <td align="right">\$ 750</td> </tr> <tr> <td>Memberships</td> <td align="right">\$ 188</td> </tr> <tr> <td>FTE</td> <td align="right">.75</td> </tr> </table> <p>(shared function with Freedom of Information)</p>	Total Budget	\$54,747	Salaries & Benefits	\$47,893	Office Supplies	\$ 3,075	Training	\$ 1,875	Travel	\$ 750	Memberships	\$ 188	FTE	.75	<p>Levy 100%</p>
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Service Level

Records are held in storage at the Administration Building in Wyoming and at all other locations – LCSS, CHSD, Homes for the Aged, Day Nursery facilities, Libraries, Museums, etc.
Records Management Coordinator trains, advises and consults with all departments regarding records issues such as storage problems, alternate imaging, file disposal, etc.

Records Management retrieves, delivers and re-files records requested from offsite storage facility at LMV. Ongoing support for the Corporate file classification system is provided to all departments within the County.

CORPORATE SERVICES DIVISION

DEPARTMENT:LEGAL SERVICES / CLERK'S
 SERVICE UNIT: ODA
 BUDGET YEAR: 2005

Description Of Service	Benefit of the Service	Categorization Of the Service	Legislation, Regulations, Standards	Costs and FTE's (Five largest Expense categories)	Funding Sources (as a % of Total Funds Required)
<p>Mandatory</p> <p>The Ontario Disability Act (ODA) requires the County of Lambton to develop and implement an accessibility plan on an annual basis.</p>	<p>This service ensures steps are taken to identify, remove and prevent barriers for all in accessing County facilities and services.</p> <p>Reviews the process the County of Lambton has made in removing and preventing barriers that were identified last year in its facilities, policies, programs, practices and services and describes the measures the County will take in the upcoming year.</p> <p>Lists the facilities, policies, programs, practices and services that the County of Lambton will review in the coming year to identify barriers to people with disabilities.</p> <p>The County's Mission Statement states "Lambton County is a community dedicated to economic growth, environment stewardship and enhanced quality of life through: the provision of responsive and efficient services".</p>	<p>Mandatory</p>	<p>Ontario Disability Act 2001</p> <p>Accessibility for Ontarians Disability Act 2005</p> <p><u>Memorandum dated January 13, 2004 Regarding the Ontario Disabilities Act</u> Boushy/Murray: That the Council of the County of Lambton appoint Councillor Jim Foubister for the period 2004 - 2007 as Chair of the County of Lambton Accessibility Advisory Committee.</p>	<p>Budget \$1000</p> <p>FTE - 0</p> <p><u>Notes:</u></p> <ol style="list-style-type: none"> 1. The 58 barriers identified during the operational reviews conducted cost approximately \$62,000 in total to remove. 2. Nine staff representing all divisions of the County sit on the ODA staff working group that develop and implement the Plan with two staff also sitting on the Council ODA advisory committee. 	<p>100% levy</p> <p><u>Notes:</u></p> <ol style="list-style-type: none"> 1. Any levy associated with this program regarding barrier removal is included in the respective department's budgets.

Service Analysis

A total of five (5) reviews (average of 7hrs x 2staff = 70 hrs) were conducted throughout the Divisions of the County over the past year.

The County of Lambton Accessibility Advisory Committee met quarterly to monitor the Accessibility Plan. The Staff Working Group met quarterly to develop and implement the Accessibility Plan.

The new Accessibility for Ontarians disability Act 2005 was recently passed and affects private and public sectors and will see the development and implementation of accessibility standards.

A total of 36 architectural barriers identified – cost of removal is \$39,000.00

A total of 18 Informational barriers identified – cost of removal is \$8,000.00

A total of 2 technological barriers identified – cost of removal is \$15,000.00

A total of 2 policy/procedure barriers identified – cost of removal is \$0.00

Communications plan developed and implemented emphasizing new web site design and media.