REPORT OF THE AUDITOR OF PUBLIC ACCOUNTS
AUDIT EXAMINATION OF THE
CAMPBELL COUNTY
SHERIFF'S SETTLEMENT - 1998 TAXES

April 7, 1999

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To the People of Kentucky
Honorable Paul E. Patton, Governor
John P. McCarty, Secretary
Finance and Administration Cabinet
Mike Haydon, Secretary, Revenue Cabinet
Honorable Steve Pendery, County Judge/Executive
Honorable John Dunn, Campbell County Sheriff
Members of the Campbell County Fiscal Court

Independent Auditor's Report

We have audited the Campbell County Sheriff's Settlement - 1998 Taxes as of April 7, 1999. This tax settlement is the responsibility of the Campbell County Sheriff. Our responsibility is to express an opinion on the financial statement based on our audit.

We conducted our audit in accordance with generally accepted auditing standards, Government Auditing Standards issued by the Comptroller General of the United States, and the Audit Guide for Sheriff's Tax Settlements issued by the Auditor of Public Accounts, Commonwealth of Kentucky. These standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statement is free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statement. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation. We believe that our audit provides a reasonable basis for our opinion.

The Sheriff prepares his financial statement on a prescribed basis of accounting that demonstrates compliance with the cash basis and laws of Kentucky, which is a comprehensive basis of accounting other than generally accepted accounting principles.

In our opinion, the accompanying financial statement referred to above presents fairly, in all material respects, the Campbell County Sheriff's taxes charged, credited, and paid as of April 7, 1999, in conformity with the basis of accounting described in the preceding paragraph.

Based on the results of our audit, we have presented a comment and recommendation, included herein, which discusses the following area of noncompliance.

- The Sheriff Should Have Required The Depository Institution To Pledge Or Provide Additional Collateral Of $17,135 And Entered Into A Written Agreement To Protect Deposits

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In accordance with Government Auditing Standards, we have also issued a report dated September 27, 1999, on our consideration of the Sheriff's compliance with certain laws and regulations and internal control over financial reporting.

Respectfully submitted,

Edward B. Hatchett, Jr.
Auditor of Public Accounts

Audit fieldwork completed -
September 27, 1999

CAMPBELL COUNTY
JOHN DUNN, SHERIFF
SHERIFF'S SETTLEMENT - 1998 TAXES

April 7, 1999

Charges	County Taxes	Special Taxing Districts	School Taxes	State Taxes
Real Estate	$ 2,812,079	$ 3,456,341	$ 11,723,725	$ 4,021,392
Tangible Personal Property	191,438	167,419	1,065,028	726,616
Intangible Personal Property				281,951
Franchise Corporation	182,401	169,161	782,036	
Additional Billings	755	693	3,414	1,087
Increased Through Erroneous Assessments	915	1,057	4,947	1,869
Penalties	17,073	21,122	81,177	25,515
Adjusted to Sheriff's Receipt	10	76	11	18
Gross Chargeable to Sheriff	$ 3,204,671	$ 3,815,869	$ 13,660,338	$ 5,058,448
Credits				
Discounts	$ 47,078	$ 56,102	$ 196,306	$ 80,307
Exonerations	10,954	12,378	62,799	39,839
Delinquents:				
Real Estate	36,950	43,250	182,346	52,835
Tangible Personal Property	3,226	2,875	26,081	12,841
Intangible Personal Property				987
Uncollected Franchise	15,697	19,566	77,918	
Total Credits	$ 113,905	$ 134,171	$ 545,450	$ 186,809
Net Tax Yield	$ 3,090,766	$ 3,681,698	$ 13,114,888	$ 4,871,639
Less: Commissions *	131,646	126,203	327,872	207,332
Net Taxes Due	$ 2,959,120	$ 3,555,495	$ 12,787,016	$ 4,664,307
Taxes Paid	2,956,131	3,551,703	12,772,573	4,656,737
Credit For Commissions Per KRS 134.290				
Refunds (Current and Prior Year)	3,325	4,084	14,699	5,993
Due Districts or (Refunds Due Sheriff) as of Completion of Fieldwork	$ (336)	** $ (292)	$ (256)	$ 1,577

* and ** See Page 4

CAMPBELL COUNTY
JOHN DUNN, SHERIFF
SHERIFF'S SETTLEMENT - 1998 TAXES
April 7, 1999
(Continued)

* Commissions:

10% on	$	10,000
4.25% on	$	10,702,748
2.5% on	$	13,114,888
1% on	$	931,355

** Special Taxing Districts:

Library District	$	(19)
Health District		(11)
Extension District		(10)
Courthouse Commission District		(208)
Fire District #4		3
Fire District #5		(41)
Fire District #6		3
Fire District #8		(9)
Due Districts or (Refunds Due Sheriff)	$	(292)

The accompanying notes are an integral part of the financial statement.

CAMPBELL COUNTY
NOTES TO FINANCIAL STATEMENT

April 7, 1999

Note 1. Summary of Significant Accounting Policies

A. Fund Accounting

The Sheriff's office tax collection duties are limited to acting as an agent for assessed property owners and taxing districts. A fund is used to account for the collection and distribution of taxes. A fund is a separate accounting entity with a self-balancing set of accounts. Fund accounting is designed to demonstrate legal compliance and to aid financial management by segregating transactions related to certain government functions or activities.

B. Basis of Accounting

The financial statement has been prepared on a cash basis of accounting. Basis of accounting refers to when charges, credits, and taxes paid are reported in the settlement statement. It relates to the timing of measurements regardless of the measurement focus.

Charges are sources of revenue which are recognized in the tax period in which they become available and measurable. Credits are reductions of revenue which are recognized when there is proper authorization. Taxes paid are uses of revenue which are recognized when distributions are made to the taxing districts and others.

C. Cash and Investments

At the direction of the fiscal court, KRS 66.480 authorizes the Sheriff's office to invest in the following, including but not limited to, obligations of the United States and of its agencies and instrumentalities, obligations and contracts for future delivery or purchase of obligations backed by the full faith and credit of the United States, obligations of any corporation of the United States government, bonds or certificates of indebtedness of this state, and certificates of deposit issued by or other interest-bearing accounts of any bank or savings and loan institution which are insured by the Federal Deposit Insurance Corporation (FDIC) or which are collateralized, to the extent uninsured, by any obligation permitted by KRS 41.240(4).

Note 2. Deposits

The Sheriff maintains deposits with depository institutions insured by the Federal Deposit Insurance Corporation (FDIC). According to law, the depository institution should pledge sufficient securities as collateral which, together with FDIC insurance, equals or exceeds the amount on deposit at all times. In order to be valid against the FDIC in the event of failure or insolvency of the depository institution, this pledge of securities should be evidenced by an agreement that is (a) in writing, (b) approved by the board of directors of the depository institution or its loan committee, which approval must be reflected in the minutes of the board or committee, and (c) an official record of the depository institution. This agreement, signed by both parties, must be sufficient to create an enforceable and perfected security interest in the collateral under Kentucky law. As of October 30, 1998, the uncollateralized amount on deposit was $17,135. The pledged securities and FDIC insurance did not equal or exceed the amount on deposit. In addition, the Sheriff did not have a written agreement with the depository institution.

CAMPBELL COUNTY
NOTES TO FINANCIAL STATEMENT
April 7, 1999
(Continued)

Note 3. Property Taxes

The real and personal property tax assessments were levied as of January 1, 1998. Property taxes were billed to finance governmental services for the year ended June 30, 1999. Liens are effective when the tax bills become delinquent. The collection period for these assessments was September 22, 1998 through March 24, 1999.

Note 4. Interest Income

The Campbell County Sheriff earned $35,465 as interest income on 1998 taxes. The Sheriff distributed the appropriate amount to the school district as required by statute, and the remainder will be used to operate the Sheriff's office.

Note 5. Unrefundable Duplicate Payments And Unexplained Receipts Should Be Escrowed

The Sheriff should deposit any unrefundable duplicate payments and unexplained receipts in an interest-bearing account. According to KRS 393.110, the Sheriff should properly report annually to the Treasury Department any unclaimed moneys. After seven years, if the funds have not been claimed, the funds should be submitted to the Kentucky State Treasurer. For the 1998 taxes, the Sheriff had $7,171 in unrefundable duplicate payments and unexplained receipts. Therefore, the Sheriff should send a written report to the Treasury Department.

CAMPBELL COUNTY
JOHN DUNN, SHERIFF
COMMENT AND RECOMMENDATION

April 7, 1999

STATE LAWS AND REGULATIONS:

The Sheriff Should Have Required Depository Institutions To Pledge Additional Securities Of $17,135 As Collateral And Entered Into A Written Agreement To Protect Deposits

The Sheriff's deposits were not adequately secured by $17,135 as of October 30, 1998. Under provisions of KRS 66.480(1)(d) and KRS 41.240(4), banks are required to provide pledges of securities for interest-bearing and noninterest-bearing deposits if either exceeds the $100,000 amount of insurance coverage provided by the Federal Deposit Insurance Corporation. The Sheriff should require the depository institution to pledge sufficient securities as collateral to secure deposits at all times. We also recommend the Sheriff enter into a written agreement with the depository institution. This agreement, signed by both parties, must be sufficient to create an enforceable and perfected security interest in the collateral under Kentucky law. According to federal law, 12 U.S.C.A. § 1823(e), this agreement should be (a) in writing, (b) approved by the board of directors of the depository institution or its loan committee, which approval must be reflected in the minutes of the board or committee, and (c) an official record of the depository institution.

Management's Response:

We are in the process of increasing the amount pledged by the bank and obtaining an agreement.

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REPORT ON COMPLIANCE
AND ON INTERNAL CONTROL OVER FINANCIAL
REPORTING BASED ON AN AUDIT OF THE FINANCIAL STATEMENT
PERFORMED IN ACCORDANCE WITH GOVERNMENT AUDITING STANDARDS

Edward B. Hatchett, Jr.
Auditor of Public Accounts

Honorable Steve Pendery, County Judge/Executive
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Report On Compliance And On Internal Control
Over Financial Reporting Based On An Audit Of The Financial
Statement Performed In Accordance With Government Auditing Standards

We have audited the Campbell County Sheriff's Settlement - 1998 Taxes as of April 7, 1999, and have issued our report thereon dated September 27, 1999. We conducted our audit in accordance with generally accepted auditing standards and the standards applicable to financial audits contained in Government Auditing Standards issued by the Comptroller General of the United States.

Compliance

As part of obtaining reasonable assurance about whether the Campbell County Sheriff's Settlement - 1998 Taxes as of April 7, 1999 is free of material misstatement, we performed tests of its compliance with certain provisions of laws and regulations, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit and, accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance that are required to be reported under Government Auditing Standards.

Internal Control Over Financial Reporting

In planning and performing our audit, we considered the Campbell County Sheriff's internal control over financial reporting in order to determine our auditing procedures for the purpose of expressing our opinion on the financial statement and not to provide assurance on the internal control over financial reporting. Our consideration of the internal control over financial reporting would not necessarily disclose all matters in the internal control over financial reporting that might be material weaknesses. A material weakness is a condition in which the design or operation of one or more of the internal control components does not reduce to a relatively low level the risk that misstatements in amounts that would be material in relation to the financial statement being audited may occur and not be detected within a timely period by employees in the normal course of performing their assigned functions. We noted no matters involving the internal control over financial reporting and its operation that we consider to be material weaknesses.

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Report On Compliance And On Internal Control
Over Financial Reporting Based On An Audit Of The Financial
Statement Performed In Accordance With Government Auditing Standards
(Continued)

This report is intended for the information of management. However, this report, upon release by the Auditor of Public Accounts, is a matter of public record and its distribution is not limited.

Respectfully submitted,

Edward B. Hatchett, Jr.
Auditor of Public Accounts

Audit fieldwork completed -
September 27, 1999