

**REPORT OF THE AUDITOR OF PUBLIC ACCOUNTS
AGREED-UPON PROCEDURES ENGAGEMENT
OF THE
MARSHALL COUNTY SHERIFF**

**For The Period
January 1, 2020 Through December 31, 2020**



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SUMMARY OF PROCEDURES AND FINDINGS

**AGREED-UPON PROCEDURES OF THE
MARSHALL COUNTY SHERIFF**

For The Period January 1, 2020 Through December 31, 2020

The Marshall County Sheriff applied for and received approval from the Auditor of Public Accounts (APA) to obtain an Agreed-Upon Procedures (AUP) engagement for calendar year 2020 in accordance with KRS 43.070(1)(c). AUP reports present the procedures performed and the results of those procedures, called findings. The summary below presents those findings for which an exception was identified during the AUP engagement.

During the AUP engagement of the Marshall County Sheriff, the following exceptions were noted:

- The sheriff's fourth quarter financial statement did not agree to the sheriff's receipts and disbursements ledgers. Receipts varied by \$504,645. The sheriff included the bank balance from the prior year in receipts.
- The sheriff's operating disbursements were compared to the sheriff's approved budget and the sheriff overspent his operating budget by \$7,238.
- The sheriff collected \$850,741 of tax commissions. However, tax commissions per the receipts ledger totaled \$882,549. The difference between the amount actually collected and the amount reported is due to the sheriff combining add-on fees with tax commissions on the receipts ledger.
- Excess fees due to the fiscal court were recalculated and the fiscal court was overpaid by \$355.

Findings related to procedures for which there were no exceptions identified, and official responses to exceptions are not included in the summary above, but can be found in the full report. A copy of this report is available on the Auditor of Public Accounts' website at www.auditor.ky.gov.

Respectfully submitted,

Mike Harmon
Auditor of Public Accounts
September 30, 2021



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AUDITOR OF PUBLIC ACCOUNTS

Independent Accountant's Report
On Applying Agreed-Upon Procedures

The Honorable Kevin Neal, Marshall County Judge/Executive
The Honorable Eddie McGuire, Marshall County Sheriff
Members of the Marshall County Fiscal Court

We have performed the procedures enumerated below, which were agreed to by the Marshall County Sheriff, related to the sheriff's compliance with the Department for Local Government's *County Budget Preparation and State Local Finance Officer Policy Manual* regarding the accountability for receipts and disbursements, excess fees, recordkeeping, and leases, contracts, and liabilities for the period January 1, 2020 through December 31, 2020. The Marshall County Sheriff is responsible for compliance with these requirements. The sufficiency of these procedures is solely the responsibility of those parties specified in this report. Consequently, we make no representation regarding the sufficiency of the procedures enumerated below either for the purpose for which this report has been requested or for any other purpose.

Our procedures and findings are as follows:

1. Procedure -

Determine if the sheriff has a fourth quarter financial statement, a receipts ledger, and a disbursements ledger.

Finding -

No exceptions were found as a result of applying the procedure.

2. Procedure -

Determine that the sheriff's fourth quarter financial statement agrees to the sheriff's receipts ledger and disbursements ledger. Variances in total receipts or total disbursements that exceed 1% of gross receipts or exceed \$20,000 will be reported.

Finding -

The sheriff's fourth quarter financial statement did not agree to the sheriff's receipts and disbursements ledgers. Receipts varied by \$504,645. The sheriff included the bank balance from the prior year in receipts.

Sheriff's Response: We had included the bank balance from the previous year to reconcile the balance and did not need to do that.



The Honorable Kevin Neal, Marshall County Judge/Executive
 The Honorable Eddie McGuire, Marshall County Sheriff
 Members of the Marshall County Fiscal Court
 (Continued)

3. Procedure -

Compare the sheriff's operating disbursements (fourth quarter or settlement amounts) to the budget approved by the fiscal court to determine if the sheriff overspent the budget.

Finding -

The sheriff's operating disbursements were compared to the sheriff's approved budget and the sheriff overspent his operating budget by \$7,238.

Sheriff's Response: This was due to the bank charge and we had accidentally added a tax deposit into our fee account that had to be corrected.

4. Procedure -

Determine if the sheriff has a settlement of excess fees that was approved by the fiscal court.

Finding -

No exceptions were found as a result of applying the procedure.

5. Procedure -

Obtain a list of accounts prepared by the sheriff that are applicable to the current calendar year.

Finding -

No exceptions were found as a result of applying the procedure. The sheriff maintains fee, drug, donation, DARE, and KLEFPF accounts.

6. Procedure -

Determine if the sheriff reconciles all bank accounts monthly. Re-perform the bank reconciliations for all accounts as of December 31, 2020, to determine the reconciled ending balances and if bank reconciliations are accurate.

Finding -

No exceptions were found as a result of applying the procedure. The balances of the sheriff's accounts are:

Account Name:	Reconciled Account Balance:
Fee Account	\$ 0
Drug Account	\$ 6,775
Donation Account	\$ 1,978
DARE Account	\$ 3,057
KLEFPF Account	\$ 0

The Honorable Kevin Neal, Marshall County Judge/Executive
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(Continued)

7. Procedure -

Determine if receipts are properly accounted for by comparing batched receipts to daily check-out sheets, deposit tickets, receipts ledger, and bank statements for a randomly selected week.

Finding -

No exceptions were found as a result of applying the procedure.

8. Procedure -

Determine if the sheriff completed an annual asset forfeiture report. Determine if assets forfeited to the sheriff are properly accounted for by tracing the asset to bank deposit, receipts ledger, or asset ledger and determine if amounts due to the commonwealth attorney were remitted.

Finding -

No exceptions were found as a result of applying the procedure.

9. Procedure -

Determine if tax commissions are properly accounted for by computing the sheriff's current calendar year tax commission from prior year taxes and current year taxes using the prior year sheriff tax settlement and current year recap of tax reports. Variances that exceed 1% of gross receipts or exceed \$20,000 will be reported.

Finding -

The sheriff collected \$850,741 of tax commissions. However, tax commissions per the receipts ledger totaled \$882,549. The difference between the amount actually collected and the amount reported is due to the sheriff combining add-on fees with tax commissions on the receipts ledger.

Sheriff's Response: The tax commissions were incorrect due to including add on fees to the total. We now know not to do that.

10. Procedure -

Judgmentally select 15 operating disbursements from the sheriff's records and agree amounts paid to invoices or other supporting documentation and cancelled check. Determine if the disbursement is for official business. Inspect all credit card statements (if any) to determine if disbursements are for official business. Verify that any state advancement was repaid.

Finding -

No exceptions were found as a result of applying the procedure.

The Honorable Kevin Neal, Marshall County Judge/Executive
 The Honorable Eddie McGuire, Marshall County Sheriff
 Members of the Marshall County Fiscal Court
 (Continued)

11. Procedure -

Determine excess fees due to the fiscal court by recalculating the difference between total receipts and total disbursements. Verify amounts paid to determine if additional excess fees are due to the fiscal court.

Finding -

Excess fees due to the fiscal court were recalculated and the fiscal court was overpaid by \$355.

Total Receipts	\$ 2,170,552
Total Disbursements	<u>7,238</u>
Excess Fees Due County for 2020	2,163,314
Payments to Fiscal Court	<u>2,163,669</u>
Balance Overpaid to Fiscal Court	<u>\$ (355)</u>

12. Procedure -

Verify the sheriff's maximum salary order for deputies was not overspent.

Finding -

No exceptions were found as a result of applying the procedure.

13. Procedure -

Determine whether payroll charges are properly supported by verifying that timesheets are completed, maintained, approved, and support hours paid by inspecting one pay period's timesheets for all employees. (Not applicable to fee pooling counties)

Finding -

Not applicable since Marshall County is a fee pooling county.

14. Procedure -

Determine that the sheriff was paid the statutory salary as fixed by the Department for Local Government salary schedule.

Finding -

The sheriff was paid \$97,031. The statutorily required salary was \$97,031.

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(Continued)

15. Procedure -

Scan lease agreements and service contracts and compare to actual payments. Determine if services received were appropriate, for official business, and properly authorized. Determine if liabilities requiring disclosure were properly disclosed on the fourth quarter financial statement.

Finding -

No exceptions were found as a result of applying the procedure.

16. Procedure -

Verify the sheriff is properly bonded for the period covered by the agreed upon procedures.

Finding -

No exceptions were found as a result of applying the procedure.

This agreed-upon procedures engagement was conducted in accordance with attestation standards established by the American Institute of Certified Public Accountants and the standards applicable to attestation engagements contained in *Government Auditing Standards* issued by the Comptroller General of the United States. We were not engaged to, and did not conduct an examination or review, the objective of which would be the expression of an opinion or conclusion, respectively, on compliance with specified requirements. Accordingly, we do not express such an opinion or conclusion. Had we performed additional procedures, other matters might have come to our attention that would have been reported to you.

The purpose of this report is to present the procedures performed and the results of those procedures and is not suitable for any other purpose. This report is intended solely for the information and use of the Marshall County Sheriff and the Marshall County Fiscal Court, and is not intended to be and should not be used by anyone other than the specified parties.

Respectfully submitted,



Mike Harmon
Auditor of Public Accounts

September 30, 2021