

**REPORT OF THE AUDIT OF THE
BALLARD COUNTY
CLERK**

**For The Year Ended
December 31, 2023**



**ALLISON BALL
AUDITOR OF PUBLIC ACCOUNTS
auditor.ky.gov**

**209 ST. CLAIR STREET
FRANKFORT, KY 40601-1817
TELEPHONE (502) 564-5841
FACSIMILE (502) 564-2912**

CONTENTS

PAGE

INDEPENDENT AUDITOR’S REPORT	1
STATEMENT OF RECEIPTS, DISBURSEMENTS, AND EXCESS FEES - REGULATORY BASIS	4
NOTES TO FINANCIAL STATEMENT	7
REPORT ON INTERNAL CONTROL OVER FINANCIAL REPORTING AND ON COMPLIANCE AND OTHER MATTERS BASED ON AN AUDIT OF THE FINANCIAL STATEMENT PERFORMED IN ACCORDANCE WITH <i>GOVERNMENT AUDITING STANDARDS</i>	15
SCHEDULE OF FINDINGS AND RESPONSES	19

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ALLISON BALL
AUDITOR OF PUBLIC ACCOUNTS

Independent Auditor's Report

The Honorable Todd Cooper, Ballard County Judge/Executive
The Honorable Katie Mercer, Ballard County Clerk
Members of the Ballard County Fiscal Court

Report on the Audit of the Financial Statement

Opinions

We have audited the accompanying Statement of Receipts, Disbursements, and Excess Fees - Regulatory Basis of the County Clerk of Ballard County, Kentucky, for the year ended December 31, 2023, and the related notes to the financial statement.

Unmodified Opinion on Regulatory Basis of Accounting

In our opinion, the accompanying financial statement presents fairly, in all material respects, the receipts, disbursements, and excess fees of the Ballard County Clerk for the year ended December 31, 2023, in accordance with the basis of accounting practices prescribed or permitted by the Commonwealth of Kentucky to demonstrate compliance with the Commonwealth of Kentucky's regulatory basis of accounting and budget laws as described in Note 1.

Adverse Opinion on U.S. Generally Accepted Accounting Principles

In our opinion, because of the significance of the matter discussed in the Basis for Adverse Opinion on U.S. Generally Accepted Accounting Principles section of our report, the financial statement does not present fairly, in accordance with accounting principles generally accepted in the United States of America, the financial position of the Ballard County Clerk, as of December 31, 2023, or changes in financial position or cash flows thereof for the year then ended.

Basis for Opinion

We conducted our audit in accordance with auditing standards generally accepted in the United States of America (GAAS) and the standards applicable to financial audits contained in *Government Auditing Standards (GAS)*, issued by the Comptroller General of the United States, and the *Audit Program for County Fee Officials* issued by the Auditor of Public Accounts, Commonwealth of Kentucky. Our responsibilities under those standards are further described in the Auditor's Responsibilities for the Audit of the Financial Statement section of our report. We are required to be independent of the Ballard County Clerk and to meet our other ethical responsibilities, in accordance with the relevant ethical requirements relating to our audit. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinions.



The Honorable Todd Cooper, Ballard County Judge/Executive
The Honorable Katie Mercer, Ballard County Clerk
Members of the Ballard County Fiscal Court

Basis for Opinion (Continued)

Basis for Adverse Opinion on U.S. Generally Accepted Accounting Principles

As described in Note 1 of the financial statement, the financial statement is prepared by the Ballard County Clerk on the basis of the accounting practices prescribed or permitted by the laws of Kentucky to demonstrate compliance with the Commonwealth of Kentucky's regulatory basis of accounting and budget laws, which is a basis of accounting other than accounting principles generally accepted in the United States of America.

The effects on the financial statement of the variances between the regulatory basis of accounting described in Note 1 and accounting principles generally accepted in the United States of America, although not reasonably determinable, are presumed to be material and pervasive.

Responsibilities of Management for the Financial Statement

Management is responsible for the preparation and fair presentation of this financial statement in accordance with accounting practices prescribed or permitted by the laws of Kentucky to demonstrate compliance with the Commonwealth of Kentucky's regulatory basis of accounting and budget laws. Management is also responsible for the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of a financial statement that is free from material misstatement, whether due to fraud or error.

In preparing the financial statement, management is required to evaluate whether there are conditions or events, considered in the aggregate, that raise substantial doubt about the Ballard County Clerk's ability to continue as a going concern for twelve months beyond the financial statement date, including any currently known information that may raise substantial doubt shortly thereafter.

Auditor's Responsibilities for the Audit of the Financial Statement

Our objectives are to obtain reasonable assurance about whether the financial statement as a whole is free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinions. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with GAAS and GAS will always detect a material misstatement when it exists. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control. Misstatements are considered material if there is a substantial likelihood that, individually or in the aggregate, they would influence the judgment made by a reasonable user based on the financial statement.

In performing an audit in accordance with GAAS and GAS, we:

- Exercise professional judgment and maintain professional skepticism throughout the audit.
- Identify and assess the risks of material misstatement of the financial statement, whether due to fraud or error, and design and perform audit procedures responsive to those risks. Such procedures include examining, on a test basis, evidence regarding the amounts and disclosures in the financial statement.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Ballard County Clerk's internal control. Accordingly, no such opinion is expressed.
- Evaluate the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluate the overall presentation of the financial statement.
- Conclude whether, in our judgment, there are conditions or events, considered in the aggregate, that raise substantial doubt about the Ballard County Clerk's ability to continue as a going concern for a reasonable period of time.

The Honorable Todd Cooper, Ballard County Judge/Executive
The Honorable Katie Mercer, Ballard County Clerk
Members of the Ballard County Fiscal Court

Auditor’s Responsibilities for the Audit of the Financial Statement (Continued)

We are required to communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit, significant audit findings, and certain internal control-related matters that we have identified during the audit.

Other Reporting Required by *Government Auditing Standards*

In accordance with *Government Auditing Standards*, we have also issued our report dated July 23, 2024, on our consideration of the Ballard County Clerk’s internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts, grant agreements, and other matters. The purpose of that report is solely to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on the effectiveness of internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the Ballard County Clerk’s internal control over financial reporting and compliance.

Based on the results of our audit, we have presented the accompanying Schedule of Findings and Responses, included herein, which discusses the following report findings:

- 2023-001 The Ballard County Clerk’s Office Lacks An Adequate Of Segregation Of Duties
- 2023-002 The Ballard County Clerk’s Fourth Quarter Financial Report Was Not Accurately Stated
- 2023-003 The Ballard County Clerk’s Office Did Not Make Deposits Into Proper Fee Account

Respectfully submitted,



Allison Ball
Auditor of Public Accounts
Frankfort, KY

July 23, 2024

BALLARD COUNTY
KATIE MERCER, COUNTY CLERK
STATEMENT OF RECEIPTS, DISBURSEMENTS, AND EXCESS FEES - REGULATORY BASIS

For The Year Ended December 31, 2023

Receipts

State Revenue Supplement	\$	69,995
State Fees For Services		2,932
Fiscal Court		19,220
Licenses and Taxes:		
Motor Vehicle-		
Licenses and Transfers	\$	382,787
Usage Tax		1,203,425
Tangible Personal Property Tax		1,269,199
Notary Fees		1,166
Other-		
Fish and Game Licenses		6,563
Marriage Licenses		2,300
Occupational Licenses		1,015
Deed Transfer Tax		27,573
Delinquent Tax		135,541
Delinquent Tax Deposits		340
		3,029,909
Fees Collected for Services:		
Recordings-		
Deeds, Easements, and Contracts		18,559
Real Estate Mortgages		23,175
Chattel Mortgages and Financing Statements		25,048
Powers of Attorney		1,601
Affordable Housing Trust		7,422
All Other Recordings		5,221
Charges for Other Services-		
Copy Work		2,250
Postage		2,740
Lien Fees		6,292
Document Storage Fees		13,160
		105,468

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

BALLARD COUNTY
 KATIE MERCER, COUNTY CLERK
 STATEMENT OF RECEIPTS, DISBURSEMENTS, AND EXCESS FEES - REGULATORY BASIS
 For The Year Ended December 31, 2023
 (Continued)

Receipts (Continued)

Other:

Customer Overpayments	\$	10,561	
Miscellaneous		<u>7,000</u>	\$ 17,561
Interest Earned			<u>129</u>
Total Receipts			3,245,214

Disbursements

Payments to State:

Motor Vehicle-			
Licenses and Transfers	\$	296,135	
Usage Tax		1,167,322	
Tangible Personal Property Tax		470,057	
Licenses, Taxes, and Fees-			
Fish and Game Licenses		6,417	
Delinquent Tax		17,245	
Legal Process Tax		7,215	
Affordable Housing Trust		<u>7,422</u>	1,971,813

Payments to Fiscal Court:

Tangible Personal Property Tax		183,966	
Delinquent Tax		18,716	
Deed Transfer Tax		26,195	
Occupational Licenses		480	
Beer and Liquor Licenses		18,898	
Miscellaneous		<u>13,160</u>	261,415

Payments to Other Districts:

Tangible Personal Property Tax		564,409	
Delinquent Tax		<u>58,096</u>	622,505

Payments to Sheriff			11,941
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The accompanying notes are an integral part of this financial statement.

BALLARD COUNTY
 KATIE MERCER, COUNTY CLERK
 STATEMENT OF RECEIPTS, DISBURSEMENTS, AND EXCESS FEES - REGULATORY BASIS
 For The Year Ended December 31, 2023
 (Continued)

Disbursements (Continued)

Payments to County Attorney	\$	18,698
Tax Bill Preparation		2,092
Other Regulatory Payments:		
Delinquent Tax Deposit Refunds		3,293
Operating Disbursements and Capital Outlay:		
Personnel Services-		
Deputies' Salaries	\$	165,380
Contracted Services-		
Advertising	4,127	
Materials and Supplies-		
Office Supplies	5,076	
Other Charges-		
Conventions and Travel	200	
Dues	40	
Postage	3,480	
Customer Overpayments	7,332	
Miscellaneous	8,600	
Title Liens	510	
Capital Outlay-		
Office Equipment	700	195,445
Debt Service:		
Lease Obligations		33,052
Total Disbursements		<u>\$ 3,120,254</u>
Net Receipts		124,960
Less: Statutory Maximum		<u>97,126</u>
Excess Fees		27,834
Less: Expense Allowance		<u>3,600</u>
Excess Fees Due County for 2023		24,234
Payment to Fiscal Court - March 13, 2024		<u>24,233</u>
Balance Due Fiscal Court at Completion of Audit		<u><u>\$ 1</u></u>

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

BALLARD COUNTY
NOTES TO FINANCIAL STATEMENT

December 31, 2023

Note 1. Summary of Significant Accounting Policies

A. Fund Accounting

A fee official uses a fund to report on the results of operations. 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.

A fee official uses a fund for fees to account for activities for which the government desires periodic determination of the excess of receipts over disbursements to facilitate management control, accountability, and compliance with laws.

B. Basis of Accounting

KRS 64.820 directs the fiscal court to collect any amount due from the county clerk as determined by the audit. KRS 64.152 requires the county clerk to pay to the governing body of the county any fees, commissions, and other income of his or her office, including income from investments, which exceed the sum of his or her maximum salary as permitted by the Constitution and other reasonable expenses, including compensation of deputies and assistants by March 15 of each year. KRS 64.830 requires an outgoing clerk to make a final settlement with the fiscal court by March 15 immediately following the expiration of his or her term of office.

The financial statement has been prepared on a regulatory basis of accounting, which is a comprehensive basis of accounting other than accounting principles generally accepted in the United States of America. This basis demonstrates compliance with the laws of Kentucky and is a special purpose framework. Under this regulatory basis of accounting, receipts and disbursements are generally recognized when cash is received or disbursed, with the exception of accrual of the following items (not all-inclusive) as of December 31 that may be included in the excess fees calculation:

- Interest receivable
- Collection on accounts due from others for 2023 services
- Reimbursements for 2023 activities
- Payments due other governmental entities for December tax and fee collections and payroll
- Payments due vendors for goods or services provided in 2023

The measurement focus of a fee official's financial statement is upon current financial resources. Per KRS 64.152(2), remittance of excess fees is due to the fiscal court when the county clerk makes their final settlement.

C. Cash and Investments

KRS 66.480 authorizes the county clerk's office to invest in 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).

BALLARD COUNTY
NOTES TO FINANCIAL STATEMENT
December 31, 2023
(Continued)

Note 2. Employee Retirement System and Other Post-Employment Benefits

The clerk's office has elected to participate, pursuant to KRS 78.530, in the County Employees Retirement System (CERS), which is administered by the Kentucky Public Pensions Authority (KPPA). This is a cost-sharing, multiple-employer, defined benefit pension plan, which covers all eligible full-time employees and provides for retirement, disability, and death benefits to plan members. Benefit contributions and provisions are established by statute.

Nonhazardous covered employees are required to contribute five percent of their salary to the plan. Nonhazardous covered employees who begin participation on or after September 1, 2008, are required to contribute six percent of their salary to be allocated as follows: five percent will go to the member's account and one percent will go to the CERS insurance fund.

In accordance with Senate Bill 2, signed by the Governor on April 4, 2013, plan members who began participating on or after January 1, 2014, were required to contribute to the Cash Balance Plan. The Cash Balance Plan is known as a hybrid plan because it has characteristics of both a defined benefit plan and a defined contribution plan. Members in the plan contribute a set percentage of their salary each month to their own accounts. Nonhazardous covered employees contribute five percent of their annual creditable compensation. Nonhazardous members also contribute one percent to the health insurance fund which is not credited to the member's account and is not refundable. The employer contribution rate is set annually by the CERS Board of Directors based on an actuarial valuation. The employer contributes a set percentage of the member's salary. Each month, when employer contributions are received, an employer pay credit is deposited to the member's account. A member's account is credited with a four percent employer pay credit. The employer pay credit represents a portion of the employer contribution.

Benefits fully vest on reaching five years of service for nonhazardous employees. Aspects of benefits for nonhazardous employees include retirement after 27 years of service or age 65. Nonhazardous employees who begin participation on or after September 1, 2008, must meet the rule of 87 (member's age plus years of service credit must equal 87, and the member must be a minimum of 57 years of age) or the member is age 65, with a minimum of 60 months service credit.

The county's contribution rate for nonhazardous employees was 26.79 percent for the first six months and 23.34 percent for the last six months.

Other Post-Employment Benefits (OPEB)

A. Health Insurance Coverage - Tier 1

CERS provides post-retirement health care coverage as follows:

For members participating prior to July 1, 2003, years of service and respective percentages of the maximum contribution are as follows:

BALLARD COUNTY
 NOTES TO FINANCIAL STATEMENT
 December 31, 2023
 (Continued)

Note 2. Employee Retirement System and Other Post-Employment Benefits (Continued)

Other Post-Employment Benefits (OPEB) (Continued)

A. Health Insurance Coverage - Tier 1 (Continued)

Years of Service	% Paid by Insurance Fund	% Paid by Member through Payroll Deduction
20 or more	100%	0%
15-19	75%	25%
10-14	50%	50%
4-9	25%	75%
Less than 4	0%	100%

As a result of House Bill 290 (2004 General Assembly), medical insurance benefits are calculated differently for members who began participation on or after July 1, 2003. Once members reach a minimum vesting period of ten years, non-hazardous employees whose participation began on or after July 1, 2003, they earn ten dollars per month for insurance benefits at retirement for every year of earned service without regard to a maximum dollar amount. This dollar amount is subject to adjustment annually based on the retiree cost of living adjustment, which is updated annually due to changes in the Consumer Price Index.

Benefits are covered under KRS 78.5536.

B. Health Insurance Coverage - Tier 2 and Tier 3 - Nonhazardous

Once members reach a minimum vesting period of 15 years, they earn ten dollars per month for insurance benefits at retirement for every year of earned service without regard to a maximum dollar amount. This dollar amount is subject to adjustment annually by 1.5 percent. This was established for Tier 2 members during the 2008 Special Legislative Session by House Bill 1. During the 2013 Legislative Session, Senate Bill 2 was enacted, creating Tier 3 benefits for members.

The monthly insurance benefit has been increased annually as a 1.5 percent cost of living adjustment (COLA) since July 2003 when the law changed. The annual increase is cumulative and continues to accrue after the member's retirement.

Tier 2 member benefits are covered by KRS 78.5536. Tier 3 members are not covered by the same provisions.

C. Cost of Living Adjustments - Tier 1

The 1996 General Assembly enacted an automatic cost of living adjustment (COLA) provision for all recipients of KRS benefits. During the 2008 Special Session, the General Assembly determined that each July beginning in 2009, retirees who have been receiving a retirement allowance for at least 12 months will receive an automatic COLA of 1.5 percent. The COLA is not a guaranteed benefit. If a retiree has been receiving a benefit for less than 12 months, and a COLA is provided, it will be prorated based on the number of months the recipient has been receiving a benefit.

BALLARD COUNTY
 NOTES TO FINANCIAL STATEMENT
 December 31, 2023
 (Continued)

Note 2. Employee Retirement System and Other Post-Employment Benefits (Continued)

Other Post-Employment Benefits (OPEB) (Continued)

D. Cost of Living Adjustments - Tier 2 and Tier 3

No COLA is given unless authorized by the legislature with specific criteria. To this point, no COLA has been authorized by the legislature for Tier 2 or Tier 3 members.

E. Death Benefit

If a retired member is receiving a monthly benefit based on at least 48 months of service credit, KRS will pay a \$5,000 death benefit payment to the beneficiary designated by the member specifically for this benefit. Members with multiple accounts are entitled to only one death benefit.

Kentucky Retirement Systems Annual Financial Report and Proportionate Share Audit Report

Kentucky Retirement Systems issues a publicly available annual financial report that includes financial statements and required supplementary information on CERS. This report may be obtained by writing the Kentucky Retirement Systems, 1260 Louisville Road, Frankfort, KY 40601-6124, or by telephone at (502) 564-4646.

Kentucky Retirement Systems also issues proportionate share audit reports for both total pension liability and other post-employment benefits for CERS determined by actuarial valuation as well as each participating county's proportionate share. Both the Schedules of Employer Allocations and Pension Amounts by Employer and the Schedules of Employer Allocations and OPEB Amounts by Employer reports and the related actuarial tables are available online at <https://kyret.ky.gov>. The complete actuarial valuation report, including all actuarial assumptions and methods, is also available on the website or can be obtained as described in the paragraph above.

Note 3. Deposits

The Ballard County Clerk maintained deposits of public funds with federally insured banking institutions as required by the Department for Local Government's (DLG) *County Budget Preparation and State Local Finance Officer Policy Manual*. The DLG Manual strongly recommends perfected pledges of securities covering all public funds except direct federal obligations and funds protected by federal insurance. In order to be perfected in the event of failure or insolvency of the depository institution, this pledge or provision of collateral should be evidenced by an agreement between the county clerk and the depository institution, signed by both parties, 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. These requirements were met.

Custodial Credit Risk - Deposits

Custodial credit risk is the risk that in the event of a depository institution failure, the county clerk's deposits may not be returned. The Ballard County Clerk does not have a deposit policy for custodial credit risk, but rather follows the requirements of the DLG *County Budget Preparation and State Local Finance Officer Policy Manual*. As of December 31, 2023, all deposits were covered by FDIC insurance or a properly executed collateral security agreement.

BALLARD COUNTY
NOTES TO FINANCIAL STATEMENT
December 31, 2023
(Continued)

Note 4. Lease Agreement

In January 2020, the Ballard County Clerk entered into a five-year lease agreement with Data Records Management Services for the acquisition and use of a server and applicable computers. A lease liability was recorded in the amount of \$44,100. For the calendar year, the county clerk paid monthly lease payments timely. As of December 31, 2023, the outstanding balance of the lease is \$11,220.

Note 5. Subscription-Based Information Technology Arrangements (SBITA)

A. SBITA – Accounting Subscription

The Ballard County Clerk entered into a subscription-based information technology arrangement for accounting software in the bookkeeping department. The subscription terms are four years totaling \$24,000, and the Ballard County Clerk will receive the right-to-use subscription asset (intangible asset). As of December 31, 2023, the value of the subscription liability was \$21,000. The Ballard County Clerk is required to make monthly payments of \$500.

The future lease payments as of December 31, 2023, were as follows:

<u>Calendar Year Ended</u> <u>December 31</u>	<u>Amount</u>
2024	\$ 6,000
2025	6,000
2026	6,000
2027	<u>3,000</u>
Total Minimum Lease Payments	<u>\$ 21,000</u>

B. SBITA – Recording Software

The Ballard County Clerk entered into a subscription-based information technology arrangement for recording software. The subscription terms are 4 years totaling \$45,200, and the Ballard County Clerk will receive the right-to-use subscription asset (intangible asset). As of December 31, 2023, the value of the subscription liability was \$33,900. The Ballard County Clerk's office is required to make annual payments of \$11,300 per year.

Note 6. Escrow Account

The Ballard County Clerk deposits uncleared outstanding checks (checks the clerk wrote during the calendar that have not cleared the bank) into a custodial bank account. When statutorily required, the county clerk will turn over the escrowed funds to the Kentucky State Treasurer as unclaimed property. The county clerk's escrowed amounts were as follows:

2021	\$139
2022	\$40

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

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ALLISON BALL
AUDITOR OF PUBLIC ACCOUNTS

Report On Internal Control Over Financial Reporting And
On Compliance And Other Matters Based On An Audit Of The Financial
Statement Performed In Accordance With *Government Auditing Standards*

Independent Auditor's Report

The Honorable Todd Cooper, Ballard County Judge/Executive
The Honorable Katie Mercer, Ballard County Clerk
Members of the Ballard County Fiscal Court

We have audited, in accordance with auditing standards generally accepted in the United States of America, the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States, and the *Audit Program for County Fee Officials* issued by the Auditor of Public Accounts, Commonwealth of Kentucky, the Statement of Receipts, Disbursements, and Excess Fees - Regulatory Basis of the Ballard County Clerk for the year ended December 31, 2023, and the related notes to the financial statement and have issued our report thereon dated July 23, 2024. The Ballard County Clerk's financial statement is prepared on a regulatory basis of accounting, which demonstrates compliance with the Commonwealth of Kentucky's regulatory basis of accounting and budget laws, which is a basis of accounting other than accounting principles generally accepted in the United States of America.

Report on Internal Control over Financial Reporting

In planning and performing our audit of the financial statement, we considered the Ballard County Clerk's internal control over financial reporting (internal control) as a basis for designing audit procedures that are appropriate in the circumstances for the purpose of expressing our opinion on the financial statement, but not for the purpose of expressing an opinion on the effectiveness of the Ballard County Clerk's internal control. Accordingly, we do not express an opinion on the effectiveness of the Ballard County Clerk's internal control.

Our consideration of internal control over financial reporting was for the limited purpose described in the preceding paragraph and was not designed to identify all deficiencies in internal control that might be material weaknesses or significant deficiencies and therefore, material weaknesses or significant deficiencies may exist that were not identified. However, as described in the accompanying Schedule of Findings and Responses, we identified a certain deficiency in internal control that we consider to be a material weakness and other deficiencies that we consider to be significant deficiencies.

A deficiency in internal control exists when the design or operation of a control does not allow management or employees in the normal course of performing their assigned functions, to prevent, or detect and correct misstatements on a timely basis. A material weakness is a deficiency, or a combination of deficiencies, in internal control, such that there is a reasonable possibility that a material misstatement of the entity's financial statement will not be prevented or detected and corrected on a timely basis. We consider the deficiency described in the accompanying Schedule of Findings and Responses as item 2023-001 to be a material weakness.



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

Report on Internal Control over Financial Reporting (Continued)

A significant deficiency is a deficiency, or a combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance. We consider the deficiencies described in the accompanying Schedule of Findings and Responses as items 2023-002 and 2023-003 to be significant deficiencies.

Report on Compliance And Other Matters

As part of obtaining reasonable assurance about whether the Ballard County Clerk's financial statement is free of material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a direct and material effect on the financial statement. 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 or other matters that are required to be reported under *Government Auditing Standards*.

Views of Responsible Official and Planned Corrective Action

Government Auditing Standards requires the auditor to perform limited procedures on the Ballard County Clerk's response to the findings identified in our audit and described in the accompanying Schedule of Findings and Responses. The Ballard County Clerk's responses were not subjected to the other auditing procedures applied in the audit of the financial statement and, accordingly, we express no opinion on them.

Purpose of this Report

The purpose of this report is solely to describe the scope of our testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the entity's internal control or on compliance. This report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the entity's internal control and compliance. Accordingly, this communication is not suitable for any other purpose.

Respectfully submitted,



Allison Ball
Auditor of Public Accounts
Frankfort, KY

July 23, 2024

SCHEDULE OF FINDINGS AND RESPONSES

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BALLARD COUNTY
KATIE MERCER, COUNTY CLERK
SCHEDULE OF FINDINGS AND RESPONSES

For The Year Ended December 31, 2023

INTERNAL CONTROL - MATERIAL WEAKNESS:

2023-001 The Ballard County Clerk's Office Lacks An Adequate Of Segregation Of Duties

This is a repeat finding and was included in the prior year audit report as finding 2022-002. The Ballard County Clerk's office lacks adequate segregation of duties over the accounting and reporting functions of the clerk's office. The duties associated with the authorization of transactions, custody of cash, and recording of transactions are not properly segregated. While daily checkout procedures are performed by the deputy clerks on a rotating basis, the bookkeeper is still responsible for posting transactions to the ledgers, preparing weekly, monthly, and quarterly reports, preparing checks, and reconciling the bank statements. The bookkeeper also works on the front line of the office and receives cash from customers. No oversight review procedures were documented. According to the county clerk, this condition is the result of a limited number of staff in which to segregate duties. A lack of segregation of duties or strong oversight increases the risk that errors or fraud could occur and not be detected.

KRS 46.010(2) requires, "each county treasurer, and each county officer who receives or disburses state funds, to keep an accurate account of receipts and disbursements, showing a daily balance of receipts and disbursements." KRS 46.010(3) requires, "all county officers handling state funds, other than taxes, to make an annual report to the Department for Local Government showing receipts and disbursements, and to make other financial statements as the Department for Local Government requires." The segregation of duties is a basic internal control necessary to ensure the accuracy and reliability of financial reports.

A properly designed internal control environment exists when the design or operation of a control allows management or employees in the normal course of performing their assigned functions, to prevent, or detect and correct misstatements on a timely basis. The best way to achieve a properly designed internal control environment is to segregate the duties of authorization, recording, and physical access to assets which is essential for providing protection from asset misappropriation and reasonable assurance that the financial information is reliable, accurate, and timely.

We recommend the Ballard County Clerk separate the duties involved in receiving receipts from customers, posting to the receipts and disbursements ledgers, preparing weekly, monthly, and quarterly reports, and performing monthly bank reconciliations. If, due to a limited staff, this is not feasible, cross-checking procedures should be implemented and documented by the individual performing the procedures.

County Clerk's Response: The plan is to have the daily paperwork and checkouts reconciled by two staff members, this currently happens but both staff members will now sign off on both reconciled documents showing that the totals match or having an explanation as to why they do not. The bank statement reconciliation will be reviewed and signed by the clerk after it is completed.

INTERNAL CONTROL - SIGNIFICANT DEFICIENCIES:

2023-002 The Ballard County Clerk's Fourth Quarter Financial Report Was Not Accurately Stated

The Ballard County Clerk's fourth quarter financial report did not agree to the ledgers nor was it properly reconciled to the bank. The receipts were understated by \$20,468, and the disbursements were understated by \$25,227. Also, the fourth quarter financial report did not total accurately nor include the bank reconciliation section or status of other accounts maintained by the clerk's office. The bookkeeper did not realize unbudgeted receipts and disbursements, such as customer overpayments, should have been reported on the financial report. The clerk's fourth quarter financial report submitted to the Department for Local Government was incomplete and misstated.

BALLARD COUNTY
 KATIE MERCER, COUNTY CLERK
 SCHEDULE OF FINDINGS AND RESPONSES
 For The Year Ended December 31, 2023
 (Continued)

INTERNAL CONTROL - SIGNIFICANT DEFICIENCIES: (Continued)

2023-002 The Ballard County Clerk's Fourth Quarter Financial Report Was Not Accurately Stated
 (Continued)

KRS 46.010(2) requires, "each county treasurer, and each county officer who receives or disburses state funds, to keep an accurate account of receipts and disbursements, showing a daily balance of receipts and disbursements." KRS 46.010(3) requires, "all county officers handling state funds, other than taxes, to make an annual report to the Department for Local Government showing receipts and disbursements, and to make other financial statements as the Department for Local Government requires." The fourth quarter financial report should be supported by the receipts and disbursements ledgers and reconciled to the bank as a basic internal control necessary to ensure the accuracy and reliability of financial reports.

We recommend the Ballard County Clerk ensure the fourth quarter financial report is complete, accurate, and reconciled to the bank.

County Clerk's Response: The quarterly statement will be reconciled to the bank account alleviating the misstatement. This however did not have a financial impact, it was simply a difference in accounting principles. For example, the bank statement when reconciled showed that we were to pay the Fiscal Court \$24,232.92 and the quarterly statement showed that we were to pay the Fiscal Court \$24,231.45. That was a difference of \$1.47. So, things were balanced accurately there were just some categories not reported on the quarterly statement because they were pay in and immediate pay out, not money that we collected for the county but mainly overpayments that were refunded to the customer at the time of the transaction. It is now understood that those should be included on the quarterly statement and will be going forward.

2023-003 The Ballard County Clerk's Office Did Not Make Deposits Into Proper Fee Account

The Ballard County Clerk's office deposited fee receipts collected during the year into the wrong fee account. Of the five daily checkouts tested, four were deposited into the wrong fee account and then subsequently transferred to the proper account. According to the bookkeeper, this was due to an oversight and was corrected as soon as it was found. Receipts reported on the fourth quarter financial report may not be complete and accurate.

KRS 46.010(2) requires, "each county treasurer, and each county officer who receives or disburses state funds, to keep an accurate account of receipts and disbursements, showing a daily balance of receipts and disbursements." KRS 46.010(3) requires, "all county officers handling state funds, other than taxes, to make an annual report to the Department for Local Government showing receipts and disbursements, and to make other financial statements as the Department for Local Government requires." Making daily deposits into the proper fee account is a basic internal control necessary to ensure the accuracy and reliability of financial reports.

KRS 68.210 gives the State Local Finance Officer the authority to prescribe a uniform system of accounts. The *County Budget Preparation and State Local Finance Officer Policy Manual* requires officials' receipts to be kept intact and deposited daily.

We recommend the Ballard County Clerk's Office implement procedures to ensure deposits are made daily and into the proper fee account.

County Clerk's Response: This was an error made by the office staff doing the daily deposits. The wrong book of deposit tickets was grabbed when the previous book was empty. Unfortunately, the bank account numbers were very similar, and the error was not noticed for a week. This was corrected immediately, and all new books of deposit tickets have the correct "year" written on them to alleviate this from happening again.