

**REPORT OF THE AUDIT OF THE
FORMER FULTON COUNTY
SHERIFF'S SETTLEMENT - 2022 TAXES**

**For The Period
September 1, 2022 Through December 31, 2022**



**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**

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ALLISON BALL
AUDITOR OF PUBLIC ACCOUNTS

Independent Auditor's Report

To the People of Kentucky
The Honorable Andy Beshear, Governor
Holly M. Johnson, Secretary
Finance and Administration Cabinet
The Honorable Jim Martin, Fulton County Judge/Executive
The Honorable Derek Goodson, Former Fulton County Sheriff
The Honorable Chad Parker, Fulton County Sheriff
Members of the Fulton County Fiscal Court

Report on the Audit of the Financial Statement

Opinions

We have audited the accompanying former Fulton County Sheriff's Settlement - 2022 Taxes for the period September 1, 2022 through December 31, 2022 - Regulatory Basis, 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 taxes charged, credited, and paid for the period September 1, 2022 through December 31, 2022 of the former Fulton County Sheriff, in accordance with the basis of accounting practices prescribed or permitted by the Commonwealth of Kentucky 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 taxes charged, credited, and paid of the former Fulton County Sheriff, for the period September 1, 2022 through December 31, 2022.

Basis for Opinions

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*, issued by the Comptroller General of the United States, and the *Audit Program for Sheriffs' Tax Settlements*. 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 former Fulton County Sheriff and to meet our other ethical responsibilities, in accordance with the relevant ethical requirements relating to our audit. We believe the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinions.



To the People of Kentucky
The Honorable Andy Beshear, Governor
Holly M. Johnson, Secretary
Finance and Administration Cabinet
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Members of the Fulton County Fiscal Court

Basis for Opinions (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 former Fulton County Sheriff on the basis of 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 the 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.

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 an absolute assurance and therefore is not a guarantee that an audit conducted in accordance with GAAS 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 judgement made by a reasonable user based on the financial statement.

In performing an audit in accordance with GAAS, 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 former Fulton County Sheriff'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 former Fulton County Sheriff's ability to continue as a going concern for a reasonable period of time.

To the People of Kentucky
The Honorable Andy Beshear, Governor
Holly M. Johnson, Secretary
Finance and Administration Cabinet
The Honorable Jim Martin, Fulton County Judge/Executive
The Honorable Derek Goodson, Former Fulton County Sheriff
The Honorable Chad Parker, Fulton County Sheriff
Members of the Fulton 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 findings, and certain internal control-related matters that we identified during the audit.

Other Reporting Required by *Government Auditing Standards*

In accordance with *Government Auditing Standards*, we have also issued our report dated October 26, 2023, on our consideration of the former Fulton County Sheriff’s internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts and grant agreements, and other matters. The purpose of that report is 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 former Fulton County Sheriff’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:

- 2022-001 The Former Fulton County Sheriff’s Office Lacked Adequate Segregation Of Duties
- 2022-002 The Former Fulton County Sheriff Failed To Present A Tax Settlement To The Fiscal Court By March 15
- 2022-003 The Former Fulton County Sheriff Failed To Make Daily Deposits

Respectfully submitted,



Allison Ball
Auditor of Public Accounts
Frankfort, Ky

October 26, 2023

FULTON COUNTY
DEREK GOODSON, FORMER SHERIFF
SHERIFF'S SETTLEMENT - 2022 TAXES

For The Period September 1, 2022 Through December 31, 2022

	Special Taxing			
	County	Districts	School	State
<u>Charges</u>				
Real Estate	\$ 290,531	\$ 545,111	\$ 1,367,394	\$ 258,451
Tangible	51,154	91,860	238,221	239,483
Total Per Sheriff's Official Receipt	341,685	636,971	1,605,615	497,934
<u>Other Taxes & Charges</u>				
Court Ordered Increases		3		309
Franchise Taxes	70,648	36,097	92,146	
Additional Billings				50
Gross Chargeable to Sheriff	412,333	673,071	1,697,761	498,293
<u>Credits</u>				
Exonerations	634	1,118	3,052	1,014
Discounts	6,009	9,432	23,546	6,508
Transfer to Incoming Sheriff				
Real Estate	35,684	64,042	182,103	31,812
Tangible	5,686	9,474	31,047	7,287
Fire Protection	19			
Total Credits	48,032	84,066	239,748	46,621
Taxes Collected	364,301	589,005	1,458,013	451,672
Less: Sheriff's Commissions*	15,483	25,033	51,030	19,196
Taxes Due Districts	348,818	563,972	1,406,983	432,476
Taxes Paid	348,675	563,737	1,406,468	432,297
Refunds (Current and Prior Year)	201	337	816	176
Taxes Due Districts (Refund Due Sheriff)	\$ (58)	\$ (102)	\$ (301)	\$ 3
		**	***	

*, **, and *** See next page.

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

FULTON COUNTY
 DEREK GOODSON, FORMER SHERIFF
 SHERIFF'S SETTLEMENT - 2022 TAXES
 For The Period September 1, 2022 Through December 31, 2022
 (Continued)

* Commissions:

4.25% on \$ 1,404,978

3.5% on \$ 1,458,013

** Special Taxing Districts:

Library District \$ (37)

Health District (18)

Extension District (26)

Soil Conservation District (12)

Mental Health District (9)

Due Districts or

(Refunds Due Sheriff) \$ (102)

*** School Taxing Districts

Common School District \$ (5)

Fulton Independent School District (296)

Due Districts or

(Refunds Due Sheriff) \$ (301)

FULTON COUNTY
NOTES TO FINANCIAL STATEMENT

December 31, 2022

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 regulatory basis of accounting, which demonstrates compliance with the laws of Kentucky and is a special purpose framework. 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

KRS 66.480 authorizes the sheriff'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).

D. Preparation of State Settlement

The Kentucky Department of Revenue prepares the settlement relating to taxes collected for the state under the provision of KRS 134.192(2)(a). This is reported as the "State Taxes" column on the financial statement.

Note 2. Deposits

The former Fulton County Sheriff 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 sheriff 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.

FULTON COUNTY
NOTES TO FINANCIAL STATEMENT
December 31, 2022
(Continued)

Note 2. Deposits (Continued)

Custodial Credit Risk - Deposits

Custodial credit risk is the risk that in the event of a depository institution failure, the sheriff's deposits may not be returned. The former Fulton County Sheriff did not have a deposit policy for custodial credit risk, but rather followed the requirements of the *DLG County Budget Preparation and State Local Finance Officer Policy Manual*. As of December 31, 2022, all deposits were covered by FDIC insurance or a properly executed collateral security agreement.

Note 3. Tax Collection Period

A. Property Taxes

The real and personal property tax assessments were levied as of January 1, 2022. Property taxes were billed to finance governmental services for the fiscal year ending June 30, 2023. Liens are effective when the tax bills become delinquent. The collection period for these assessments was September 19, 2022 through December 31, 2022.

B. Franchise Taxes

The franchise tax assessments were levied by the Department of Revenue for various tax years. Franchise taxes are billed to finance governmental services. Liens are effective when the tax bills become delinquent. The collection period for these assessments was April 16, 2022 through December 31, 2022.

Note 4. Interest Income

The former Fulton County Sheriff earned \$162 as interest income on 2022 taxes. The former sheriff was in substantial compliance with his statutory responsibilities.

Note 5. Subsequent Events

Former Sheriff Derrek Goodson left office on December 31, 2022. Chad Parker took office on January 1, 2023.

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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 Jim Martin, Fulton County Judge/Executive
The Honorable Derek Goodson, Former Fulton County Sheriff
The Honorable Chad Parker, Fulton County Sheriff
Members of the Fulton County Fiscal Court

We have audited, in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States, the former Fulton County Sheriff's Settlement - 2022 Taxes for the period September 1, 2022 through December 31, 2022 - Regulatory Basis and the related notes to the financial statement and have issued our report thereon dated October 26, 2023. The former Fulton County Sheriff'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 former Fulton County Sheriff'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 former Fulton County Sheriff's internal control. Accordingly, we do not express an opinion on the effectiveness of the former Fulton County Sheriff's internal control.

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. 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.

Our consideration of internal control was for the limited purpose described in the first paragraph of this section 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. Given these limitations, during our audit we did not identify any deficiencies in internal control that we consider to be material weaknesses. However, material weaknesses may exist that have not been identified. We did identify certain deficiencies in internal control, which are described in the accompanying Schedule of Findings and Responses as items 2022-001, 2022-002, and 2022-003 that we consider to be significant deficiencies.



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 Compliance And Other Matters

As part of obtaining reasonable assurance about whether the former Fulton County Sheriff's financial statement is free from 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 instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards* and which are described in the accompanying Schedule of Findings and Responses as items 2022-002 and 2022-003.

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

October 26, 2023

SCHEDULE OF FINDINGS AND RESPONSES

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FULTON COUNTY
DEREK GOODSON, FORMER SHERIFF
SCHEDULE OF FINDINGS AND RESPONSES

For The Period September 1, 2022 Through December 31, 2022

FINANCIAL STATEMENT FINDINGS:

2022-001 The Former Fulton County Sheriff Lacked Adequate Segregation Of Duties

The former Fulton County sheriff's office lacked adequate segregation of duties over accounting and reporting of tax collections. The bookkeeper's primary responsibilities included collecting taxes, preparing daily deposits, processing monthly tax reports, preparing, and signing tax distributions, performing monthly bank reconciliations, and preparing annual tax settlements. To offset this control deficiency, the former sheriff implemented compensating controls such as reviewing daily checkout sheets and deposits, reviewing and signing monthly reports, reviewing monthly bank reconciliations, and dual signatures on checks. However, there was no documentation of review on most daily checkout sheets. According to staff, the lack of segregation of duties was caused by a limited number of staff and the diversity of operations.

A lack of segregation of duties or strong oversight increases the risk that errors or fraud could have occurred and not been detected. The former sheriff implemented compensating controls that minimized the risk, but they were not sufficient enough to minimize the risk adequately. Proper segregation of duties dictates that certain accounting functions be performed by several different employees to provide reasonable assurance the financial activity was properly accounted for and accurately reported. Additionally, proper segregation of duties protects employees in the normal course of performing their daily responsibilities.

In order to achieve proper segregation of duties, the former sheriff should have assigned some duties to other employees. If this was not feasible, the sheriff's office should have implemented compensating controls that were fully evidenced by documentation.

Former Sheriff's Response: The former sheriff did not provide a response.

2022-002 The Former Fulton County Sheriff Failed To Present A Tax Settlement To The Fiscal Court By March 15

The former Fulton County Sheriff failed to present a tax settlement to the fiscal court in a timely manner. The tax settlement was to be presented to the fiscal court by March 15, 2023, but the settlement was not presented to the fiscal court until June 12, 2023. This was due to an oversight to the deadline required to make the final settlement. The former Fulton County Sheriff was not in compliance with KRS 134.215 and assets were left subject to misappropriation and loss.

KRS 134.215(3) states, "[e]ach outgoing sheriff shall make a final settlement with the department, the fiscal court, and all districts for which his or her office collected taxes by March 15 immediately following the expiration of his or her term of office." Additionally, good internal controls dictate policies and procedures be maintained in order to meet compliance with applicable statutes.

We recommend the sheriff's office make final settlement in accordance with KRS 134.215(3) in the future.

Former Sheriff's Response: The former sheriff did not provide a response.

FULTON COUNTY
DEREK GOODSON, FORMER SHERIFF
SCHEDULE OF FINDINGS AND RESPONSES
For The Period September 1, 2022 Through December 31, 2022
(Continued)

FINANCIAL STATEMENT FINDINGS: (Continued)

2022-003 The Former Fulton County Sheriff Failed To Make Daily Deposits

The former Fulton County Sheriff failed to make daily tax deposits. For the week tested, four days of deposits were deposited on one day. There was a daily checkout sheet completed for each day, but deposits were not made daily. According to the staff, deposits were not made daily due to the office having a limited staff.

The failure to make daily deposits resulted in the former sheriff not being in compliance with KRS 68.210. Also, by not making daily deposits, tax collections were left vulnerable to misappropriation and loss. 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 to keep receipts intact and ensure they are deposited daily. In addition, strong internal controls dictate that daily checkouts would be deposited daily.

We recommend the sheriff's office require deposits be made daily. We further recommend the sheriff's office strengthen internal controls over daily checkout procedures to ensure deposits are made daily.

Former Sheriff's Response: The former sheriff did not provide a response.