

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

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



**MIKE HARMON
AUDITOR OF PUBLIC ACCOUNTS
auditor.ky.gov**

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



MIKE HARMON
AUDITOR OF PUBLIC ACCOUNTS

SUMMARY OF PROCEDURES AND FINDINGS

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

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

The Nelson 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 2022 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 (an instance of noncompliance with the criteria) was identified during the AUP engagement.

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

- The sheriff's operating disbursements were compared to the sheriff's approved budget and the sheriff overspent his operating budget by a total of \$83,899.
- The sheriff did not provide a settlement of excess fees or remit excess fees to the fiscal court by March 15, 2023; however, the sheriff did do so on March 22, 2023.
- Disbursements selected agree to paid invoices or other supporting documentation and canceled checks and were for official business. Credit card disbursements were for official business except for \$102 paid in sales tax and 3 were missing supporting documentation totaling \$217. The state advancement was repaid.
- Excess fees due to the fiscal court were recalculated and there are \$4,850 excess fees due to the fiscal court.

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 auditor.ky.gov.

Respectfully submitted,

Mike Harmon
Auditor of Public Accounts
Frankfort, KY
June 16, 2023



THIS PAGE LEFT BLANK INTENTIONALLY



MIKE HARMON
AUDITOR OF PUBLIC ACCOUNTS

Independent Accountant's Report
On Applying Agreed-Upon Procedures

The Honorable Timothy Hutchins, Nelson County Judge/Executive
The Honorable Ramon Pineiroa, Nelson County Sheriff
Members of the Nelson County Fiscal Court

We have performed the procedures enumerated below, which were agreed to by the Nelson 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, 2022 through December 31, 2022. An agreed-upon procedures engagement involves the APA performing specific procedures that the sheriff has agreed to and acknowledged to be appropriate for the intended purpose of the engagement and reporting on findings based on the procedures performed. The Nelson 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 representations regarding the sufficiency of the procedures enumerated below either for the purpose for which this report has been requested or for any other purpose. The Nelson County Sheriff has agreed to and acknowledged that the procedures performed are appropriate to meet the intended purpose of determining 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. The purpose of the engagement is to assist users in determining whether the sheriff complied with the specified requirements. This report may not be suitable for any other purpose. The procedures performed may not address all the items of interest to a user of this report and may not meet the needs of all users of this report and, as such, users are responsible for determining whether the procedures performed are appropriate for their purposes.

Our procedures and findings are as follows:

1. Compliance 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 -

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



The Honorable Timothy Hutchins, Nelson County Judge/Executive
 The Honorable Ramon Pineiroa, Nelson County Sheriff
 Members of the Nelson County Fiscal Court
 (Continued)

3. Compliance 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. Overages that exceed 1% of gross receipts or exceed \$20,000 will be reported.

Finding -

The sheriff's operating disbursements were compared to the sheriff's approved budget and the sheriff overspent his operating budget by a total of \$83,899.

4. Compliance Procedure -

Determine if the sheriff provided a settlement of excess fees to fiscal court by March 15, 2023 and determine if excess fees were remitted at that time.

Finding -

The sheriff did not provide a settlement of excess fees or remit excess fees to the fiscal court by March 15, 2023; however, the sheriff did do so on March 22, 2023.

Sheriff's Response: Excess fees payment was late due to change in accounting staff.

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, forfeiture and seizure, and evidence accounts.

6. Compliance Procedure -

Determine if the sheriff reconciles all bank accounts monthly. Re-perform the bank reconciliations for all accounts as of December 31, 2022, 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	\$ 5,004
Forfeiture and Seizure Account	\$ 12,348
Evidence Account	\$ 34,801

The Honorable Timothy Hutchins, Nelson County Judge/Executive
The Honorable Ramon Pineiroa, Nelson County Sheriff
Members of the Nelson County Fiscal Court
(Continued)

7. Compliance 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. Compliance 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. Compare amount recorded on the fourth quarter financial statement to the computation of tax commissions. Variances that exceed 1% of gross receipts or exceed \$20,000 will be reported.

Finding -

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

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 -

Disbursements selected agree to paid invoices or other supporting documentation and canceled checks and were for official business. Credit card disbursements were for official business except for \$102 paid in sales tax and 3 were missing supporting documentation totaling \$217. The state advancement was repaid.

The Honorable Timothy Hutchins, Nelson County Judge/Executive
 The Honorable Ramon Pineiroa, Nelson County Sheriff
 Members of the Nelson 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 there are \$4,850 excess fees due to the fiscal court.

Total Receipts	\$ 2,527,794
Total Disbursements	<u>2,398,216</u>
Excess Fees Due County for 2022	129,578
Payments to Fiscal Court	<u>124,728</u>
Balance Due Fiscal Court	<u><u>\$ 4,850</u></u>

12. Compliance 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. Compliance 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 -

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

14. Compliance 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 \$119,310. The statutorily required salary was \$119,310.

The Honorable Timothy Hutchins, Nelson County Judge/Executive
The Honorable Ramon Pineiroa, Nelson County Sheriff
Members of the Nelson County Fiscal Court
(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. Compliance 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.

We were engaged by the Nelson County Sheriff to perform this agreed-upon procedures engagement and conducted our engagement 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.

We are required to be independent of the Nelson County Sheriff and to meet our ethical responsibilities, in accordance with the relevant ethical requirements related to our agreed-upon procedures engagement.

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

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Mike Harmon", with a long horizontal line extending to the right.

Mike Harmon
Auditor of Public Accounts
Frankfort, KY

June 16, 2023