

**REPORT OF THE AUDIT OF THE  
SCOTT COUNTY  
SHERIFF'S SETTLEMENT - 2020 TAXES**

**For The Period  
May 16, 2020 Through April 15, 2021**



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**MIKE HARMON**  
**AUDITOR OF PUBLIC ACCOUNTS**

To the People of Kentucky  
The Honorable Andy Beshear, Governor  
Holly M. Johnson, Secretary  
Finance and Administration Cabinet  
The Honorable Joe Pat Covington, Scott County Judge/Executive  
The Honorable Tony Hampton, Scott County Sheriff  
Members of the Scott County Fiscal Court

**Independent Auditor's Report**

**Report on the Financial Statement**

We have audited the Scott County Sheriff's Settlement - 2020 Taxes for the period May 16, 2020 through April 15, 2021 - Regulatory Basis, and the related notes to the financial statement.

**Management's Responsibility 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 as described in Note 1. 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 Responsibility**

Our responsibility is to express an opinion on the financial statement based on our audit. We conducted our audit 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 Guide for Sheriff's Tax Settlements*, issued by the Auditor of Public Accounts, Commonwealth of Kentucky. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statement is free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statement. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the financial statement, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation and fair presentation of the financial statement 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 entity's internal control. Accordingly, we express no such opinion. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statement.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.



To the People of Kentucky  
The Honorable Andy Beshear, Governor  
Holly M. Johnson, Secretary  
Finance and Administration Cabinet  
The Honorable Joe Pat Covington, Scott County Judge/Executive  
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### **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 Scott 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, 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.

### **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 paragraph, the financial statement referred to above 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 Scott County Sheriff, for the period May 16, 2020 through April 15, 2021.

### **Opinion on Regulatory Basis of Accounting**

In our opinion, the financial statement referred to above presents fairly, in all material respects, the taxes charged, credited, and paid for the period May 16, 2020 through April 15, 2021 of the Scott County Sheriff, in accordance with the basis of accounting practices prescribed or permitted by the Commonwealth of Kentucky as described in Note 1.

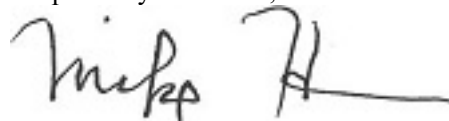
### **Other Reporting Required by *Government Auditing Standards***

In accordance with *Government Auditing Standards*, we have also issued our report dated February 23, 2022, on our consideration of the Scott 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 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 Scott 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 comment:

2020-001    The Scott County Sheriff Does Not Have Adequate Segregation Of Duties Over Receipts And Reconciliations

Respectfully submitted,

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

Mike Harmon  
Auditor of Public Accounts

February 23, 2022

SCOTT COUNTY  
TONY HAMPTON, SHERIFF  
SHERIFF'S SETTLEMENT - 2020 TAXES

For The Period May 16, 2020 Through April 15, 2021

	County	Special Taxing Districts	School	State
<u>Charges</u>				
Real Estate	\$ 3,009,163	\$ 5,664,020	\$ 27,956,090	\$ 5,921,255
Tangible	164,953	371,683	1,531,902	1,509,481
Total Per Sheriff's Official Receipt	3,174,116	6,035,703	29,487,992	7,430,736
<u>Other Taxes &amp; Charges</u>				
Court Ordered Increases	24	46	226	48
Franchise Taxes	56,188	118,679	521,965	
Additional Billings	5,344	10,165	49,650	10,884
Limestone, Sand, and Gravel Reserves	416	790	3,828	779
Penalties	6,209	11,839	57,687	14,671
Gross Chargeable to Sheriff	3,242,297	6,177,222	30,121,348	7,457,118
<u>Credits</u>				
Exonerations	2,663	5,063	24,743	6,329
Discounts	57,771	109,862	536,703	134,565
Delinquent Real Estate	20,144	37,916	187,145	39,638
Delinquent Tangible	1,379	2,933	12,808	12,025
Franchise Taxes - Uncollected	3,672	7,744	34,111	
Total Credits	85,629	163,518	795,510	192,557
Taxes Collected	3,156,668	6,013,704	29,325,838	7,264,561
Less: Sheriff's Commissions*	134,158	255,582	733,146	308,744
Taxes Due Districts	3,022,510	5,758,122	28,592,692	6,955,817
Taxes Paid	3,020,710	5,754,699	28,576,156	6,951,628
Refunds (Current and Prior Year)	1,812	3,446	16,568	4,217
(Refunds Due Sheriff)	<u>\$ (12)</u>	<u>\$ (23)</u>	<u>\$ (32)</u>	<u>\$ (28)</u>
		**		

\* and \*\* See next page.

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

SCOTT COUNTY  
TONY HAMPTON, SHERIFF  
SHERIFF'S SETTLEMENT - 2020 TAXES  
For The Period May 16, 2020 Through April 15, 2021  
(Continued)

\* Commissions:

4.25% on \$ 16,434,933

2.5% on \$ 29,325,838

\*\* Special Taxing Districts:

Library District \$ (11)

Health District (9)

Extension District (3)

(Refunds Due Sheriff) \$ (23)



SCOTT COUNTY  
NOTES TO FINANCIAL STATEMENT

April 15, 2021

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 Scott 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.

SCOTT COUNTY  
 NOTES TO FINANCIAL STATEMENT  
 April 15, 2021  
 (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 Scott County Sheriff 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 April 15, 2021, 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, 2020. Property taxes were billed to finance governmental services for the fiscal year ending June 30, 2021. Liens are effective when the tax bills become delinquent. The collection period for these assessments was October 27, 2020 through April 15, 2021.

B. Limestone, Sand, and Gravel Reserves

The limestone, sand, and gravel property tax assessments were levied as of January 1, 2020. Property taxes are billed to finance governmental services. Liens are effective when the tax bills become delinquent. The collection period for these assessments was February 25, 2020 through April 15, 2021.

C. 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 May 16, 2020 through April 15, 2021.

Note 4. Interest Income

The Scott County Sheriff earned \$763 as interest income on 2020 taxes. The sheriff was in substantial compliance with his statutory responsibilities.

Note 5. Sheriff's 10% Add-On Fee

The Scott County Sheriff collected \$55,490 of 10% add-on fees allowed by KRS 134.119(7). This amount was used to operate the sheriff's office.

Note 6. Escrow Account

The sheriff deposited unrefundable payments in a noninterest-bearing account. The sheriff's escrowed amounts were as follows:

2015	\$1,408
2016	\$317

When statutorily required, the sheriff will turn over the escrowed funds to the Kentucky State Treasurer as unclaimed property.

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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**MIKE HARMON**  
**AUDITOR OF PUBLIC ACCOUNTS**

The Honorable Joe Pat Covington, Scott County Judge/Executive  
The Honorable Tony Hampton, Scott County Sheriff  
Members of the Scott County Fiscal Court

**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**

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 Scott County Sheriff's Settlement - 2020 Taxes for the period May 16, 2020 through April 15, 2021 - Regulatory Basis and the related notes to the financial statement and have issued our report thereon dated February 23, 2022. The Scott 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.

**Internal Control Over Financial Reporting**

In planning and performing our audit of the financial statement, we considered the Scott 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 Scott County Sheriff's internal control. Accordingly, we do not express an opinion on the effectiveness of the Scott 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 identified a certain deficiency in internal control, which is described in the accompanying Schedule of Findings and Responses as item 2020-001 that we consider to be a significant deficiency.



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)

**Compliance and Other Matters**

As part of obtaining reasonable assurance about whether the Scott 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 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 or other matters that are required to be reported under *Government Auditing Standards*.

**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,

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

Mike Harmon  
Auditor of Public Accounts

February 23, 2022

## SCHEDULE OF FINDINGS AND RESPONSES

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SCOTT COUNTY  
TONY HAMPTON, SHERIFF  
SCHEDULE OF FINDINGS AND RESPONSES

For The Period May 16, 2020 Through April 15, 2021

INTERNAL CONTROL - SIGNIFICANT DEFICIENCY:

2020-001    The Scott County Sheriff Does Not Have Adequate Segregation Of Duties Over Receipts And Reconciliations

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The sheriff's bookkeeper prepares daily checkout sheets, post to the ledgers, prepares monthly reports, prepares checks, signs checks, and is in charge of bank reconciliations. For the 2020 tax season, the sheriff's office failed to reconcile the tax bank account to the receipts and disbursement ledgers on a monthly basis. The bookkeeper downloads and reviews the bank account's activity, and uses that to review NSF's and mark checks as cleared once they have cleared the bank. The bookkeeper prepares the daily checkout sheet and posts to the ledgers which is reviewed by another person, but there is no signature for proof of review.

According to the sheriff's office, the lack of segregation of duties is due to not having the budget for adequate office staff. Also, with the volume of activity coming into the tax account, it is difficult to complete a monthly reconcile with staff limitations.

A lack of segregation of duties could result in the misappropriation of assets or inaccurate financial reporting to external agencies such as the Department of Revenue or taxing districts, which could occur and go undetected. The lack of a monthly bank reconciliation led to the following errors.

- An NSF check on November 22, 2020, in the amount of \$13,321, was not discovered in time for monthly disbursements, and led to an overpayment of the districts for November. Once the NSF was discovered, the sheriff's office reached out to the taxpayer, and the money was redeposited on July 21, 2021.
- The sheriff's office did not disburse all overpayment refunds owed to tax payers for 2020. There are 28 refunds owed to taxpayers, with a cumulative total of \$12,558 owed.
- There was an online credit card payment on November 21, 2020, that was not posted to the taxpayer's account or ledgers until February 9, 2021.
- There were three cash/check deposits for the week of February 8 through February 12, which did not get deposited in the bank until February 17.

Segregation of duties or the implementation of compensating controls, when needed because of the number of staff is limited, is essential for providing protection to employees in the normal course of performing their duties and can also help prevent inaccurate financial reporting or misappropriation of assets. In addition, reconciling bank accounts back to the ledgers is essential to limit errors and fraud.

We are recommending the following:

- The sheriff or designee should reconcile the bank statement back to the receipt and disbursement ledgers on a monthly basis.
- The sheriff or designee (separate of the bank reconcile process) should review the bank reconcile and sign off to document review.
- All deposits should be taken to the bank and deposited by the following business day.
- All deposits should be reviewed by a second person and the review should be documented by a signature.

*Sheriff's Response: The official did not provide a response.*