

**REPORT OF THE AUDIT OF THE
SIMPSON COUNTY
CLERK**

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



**ALLISON BALL
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ALLISON BALL
AUDITOR OF PUBLIC ACCOUNTS

Independent Auditor's Report

The Honorable Mason Barnes, Simpson County Judge/Executive
The Honorable Austin Johnson, Simpson County Clerk
Members of the Simpson 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 Simpson 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 Simpson 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 Simpson 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 Simpson 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 Mason Barnes, Simpson County Judge/Executive
The Honorable Austin Johnson, Simpson County Clerk
Members of the Simpson 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 Simpson 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 Simpson 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 Simpson 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 Simpson County Clerk's ability to continue as a going concern for a reasonable period of time.

The Honorable Mason Barnes, Simpson County Judge/Executive
The Honorable Austin Johnson, Simpson County Clerk
Members of the Simpson 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 September 12, 2024, on our consideration of the Simpson 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 Simpson 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 finding:

2023-001 The Simpson County Clerk's Office Does Not Have Adequate Segregation Of Duties Or Internal Controls Over Financial Reporting

Respectfully submitted,



Allison Ball
Auditor of Public Accounts
Frankfort, KY

September 12, 2024

SIMPSON COUNTY
AUSTIN JOHNSON, 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		6,792
Fiscal Court		106,862
Licenses and Taxes:		
Motor Vehicle-		
Licenses and Transfers	\$ 800,314	
Usage Tax	3,845,387	
Tangible Personal Property Tax	2,622,419	
Notary Fees	5,575	
Lien Release Fees	11,616	
Miscellaneous Income / NSF Service Charge	269	
Other-		
Fish and Game Licenses	964	
Marriage Licenses	5,960	
Beer and Liquor Licenses	25	
Deed Transfer Tax	235,042	
Delinquent Tax	528,051	
Delinquent Tax Sale Registration Fees	2,430	
Delinquent Tax Deposits	<u>141,500</u>	8,199,552
Fees Collected for Services:		
Recordings-		
Deeds, Easements, and Contracts	30,351	
Real Estate Mortgages	75,141	
Chattel Mortgages and Financing Statements	52,441	
Powers of Attorney	3,180	
Affordable Housing Trust	23,364	
Document Storage Fee	38,770	
All Other Recordings	62,506	
Charges for Other Services-		
Candidate Filing Fees	50	
Copy Work & Postage	<u>8,533</u>	294,336

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

SIMPSON COUNTY
AUSTIN JOHNSON, COUNTY CLERK
STATEMENT OF RECEIPTS, DISBURSEMENTS, AND EXCESS FEES - REGULATORY BASIS
For The Year Ended December 31, 2023
(Continued)

Receipts (Continued)

Other:

Insufficient Funds Checks	\$	316	
Refunds & Overpayments		38,163	
Outstanding Accounts Receivable		451	
Miscellaneous		318	\$ 39,248

Total Receipts 8,716,785

Disbursements

Payments to State:

Motor Vehicle-			
Licenses and Transfers	\$	595,843	
Usage Tax		3,726,701	
Tangible Personal Property Tax		905,012	
Licenses, Taxes, and Fees-			
Fish and Game Licenses		974	
Delinquent Tax		73,015	
Legal Process Tax		19,036	
Affordable Housing Trust		23,364	5,343,945

Payments to Fiscal Court:

Tangible Personal Property Tax		294,473	
Delinquent Tax		41,885	
Deed Transfer Tax		223,290	
Document Storage Fees		38,770	598,418

Payments to Other Districts:

Tangible Personal Property Tax		1,317,254	
Delinquent Tax		268,688	1,585,942

Payments to Sheriff 40,624

SIMPSON COUNTY
AUSTIN JOHNSON, 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		\$	67,703
Other Regulatory Payments:			
Delinquent Tax Deposit Refunds	\$	141,500	
Other Refunds		<u>42,066</u>	183,566
Operating Disbursements:			
Other Charges-			
Miscellaneous			<u>1,392</u>
Total Disbursements			<u>\$ 7,821,590</u>
Net Receipts			895,195
Less: Statutory Maximum			<u>97,126</u>
Excess Fees			798,069
Less: Expense Allowance		3,600	
Training Incentive Benefit		<u>1,246</u>	<u>4,846</u>
Excess Fees Due County for 2023			793,223
Payments to Fiscal Court - Monthly			<u>792,181</u>
Balance Due Fiscal Court at Completion of Audit*			<u>\$ 1,042</u>

* - The county clerk presented a check to the fiscal court for excess fees on August 13, 2024.

SIMPSON 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).

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

Note 1. Summary of Significant Accounting Policies (Continued)

D. Fee Pooling

The Simpson County Clerk's office is required by the fiscal court to participate in a fee pooling system. Fee officials who are required to participate in fee pooling deposit all funds collected into their official operating account. The county clerk is responsible for paying all amounts collected for others and applicable refunds to customers. Residual funds are then paid to the county treasurer on a monthly basis. Invoices are submitted to the county treasurer to document operating expenses. The fiscal court pays all operating expenses for the fee official.

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:

SIMPSON 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)

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

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.

SIMPSON 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 Simpson County Clerk maintained deposits of public funds with federally insured banking institutions as required by 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 not met because the county clerk did not have a written agreement with the bank.

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 Simpson County Clerk does not have a deposit policy for custodial credit risk but rather follows the requirements of DLG *County Budget Preparation and State local Finance Officer Policy Manual*. On December 31, 2023, the county clerk's bank balance was exposed to custodial credit risk as follows:

Uncollateralized and Uninsured	\$67,302
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SIMPSON COUNTY
 NOTES TO FINANCIAL STATEMENT
 December 31, 2023
 (Continued)

Note 4. Subscription-Based Information Technology Arrangements (SBITA)

SBITA – Accounting and Delinquent Tax Reporting Subscription with Software Management

The Simpson County Clerk entered into a subscription-based information technology arrangement for accounting and delinquent tax reporting software on December 17, 2020. The subscription terms are five years totaling \$140,160, and the county clerk will receive the right-to-use subscription asset (intangible asset). As of December 31, 2023, the value of the subscription liability was \$53,728. The Simpson County Fiscal Court is required to make monthly payments of \$2,336, as the Simpson County Clerk is in a fee pooling agreement with the Simpson County Fiscal Court.

Note 5. Lease with Software Management for Hardware Rental Agreement

The Simpson County Clerk entered into a hardware rental arrangement for equipment to run the accounting and tax reporting software on December 17, 2020. The subscription terms are five years totaling \$83,220. As of December 31, 2023, the value of the lease liability was \$31,901. The Simpson County Fiscal Court is required to make monthly payments of \$1,387 as the Simpson County Clerk is in a fee pooling agreement with the Simpson County Fiscal Court.

Note 6. On Behalf Payments

The Simpson County Clerk's office is required by the fiscal court to participate in a fee pooling system. Since the county clerk is fee pooling, the fiscal court pays the county clerk's statutory maximum, expense allowance, and training incentive as reflected on the county clerk's financial statement. For the year ended December 31, 2023, the fiscal court's contributions recognized by the county clerk included the amounts that were based on the statutory maximum as required by KRS 64.5275. The Simpson County Clerk recognized receipts from the fiscal court and disbursements for the statutory maximum of \$97,126, training incentive benefit of \$1,246, and expense allowance of \$3,600 for the year ended December 31, 2023.

Note 7. Fiduciary Account - Escrow Account

The Simpson County Clerk deposited outstanding checks into a custodial bank account. When statutorily required, the county clerk's office will turn over the escrowed funds to the Kentucky State Treasurer as unclaimed property. The county clerk's escrowed amounts were as follows:

2021	\$326
2022	\$444
2023	\$426

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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 Mason Barnes, Simpson County Judge/Executive
The Honorable Austin Johnson, Simpson County Clerk
Members of the Simpson 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 Simpson County Clerk for the year ended December 31, 2023, and the related notes to the financial statement and have issued our report thereon dated September 12, 2024. The Simpson 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 Simpson 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 Simpson County Clerk's internal control. Accordingly, we do not express an opinion on the effectiveness of the Simpson 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.

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 Compliance And Other Matters

As part of obtaining reasonable assurance about whether the Simpson 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 an instance of noncompliance or other matter that is required to be reported under *Government Auditing Standards*, and which is described in the accompanying Schedule of Findings and Responses as item 2023-001.

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

September 12, 2024

SCHEDULE OF FINDINGS AND RESPONSES

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SIMPSON COUNTY
AUSTIN JOHNSON, COUNTY CLERK
SCHEDULE OF FINDINGS AND RESPONSES

For The Year Ended December 31, 2023

FINANCIAL STATEMENT FINDING:

2023-001 The Simpson County Clerk's Office Does Not Have Adequate Segregation Of Duties Or Internal Controls Over Financial Reporting

The Simpson County Clerk's Office does not have adequate segregation of duties over the processing of receipts and disbursements. The county clerk and bookkeeper process transactions from customers, prepare daily checkout sheets, and prepare daily deposits. These individuals are also responsible for preparing daily, weekly, or monthly reports, preparing and signing checks, posting to the ledgers, and performing monthly bank reconciliations. To offset the risks associated with the lack of segregation of duties, the county clerk has implemented compensating controls, which include documented reviews of daily checkout sheets, deposits, weekly and monthly reports, monthly bank reconciliations, and dual signatures on all checks. While the county clerk had compensating controls over the daily functions of the office, he failed to implement effective compensating controls over financial reporting.

Because the county clerk neglected to implement controls over financial reporting, the following problems occurred:

- The county clerk signed and submitted his fourth quarter financial report without ensuring it was complete and accurate.
- The fourth quarter financial report was not complete because the county clerk failed to select the option in his financial reporting software to include after year-end financial activity for December 2023 payments not processed until January 2024.
- The county clerk did not realize this information was left off the fourth quarter financial report due to the clerk not reconciling the fourth quarter financial report to the receipts and disbursements ledgers.
- The county clerk had difficulty producing complete and accurate ledgers for the year 2023.
- An overpayment to the school district for tangible personal property tax that occurred in March 2023 was not discovered until the audit. This overpayment resulted in additional excess fees due to the Simpson County Fiscal Court.
- The county clerk did not ensure that the financial reporting software was functioning properly.

As a result, Simpson County's fourth quarter financial report that was submitted to the Department for Local Government (DLG) was materially inaccurate when compared to the receipts and disbursements ledgers and to the county clerk's final settlement for calendar year 2023. Receipts totaling \$70,994 and disbursements totaling \$318,836 were omitted from the fourth quarter financial report causing the reports to be materially misstated.

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 lack of internal controls, including effective compensating controls, over the financial reporting function are basic internal controls necessary to ensure the accuracy and reliability of financial reports.

We recommend the Simpson County Clerk strengthen internal controls over financial reporting in order to ensure the fourth quarter financial report is complete and accurate. This should include a thorough review of financial reports, and a comparison to the receipts and disbursements ledgers and monthly bank reconciliations prior to submitting to the Department for Local Governments. We further recommend the county clerk seek additional training on his financial reporting software to ensure the fourth quarter financial report is complete and accurate.

County Clerk's Response: The county clerk did not provide a response.