

**REPORT OF THE AUDIT OF THE
WHITLEY COUNTY
SHERIFF'S SETTLEMENT - 2010 TAXES**

**For The Period
January 1, 2011 Through April 15, 2011**



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EXECUTIVE SUMMARY
AUDIT EXAMINATION OF THE
WHITLEY COUNTY
SHERIFF'S SETTLEMENT – 2010 TAXES

For The Period
January 1, 2011 Through April 15, 2011

The Auditor of Public Accounts has completed the audit of the Sheriff's Settlement - 2010 Taxes for the Whitley County Sheriff for the period January 1, 2011 Through April 15, 2011. We have issued an unqualified opinion on the financial statement taken as a whole. Based upon the audit work performed, the financial statement is presented fairly in all material respects.

Financial Condition:

The Sheriff collected taxes of \$1,008,680 for the districts for 2010 taxes, retaining commissions of \$41,740 to operate the Sheriff's office. The Sheriff distributed taxes of \$964,317 to the districts for 2010 taxes. Taxes of \$801 are due to the districts from the Sheriff and refunds of \$760 are due to the Sheriff from the taxing districts.

Deposits:

The Sheriff's deposits were insured and collateralized by bank securities or bonds.

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ADAM H. EDELEN
AUDITOR OF PUBLIC ACCOUNTS

To the People of Kentucky
Honorable Steven L. Beshear, Governor
Lori H. Flanery, Secretary
Finance and Administration Cabinet
Honorable Pat White, Jr., Whitley County Judge/Executive
Honorable Colan Harrell, Whitley County Sheriff
Members of the Whitley County Fiscal Court

Independent Auditor's Report

We have audited the Whitley County Sheriff's Settlement - 2010 Taxes for Whitley County Sheriff for the period January 1, 2011 through April 15, 2011. This tax settlement is the responsibility of the Whitley County Sheriff. Our responsibility is to express an opinion on this 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 of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statement. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation. We believe that our audit provides a reasonable basis for our opinion.

As described in Note 1, the Sheriff's office prepares the financial statement in accordance with the modified cash basis, which is a comprehensive basis of accounting other than accounting principles generally accepted in the United States of America.

In our opinion, the accompanying financial statement referred to above presents fairly, in all material respects, the Whitley County Sheriff's taxes charged, credited, and paid for the period January 1, 2011 through April 15, 2011, in conformity with the modified cash basis of accounting.



To the People of Kentucky
Honorable Steven L. Beshear, Governor
Lori H. Flanery, Secretary
Finance and Administration Cabinet
Honorable Pat White, Jr., Whitley County Judge/Executive
Honorable Colan Harrell, Whitley County Sheriff
Members of the Whitley County Fiscal Court

In accordance with Government Auditing Standards, we have also issued our report dated August 21, 2012 on our consideration of the 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 and should be considered in assessing the results of our audit.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Adam H. Edelen", written in a cursive style.

Adam H. Edelen
Auditor of Public Accounts

August 21, 2012

WHITLEY COUNTY
COLAN HARRELL, SHERIFF
SHERIFF'S SETTLEMENT - 2010 TAXES

For The Period January 1, 2011 Through April 15, 2011

<u>Charges</u>	Special			
	<u>County Taxes</u>	<u>Taxing Districts</u>	<u>School Taxes</u>	<u>State Taxes</u>
Total Per Sheriff's Official Receipt	\$ 167,885	\$ 344,000	\$ 661,017	\$ 296,750
Increases Through Exonerations			54	17
Franchise Taxes:				
Billed and Collected	7,467	20,681	23,526	
Additional Billings	1,698	3,419	7,133	2,895
Unmined Coal - 2010 Taxes	2,671	5,204	13,217	4,177
Gas Property Taxes	4,183	8,152	20,701	6,543
Oil Property Taxes	252	490	1,245	394
Limestone, Sand and Minerals	220	429	1,089	344
Penalties	5,610	11,930	22,707	10,130
Gross Chargeable to Sheriff	<u>189,986</u>	<u>394,305</u>	<u>750,689</u>	<u>321,250</u>
<u>Credits</u>				
Exonerations	1,271	2,476	5,848	2,004
Discounts	88	189	392	105
Delinquents:				
Real Estate	71,493	138,448	284,009	111,123
Tangible Personal Property	2,388	6,655	6,009	9,697
Unmined Coal - 2010 Taxes	566	1,103	2,801	885
Total Credits	<u>75,806</u>	<u>148,871</u>	<u>299,059</u>	<u>123,814</u>
Taxes Collected	114,180	245,434	451,630	197,436
Less: Commissions *	<u>4,853</u>	<u>10,431</u>	<u>18,065</u>	<u>8,391</u>
Taxes Due	109,327	235,003	433,565	189,045
Taxes Paid	109,142	234,784	431,894	188,497
Refunds (Current and Prior Year)	<u>336</u>	<u>652</u>	<u>1,068</u>	<u>526</u>
Due Districts or (Refunds Due Sheriff) as of Completion of Audit	<u>\$ (151)</u>	<u>\$ (433)</u>	<u>\$ 603</u>	<u>\$ 22</u>
		**	***	

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

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

WHITLEY COUNTY
 COLAN HARRELL, SHERIFF
 SHERIFF'S SETTLEMENT - 2010 TAXES
 For The Period January 1, 2011 Through April 15, 2011
 (Continued)

Commissions:	
* 4.25% on	\$ 557,050
4% on	\$ 451,630
** Special Taxing Districts:	
Library District	\$ (149)
Health District	(61)
Extension District	(226)
Soil Conservation District	<u>3</u>
Due Districts or (Refunds Due Sheriff)	<u>\$ (433)</u>
*** School Taxes:	
Corbin Independent	\$ (173)
Whitley County	<u>776</u>
Due Districts or (Refunds Due Sheriff)	<u>\$ 603</u>

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

WHITLEY COUNTY
NOTES TO FINANCIAL STATEMENT

April 15, 2011

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 modified cash basis of accounting. 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

At the direction of the fiscal court, KRS 66.480 authorizes the Sheriff's office to invest in the following, including but not limited to, 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).

Note 2. Deposits

The Whitley County Sheriff maintained deposits of public funds with depository institutions insured by the Federal Deposit Insurance Corporation (FDIC) as required by KRS 66.480(1)(d). According to KRS 41.240(4), the depository institution should pledge or provide sufficient collateral which, together with FDIC insurance, equals or exceeds the amount of public funds on deposit at all times. In order to be valid against the FDIC 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.

WHITLEY COUNTY
NOTES TO FINANCIAL STATEMENT
April 15, 2011
(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 Whitley County Sheriff does not have a deposit policy for custodial credit risk but rather follows the requirements of KRS 41.240(4). As of April 15, 2011, 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, 2010. Property taxes were billed to finance governmental services for the fiscal year ended June 30, 2011. Liens are effective when the tax bills become delinquent. The collection period for these assessments was January 14, 2011 through April 15, 2011.

B. Unmined Coal Taxes

The tangible property tax assessments were levied as of January 1, 2010. Property taxes are billed to finance governmental services. Liens are effective when the tax bills become delinquent. The collection period for these assessments was January 19, 2011 through April 15, 2011.

C. Oil, Gas, and Limestone Taxes

The real and personal property tax assessments were levied as of January 1, 2010. Property taxes were billed to finance governmental services for the fiscal year ended June 30, 2011. Liens are effective when the tax bills become delinquent. The collection period for these assessments was January 13, 2011 through April 15, 2011.

Note 4. Interest Income

The Whitley County Sheriff earned \$317 as interest income on 2010 taxes. The Sheriff distributed the appropriate amount to the school district as required by statute, and the remainder was used to operate the Sheriff's office. As of August 21, 2012, the Sheriff owed \$6 in interest to the Whitley County School District and the Corbin Independent School District owed \$3 in interest to the Sheriff.

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

The Whitley County Sheriff collected \$32,497 of 10% add-on fees allowed by KRS 134.119(7). This amount was used to operate the Sheriff's office. As of August 21, 2012, the 2011 official fee account is due \$1,809 for 10% add-on fees.

**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**



ADAM H. EDELEN
AUDITOR OF PUBLIC ACCOUNTS

The Honorable Pat White, Jr., Whitley County Judge/Executive
Honorable Colan Harrell, Whitley County Sheriff
Members of the Whitley 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**

We have audited the Whitley County Sheriff's Settlement - 2010 Taxes for the period January 1, 2011 through April 15, 2011, and have issued our report thereon dated August 21, 2012. The Sheriff prepares his financial statement in accordance with a basis of accounting other than generally accepted accounting principles. We conducted our audit 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.

Internal Control Over Financial Reporting

Management of the Whitley County Sheriff's office is responsible for establishing and maintaining effective internal control over financial reporting. In planning and performing our audit, we considered the Sheriff's internal control over financial reporting as a basis for designing our auditing procedures 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 Sheriff's internal control over financial reporting. Accordingly, we do not express an opinion on the effectiveness of the Sheriff's internal control over financial reporting.

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 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.

Our consideration of internal control over financial reporting was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control over financial reporting that might be deficiencies, significant deficiencies or material weaknesses. We did not identify any deficiencies in internal control over financial reporting that we consider to be material weaknesses, as defined above.



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 Whitley County Sheriff's Settlement - 2010 Taxes for the period January 1, 2011 through April 15, 2011, 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 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.

This report is intended solely for the information and use of management, the Whitley County Fiscal Court, and the Department for Local Government and is not intended to be and should not be used by anyone other than these specified parties.

Respectfully submitted,



Adam H. Edelen
Auditor of Public Accounts

August 21, 2012

