

STATE BOARD OF ACCOUNTS
302 West Washington Street
Room E418
INDIANAPOLIS, INDIANA 46204-2769

AUDIT REPORT

OF

COUNTY PLAN COMMISSION

PORTER COUNTY, INDIANA

January 1, 2008 to December 31, 2008



FILED

11/30/2009

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COUNTY OFFICIALS

<u>Office</u>	<u>Official</u>	<u>Term</u>
Executive Director	Robert W. Thompson, Jr.	01-01-08 to 12-31-09
President of the Plan Commission	Robert Harper	01-01-08 to 12-31-09
President of the County Council	Robert Poparad	01-01-08 to 12-31-09
President of the Board of County Commissioners	Robert Harper	01-01-08 to 12-31-09



STATE OF INDIANA
AN EQUAL OPPORTUNITY EMPLOYER

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TO: THE OFFICIALS OF PORTER COUNTY

We have audited the records of the County Plan Commission for the period from January 1, 2008 to December 31, 2008, and certify that the records and accountability for cash and other assets are satisfactory to the best of our knowledge and belief, except as stated in the Audit Results and Comments. The financial transactions of this office are reflected in the Annual Report of Porter County for the year 2008.

STATE BOARD OF ACCOUNTS

September 17, 2009

COUNTY PLAN COMMISSION
PORTER COUNTY
AUDIT RESULTS AND COMMENTS

REPORT OF COLLECTIONS

Since September of 2006, planning and building fees collected have not been reported or remitted to the County Auditor. The collections are deposited into a separate bank account and are not remitted to the County Auditor until a portion is needed to maintain the Plan Commission Fund cash balance in the County's records. As a result, the Plan Commission's bank account at December 31, 2008, had accumulated to \$992,002.04. A similar comment appeared in the prior report.

IC 36-7-8-6 states: "The county executive may employ the inspectors, agents and deputies it considers necessary to enforce ordinances adopted under this chapter and under applicable statutes and state rules. The county fiscal body shall make appropriations from the county general fund to pay for these employees and to pay all other expenses incurred under this chapter."

IC 36-2-8-3 states: "A county officer and his deputies and other employees are entitled to payment only after the officer has reported all fees collected by his office and paid them into the county treasury."

IC 36-2-7-17 states: "An officer who fails to pay the amount due from him into the county treasury shall forfeit to the state a sum equal to the amount of fees actually collected during that quarter, to be collected by the prosecuting attorney of the county and paid into the common school fund of the county." A copy of this report has been provided to the Porter County Prosecuting Attorney.

UNTIMELY DEPOSITS

In numerous instances, collections were deposited up to 25 days after the receipt was issued. Because receipts were not deposited timely, some batches of receipts were deposited out of order. This can result in inaccurate financial data or an increased risk of errors and theft.

IC 5-13-6-1(c) states in part: ". . . all local officers . . . who collect public funds of their respective political subdivisions shall deposit funds not later than the business day following the receipt of funds on business days of the depository in the depository or depositories selected by the . . . local boards of finance. . . ."

OFFICIAL RECEIPTS

The County Plan Commission implemented a new computer system in 2008. The receipts generated by this system are not prescribed by or approved by the State Board of Accounts.

Officials and employees are required to use State Board of Accounts prescribed or approved forms in the manner prescribed. (Accounting and Uniform Compliance Guidelines Manual for Counties of Indiana, Chapter 1)

COUNTY PLAN COMMISSION
PORTER COUNTY
EXIT CONFERENCE

The contents of this report were discussed on September 17, 2009, with Robert W. Thompson, Jr., Executive Director. The official response has been made a part of this report and may be found on pages 6 and 7.

COUNTY - PORTER



Porter County
Administration Center
155 Indiana Avenue
Suite 311
Valparaiso, Indiana 46383

Plan Commission

(219) 465-3540

OFFICIAL RESPONSE

October 7, 2009

State Board of Accounts
302 West Washington Street
Room E 418
Indianapolis, IN 46204-2765

To whom it may concern;

This is in response to the *Audit Results and Comments* and the Report for Collections section. The comments referred to are attached to this letter for reference.

The Porter County Council and the Board of County Commissioners established a separate fund for the Porter County Plan Commission called "The Building, Planning and Zoning Fund." The goal of the council and commissioners was to make the plan commission become a self-sufficient department funded on the fees collected. Numerous times at the council meeting members would remind the plan commission that if the fees were not coming in and funding is short we were to layoff employees or shut the office down entirely. None of the fees collected were directed to the county general fund.

Fees were deposited monthly in the Treasurers Office but that was ended after speaking with the State Board of Accounts concerning setting up an interest bearing account for the plan commission. Previously any interest earned would be directed back to the county general fund and not to the plan commission's account established. The separate account was established after speaking with the local State Board of Accounts Office, so all interest and fees can be accounted for. The separate account in the Treasurer's Office is still functioning and will receive deposits from the interest bearing account of the plan commission.

The plan commission disagrees with the statement made in the audit in that all fees collected were not reported on. Payments will go to the Treasurer's Office as stated in IC 36-2-8-3 so payments entitled by employees are made. The Porter County Council and Board of County Commissioners specifically instructed the plan commission to be run as a business would be. At this time we are following the direction given to us by the elected officials in Porter County. If you should have any questions please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Robert W. Thompson, Jr.", written in a cursive style.

Robert W. Thompson, Jr., AICP
Executive Director/County Planner

Cc: file