

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

EXAMINATION REPORT  
OF  
COUNTY PROSECUTING ATTORNEY  
TIPTON COUNTY, INDIANA  
January 1, 2009 to December 31, 2009



**FILED**  
12/07/2010



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COUNTY OFFICIALS

<u>Office</u>	<u>Official</u>	<u>Term</u>
Prosecuting Attorney	Jay D. Rich	01-01-07 to 12-31-10
President of the County Council	Phillip B. Nichols	01-01-09 to 12-31-10
President of the Board of County Commissioners	Ken Ziegler	01-01-09 to 12-31-10



**STATE OF INDIANA**  
AN EQUAL OPPORTUNITY EMPLOYER

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TO: THE OFFICIALS OF TIPTON COUNTY

We have audited the records of the County Prosecuting Attorney for the period from January 1, 2009 to December 31, 2009, 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 Examination Results and Comments. The financial transactions of this office are reflected in the Annual Report of Tipton County for the year ending December 31, 2009.

STATE BOARD OF ACCOUNTS

August 31, 2010

COUNTY PROSECUTING ATTORNEY  
TIPTON COUNTY  
EXAMINATION RESULTS AND COMMENTS

BANK ACCOUNT RECONCILIATIONS

Depository reconciliations of the fund balances to the bank account balances were not presented for examination for any month in 2009. Our comparison of the record balance to the bank balance, revealed an unidentified cash long of \$8,312.10.

IC 5-13-6-1(e) states in part: "All local investment officers shall reconcile at least monthly the balance of public funds, as disclosed by the records of the local officers, with the balance statements provided by the respective depositories."

At all times, the manual and/or computerized records, subsidiary ledgers, control ledger, and reconciled bank balance should agree. If the reconciled bank balance is less than the subsidiary or control ledgers, then the responsible official or employee may be held personally responsible for the amount needed to balance the fund. (Accounting and Uniform Compliance Guidelines Manual for Counties of Indiana, Chapter 1)

CONDITION OF RECORDS

The following items were noted regarding the keeping of records by the Prosecutor's Office:

1. Receipts were not always posted to the Cash Book on the date written.
2. Receipts and disbursements were not always posted properly in the Cash Book.
3. The Report of Collections, General Form No. 362, was not properly completed each month to remit collections to the County Treasurer.
4. Deposits were made later than the next business day.

Receipts shall be issued and recorded at the time of the transaction; for example, when cash or a check is received, a receipt is to be immediately prepared and given to the person making payment. (Accounting and Uniform Compliance Guidelines Manual for Counties of Indiana, Chapter 1)

COUNTY PROSECUTING ATTORNEY  
TIPTON COUNTY  
EXAMINATION RESULTS AND COMMENTS  
(Continued)

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)

IC 5-13-6-1(c) states in part: ". . . all local officers . . . who collect public funds . . . 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. . . ."

ORDINANCES AND RESOLUTIONS

Tipton County has an ordinance concerning the collection of bad check service fees by the Prosecuting Attorney; however, the Prosecuting Attorney's Office did not comply with the ordinance. No funds were remitted to the County Auditor during the year under examination for the \$25 charge placed on every bad check processed by the Prosecutor's Office. The fees have accumulated over the years in a separate bank account held by the Prosecuting Attorney.

Each governmental unit is responsible for complying with the ordinances, resolutions, and policies it adopts. (Accounting and Uniform Compliance Guidelines Manual for Counties of Indiana, Chapter 1)

If the prosecuting attorney assesses and retains a service charge for processing bad checks, that fee or service charge becomes the property of the county and must be submitted to and receipted by, the County Auditor for deposit into the county general fund. (The County Bulletin and Uniform Compliance Guidelines, April, 2006)

COUNTY PROSECUTING ATTORNEY  
TIPTON COUNTY  
EXIT CONFERENCE

The contents of this report were discussed on September 2, 2010, with Jay D. Rich, Prosecuting Attorney. The official concurred with our findings.

The contents of this report were discussed on September 21, 2010, with Ken Ziegler, President of the Board of County Commissioners; Mike Cline, County Commissioner; Phillip B. Nichols, President of County Council; and Jane Harper, County Commissioner.