

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

COMPLIANCE ENGAGEMENT REPORT

OF

TOWN OF LARWILL

WHITLEY COUNTY, INDIANA

January 1, 2019 to December 31, 2023



FILED

07/31/2024

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SCHEDULE OF OFFICIALS

<u>Office</u>	<u>Official</u>	<u>Term</u>
President of the Town Council	Lore Wolfe Troy Kiefer	01-01-19 to 12-31-23 01-01-24 to 12-31-24
Clerk-Treasurer	Renee S. Sills	01-01-19 to 12-31-24



STATE OF INDIANA
AN EQUAL OPPORTUNITY EMPLOYER

STATE BOARD OF ACCOUNTS
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TO: THE OFFICIALS OF THE TOWN OF LARWILL, WHITLEY COUNTY, INDIANA

As authorized under Indiana Code 5-11-1, we performed certain procedures to the accounting records and related documents of the Town of Larwill (Town), for the period of January 1, 2019 to December 31, 2023. The objective of this engagement was to determine compliance with applicable Indiana laws, regulations, and uniform compliance guidelines (Guidelines) established by the Indiana State Board of Accounts pursuant to Indiana Code 5-11-1-24. The objective of this engagement is not to opine on compliance or financial activity of the Town as this engagement was not conducted in accordance with any standards established by an authoritative standard setting body, and, as such, we do not provide any opinions on compliance or financial activity.

Management is responsible for preparing and maintaining its accounting records and related documents in accordance with applicable Indiana laws, regulations, and Guidelines. Management's responsibility also includes, but is not limited to, complying with other applicable Indiana laws, regulations, and Guidelines concerning how it operates: authorized sources and uses of funds; what reports are required to be prepared and filed; and what depositories and investment types are allowable.

We fulfilled our responsibility as detailed in the first paragraph, using procedures that verified the appropriate accounting for and reporting of cash, receipts, and disbursements; and the appropriate sources and uses of funds in accordance with applicable Indiana laws, regulations, and Guidelines. Expanding the scope and nature of these procedures can and does occur in specific circumstances.

The Comments contained herein, if any, describe the identified reportable instances of noncompliance found during our engagement. Our procedures were not designed to identify all instances of noncompliance; therefore, noncompliance may exist that is unidentified. Any Official Response to the Comments incorporated within this report was not verified for accuracy.

The Schedule of Officials and Statements of Receipts, Disbursements, and Cash and Investment Balances - Regulatory Basis (Statements) are informational only. The Statements have not been subjected to any procedures designed to express an opinion or provide any assurance on them, and, accordingly, we do not express an opinion or provide any assurance on them.

This report is intended solely for the information and use of management, governance, and others within the organization. This restriction is not intended to limit the distribution of this report, which is a matter of public record. Reports can be found on the Indiana State Board of Accounts' website: <http://www.in.gov/sboa/>, and the Town's Annual Financial Reports filed by management can be found on the Indiana Gateway for Government Units financial reporting system website: <http://www.gateway.ifionline.org>.

The contents of this report were communicated to Renee S. Sills, Clerk-Treasurer; Troy Kiefer, President of the Town Council; Lore Wolfe, Town Council member; and Jerry Utter, Town Council member, on July 22, 2024.



Beth Kelley, CPA, CFE
Deputy State Examiner

July 22, 2024

TOWN OF LARWILL COMMENTS

CAPITAL ASSETS

Condition and Context

The Town had not designed or implemented internal controls over capital assets. The lack of internal controls allowed noncompliance to go undetected during the engagement period.

The Town did not have a complete detailed listing of capital assets during the engagement period. Due to this, the capital asset information entered into the Annual Financial Report (AFR) via the Indiana Gateway for Government Units financial reporting system for the 2019, 2020, 2021, 2022, and 2023 years could not be verified.

The capital assets information entered into the AFR for the 2023 year included the following ending balances:

Governmental activities

- Land totaling \$19,400.
- Buildings totaling \$20,082.
- Improvements other than buildings totaling \$27,211.
- Machinery, equipment, and vehicles totaling \$15,404.

Sewer Operation

- Infrastructure totaling \$816,560.
- Machinery, equipment, and vehicles totaling \$97,166.

In addition, evidence that a complete physical inventory of capital assets was not taken every two years was not provided.

Criteria

The Indiana State Board of Accounts (SBOA) is required under Indiana Code 5-11-1-27(e) to define the acceptable minimum level of internal control standards. To provide clarifying guidance, the State Examiner compiled the standards contained in the manual, *Uniform Internal Control Standards for Indiana Political Subdivisions*. All political subdivisions subject to audit by SBOA are expected to adhere to these standards. The standards include adequate control activities. According to this manual:

"Control activities are the actions and tools established through policies and procedures that help to detect, prevent, or reduce the identified risks that interfere with the achievement of objectives. Detection activities are designed to identify unfavorable events in a timely manner whereas prevention activities are designed to deter the occurrence of an unfavorable event. Examples of these activities include reconciliations, authorizations, approval processes, performance reviews, and verification processes.

An integral part of the control activity component is segregation of duties. . . .

There is an expectation of segregation of duties. If compensating controls are necessary, documentation should exist to identify both the areas where segregation of duties are not feasible or practical and the compensating controls implemented to mitigate the risk. . . ."

TOWN OF LARWILL
COMMENTS
(Continued)

Every unit must have a capital assets policy that details the threshold at which an item is considered a capital asset. Every unit must have a complete detail listing of all capital assets owned which reflects their acquisition value. Capital Asset Ledger (Form 369) has been prescribed for this purpose. A complete physical inventory must be taken at least every two years, unless more stringent requirements exist, to verify account balances carried in the accounting records. (Accounting and Uniform Compliance Guidelines Manual for Cities and Towns, Chapter 1)

The Annual Financial Report (AFR) required under IC 5-11-1-4(a) shall be filed with the state examiner not later than sixty (60) days after the close of each fiscal year. (Accounting and Uniform Guidelines Compliance Manual for Cities and Towns, Chapter 1)

FUND SOURCES AND USES

Condition and Context

The Town had not designed or implemented internal controls over receipts. The lack of internal controls allowed noncompliance to go undetected during the engagement period. Throughout the engagement, it was discovered that grant related state distributions were posted to an incorrect fund within the general ledger as noted:

- The Community crossing grant distributions, totaling \$70,219, to be receipted into the Community Grant fund, were incorrectly recorded in the General fund during 2019.
- The American Rescue Plan Act distributions, totaling \$121, to be receipted into the American Rescue Fund, were incorrectly recorded in the General fund during 2022.

Criteria

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Sources and uses of funds must be limited to those authorized by the enabling law, ordinance/ resolution, or grant agreement. (Accounting and Uniform Compliance Guidelines Manual for Cities and Towns, Chapter 1)

TOWN OF LARWILL
COMMENTS
(Continued)

MONTHLY AND ANNUAL ENGAGEMENT UPLOADS

Condition and Context

The Town had not designed or implemented internal controls over monthly and annual engagement uploads. The lack of internal controls allowed noncompliance to go undetected during the engagement period.

The files and governmental unit information that are required to be uploaded monthly, beginning with the July 2018 files, include bank reconciliements, approved Town Council minutes, and funds ledger, summarizing total receipts, disbursements, and balances by fund.

Annual upload requirements include the year-end bank statement, year-end outstanding check list, year-end investment statements, detail of receipt activity, detail of disbursement activity, current year salary ordinance, annual employee earnings record, and annual vendor history report.

The Town did not upload any of the required monthly files for the 2019, 2020, 2021, 2022, and 2023 years on the Indiana Gateway for Government Units (Gateway) financial reporting system in a timely manner; excluding the December 2023 files which did not include the month's approved Town Council minutes. The required monthly files were uploaded as many as four years after the due date. Monthly files are required to be uploaded no later than the 15th day of the second succeeding month.

Also, the Town did not upload all of the required annual files for the 2019, 2020, 2021, 2022, and 2023 years on Gateway.

The annual files the Town did not upload included the following:

- 2019 Year-End Investment Statements
- 2019 Detail of Receipts (incomplete detail)
- 2019 Detail of Disbursements (incomplete detail)
- 2020 Detail of Receipts (incomplete detail)
- 2020 Detail of Disbursements (incomplete detail)
- 2021 Detail of Receipts (incomplete detail)
- 2021 Detail of Disbursements (incomplete detail)
- 2022 Current Year Salary Ordinance
- 2022 Detail of Receipts (incomplete detail)
- 2022 Detail of Disbursements (incomplete detail)
- 2023 Detail of Receipts
- 2023 Detail of Disbursements

The required annual files that were uploaded for 2019, 2020, 2021, and 2022 were uploaded as many as three years after the due date. Annual files are required to be uploaded no later than March 1 of the succeeding year.

Criteria

All counties, cities, towns, townships, libraries, schools and special districts will use the Engagement Uploads to upload files containing financial and governmental unit information on Gateway to allow the SBOA to conduct audit planning and audit processes prior to on-site work at a unit. This remote process will provide for more efficient data processing and save audit costs for our clients. (Amended State Examiner Directive 2018-1, Updated November 9, 2020, and effective with uploads due February 15, 2021)

TOWN OF LARWILL
COMMENTS
(Continued)

The Indiana State Board of Accounts (SBOA) is required under Indiana Code 5-11-1-27(e) to define the acceptable minimum level of internal control standards. To provide clarifying guidance, the State Examiner compiled the standards contained in the manual, *Uniform Internal Control Standards for Indiana Political Subdivisions*. All political subdivisions subject to audit by SBOA are expected to adhere to these standards. The standards include adequate control activities. According to this manual:

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An integral part of the control activity component is segregation of duties. . . .

There is an expectation of segregation of duties. If compensating controls are necessary, documentation should exist to identify both the areas where segregation of duties are not feasible or practical and the compensating controls implemented to mitigate the risk. . . ."

Units are required to comply with all grant agreements, rules, regulations, bulletins, directives, letters, letter rulings, court decisions, and filing requirements concerning reports and other procedural matters of federal and state agencies. Units must file accurate reports required by federal and state agencies. Noncompliance may require corrective action. (Accounting and Uniform Compliance Guidelines Manual for Cities and Towns, Chapter 1)

MOTOR VEHICLE HIGHWAY (MVH) - RESTRICTED FUND

Condition and Context

The Town had not designed or implemented internal controls over Motor Vehicle Highway (MVH) - Restricted Fund compliance requirements. The lack of internal controls allowed noncompliance to go undetected during the engagement period. The Town did not establish the MVH Restricted fund at any time during the engagement period. As a result, the Town did not allocate the required 50 percent of the distribution from the State Motor Vehicle Highway Account to the MVH Restricted fund. State distribution receipts intended for the MVH Restricted fund, during the engagement period, totaled \$29,126.

Criteria

Indiana Code 8-14-1-5(c) states: "Except as provided in subsection (d), for funds distributed to a city or town from the motor vehicle highway account, the city or town shall use at least fifty percent (50%) of the money for the construction, reconstruction, and preservation of the city's or town's highways."

The purpose of this Directive is to authorize and require counties, cities, and towns that receive distributions from the State Motor Vehicle Highway Account to **create a new sub-fund within the MVH Fund** to properly manage and account for the usage restrictions that were included in House Enrolled Act 1002-2017 and House Enrolled Act 1290-2018.

The sub-fund will be referred to throughout this Directive as "MVH Restricted" and will be used to account for MVH monies which have been statutorily restricted for construction, reconstruction, and preservation purposes. . . .

TOWN OF LARWILL
COMMENTS
(Continued)

Starting on January 1, 2019, the political subdivision must post at the time of receipt of the distribution from the State Motor Vehicle Highway Account fifty percent (50%) of the distribution to MVH Restricted. (State Examiner Directive 2018-2)

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TRANSACTION RECORDING

Condition and Context

The Town had not designed or implemented internal controls over receipts and transfers. The lack of internal controls allowed noncompliance to go undetected during the engagement period.

Upon request, the Town provided 25 non-utility related receipts for examination. All 25 were not dated, and the dates these receipts were recorded in the general ledger were missing the day; only the year and month were posted. Therefore, it could not be determined whether the receipts were issued and recorded in a timely manner.

Additionally, of 51 transfers examined, all of them were recorded in the general ledger without a day; only the year and month were posted. Therefore, it could not be determined whether the transfers were recorded in a timely manner.

Therefore, the Town incorrectly used the prescribed form for receipts, which is Town Form No. 217 (Clerk-Treasurer's Receipt), as it requires dates that include the day of the receipt. Also, the Town incorrectly used the prescribed form for general ledgers, which is City and Town Form No. 208 (Ledger of Receipts, Disbursements and Balances), as it requires transaction dates that include the day of the transaction.

Criteria

The Indiana State Board of Accounts (SBOA) is required under Indiana Code 5-11-1-27(e) to define the acceptable minimum level of internal control standards. To provide clarifying guidance, the State Examiner compiled the standards contained in the manual, *Uniform Internal Control Standards for Indiana Political Subdivisions*. All political subdivisions subject to audit by SBOA are expected to adhere to these standards. The standards include adequate control activities. According to this manual:

TOWN OF LARWILL
COMMENTS
(Continued)

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Officials and employees are required to use prescribed and approved forms in the manner prescribed. (Accounting and Uniform Compliance Guidelines Manual for Cities and Towns, Chapter 1)

Receipts shall be issued and recorded at the time of the transaction. (Accounting and Uniform Compliance Guidelines Manual for Cities and Towns, Chapter 1)

All documents and entries to records must be made in a timely manner to ensure that accurate financial information is available to allow the unit to make informed management decisions and to help ensure compliance with IC 5-15-1-1. (Accounting and Uniform Compliance Guidelines Manual for Cities and Towns, Chapter 1)

All financial transactions pertaining to the unit must be recorded in the records of the unit at the time of the transaction. (Accounting and Uniform Compliance Guidelines Manual for Cities and Towns, Chapter 1)

BOARD MINUTES MISSING

Condition and Context

The Town had not designed or implemented internal controls over the Town Council minutes. The lack of internal controls allowed noncompliance to go undetected during the engagement period. Upon request, the Town did not provide for examination the minutes of three Town Council meetings as noted:

- February 2020 special meeting
- March 2020 special meeting
- June 2021 regular meeting

Criteria

Indiana Code 5-14-1.5-4 states in part:

". . . (b) As the meeting progresses, the following memoranda shall be kept:

- (1) The date, time, and place of the meeting.
- (2) The members of the governing body recorded as either present or absent.
- (3) The general substance of all matters proposed, discussed, or decided.

TOWN OF LARWILL
COMMENTS
(Continued)

- (4) A record of all votes taken by individual members if there is a roll call.
 - (5) Any additional information required under section 3.5 or 3.6 of this chapter or any other statute that authorizes a governing body to conduct a meeting using an electronic means of communication.
- (c) The memoranda are to be available within a reasonable period of time after the meeting for the purpose of informing the public of the governing body's proceedings. The minutes, if any, are to be open for public inspection and copying."

The Indiana State Board of Accounts (SBOA) is required under Indiana Code 5-11-1-27(e) to define the acceptable minimum level of internal control standards. To provide clarifying guidance, the State Examiner compiled the standards contained in the manual, *Uniform Internal Control Standards for Indiana Political Subdivisions*. All political subdivisions subject to audit by SBOA are expected to adhere to these standards. The standards include adequate control activities. According to this manual:

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STATEMENTS OF RECEIPTS, DISBURSEMENTS, AND CASH
AND INVESTMENT BALANCES - REGULATORY BASIS

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TOWN OF LARWILL
STATEMENT OF RECEIPTS, DISBURSEMENTS,
AND CASH AND INVESTMENT BALANCES -
REGULATORY BASIS
For the Years Ended December 31, 2019 and 2020

Fund	Cash and Investments 01-01-19	Receipts	Disbursements	Cash and Investments 12-31-19	Receipts	Disbursements	Cash and Investments 12-31-20
General	\$ 139,004	\$ 110,530	\$ 130,995	\$ 118,539	\$ 158,035	\$ 200,259	\$ 76,315
Motor Vehicle Highway	91,787	28,301	69,532	50,556	30,605	52,298	28,863
Local Road And Street	5,314	2,696	635	7,375	2,841	2,855	7,361
Garbage	7,279	10,617	11,009	6,887	11,939	12,322	6,504
Community Grant	-	-	-	-	125,269	125,269	-
IHFA	5,056	2,300	50	7,306	-	-	7,306
Rainy Day	6,177	-	1,585	4,592	-	-	4,592
Cumulative Capl Imprv Cigarette Tax	9,037	647	185	9,499	614	-	10,113
Cumulative Capital Development	7,143	527	1,205	6,465	1,880	3,500	4,845
Co Economic Development Income Tax	47,456	17,924	2,622	62,758	16,891	29,996	49,653
Public Safety	12,863	7,114	1,500	18,477	6,803	1,500	23,780
Rental Fee	225	-	-	225	-	-	225
Gazebo Fund	73	-	61	12	-	12	-
Storm Drain	3,000	5,160	1,325	6,835	-	-	6,835
sewer operation	224,878	79,112	88,150	215,840	69,464	67,402	217,902
sewer reserves	19,965	-	-	19,965	-	-	19,965
sewer sinking	15,859	17,000	26,132	6,727	20,400	18,166	8,961
Totals	<u>\$ 595,116</u>	<u>\$ 281,928</u>	<u>\$ 334,986</u>	<u>\$ 542,058</u>	<u>\$ 444,741</u>	<u>\$ 513,579</u>	<u>\$ 473,220</u>

TOWN OF LARWILL
STATEMENT OF RECEIPTS, DISBURSEMENTS,
AND CASH AND INVESTMENT BALANCES -
REGULATORY BASIS
For the Years Ended December 31, 2021 and 2022

Fund	Cash and Investments 01-01-21	Receipts	Disbursements	Cash and Investments 12-31-21	Receipts	Disbursements	Cash and Investments 12-31-22
General	\$ 76,316	\$ 37,845	\$ 29,990	\$ 84,171	\$ 38,002	\$ 38,962	\$ 83,211
Motor Vehicle Highway	28,862	36,522	12,085	53,299	34,283	13,554	74,028
Local Road And Street	7,363	3,117	900	9,580	3,170	4,244	8,506
Garbage	6,504	13,571	12,837	7,238	12,336	12,927	6,647
IHFA	7,306	-	-	7,306	-	-	7,306
Rainy Day	4,592	-	1,922	2,670	-	2,669	1
Opioid Fund	-	-	-	-	403	-	403
Cumulative Capl Imprv Cigarette Tax	10,112	581	43	10,650	495	2,527	8,618
Cumulative Capital Development	4,846	1,131	588	5,389	1,722	1,122	5,989
Co Economic Development Income Tax	49,653	16,652	23,597	42,708	17,308	11,863	48,153
Public Safety	23,780	6,809	1,500	29,089	7,050	-	36,139
Rental Fee	225	-	-	225	-	-	225
Storm Drain	6,835	-	-	6,835	3,879	6,835	3,879
sewer operation	217,901	79,668	73,366	224,203	78,083	60,339	241,947
American Rescue Fund	-	-	-	-	-	-	-
sewer reserves	19,965	-	-	19,965	-	-	19,965
sewer sinking	8,961	13,600	14,490	8,071	9,200	16,573	698
sewer operation	-	-	-	-	-	-	-
American Rescue Fund	-	32,060	-	32,060	32,181	4,275	59,966
Totals	<u>\$ 473,221</u>	<u>\$ 241,556</u>	<u>\$ 171,318</u>	<u>\$ 543,459</u>	<u>\$ 238,112</u>	<u>\$ 175,890</u>	<u>\$ 605,681</u>

TOWN OF LARWILL
 STATEMENT OF RECEIPTS, DISBURSEMENTS,
 AND CASH AND INVESTMENT BALANCES -
 REGULATORY BASIS
 For the Year Ended December 31, 2023

Fund	Cash and Investments 01-01-23	Receipts	Disbursements	Cash and Investments 12-31-23
General	\$ 83,210	\$ 78,897	\$ 54,404	\$ 107,703
Motor Vehicle Highway	74,027	13,764	4,797	82,994
Local Road And Street	8,506	3,266	837	10,935
Garbage	6,648	12,348	13,383	5,613
IHFA	7,306	-	-	7,306
Opioid Fund	403	283	-	686
Cumulative Capl Imprv Cigarette Tax	8,619	496	2,000	7,115
Cumulative Capital Development	5,989	18,939	1,664	23,264
Co Economic Development Income Tax	48,154	18,588	17,064	49,678
Public Safety	36,140	8,021	8,559	35,602
Rental Fee	225	-	-	225
Storm Drain	3,879	2,980	-	6,859
sewer operation	241,946	84,944	94,859	232,031
American Rescue Fund	59,966	-	-	59,966
sewer reserves	19,965	-	-	19,965
sewer sinking	698	16,000	16,199	499
Totals	\$ 605,681	\$ 258,526	\$ 213,766	\$ 650,441