

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

AUDIT REPORT

OF

COUNTY SHERIFF

BROWN COUNTY, INDIANA

January 1, 2007 to December 31, 2007



FILED

12/31/2008

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COUNTY OFFICIALS

<u>Office</u>	<u>Official</u>	<u>Term</u>
Sheriff	Robert E. Stogsdill	01-01-07 to 12-31-10
President of the County Council	David Critser	01-01-07 to 12-31-08
President of the Board of County Commissioners	Stephanie R. Yager	01-01-07 to 12-31-08



STATE OF INDIANA
AN EQUAL OPPORTUNITY EMPLOYER

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TO: THE OFFICIALS OF BROWN COUNTY

We have audited the records of the County Sheriff for the period from January 1, 2007 to December 31, 2007, 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 Brown County for the year 2007.

STATE BOARD OF ACCOUNTS

November 24, 2008

COUNTY SHERIFF
BROWN COUNTY
AUDIT RESULTS AND COMMENTS

COMPENSATION AND BENEFITS

The Sheriff, Robert E. Stogsdill, entered into a salary contract that stipulated an annual salary for 2007 of \$55,000, plus longevity pay set at \$50 per year as approved by the 2007 salary ordinance. The Sheriff's approved salary for that elected position for the year 2007 was \$55,200, which included \$200 longevity pay. The Sheriff received total bi-weekly wages for 2007 in the amount of \$55,200, but also received a \$465 cash payment from the Commissary Fund during 2007 for a full scale training exercise. The \$465 cash payment was in excess of the amount set by the contract and salary ordinance.

All compensation and benefits paid to officials and employees must be included in the labor contract, salary ordinance, resolution or salary schedule adopted by the governing body unless otherwise authorized by statute. (Accounting and Uniform Compliance Guidelines Manual for Counties of Indiana, Chapter 1)

Indiana Code 36-2-5-13 states in part: ". . . the compensation of an elected county officer may not be changed in the year for which it is fixed."

The Sheriff, Robert E. Stogsdill, had been requested to repay the excess wages received in the amount of \$465 to the County. Per County Receipt 12303, dated November 24, 2008, Robert E. Stogsdill repaid the County \$465 for the overpayment of his salary.

CASH DISBURSEMENTS

Sheriff's department employees that participated in a full scale training exercise funded through a federal grant received cash payments that were not included in the County payroll system.

Disbursements, other than properly authorized petty cash disbursements, shall be by check or warrant, not by cash or other methods unless specifically authorized by statute, federal or state rule. (Accounting and Uniform Compliance Guidelines Manual for Counties of Indiana, Chapter 1)

Each governmental unit is responsible for compliance with all rules, regulations, guidelines, and directives of the Internal Revenue Service and the Indiana Department of Revenue. All questions concerning taxes should be directed to these agencies. (Accounting and Uniform Compliance Guidelines Manual for Counties of Indiana, Chapter 1)

COUNTY SHERIFF
BROWN COUNTY
AUDIT RESULTS AND COMMENTS
(Continued)

OVERTIME CALCULATION AND PAYROLL DEDUCTIONS

Some of the time sheets for hours worked on the full scale training exercise, for which payments were made to the Sheriff and Sheriff's Department employees, indicate "overtime" hours worked. However, all payments were at the rate of \$31 per hour regardless of employees' regular pay rates and exempt/nonexempt status.

All payments were made in cash, outside of the County's payroll system, and no evidence was found that appropriate withholdings were made or remitted to the proper agencies. The cash payments for wages were not reported on form W-2's or 1099's for 2007.

Political subdivisions are required to comply with all grant agreements, rules, regulations, bulletins, directives, letters, letter rulings, and filing requirements concerning reports and other procedural matters of federal and state agencies, including opinions of the Attorney General of the State of Indiana, and court decisions. Governmental units should file accurate reports required by federal and state agencies. Noncompliance may require corrective action. (Accounting and Uniform Compliance Guidelines Manual for Counties of Indiana, Chapter 1)

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)

COUNTY SHERIFF
BROWN COUNTY
EXIT CONFERENCE

The contents of this report were discussed on November 24, 2008, with Stephanie R. Yager, President of the Board of County Commissioners; David Critser, President of the County Council; Robert E. Stogsdill, Sheriff; and Lisa Melton, Jail Matron. The official response has been made a part of this report and may be found on page 7.

The contents of this report were also discussed on November 24, 2008, with Bill Austin, County Commissioner.



Robert "Buck" Stogsdill
Sheriff

Brown County Sheriff's Office

55 State Rd. 46E
P.O. Box 95
Nashville, IN 47448
Phone 812-988-6655
Fax 812-988-8859

November 24, 2008

State Board of Accounts
302 West Washington Street,
Room E 418
Indianapolis, Indiana 46204-27765

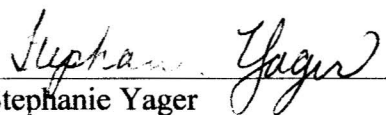
Re: Official Response

State Board of Accounts,

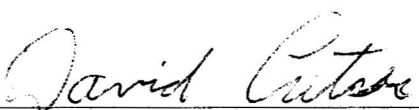
I would like to respond to our 2007 Audit. The three items mentioned in the exit conference officials report were all related to the Home Land Security full-scale exercise for training. At all times, we followed Homeland Securities guidelines and used their forms. Each stage of the training required prior approval; this was received and approved by Home Land Security before proceeding.



Robert Stogsdill Sheriff



Stephanie Yager
President Board of Commissioners



David Critser
President County Council