

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

AUDIT REPORT

OF

CLERK OF THE CIRCUIT COURT

ORANGE COUNTY, INDIANA

January 1, 2012 to December 31, 2012



FILED

07/02/2013

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COUNTY OFFICIALS

<u>Office</u>	<u>Official</u>	<u>Term</u>
Clerk	Roger E. Purkhiser Beth Jones	01-01-09 to 12-31-12 01-01-13 to 12-31-16
President of the County Council	Kermit Lamb Marshall Noble	01-01-12 to 12-31-12 01-01-13 to 12-31-13
President of the Board of County Commissioners	Don Brewer	01-01-12 to 12-31-13



STATE OF INDIANA
AN EQUAL OPPORTUNITY EMPLOYER

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TO: THE OFFICIALS OF ORANGE COUNTY

We have audited the records of the Clerk of the Circuit Court for the period from January 1, 2012 to December 31, 2012, 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 Orange County for the year 2012.

STATE BOARD OF ACCOUNTS

May 30, 2013

CLERK OF THE CIRCUIT COURT
ORANGE COUNTY
AUDIT RESULTS AND COMMENTS

BANK ACCOUNT RECONCILIATIONS

Depository reconciliations of the fund balances to the bank account balances for the Clerk of the Circuit Court were conducted; however, the December 31, 2012 reconciliation included a cash short amount of \$597.88.

During Roger E. Purkhiser's, former Clerk of the Circuit Court, term in office, the following shortages and repayments occurred:

Date	Description	Amount
02-18-09	A receipt was written for a bond and no funds were collected. This was repaid.	\$ 300.00
02-20-09	The receipts for bonds were more than the collections.	305.00
09-14-10	The receipts for small claims were more than collections.	20.00
09-21-10	Cash long	(0.02)
09-21-10	Receipt No. 25166 was written for pretrial diversion and no funds were collected.	180.00
09-16-11	The receipts for small claims were more than collections.	75.00
02-04-12	A check for a small claims payment was thrown away. This was repaid.	100.00
03-12-12	The receipts for small claims were more than collections.	<u>18.00</u>
	Total cash necessary to balance	997.98
04-24-12	Repayment for cash necessary to balance	<u>(400.00)</u>
	Cash necessary to balance on December 31, 2012	<u>\$ 597.98</u>

Indiana Code 5-13-6-1(e) states: "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 Clerks of the Circuit Courts of Indiana, Chapter 13)

Roger E. Purkhiser, former Clerk of the Circuit Court, was asked to reimburse the County for the cash necessary to balance in the amount of \$597.98. (See Summary of Charges, page 7)

COMPENSATION AND BENEFITS

Compensation and benefits were paid to Roger E. Purkhiser, former Clerk of the Circuit Court, that were not included in the salary ordinance or resolution. The salary ordinance included a salary for the former Clerk of the Circuit Court of \$36,500 and a salary for the Registration Officer for \$1,000. Total compensation paid to the Clerk of the Circuit Court in 2012 was \$38,700. Those payments were made from the following appropriations:

CLERK OF THE CIRCUIT COURT
ORANGE COUNTY
AUDIT RESULTS AND COMMENTS
(Continued)

Appropriation	Amount Paid
Clerk's Salary	\$ 36,500
Election Board Members	600
Precinct Election Boards	1,100
Clerical Assistant	500
Total	\$ 38,700

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. Compensation should be made in a manner that will facilitate compliance with state and federal reporting requirements. (Accounting and Uniform Compliance Guidelines Manual for Clerks of the Circuit Courts of Indiana, Chapter 13)

Indiana Code 3-6-5-9 states:

"Each county fiscal body shall determine, in the manner provided by law, the compensation of:

- (1) the appointed members of the county election board; and
- (2) the circuit court clerk for the clerk's services as secretary of the county election board."

OFFICIAL BOND

Roger E. Purkhiser, former Clerk of the Circuit Court, had official bond coverage through RLI Surety Company. Bond No. LSM0090476 was in the amount of \$30,000 and covered the periods January 1, 2009 to January 1, 2010, January 1, 2010 to January 1, 2011, January 1, 2011 to January 1, 2012, and January 1, 2012 to January 1, 2013.

CLERK OF THE CIRCUIT COURT
ORANGE COUNTY
EXIT CONFERENCE

The contents of this report were discussed on May 14, 2013, with Roger E. Purkhiser, former Clerk; Beth Jones, Clerk; and Elizabeth Jones, Deputy Clerk.

The contents of this report were discussed on May 30, 2013, with Donna Atchison, County Auditor; Don Brewer, President of the Board of County Commissioners; Marshall Noble, President of the County Council; and John F. Noblitt, member of the County Council.

CLERK OF THE CIRCUIT COURT
ORANGE COUNTY
SUMMARY OF CHARGES

	<u>Charges</u>	<u>Credits</u>	<u>Balance Due</u>
Roger E. Purkhiser, former Clerk of the Circuit Court:			
Bank Account Reconciliations, page 4	<u>\$ 597.98</u>	<u>\$ -</u>	<u>\$ 597.98</u>

This report was forwarded to the Office of the Indiana Attorney General and the local prosecuting attorney.

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AFFIDAVIT

STATE OF INDIANA)
)
LAWRENCE COUNTY)

I, Phyllis Moffatt, Field Examiner, being duly sworn on my oath, state that the foregoing report based on the official records of the Clerk of the Circuit Court, Orange County, Indiana, for the period from January 1, 2012 to December 31, 2012, is true and correct to the best of my knowledge and belief.

Phyllis Moffatt
Field Examiner

Subscribed and sworn to before me this 18 day of June, 2013.

Myra Ray
Clerk of the Circuit Court