



Auditor of Public Accounts  
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**FOR IMMEDIATE RELEASE**

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**Harmon Releases Audit of Robertson County Sheriff's Fee Account**

**FRANKFORT, Ky.** – State Auditor Mike Harmon today released the audit of the 2019 financial statement of Robertson County Sheriff Mark Sutton. State law requires the auditor to annually audit the accounts of each county sheriff. In compliance with this law, the auditor issues two sheriff's reports each year: one reporting on the audit of the sheriff's tax account, and the other reporting on the audit of the fee account used to operate the office.

Auditing standards require the auditor's letter to communicate whether the financial statement presents fairly the receipts, disbursements and excess fees of the Robertson County Sheriff in accordance with accounting principles generally accepted in the United States of America. The sheriff's financial statement did not follow this format. However, the sheriff's financial statement is fairly presented in conformity with the regulatory basis of accounting, which is an acceptable reporting methodology. This reporting methodology is followed for all 120 sheriff audits in Kentucky.

As part of the audit process, the auditor must comment on noncompliance with laws, regulations, contracts, and grants. The auditor must also comment on material weaknesses involving the internal control over financial operations and reporting.

The audit contains the following comment:

**The sheriff's office does not have adequate segregation of duties over receipts:** This is a repeat finding and was included in the prior year audit report as Finding 2018-001. The bookkeeper collects receipts, prepares the daily bank deposit, prepares the daily checkout sheet, and posts items to the receipts ledger. The bookkeeper also prepares the quarterly financial reports and bank reconciliations. According to the sheriff, this is caused by the sheriff's office having a small office staff with only one full-time employee.

A lack of segregation of duties over receipts creates an opportunity for misappropriation of assets such as cash. By having the same employee perform these functions, the risk of undetected misappropriation of assets and inaccurate financial reporting to external agencies such as the Department for Local Government (DLG) increases.

Proper segregation of duties over accounting and reporting functions is essential for providing protection from undetected errors occurring. Additionally, properly segregated duties protect employees in the normal course of performing their daily responsibilities. When staff size is limited, it may be necessary to implement compensating controls to achieve an acceptable level of protection for both the office and individual employees.

We recommend the sheriff implement compensating controls to offset this weakness. The sheriff should periodically compare the daily bank deposit to the daily checkout sheet and then compare the daily checkout sheet to the receipts ledger. The sheriff should review the quarterly financial report and compare amounts reported on the receipts ledger. The sheriff should document this review process by initialing the daily checkout sheets, deposit slips, and receipts ledger.

*Sheriff's Response: I do look at all monthly, weekly, quarterly reports after they have been prepared by [name redacted]. I admit I don't always initial them but the figures reconcile.*

**The sheriff did not comply with the county's fee pooling ordinance:** The sheriff did not remit all of October and November monthly excess fees timely, totaling \$10,000, to the fiscal court per the fee-pooling ordinance. According to the sheriff, he was retaining the excess fees for office expenses in 2020.

By not submitting the monthly excess fees to the fiscal court each month, as required by the Robertson County Fiscal Court's fee pooling ordinance, the sheriff is not in compliance with the ordinance. In addition, the fiscal court is deprived of these funds for a significant amount of time potentially impacting their budget.

On July 1, 1999, the Robertson County Fiscal Court passed their fee pooling ordinance, which requires the sheriff's office and county clerk's office to participate in fee pooling. Under fee pooling, the sheriff's office and county clerk's office pay net income (excess fees) monthly to the fiscal court, and the fiscal court pays all salaries and expenses of those offices. Net income is due monthly.

We recommend the sheriff comply with the county's fee pooling ordinance by paying excess fees based on calculations from the sheriff's financial records monthly.

*Sheriff's Response: I did hold back some fees for office expenses. The reasoning behind that is we have had our furnace removed and have gas wall heaters window AC, have no proper place to store evidence or cash we have on hand during tax time especially. We have drugs, guns, money, and other valuable evidence that has to be more secure. Also our old office has mold issues. All these things I have relayed to fiscal court to no avail. Their response was we have no money. But they put a floor in the beauty parlor owned by the county the next week.*

The sheriff's responsibilities include collecting property taxes, providing law enforcement and performing services for the county fiscal court and courts of justice. The sheriff's office is funded through statutory commissions and fees collected in conjunction with these duties.

The audit report can be found on the [auditor's website](#).

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