

## **FOUNTAIN COUNTY ORDINANCE NO. 2016-2**

### *An Ordinance Concerning The Adoption Of Minimum Internal Control Standards And Procedures And Determining Materiality Threshold For Fountain County Government*

WHEREAS, IC 5-11-1-27 provides that internal control standards shall be defined to promote government accountability and transparency. This statute applies to all political subdivisions under IC 5-11-10.5-1, including counties, townships, cities, towns, school corporations, library districts, fire protection districts, public transportation corporations, local hospital authorities or corporations, local airport authority districts, special service districts, special trucing districts, or other separate local governmental entities that may sue and be sued; and

WHEREAS, The 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. All political subdivisions subject to audit by SBOA are expected to adhere to these standards, and will be evaluated accordingly in any audits that are performed by or on behalf of the SBOA; and

WHEREAS, In response, the SBOA developed the Uniform Internal Control Standards for Indiana Political Subdivisions manual, which contains the acceptable minimum level of internal control standards; and

WHEREAS, After June 30, 2016, IC 5-11-1-27(g) provides that the legislative body of each political subdivision must adopt the minimum internal control standards as defined by SBOA. Additionally, the legislative body must ensure that personnel receive training concerning the internal control standards and procedures adopted by the political subdivision; and

WHEREAS, IC 5-11-1-27(j) requires erroneous or irregular material variances, losses, shortages, or thefts of political subdivision funds or property shall be reported immediately to the State Board of Accounts; and

WHEREAS, State Examiner Directive 2015-6 directs each political subdivision to determine its own policy on materiality; and

WHEREAS, Fountain County does not condone any erroneous or irregular material variances, losses, shortages, or thefts of political subdivision funds or property but recognizes that relatively small items may not justify the cost of the involvement of the State Board of Accounts.

NOW, THEREFORE, be it ordained by The Board of Commissioners of the County of Fountain, that:

Section 1. The acceptable minimum level of internal control standards and procedures developed under IC 5-11-1-27(e) by the SBOA contained in the Uniform Internal Control Standards for Indiana Political Subdivisions manual, are hereby adopted by Fountain County and that county personnel receive training concerning the internal control standards and procedures hereby adopted.

Section 2. Fountain County establishes the following Materiality Policy under IC 5- 11-1-10, 5-11-1-21, and 5-11-1-27:

Materiality, in Fountain County Government, is defined as \$500.00 per occurrence. That is, if one occurrence of a loss or shortage or other irregularity is equal or greater than \$500.00, it must be reported to the State Board of Accounts. The materiality definition is not limited to defalcations or suspicious activity involving only cash or cash transactions. If supplies, equipment or other fixed assets belonging to the County are suspected of being misappropriated or stolen or used in a manner not authorized by Fountain County officials and the value of those supplies, equipment or fixed assets are approximately \$500.00, that misuse or series of misuse should be reported. That is not to say that if a loss or shortage is less than \$500.00 it should be ignored. If there is a series of events, within the same office or department that appears to be a structuring event to defraud or misappropriate County funds or property, that event or series of events should be reported.

Section 3. All erroneous or irregular material variances, losses, shortages, or thefts of political subdivision funds or property shall be reported immediately to the State Board Of Accounts. For all material variances, losses, shortages, or thefts, the State Board Of Accounts shall:

- (1) determine the amount of funds involved and report the amount to the appropriate government and law enforcement officials;
- (2) determine the internal control weakness that contributed to or caused the condition; and
- (3) make written recommendations to the appropriate legislative body or appropriate official overseeing the internal control system addressing:
  - (A) the method of correcting the condition; and
  - (B) the necessary internal control policies and internal control procedures that must be modified to prevent recurrence of the condition.




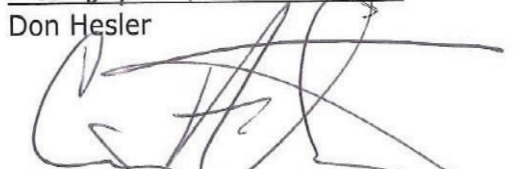
Section 4. Pursuant to IC 5-11-1-27(1), if any Fountain County employee knows or suspects that other County employees are engaged in fiscal misconduct, it is his/her responsibility to immediately notify their Supervisor or the Board of Commissioners or if the Supervisor or a Commissioner is involved the County Attorney, or if the employee has concerns about informing the County Attorney, then the County Auditor and Prosecuting Attorney are to be contacted.


Section 5. The Fountain County Ethics Policy/Internal Control/Materiality Declaration regarding establishment of a policy on materiality and a process for reporting material items, which was reviewed and approved by the Fountain County Board of Commissioners on May 16, 2016, and the Fountain County Council on May 16, 2016, is hereby adopted.

All as Passed and Ordained this 16<sup>th</sup> day of May, 2016.

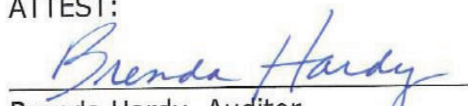
THE BOARD OF COMMISSIONERS  
OF THE COUNTY OF FOUNTAIN:

  
Don Hesler

  
Craig Stalter

  
Tim Shumaker

ATTEST:

  
Brenda Hardy, Auditor

This instrument was prepared by the Fountain County Attorney, Daniel Askren, Attorney, Attica, Indiana. *I affirm, under penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law. Brenda Hardy*