



NEBRASKA AUDITOR OF PUBLIC ACCOUNTS

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December 23, 2022

Nolan Hueftle, Chairperson
Broken Bow Rural Fire District 1
78945 Road 442
Ansley, NE 68814

Dear Chairperson Hueftle:

The Nebraska Auditor of Public Accounts (APA) has reviewed the audit waiver request received from the Broken Bow Rural Fire District 1 (District) for the fiscal year ending 2022. **That request has been approved.**

While performing, pursuant to Neb. Rev. Stat. § 84-304 (Cum. Supp. 2022), the preliminary examination necessary to determine whether further audit work would be required or the audit waiver should be allowed, the APA noted certain internal control or compliance matters, or other operational issues, within the District.

The following information is intended to improve internal controls or result in other operational efficiencies.

Comments and Recommendations

1. Lack of Purchasing Card Policy

During the review of the bank statements obtained from the District's audit waiver request, it was noted there were multiple debit card transactions throughout the fiscal year 2022, totaling \$7,616. After further inquiry with the District, the APA was informed that the District utilized a debit card for purchases of fuel and other expenses while traveling to fires outside of the District.

With the use of a debit card, the District increases its risk of unrecoverable loss of funds due to fraud because debit cards do not provide as much fraud protection as a credit card or other purchasing cards. The District also increases its risk of payments being made without Board approval because the debit card does not require dual signatures. It was noted during the review that the District discussed and approved a debit card policy in 2018; however, the District was unable to provide a copy of that purchasing card policy outlining procedures for safeguarding District assets when using the District card, including such allowable purchases and authorized individuals.

Neb. Rev. Stat. § 13-610 (Reissue 2022) provides, in relevant part, the following requirements regarding a purchasing card program:

(1) A political subdivision, through its governing body, may create its own purchasing card program. The governing body shall determine the type of purchasing card or cards utilized in the purchasing card program and shall approve or disapprove those persons who will be assigned a purchasing card. Under the direction of its governing body, any political subdivision may contract with one or more financial institutions, card-issuing banks, credit card companies, charge card companies, debit card companies, or third-party merchant banks capable of operating the purchasing card program on behalf of the political subdivision. Expenses associated with the political subdivision's purchasing card program shall be considered, for purposes of this section, as an administrative or operational expense.

(4) An itemized receipt for purposes of tracking expenditures shall accompany all purchasing card purchases. In the event that a receipt does not accompany such a purchase, purchasing card privileges shall be temporarily or permanently suspended in accordance with rules and regulations adopted and promulgated by the political subdivision.

(6) No officer or employee of a political subdivision shall use a political subdivision purchasing card for any unauthorized use as determined by the governing body.

Good internal control procedures require adequate controls over the District’s purchasing card, including an approved card policy that outlines procedures for the allowable use of the District card and authorized users. Without such procedures there is an increased risk of loss, theft, or misuse of District funds.

We recommend the District implement adequate controls over the District’s purchasing card, including an approved card policy that outlines procedures for the allowable use of the District card and authorized users.

2. Notice of Budget Hearing and Budget Summary

During the review of the 2022-2023 budget document filed with our office, we noted the Notice of Budget Hearing and Budget Summary was not published at least four calendar days prior to the date of the budget hearing. The hearing was held on September 20, 2022; however, the publication was on September 19, 2022, only a day prior to the date of the hearing. A copy of the publication is shown below.

NOTICE OF BUDGET HEARING AND BUDGET SUMMARY	
BROKEN BOW RURAL FIRE DISTRICT IN CUSTER County, Nebraska	
PUBLIC NOTICE is hereby given, in compliance with the provisions of State Statute Sections 13-501 to 13-513, that the governing body will meet on the 20 day of SEPTEMBER 2022, at 8 o'clock P.M. at BROKEN BOW FIRE HALL, BROKEN BOW, NE for the purpose of hearing support, opposition, criticism, suggestions or observations of taxpayers relating to the following proposed budget. The budget detail is available at the office of the Clerk during regular business hours.	
2020-2021 Actual Disbursements & Transfers	\$ 212,328.70
2021-2022 Actual/Estimated Disbursements & Transfers	\$ 486,246.87
2022-2023 Proposed Budget of Disbursements & Transfers	\$ 131,390.00
2022-2023 Necessary Cash Reserve	\$ 29,802.78
2022-2023 Total Resources Available	\$ 161,192.78
Total 2022-2023 Personal & Real Property Tax Requirement	\$ 85,201.10
Unused Budget Authority Created For Next Year	\$ 15,149.57
Breakdown of Property Tax:	
Personal and Real Property Tax Required for Non-Bond Purposes	\$ 85,201.10
Personal and Real Property Tax Required for Bonds	\$ -
Pub: September 19, 2022 ZNEZ	

Neb. Rev. Stat. § 13-506(1) (Reissue 2022) states, in relevant part, the following:

Each governing body shall each year or biennial period conduct a public hearing on its proposed budget statement. Such hearing shall be held separately from any regularly scheduled meeting of the governing body and shall not be limited by time. Notice of place and time of such hearing, together with a summary of the proposed budget statement, shall be published at least four calendar days prior to the date set for hearing in a newspaper of general circulation within the governing body's jurisdiction. For purposes of such notice, the four calendar days shall include the day of publication but not the day of hearing. When the total operating budget, not including reserves, does not exceed ten thousand dollars per year or twenty thousand dollars per biennial period, the proposed budget summary may be posted at the governing body's principal headquarters.

(Emphasis added.) Good internal controls require procedures to ensure the District’s publication of the Notice of Budget Hearing and Budget Summary is in compliance with State statute. Without such procedures, there is not only a risk of noncompliance with State statute but also an increased risk of lack of transparency of the budget of the District.

We recommend the District Board implement procedures to ensure the District’s publication of the Notice of Budget Hearing and Budget Summary is in compliance with State statute.

3. Expenditures in Excess of Budget

For the fiscal year ended June 30, 2022, actual expenditures exceeded the adopted budget by \$260,707. No amendment was filed with our office for these additional expenditures.

Neb. Rev. Stat. § 13-510 (Reissue 2022) states, in relevant part, the following:

No expenditure during any fiscal year or biennial period shall be made in excess of the amounts indicated in the adopted budget statement, except as authorized in section 13-511, or by state law. Any officer or officers of any governing body who obligates funds contrary to the provisions of this section shall be guilty of a Class V misdemeanor.

Neb. Rev. Stat. § 13-511 (Reissue 2022) sets out the procedures for amending the adopted budget accordingly.

When expenditures are made in excess of the amounts budgeted, with no appropriation adjustments by the Board to address those excesses, the District is noncompliant with State statute, further increasing the risk for loss and/or misuse of funds.

We recommend the Board implement procedures to monitor closely its budget status on an ongoing basis to avoid incurring expenditures in excess of the amount budgeted, and amend the budget as necessary.

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The preliminary planning work that resulted in this letter was designed primarily on a test basis and, therefore, may not bring to light all existing weaknesses in the District’s policies or procedures. Nevertheless, our objective is to use the knowledge gained during the performance of that preliminary planning work to make comments and suggestions that we hope will prove useful to the District.

This communication is intended solely for the information and use of the District and its management. It is not intended to be, and should not be, used by anyone other than those specified parties. However, this letter is a matter of public record, and its distribution is not limited.

If you have any questions, please contact **Dakota Christensen** at **402-499-8702** or **dakota.christensen@nebraska.gov**.

Sincerely,



Mark Avery, CPA
Assistant Deputy Auditor