



## NEBRASKA AUDITOR OF PUBLIC ACCOUNTS

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State Auditor

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January 20, 2022

Rodney Steinkruger, Chairperson  
Franklin Rural Fire District  
1727 Hwy 136  
Franklin, NE 68939

Dear Chairperson Steinkruger:

The Nebraska Auditor of Public Accounts (APA) has reviewed the audit waiver request received from the Franklin Rural Fire District (District) for the fiscal year ending 2021. **That request has been approved.**

While performing, pursuant to Neb. Rev. Stat. § 84-304 (2021 Neb. Laws, LB 528, § 51), 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 Dual Signatures

The APA obtained the monthly statements for the District's bank accounts from its fiscal year 2021 audit waiver request. From those statements, the APA noted that 19 District checks written during the examination period from the EMS account contained only one signature. An example of such checks is shown below.

FRANKLIN EMS  
FRANKLIN RURAL FIRE PROTECTION DISTRICT  
(GENERAL FUND)  
P O BOX 55  
FRANKLIN, NE 68939

2/10/2021 76-1973/1041 1036

Pay to the Order of Tom Olson \$ 700.00

Seven hundred & no/100 DOLLARS

SOUTH CENTRAL STATE BANK  
www.southcentralstatebank.com

FOR Billon

1036

1036 2/10/2021 Paid 700.00

Nebraska law requires both the Secretary-Treasurer and the President of the District to sign all checks approved by the Board. In particular, Neb. Rev. Stat. § 35-511 (Reissue 2016) states that those checks “shall bear the signature of the secretary-treasurer and the countersignature of the president of such district.”

In addition, good internal controls and sound accounting practices require procedures to ensure that District checks contain the statutorily required endorsements.

Without such procedures, there is an increased risk for not only failure to comply with State statute but also loss or misuse of public funds.

A similar issue was identified by the APA in a prior review and was disclosed to the District in the APA’s letter dated November 6, 2020, which can be found on the APA’s website. However, it does not appear this issue was corrected after the APA’s notification.

We recommend the Board implement procedures to require dual signatures, from both the Secretary-Treasurer and the President, on all District checks, as required by law.

**2. Potentially Disallowed Purchases**

Our review of the bank statements obtained from the District’s audit waiver request revealed that the District made seven payments, totaling \$3,273.50, that appears to be for flowers and donations. These payments are outlined below:

<b>Date</b>	<b>Name</b>	<b>Description</b>	<b>Amount</b>
9/2/20	Flowers and More		\$ 23.00
12/18/20	Flowers and More		\$ 28.00
1/11/21	Flowers and More	Furry Flowers	\$ 22.50
2/3/21	Jaruso Rochette	Donation	\$ 1,000.00
2/4/21	Franklin County Community Theater	Donation	\$ 500.00
4/7/21	Franklin County Memorial Hospital	Donation	\$ 700.00
4/7/21	Jesse Detletsen	Donation	\$ 1,000.00
		<b>Total</b>	<b>\$ 3,273.50</b>

The Local Government Miscellaneous Expenditure Act (Act), which is set out at Neb. Rev. Stat. § 13-2201 (Reissue 2012) et seq., specifies various expenditures, aside from those otherwise authorized by law, that constitute allowable uses of public funds by designated political subdivisions. The provisions of the Act are made applicable to Districts, among numerous other public entities, by both subsections (2) and (3) of Neb. Rev. Stat. § 13-2202 (Cum. Supp. 2020).

Neb. Rev. Stat. § 13-2203 (Cum. Supp. 2020) of the Act enumerates the miscellaneous expenditures permitted by governing bodies of local governments. Purchases of flowers – whether for funerals, memorials, or other personal occasions – and payments for donations are not found among that select statutory list of permissible expenditures. As a result, such disbursements must be considered disallowed by law.

On September 17, 1993, the Nebraska Accountability and Disclosure Commission adopted a document entitled “A Guideline to the Use of Public Funds by Cities and Villages – Revised” (Guideline). The Guideline addresses a number of different scenarios involving the expenditure of public funds. Though issued almost three decades ago, the Guideline remains relevant to various Nebraska public entities, including Districts.

Regarding the issue of flower and memorial purchases, the Guideline provides the following:

*Question #6 – May municipal funds be expended for flowers and memorials for deceased elected officials, employees or their families?*

*Response – No.*

Good internal control requires procedures to ensure compliance with the provisions of the Act.

Without such procedures, there is an increased risk for not only noncompliance with applicable statutory requirements but also loss or misuse of District funds.

We recommend the Board implement procedures to ensure all District purchases are allowable under State statute, including the provisions of the Act.

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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,

A handwritten signature in cursive script that reads "Mark Avery". The signature is written in black ink and has a long, sweeping horizontal line extending to the right.

Mark Avery, CPA  
Assistant Deputy Auditor