



NEBRASKA AUDITOR OF PUBLIC ACCOUNTS

Mike Foley
State Auditor

Mike.Foley@nebraska.gov

PO Box 98917

State Capitol, Suite 2303

Lincoln, Nebraska 68509

402-471-2111, FAX 402-471-3301

auditors.nebraska.gov

October 29, 2025

Mickey Soloman, Chairperson
Kilfoil Township Custer County
P.O. Box 22
Merna, NE 68856

Dear Chairperson Soloman:

The Nebraska Auditor of Public Accounts (APA) has reviewed the audit waiver request received from the Kilfoil Township Custer County (Township) for the fiscal year ending 2025. **That request has been approved.**

While performing, pursuant to Neb. Rev. Stat. § 84-304 (Supp. 2025), 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 Township.

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

Comments and Recommendations

1. Payments Not Approved

The APA obtained a copy of the May 15, 2025, meeting minutes for the Township Board (Board) and noted the following:

- Those minutes fail to reflect the approval of an electronic payment made to Caterpillar Financial on June 2, 2025, in the amount of \$2,728.
- Those minutes also fail to reflect the approval of any Township Cemetery or Township Library expenditures by the Board. According to the Township, the Board does not approve vouchers or issue payments for the Township Library Board (Library Board) or the Township Cemetery.

Additionally, it appears that the Library Board does not approve most of the Township Library expenditures. The following excerpt from the November 14, 2024, meeting minutes for the Library Board shows the policy adopted by the Library Board regarding payment of routine expenditures:

The trustees held a lengthy discussion on the approval and authorization of payment by the board for the reoccurring monthly bills. These claims are for bills paid for services needed to maintain and operate the library. These bills will be approved by the trustees with the stipulation that each check written for the claim is signed by both the President and the Secretary of the board of trustees.

These claims are as follows:

Village of Merna

Custer Public Power District

Consolidated Telephone

Salary- Vickie Burnett

In addition to these bills, claims that are for maintenance, care, or improvement of the library or its collections, but are not always reoccurring, will also be approved for payment with the signatures of both the President and Secretary of the board of trustees.

I.R.S. Quarterly payment

State of Nebr. Unemployment (quarterly)

Charron Lawn Care

Country Partners (Propane)

Book purchases (under \$100.00)

Renewal of magazine subscriptions (under \$35.00)

Questions or reviews of any of these claims are available to be viewed by any board member or the public at any time during business hours.

Any payment of claims above these fore-mentioned bills must be approved and payment authorized by the board at a Trustee board meeting.

Yvonne Tucker made the motion to accept these policies as stated with Vickie Burnett seconding the motion. All board members in attendance voted in favor of this authorization policy.

As demonstrated by this policy, the Library Board only approves claims that are unusual or above a certain dollar threshold. All Township Library expenditures that fall within the categories listed above are not specifically approved by the Library Board at a public meeting.

Nebraska law requires the Board to approve all claims, besides Township Library claims, against the Township. In particular, Neb. Rev. Stat. § 23-255 (Reissue 2022) states the following, in relevant part:

All claims and charges against the town, duly audited and allowed by the town board, shall be paid by order so drawn.

(Emphasis added.) Further, the Library Board is required to approve all claims against the Township Library. In particular, Neb. Rev. Stat. § 51-207 (Reissue 2021) provides the following:

The library board shall have exclusive control of expenditures, of all money collected or donated to the credit of the library fund, of the renting and construction of any library building, and the supervision, care and custody of the grounds, rooms or buildings constructed, leased or set apart for that purpose.

Additionally, Neb. Rev. Stat. § 51-209 (Reissue 2021) states the following, in relevant part:

All taxes levied or collected and all funds donated or in any way acquired for the erection, maintenance, or support of any public library shall be kept for the use of the library separate and apart from all other funds of the city, village, county, or township, shall be drawn upon and paid out by the treasurer of such city, village, county, or township upon vouchers signed by the president of the library board and authenticated by the secretary of such board, and shall not be used or disbursed for any other purpose or in any other manner.

(Emphasis added.) Properly discharging the above statutory duties necessarily entails the Library Board’s approval of all expenditures of Township Library funds prior to their actual disbursement.

As public bodies, moreover, both the Board and the Library Board are subject to the provisions of the Open Meetings Act, which is set out at Neb. Rev. Stat. §§ 84-1407 to 84-1414 (Reissue 2024; Supp. 2025). Per Neb. Rev. Stat. § 84-1413(1) (Reissue 2024), public bodies, including the Board and the Library Board, are required to “keep minutes of all meetings,” showing, among other things, “the substance of all matters discussed.”

Furthermore, a good internal control plan and sound business practices require procedures to ensure that both the Board and the Library Board approve all of their respective expenditures and business transactions prior to payment. Moreover, such approval should be documented in the meeting minutes of the Board or Library Board, as appropriate, specifying the name of each payee, the exact amount of any disbursement, and the specific purpose of the payment.

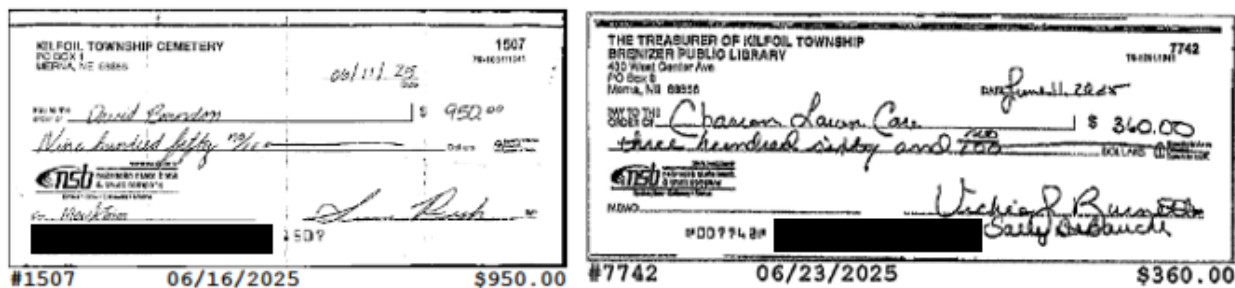
Without such procedures, there is an increased risk for not only failure to comply with State statute but also loss or misuse of public funds.

A similar issue was identified by the APA in prior reviews and was disclosed to the Township in the APA’s letters dated November 16, 2023, and November 20, 2024, which can be found on the APA’s website. However, this issue does not appear to have been corrected after the APA’s notification.

We recommend the implementation of procedures to ensure both the Board and the Library Board approve all expenditures of their respective funds prior to payment, and such approval is documented adequately in the appropriate meeting minutes.

2. Lack of Dual Authorized Signatures

The APA obtained the monthly statements for the Township’s bank accounts from its fiscal year 2025 audit waiver request. From those statements, the APA noted that all Township checks wrote from the Township Cemetery’s bank account during the examination period contained only one signature. Additionally, all checks issued from this bank account and the Township Library’s bank account contained signatures of individuals that are not members of the Township Board. Examples of such checks are shown below.



Nebraska law requires both the Clerk and the Chairperson of the Township Board (Board) to sign all checks approved by the Board. In particular, Neb. Rev. Stat. § 23-255 (Reissue 2022) states, in relevant part, the following:

The town clerk shall draw and sign all orders upon the town treasurer for all money to be disbursed by the township, and all warrants upon the county treasurer for money raised for town purposes, or apportioned to the town by the county or state, and present the same to the chairman of the board, to be countersigned by him, and no warrant shall be paid until so countersigned.

(Emphasis added.) In addition, good internal controls and sound accounting practices require procedures to ensure that Township 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 prior reviews and was disclosed to the Township in the APA's letters dated November 16, 2023, and November 20, 2024, which can be found on the APA's website. However, this issue does not appear to have been corrected after the APA's notification.

We recommend the Board implement procedures to require dual signatures, from both the Clerk and the Chairperson, on all Township checks, as required by law.

3. Negative Bank Balances and Line of Credit

The APA noted that the Township's General Fund checking account had a negative balance twice during fiscal year 2025. The following table shows the dates that the bank balance was negative and the largest negative balance for each date:

Date	Largest Negative Balance
12/18/2024	\$ 11,038
12/31/2024	2,314

On both of these dates, the Township was loaned funds through a line of credit with the bank. In total, the Township received \$15,000 through this line of credit in December 2024. While this line of credit allowed the Township to avoid potential overdraft fees, the Township paid \$80 for interest on the line of credit when it was repaid in January 2025.

Good internal controls and sound business practices require procedures to ensure that sufficient funds are available in the Township's bank accounts to pay claims. Without such procedures, there is an increased risk for not only loss, misuse, or theft of Township funds but also accumulation of overdraft fees or interest payments.

We recommend the Township implement controls to ensure sufficient funds are available in the Township's bank accounts to pay claims.

* * * * *

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 Township'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 Township.

This communication is intended solely for the information and use of the Township 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