



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

April 21, 2026

Dusty Foth, Chairperson
Village of Springview
PO Box 298
Springview, NE 68778

Dear Chairperson Foth:

The Nebraska Auditor of Public Accounts (APA) has reviewed the audit waiver request received from the Village of Springview (Village) 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 the audit waiver should be allowed or further audit work would be required, the APA noted certain internal control or compliance matters, or other operational issues, within the Village.

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

Comments and Recommendations

1. Board Member Signatures on Checks – Signed by Village Clerk

During our examination of the Village’s bank statements and accompanying cleared check images, we noted that four checks, totaling \$669.51, contained signatures inconsistent with those found on other checks that cleared the Village’s bank accounts throughout the fiscal year.

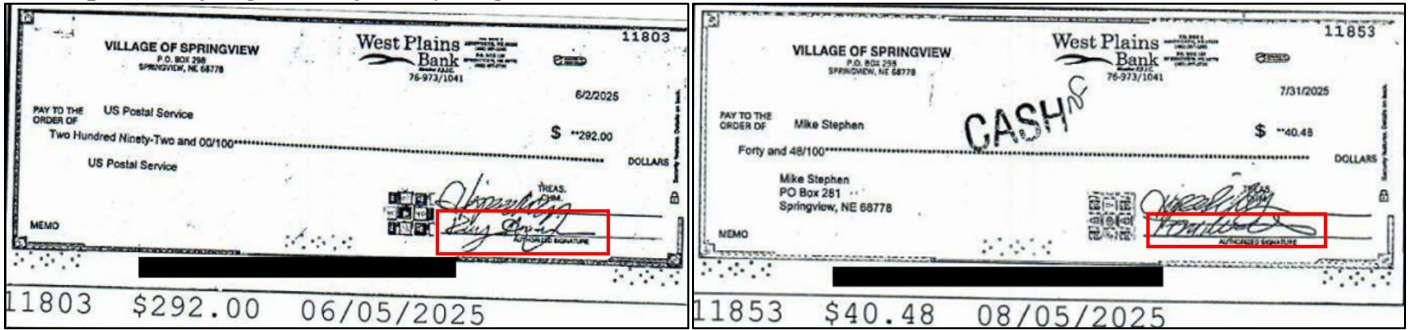
Upon further inquiry and requests for documentation, the APA obtained copies of the bank signature cards for the Village’s bank accounts to compare signatures. Based on this comparison, we noted apparent differences between the signatures on the checks and the signatures on the bank signature cards – creating further uncertainty regarding who signed the checks.

Examples of the check images with correlating bank signature cards are shown below:

Comparison of Signature for David Lewis


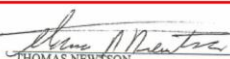
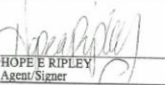
The image shows a check and a corresponding bank signature card. The check is from West Plains Bank, dated 10/3/2024, for \$292.00, payable to US Postal Service. The signature on the check is circled in red. The signature card shows Ernest Hallock and David D. Lewis as agents/signers, both dated 09/08/2022. The signature on the card is also circled in red.

Comparison of Signatures for Ray Angelilli and Thomas Newtonson



Signatures

The undersigned certify the accuracy of the information provided. The undersigned also authorize financial institution to investigate credit and employment history and to obtain reports from consumer reporting agencies on them as individuals. Except as otherwise provided by law or other documents, each of the undersigned is authorized to make withdrawals, provided the required number of signatures is satisfied. The undersigned personally, and as or on behalf of the account owner(s), agree to the terms, and acknowledge receiving copies, of this document and the following:
 Account Disclosure (Truth In Savings), Common Features (fees, etc), Terms & Conditions, Funds Availability

 RAYMOND ANGELILLI Agent/Signer	01/06/2025 Date	 THOMAS NEWTONSON Agent/Signer	01/06/2025 Date
 HOPE E RIPLEY Agent/Signer	01/06/2025 Date		Date

Multipurpose Signature Card
 Bankers Systems, Inc. (d/b/a)
 Waters-Kluwer Financial Services ©2015 MP-SC-C1 2/27/2015

During our discussions with the Village Clerk, she initially thought the Village bylaws included a clause allowing her to sign checks on behalf of Board members if verbal consent was granted. After the Village Clerk reviewed the Village’s bylaws, however, she informed us that she could not locate the clause authorizing the Village Clerk to sign checks on behalf of Board members. For all four checks in question, the Village Clerk claimed to have received verbal consent to sign for the Board members. On March 20, 2026, the APA contacted Mr. Angelilli and Mr. Lewis, and both Board members confirmed the Village Clerk had discussed these checks with them prior to signing them on their behalf.

Regardless of the existence of such clause in the Village’s bylaws, the APA questions such practice.

To start, signing checks on behalf of an individual using their own name and similar signature style may be in violation of Neb. Rev. Stat. § 28-603 (Reissue 2016), which provides the following, in relevant part:

(1) Whoever, with intent to deceive or harm, falsely makes, completes, endorses, alters, or utters any written instrument which is or purports to be, or which is calculated to become or to represent if completed, a written instrument which does or may evidence, create, transfer, terminate, or otherwise affect a legal right, interest, obligation, or status, commits forgery in the second degree.

* * * *

(6) For the purpose of determining the class of penalty for forgery in the second degree, the face values, or purported face values, or the amounts of any proceeds wrongfully procured or intended to be procured by the use of more than one such instrument, may be aggregated in the indictment or information if such instruments were part of the same scheme or course of conduct which took place within a sixty-day period and within one county. Such values or amounts shall not be aggregated into more than one offense.

State statute requires Village checks to be signed by both the Chairperson of the Board of Trustees (Board) and the Village Clerk. Specifically, Neb. Rev. Stat. § 17-711 (Reissue 2022) provides the following:

All warrants drawn upon the city treasurer of a city of the second class or village treasurer must be signed by the mayor or chairperson of the village board of trustees and countersigned by the city clerk or village clerk, stating the particular fund to which the same is chargeable, the person to whom payable, and for what particular object. No money shall be otherwise paid than upon such warrants so drawn. Each warrant shall specify the amount included in the adopted budget statement for such fund upon which it is drawn and the amount already expended of such fund.

(Emphasis added.) Furthermore, if State law related to official duties is knowingly violated, Neb. Rev. Stat. § 28-924 (Reissue 2016) creates the offense of “official misconduct” by a public servant, as follows:

- (1) *A public servant commits official misconduct if he knowingly violates any statute or lawfully adopted rule or regulation relating to his official duties.*
- (2) *Official misconduct is a Class II misdemeanor.*

These potential statutory concerns aside, it should be noted that good internal control and sound accounting practices require procedures to ensure checks are signed only by authorized individuals.

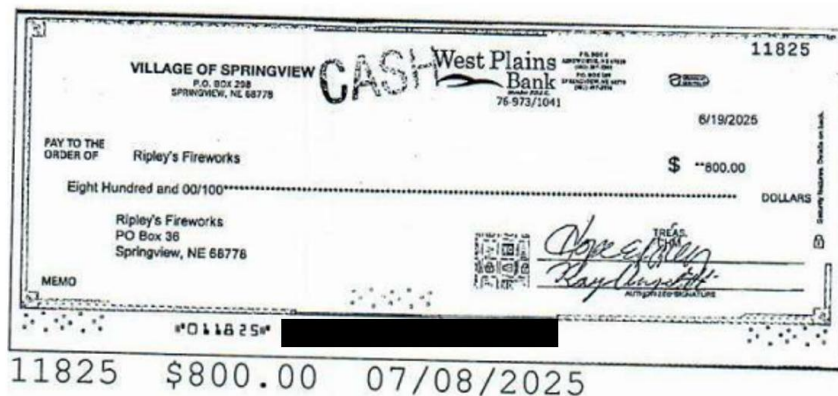
Without such procedures, there is an increased risk for not only noncompliance with State statute but also loss, misuse, and theft of Village funds. Furthermore, the practice of signing checks on behalf of an individual, using his or her name and similar signature style, diminishes financial transparency regarding who authorized the underlying transaction.

We recommend the Board implement procedures to ensure checks are signed only by authorized individuals and in accordance with State law. Because the issue addressed herein points to a possible violation of State statute, we are forwarding this information to the Keya Paha County Attorney for further review.

2. Related Party Transaction and Possibly Disallowed Purchase

During our review of the bank statements accompanying the Village’s audit waiver request, the APA noted that the Village made an \$800 payment to Ripley’s Fireworks on June 19, 2025. This expenditure was made from the Village’s checking account, which contained property tax revenues. According to the Village records, this payment was a donation for the city-wide firework display. Per the Village Clerk, Hope Ripley, this business is owned by her spouse’s parents – Ms. Ripley’s mother-in-law and father-in-law.

The following is a cleared check image for the payment at issue:



An excerpt from the minutes for the June 12, 2025, meeting of the Village Board of Trustees (Board), during which the donation payment was approved, is copied below:

Village Board

Board Proceedings are published exactly as received and is not edited by the Springview Herald.

Village of Springview
Minutes of Meeting
June 12, 2025
The Village Board of
Trustees met in regular ses-
sion on June 12, 2025 at the
village office. Present were

Ripley Fireworks requested
the board to donate towards
the city's firework display
again this year. Dusty mo-
tioned the board pay \$800.
Newtonson seconded. All voted
in favor.

Furthermore, the following documentation – which lacks an itemized listing of how the funds were spent – was provided as supporting documentation for the Village's payment to Ripley's Fireworks even though the minutes shown above indicate the payment was a donation.

878103

CUSTOMER'S ORDER NO. DATE 7-4-25

NAME Village of Springview

ADDRESS

CITY, STATE, ZIP

QTY	DESCRIPTION	PRICE	TOTAL
1	Portion of city fireworks display to Ripley Fireworks	800.00	800.00
2			
3			
4			
5			
6			
7			
8			
9			
10			
11			
12			
13			
14			

RECEIVED BY

TOTAL 800.00

KEEP THIS SLIP FOR REFERENCE

Though not participating in the Board's approval of this donation payment, the Village Clerk has a possible association with her spouse's parents' business. As a result, this situation gives rise to concerns regarding possible violations of the Nebraska Political Accountability and Disclosure Act (Act), which is set out at Neb. Rev. Stat. §§ 49-1401 to 49-14,142 (Reissue 2021, Cum. Supp. 2024, Supp. 2025).

Neb. Rev. Stat. § 49-14,101.01(1) (Reissue 2021) states the following:

A public official or public employee shall not use or authorize the use of his or her public office or any confidential information received through the holding of a public office to obtain financial gain, other than compensation provided by law, for himself or herself, a member of his or her immediate family, or a business with which the individual is associated.

The penalty for violating the above-cited conflict of interest statute is set out in subsection (7) thereof, as follows:

[A]ny person violating this section shall be guilty of a Class III misdemeanor, except that no vote by any member of the Legislature shall subject such member to any criminal sanction under this section.

Additionally, the Local Government Miscellaneous Expenditure Act (Act), which is set out at Neb. Rev. Stat. §§ 13-2201 to 13-2204 (Reissue 2022, Cum. Supp. 2024), 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 Villages, among numerous other public entities, by both subsections (2) and (3) of Neb. Rev. Stat. § 13-2202 (Cum. Supp. 2024).

Neb. Rev. Stat. § 13-2203 (Reissue 2022) of the Act enumerates the miscellaneous expenditures permitted by governing bodies of local governments. **Donations are not found among that select statutory list of permissible expenditures.** Unless authorized elsewhere in State statute, therefore, 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 more than three decades ago, the Guideline remains relevant to various Nebraska public entities.

These potential statutory concerns aside, good internal control requires procedures to ensure 1) all Village expenditures are allowable and appropriate, and adequate documentation is on file to support such payments and purchases; and 2) 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, misuse, or theft of Village funds.

We recommend the Board implement procedures to ensure 1) all Village purchases are allowable under State statute, including the provisions of the Act; and 2) adequate documentation is on file to support such payments and purchases. Because the issue addressed herein constitutes a possible violation of the Act, we are forwarding this information to the Nebraska Accountability and Disclosure Commission for further review.

3. Segregation of Duties and Control Environment

We noted that the Village lacked a segregation of duties, as the Village Clerk could handle all aspects of processing transactions within the financial records and issuance of payments from beginning to end. A lack of segregation of duties increases the risk of possible errors or irregularities; however, due to a limited number of personnel, an adequate segregation of duties may not be possible without additional cost.

Furthermore, copies of the bank statements are not included as an item for review for the Board during meetings. The Village Clerk prepares and provides an informational packet of financial reports prepared by the Village Clerk; however, it does not include copies of the bank statements, cleared checks, or bank reconciliations.

Good internal control includes a plan of organization, procedures, and documentation designed to safeguard assets and provide reliable financial records. A system of internal control should include a proper segregation of duties, so no one individual is capable of handling all phases of a transaction from beginning to end.

Without such procedures, there is an increased risk of loss, misuse, or theft of Village funds.

We recommend the Board review this situation and consider the need for a proper segregation of duties. As always, the Village must weigh the cost of hiring additional personnel versus the benefit of a proper segregation of duties. We also recommend the Board strengthen control procedures to ensure adequate and appropriate financial information is obtained and reviewed by someone other than the individual in charge of such records.

4. Lack of Dual Signatures

The APA obtained the bank statements for the Village’s accounts from its fiscal year 2025 audit waiver request. From these statements, the APA noted that one of the Village checks written during the examination period contained only one signature, as shown below:



State statute requires municipal checks to be signed by both the Chairperson of the Board of Trustees (Board) and the Village Clerk. Specifically, Neb. Rev. Stat. § 17-711 (Reissue 2022) provides the following:

All warrants drawn upon the city treasurer of a city of the second class or village treasurer must be signed by the mayor or chairperson of the village board of trustees and countersigned by the city clerk or village clerk, stating the particular fund to which the same is chargeable, the person to whom payable, and for what particular object. No money shall be otherwise paid than upon such warrants so drawn. Each warrant shall specify the amount included in the adopted budget statement for such fund upon which it is drawn and the amount already expended of such fund.

(Emphasis added.) Good internal control and sound accounting practices require procedures to ensure that Village 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 Village funds.

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

5. Lack of Claim Purpose

During our comparison of the Village’s bank account details to claims approved by the Board, the APA reviewed meeting minutes dated April 10, 2025, and noted that seven claims listed therein lacked descriptions of their respective purposes. The following is an example of the approved claims listing provided by the Village for April 10, 2025:

The following claims were presented:	
Employees, payroll	\$ 8925.00
IRS, FICA share	657.90
NE Dept of Rev, sales tax	328.94
NE Dept of Rev, income tax	786.85
KBR, service	1513.29
Three River, service	163.70
NE Public Health Lab, testing	247.00
Springview Herald, pub	113.15
J&J Sanitation	5053.31
T Mart, fuel	221.14
Springview Imp, sup	24.99
Municipal Supply	1094.41
Painter Electric	536.97
Frontwater Engineering	10,100.00
Harris Computers	194.42
OCC, diggers hotline	58.14
Office product center	44.75
League of Municipalities	65.00

Neb. Rev. Stat. § 84-1413(1) (Reissue 2024) of the Open Meetings Act (Act), which is set out at Neb. Rev. Stat. §§ 84-1407 to 84-1414 (Reissue 2024, Supp. 2025), requires political subdivisions and other public entities to “keep minutes of all meetings showing the time, place, members present and absent, and the substance of all matters discussed.” (Emphasis added.)

Additionally, Neb. Rev. Stat. § 19-1102 (Reissue 2022) requires publication of the Board’s official proceedings, which must include, among other things, the purpose of each claim allowed, as follows:

It shall be the duty of each city clerk or village clerk in every city or village having a population of not more than one hundred thousand inhabitants as determined by the most recent federal decennial census or the most recent revised certified count by the United States Bureau of the Census to prepare and publish the official proceedings of the city council or village board of trustees within thirty days after any meeting of the city council or village board of trustees. The publication shall be in a legal newspaper in or of general circulation in the city or village, shall set forth a statement of the proceedings of the meeting, and shall also include the amount of each claim allowed, the purpose of the claim, and the name of the claimant, except that the aggregate amount of all payroll claims may be included as one item. Between July 15 and August 15 of each year, the employee job titles and the current annual, monthly, or hourly salaries corresponding to such job titles shall be published. Each job title published shall be descriptive and indicative of the duties and functions of the position. The charge for the publication shall not exceed the rates provided for in section 23-122.

(Emphasis added.) Good internal control and sound accounting practices require procedures to ensure that the Board’s meeting minutes describe the purpose of each claim allowed.

Without such procedures, there is an increased risk of not only failure to comply with statutory requirements pertaining to the keeping of proper meeting minutes and the publication of the municipality’s “official proceedings” but also a lack of transparency regarding the nature of public expenditures.

We recommend the Board implement procedures to ensure the purpose of each claim allowed is included in both the Board’s meeting minutes and the “official proceedings” required to be published afterwards.

6. Payment of Unapproved Claims

During our comparison of the Village’s bank account details to claims approved by the Board, the APA identified nine transactions, totaling \$9,570.74, which were paid but not included on the claims listing to be approved by the Board. Details of the unapproved payments are included in the table below:

Name/Vendor	Check Date	Amount	Check #
USPS	03/05/25	\$ 292.00	11743
Monthly ECORP Fee	04/10/25	8.05	EFT
Monthly ECORP Fee	04/30/25	10.00	EFT
Service Fee	04/30/25	2.02	EFT
McCready Construction	05/19/25	8,280.18	11802
USPS	06/19/25	876.00	11833
Mike Stephen	07/31/25	40.48	11853
NE Department of Revenue	09/09/25	45.03	11873
Melissa Wenger	09/09/25	16.98	11896
Total		\$ 9,570.74	

Neb. Rev. Stat. § 17-614(1)(a) (Cum. Supp. 2024) sets out the proper method for the appropriation or payment of money by the Village, as follows:

All ordinances and resolutions or orders for the appropriation or payment of money shall require for their passage or adoption the concurrence of a majority of all elected members of the city council in a city of the second class or village board of trustees.

(Emphasis added.) Good internal control requires procedures to ensure that all claims are authorized by the Board prior to payment and are adequately documented in the minutes of the meeting during which they are approved.

Without such procedures, there is an increased risk for the loss or misuse of Village funds.

We recommend the Board implement procedures to ensure all claims are authorized by the Board prior to payment and are adequately documented in the minutes of the meeting during which they are approved.

7. Payment of Claims Prior to Board Approval

During our comparison of the Village’s bank account details to claims approved by the Board, the APA noted that the following checks, totaling \$13,269.74, were issued before the underlying claims were approved by the Board.

The table below provides a summary of the premature payments:

Name/Vendor	Amount	Approval Date	Check Date	Days Paid Before Approval
Cherry County Implement	\$ 13,200.00	12/12/24	11/21/24	21
Springview Implement	24.99	04/10/25	03/13/25	28
Office Product Center Inc	44.75	04/10/25	03/13/25	28
Total		\$ 13,269.74		

Neb. Rev. Stat. § 17-614(1)(a) (Cum. Supp. 2024) sets out the proper method for the appropriation or payment of money by the Village, as follows:

All ordinances and resolutions or orders for the appropriation or payment of money shall require for their passage or adoption the concurrence of a majority of all elected members of the city council in a city of the second class or village board of trustees.

(Emphasis added.) Good internal control requires procedures to ensure that all claims are authorized by the Board prior to payment and are adequately documented in the minutes of the meeting during which they are approved.

Without such procedures, there is an increased risk for the loss or misuse of Village funds.

We recommend the Board implement procedures to ensure all claims are authorized by the Board prior to payment and are adequately documented in the minutes of the meeting during which they are approved.

*Overall Village Response: See **Attachment A** for response letter from Village Board Chairperson.*

* * * * *

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 Village's policies or procedures. Nevertheless, our objective is to use the knowledge gained during the performance of that preliminary planning work to offer comments and suggestions that we hope will prove useful to the Village.

This communication is intended solely for the information and use of the Village 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 black ink, appearing to read "Mark Avery", with a long horizontal flourish extending to the right.

Mark Avery, CPA
Assistant Deputy Auditor

VILLAGE OF SPRINGVIEW

www.springview-ne.com

*This institution is an Equal Opportunity
Provider and Employer*

122 South Ash Street
PO Box 298
Springview, NE 68778
Phone: 402-497-2901
Fax: 402-497-2902
Email: Springviewvillage82@outlook.com

Dear Mark Avery,

The Village acknowledges the recommendations provided and appreciates the Auditor's review. The Board will implement procedures to ensure all purchases comply with State statute, all claims are reviewed and formally approved prior to payment, and that the purpose and approval of each claim are clearly documented in the Board meeting minutes and included in the published official proceedings. Additionally, the Board will ensure that all checks are signed only by individuals authorized in accordance with State law. These actions are intended to strengthen internal controls, improve documentation, and ensure ongoing compliance.

Sincerely,
Dusty Foth
Chairman
Village of Springview