

# LEE COUNTY MISSISSIPPI

## COMPLIANCE REPORT

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Special Reports

For the year ended *September 30, 2018*

**SHAD WHITE**

**State Auditor**

**Stephanie C. Palmertree, CPA, CGMA**

Director, *Financial and Compliance Audit Division*

**Derrick Garner, CPA, CFE**

Director, *Compliance Audit Division*



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LEE COUNTY

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LEE COUNTY

SPECIAL REPORTS



**STATE OF MISSISSIPPI  
OFFICE OF THE STATE AUDITOR**

**Shad White**  
AUDITOR

August 3, 2020

**INDEPENDENT ACCOUNTANT'S REPORT ON CENTRAL PURCHASING SYSTEM,  
INVENTORY CONTROL SYSTEM AND PURCHASE CLERK SCHEDULES  
(REQUIRED BY SECTION 31-7-115, MISSISSIPPI CODE ANNOTATED (1972))**

Members of the Board of Supervisors  
Lee County, Mississippi

We have examined Lee County, Mississippi's (the County) compliance with establishing and maintaining a central purchasing system and inventory control system in accordance with *Sections 31-7-101 through 31-7-127, Mississippi Code Annotated (1972)* and compliance with the purchasing requirements in accordance with bid requirements of *Section 31-7-13, Mississippi Code Annotated (1972)* during the year ended September 30, 2018. The Board of Supervisors of Lee County, Mississippi is responsible for the County's compliance with those requirements.

Our examination does not provide a legal determination on the County's compliance with specified requirements. The Board of Supervisors of Lee County, Mississippi, has established centralized purchasing for all funds of the County and has established an inventory control system. The objective of the central purchasing system is to provide reasonable, but not absolute, assurance that purchases are executed in accordance with state law.

Because of inherent limitations in any central purchasing system and inventory control system, errors or irregularities may occur and not be detected. Also, projection of any current evaluation of the system to future periods is subject to the risk that procedures may become inadequate because of changes in conditions or that the degree of compliance with the procedures may deteriorate.

The results of our procedures disclosed no instances of noncompliance with the aforementioned code sections.

The accompanying schedules of (1) Purchases Not Made from the Lowest Bidder, (2) Emergency Purchases, and (3) Purchases Made Noncompetitively from a Sole Source are presented in accordance with *Section 31-7-115, Mississippi Code Annotated (1972)*.

Lee County's responses to the findings included in this report were not audited, and accordingly, we express no opinion on them.

This report is intended for use in evaluating Lee County, Mississippi's compliance with the aforementioned requirements, and is not intended to be and should not be relied upon for any other purpose. However, this report is a matter of public record, and its distribution is not limited.

Sincerely,

A handwritten signature in blue ink that reads "Stephanie C. Palmertree". The signature is written in a cursive, flowing style.

STEPHANIE C. PALMERTREE, CPA, CGMA  
Director, Financial and Compliance Audit  
Office of the State Auditor

LEE COUNTY

Schedule 1

Schedule of Purchases Not Made from the Lowest Bidder

For the Year Ended September 30, 2018

Our tests did not identify any purchases not made from the lowest bidder.

LEE COUNTY  
Schedule of Emergency Purchases  
For the Year Ended September 30, 2018

Schedule 2

<u>Date</u>	<u>Item Purchased</u>	<u>Amount Paid</u>	<u>Vendor</u>	<u>Reason for Emergency Purchase</u>
12/14/2017	Bridge Repair	\$ 42,766.16	Century Const. & Realty Inc.	Critical Finding/State Aid Bridge Engineering Report
5/31/2018	Repair roof at jail	7,500	C&G Sheet Metal & Roofing LLC	Fire at jail



## LEE COUNTY

Schedule 3Schedule of Purchases Made Noncompetitively from a Sole Source  
For the Year Ended September 30, 2018

<u>Date</u>	<u>Item Purchased</u>	<u>Amount Paid</u>	<u>Vendor</u>
11/2/2017	Training Software	\$ 5,906.25	Priority Dispatch Corp.
2/1/2018	Repair & Replacement parts	6,860.00	Summit Truck Group
2/1/2018	Dare T-shirts	7,035.60	Creative Product Sourcing Inc.
4/12/2018	Digital In-car video system	27,350.00	Watchguard Video
5/3/2018	Repair & Replacement parts	6,021.87	Tri-State Mack
5/17/2018	Election Machines	199,970.00	Election Systems & Software
5/31/2018	Luminex writers	19,597.00	Stenograph LLC
10/1/2018	Packer #3 Parts	7,349.31	Summit Truck Group



**STATE OF MISSISSIPPI**  
**OFFICE OF THE STATE AUDITOR**  
**Shad White**  
AUDITOR

LIMITED INTERNAL CONTROL AND COMPLIANCE REVIEW MANAGEMENT REPORT

Members of the Board of Supervisors  
Lee County, Mississippi

In accordance with *Section 7-7-211, Mississippi Code Annotated (1972)*, the Office of the State Auditor, when deemed necessary, may conduct additional procedures and tests of transactions to ensure compliance with legal requirements. The scope of our review covered the 2018 Fiscal Year.

We have performed some additional limited internal control and state legal compliance review procedures as identified in the state legal compliance audit program issued by the Office of the State Auditor. Our procedures were substantially less in scope than an audit, the objective of which is the expression of an opinion on the County's compliance with these requirements. Accordingly, we do not express such an opinion.

Due to the reduced scope, these review procedures and compliance tests cannot and do not provide absolute assurance that all state legal requirements have been complied with. Also, our consideration of internal control would not necessarily disclose all matters within the internal control that might be weaknesses.

The results of our review procedures and compliance tests identified certain areas that are opportunities for strengthening internal controls and operating efficiency. Our findings, recommendations, and your responses are disclosed below:

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**Board of Supervisors.**

**Finding 1:** Public Officials Should Ensure Compliance with State Law over Completing Travel Vouchers.

**Applicable State Law:** *Section 25-3-41(4), Mississippi Code Annotated (1972)*, states, "A public officer or employee shall be reimbursed for other actual expenses such as meals, lodging and other necessary expenses incurred in the course of the travel, subject to limitations placed on meals for intrastate and interstate official travel by the Department of Finance and Administration, provided, that the Legislative Budget Office shall place any limitations for expenditures made on matters under the jurisdiction of the Legislature."

**Finding Detail:** As a result of procedures performed, it was noted that the Supervisor was reimbursed the entire per diem rate; however, actual meal expenses were not listed on the Board Member's travel voucher.

Failure to follow the guidelines as stated in *Section 25-3-41(4)* could result in the loss or misappropriation of public funds, as well as results in the Supervisors not being in compliance.

**Recommendation:** We recommend the Board of Supervisors implement controls to ensure actual meal expenses are listed on their travel vouchers.

**Official Response:** When actual expenses exceed the allowable daily amount, the report has just reflected the lower allowable amount. In the future, we will show the actual calculations.

**Repeat Finding:** No.

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**Finding 2:** Public Officials Should Ensure Compliance with State Law over Paying an Employee's Business as a Vendor.

**Applicable State Law:** *Section 25-4-105(3)(a), Mississippi Code Annotated (1972)*, states, "No public servant shall be a contractor, subcontractor or vendor with the governmental entity of which he is a member, officer, employee or agent, other than in his contract of employment, or have a material financial interest in any business which is a contractor, subcontractor or vendor with the governmental entity of which he is a member, officer, employee or agent."

**Finding Detail:** As a result of procedures performed, it was determined an E-911 employee was paid as a vendor for performing training programs for a total of \$6,710 during calendar year 2018.

Failure to comply with this statute could result in an ethics violation in accordance with *Section 25-4-105(3)(a)*.

**Recommendation:** We recommend the Board of Supervisors do not enter into a contract with an employee of the County. Also, we recommend that the Board inquire with the Ethics Commission to determine if any action should be taken.

**Official Response:** Employee was part-time, and the director mistakenly thought that, as a result, could also be paid as a vendor. This has been corrected and will not occur again.

**Repeat Finding:** No.

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#### **Chancery Clerk.**

**Finding 3:** Public Officials Should Ensure Compliance with State Law over Proper Completion of the Annual Financial Report.

**Applicable State Law:** *Section 9-1-43(1), Mississippi Code Annotated (1972)*, states, "After making deductions for employer contributions paid by the chancery or circuit clerk to the Public Employees' Retirement System under *Sections 25-11-106.1* and *25-11-123(f)(4)*, employee salaries and related salary expenses, and expenses allowed as deductions by Schedule C of the Internal Revenue Code, no office of the chancery clerk or circuit clerk of any county in the state shall receive fees as compensation for the chancery clerk's or circuit clerk's services in excess of Ninety Thousand Dollars (\$90,000.00)."

*Section 9-1-45(1), Mississippi Code Annotated (1972)*, states, "Each chancery and circuit clerk shall file, not later than April 15 of each year, with the State Auditor of Public Accounts a true and accurate annual report on a form to be designed and supplied to each clerk by the State Auditor of Public Accounts immediately after January 1 of each year. The form shall include the following information: (a) revenues subject to the salary cap, including fees; (b) revenues not subject to the salary cap; and (c) expenses of office, including any salary paid to a clerk's spouse or children. Each chancery and circuit clerk shall provide any additional information requested by the Public Employees' Retirement System for the purpose of retirement calculations."

**Finding Detail:** As a result of procedures performed, the following disallowed expenses were noted on the Annual Financial Report:

<b><u>Amount:</u></b>	<b><u>Payee:</u></b>	<b><u>Reason:</u></b>
• \$350	Miss Mississippi Ad Program Sponsor	Limited Audience;
• \$250	Gumtree TWIGS-Autograph Book Sponsor	Limited Audience; and

Failure to prepare the Annual Financial Report correctly may result in the improper calculation of salary limitations, and ultimately retirement contributions for the Chancery Clerk, as well as the amount due to the County.

**Recommendation:** We recommend the Chancery Clerk ensure that only allowable expenses are deducted in the future. Also, we recommend the Chancery Clerk amend the Annual Financial Report, and submit the amended report to the Office of the State Auditor and PERS.

**Official Response:** I concur with the \$200 travel, which was deducted as an oversight. I disagree with the \$350 and \$250 ads as there is no definition of a limited audience, and both events reach a large number of people. They met form and are allowable.

**Auditor's Note:** Technical Assistance Division with the Mississippi State Auditor's Office gives a training annual to Clerk's about OSA not allowing targeted audience advertisement such as the ones listed above. The Clerk does not have to reimburse the county because he was under the CAP.

**Repeat Finding:** No.

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**Finding 4:** Public Officials Should Ensure Compliance with State Law over Reimbursing County for Payroll.

**Applicable State Law:** *Section 19-13-43, Mississippi Code Annotated (1972)*, states, "Warrants shall be drawn by the clerk, under his seal of office, in favor of the claimants, on all demands, claims and accounts allowed by the board, in the order of their allowance, against the several funds in the county depository from which such allowed claims must be paid."

**Finding Detail:** Thirty-four (34) of the thirty-eight (38) Chancery Clerk's payroll reimbursements to the County for payroll cleared the bank from two (2) to twenty-six (26) days after the date the payroll was distributed to employees.

Failure to reimburse the County for the Chancery Clerk's employees' payroll in advance, results in an unauthorized loan to the Chancery Clerk.

**Recommendation:** We recommend the Chancery Clerk reimburse the County for the employees' payroll, including benefits, prior to the date of payroll.

**Official Response:** The County was reimbursed all monies due for payroll; however, there may be a lag in deposit for various reasons. We will work to correct this issue.

**Repeat Finding:** No.

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**Finding 5:** Public Officials Should Ensure Compliance with State Law over Bank Deposits.

**Applicable State Law:** *Section 25-1-72, Mississippi Code Annotated (1972)*, states, "All county officers who receive funds payable into the county treasury shall deposit such funds into the county depository on the day when they are collected or on the next business day thereafter."

**Finding Detail:** Based on procedures performed, we noted eleven (11) out of the fifteen (15) receipts tested were deposited two (2) to ten (10) days after the money was receipted.

Failure to make timely bank deposits could result in the loss or misappropriation of public funds.

**Recommendation:** We recommend the Chancery Clerk implement controls to ensure that bank deposits are made on a timely basis in accordance with state law.

**Official Response:** In order to monitor the activities of my office, I make the deposits. There are occasions when there is a delay because I am the only person performing the task. Deposits are maintained in a safe until deposited.

**Repeat Finding:** No.

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**Circuit Clerk.**

**Finding 6:** Public Officials Should Ensure State Compliance with State Law over Payroll Reimbursements.

**Applicable State Law:** *Section 19-13-43, Mississippi Code Annotated (1972)*, states, “Warrants shall be drawn by the clerk, under his seal of office, in favor of the claimants, on all demands, claims and accounts allowed by the board, in the order of their allowance, against the several funds in the county depository from which such allowed claims must be paid.”

**Finding Detail:** As a result of procedures performed, it was noted that the Circuit Clerk did not reimburse the County timely for six (6) payroll dates. The range of untimely payroll reimbursements was between one (1) and thirty-two (32) days.

Failure to reimburse the County for the Circuit Clerk’s employees’ payroll costs in advance results in an unauthorized loan to the Circuit Clerk.

**Recommendation:** We recommend the Circuit Clerk ensure the Deputies’ wages are reimbursed, including benefits, to the County in advance of the payroll period. If payment is not made in advance, then the County should not issue payroll checks to the Deputy Clerks.

**Official Response:** Noted some payrolls were not given to me in a timely manner. Given 8/27 paid 8/27 for July 20<sup>th</sup>.

**Repeat Finding:** No.

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**Circuit Clerk, Justice Court Clerk, Tax Collector, Tax Assessor, Receiving Clerk, and Inventory Clerk.**

**Finding 7:** Public Officials and Employees Should Ensure Compliance with State Law over Surety Bonds.

**Applicable State Law:** *Section 25-1-15, Mississippi Code Annotated (1972)*, requires a new bond in an amount not less than that required by law shall be secured upon employment and coverage shall continue by the securing of a new bond every four years concurrent with the normal election cycle of the Governor.

**Finding Detail:** As a result of procedures performed, we noted the following County Officials had “Continuation Certificate” instead of a surety bond as required by state law:

- Bonds were listed as “Continuation Certificates” for the following County Officials:
- Receiving Clerk and eleven (11) Assistant Receiving Clerks
- One (1) Assistant Inventory Clerk
- Three (3) Deputy Circuit Clerks
- Three (3) Deputy Justice Court Clerks (“Remains in Effect”)
- Nine (9) Deputy Tax Collectors
- Seven (7) Deputy Tax Assessors
- Fourteen (14) Deputy Circuit Clerks were bonded at \$50,000 rather than the statutorily required amount of \$100,000.

A “Continuation Certificate” is a document that extends the life of the original surety bond. A “Continuation Certificate” only covers the current bonding period rather than both the current and previous periods.

Failure to have a bond in place for a specific term or office could limit the amount available for recovery if a loss occurred over multiple terms.

**Recommendation:** We recommend County Officials and employees ensure that the bonds secured lists a term of office covered and that new bonds are secured every four years concurrent with the normal election cycle of the Governor.

**Official Responses:**

**Circuit Clerk:** I have submitted to the County to increase these bonds.

**Justice Court Clerk:** I will get in contact with Board Secretary about these bonds to get them corrected.

**Tax Collector:** I have acknowledged the finding and will follow up with the county.

**Tax Assessor:** This has been addressed with the County Administrator and will be in compliance in the next fiscal year.

**Receiving Clerk:** This will be corrected on January 1, 2020.

**Inventory Clerk:** The bonds will be correctly obtained in the future.

**Repeat Finding:** Yes, 2017-2, 2017-3.

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**Justice Court.**

**Finding 8:** Public Officials Should Ensure Proper Internal Controls over Cash Collection and Disbursement.

**Internal Control Deficiency:** An effective system of internal controls should include adequate segregation of duties.

**Finding Detail:** Cash collection and disbursement functions in the Justice Court Office are not adequately separated for effective internal control. The Justice Court Clerk’s Bookkeeper prepares the total daily check-up sheets, prepares and makes bank deposits, reconciles the bank statements, prepares monthly settlements, and writes and signs checks for all disbursements.

Failure to have adequate segregation of duties could result in the loss or misappropriation of public funds.

**Recommendation:** We recommend the Justice Court Clerk strengthen controls to ensure that there is adequate segregation of duties in the collection and disbursement functions of the Justice Court office or that there is external oversight over operations of the Justice Court Office.

**Official Response:** Since the narrative has been completed, the duties are being separated to ensure the segregation of responsibilities.

**Repeat Finding:** Yes; 2017-004.

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**Sheriff.**

**Finding 9:** Public Officials Should Ensure Compliance with State Law over Presentation of Meals and Affidavits to the Board of Supervisors Monthly.

**Applicable State Law:** *Section 19-25-74, Mississippi Code Annotated (1972)*, states, "...in respect to the feeding of prisoners..., the Sheriff shall maintain a log, showing the name of each prisoner, the date and time of incarceration and release, to be posted daily, which shall record the number of meals served to prisoners at each mealtime, and the hours of the days served, and shall make affidavit to correctness thereof and file the same monthly with the Board of Supervisors." In addition, the Board is not allowed to pay claims for food expenses if this report has not been filed.

**Finding Detail:** As a result of procedures performed, it was noted that both the inmate meal logs and an affidavit to the correctness thereof were not being filed monthly with the Board of Supervisors. Additionally, the Board approved claims for food expenses without this report being filed.

Failure to submit meal logs to the Board of Supervisors for approval as spread upon the official board minutes and an affidavit to the correctness thereof could result in a loss or misappropriation of public funds by paying for an incorrect number of meals.

**Recommendation:** We recommend the Sheriff ensure the meal log is maintained and filed monthly with the Board of Supervisors and an affidavit to the correctness thereof before meal expenses are approved through the claims docket.

**Official Response:** The Lee County Sheriff's Department will comply as requested. The Lee County Sheriff's Department jail management system did not generate itemized meal logs. This problem has been resolved and these reports will be submitted as requested.

**Repeat Finding:** No.

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#### **Tax Assessor.**

**Finding 10:** Public Officials Should Ensure Compliance with State Law over Tax Exemptions.

**Applicable State Law:** *Section 27-31-101(1), Mississippi Code Annotated (1972)*, states, "County boards of supervisors and municipal authorities are hereby authorized and empowered, in their discretion, to grant exemptions from ad valorem taxation, except state ad valorem taxation; however, such governing authorities shall not exempt ad valorem taxes for school district purposes on tangible property used in, or necessary to, the operation of the manufacturers and other new enterprises enumerated by classes in this section, except to the extent authorized in *Sections 27-31-104* and *27-31-105(2)*, nor shall they exempt from ad valorem taxes the products of the manufacturers or other new enterprises or automobiles and trucks belonging to the manufacturers or other new enterprises operating on and over the highways of the State of Mississippi..."

**Finding Detail:** As a result of procedures performed, one instance was noted where an exempt real property was billed for the total amount of the County millage of 40.77 mils. The county levied under old 4 mil state levy instead of 1 mil mandatory as related to education. This miscalculation resulted in an overpayment of \$8,069 by the exempted industry.

Failure to follow proper exemption procedures may result in overpayments to the County and improper funds available to school districts.

**Recommendation:** We recommend the County Officials ensure that the exemptions granted by the Board of Supervisors are correctly entered into the tax assessing software program and that exemptions are correctly billed.

**Official Response:** This is a clerical error and has been corrected.

**Repeat Finding:** No.

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#### **Election Commissioners.**

**Finding 11:** Public Officials Should Ensure Compliance with State Law over Claim Forms.

**Applicable State Law:** *Section 23-15-153(2), Mississippi Code Annotated (1972)*, states, “The election commissioners shall be entitled to receive a per diem in the amount of One Hundred Dollars (\$100.00), to be paid from the county general fund, for every day or period of no less than five (5) hours accumulated over two (2) or more days actually employed in the performance of their duties in the conduct of an election or actually employed in the performance of their duties for the necessary time spent in the revision of the county voter roll as electronically maintained by the Statewide Elections Management System as required in subsection (1) of this section.”

*Section 23-15-153(4b), Mississippi Code Annotated (1972)*, states, “The election commissioners shall be entitled to receive a per diem in the amount of One Hundred Fifty Dollars (\$150.00), to be paid from the county general fund, for the performance of their duties on the day of any general or special election. The annual limitations set forth in subsection (2) of this section shall apply to this paragraph.”

*Section 23-15-153(10), Mississippi Code Annotated (1972)*, states, “Every election commissioner shall sign personally a certification setting forth the number of hours actually worked in the performance of the commissioner’s official duties and for which the commissioner seeks compensation. The certification must be on the form as prescribed in this subsection. The commissioner’s official’s signature is, as a matter of law, made under the commissioner’s oath of office and under penalties of perjury...When properly completed and signed, the certification must be filed with the clerk of the county board of supervisors before any payment may be made. The certification will be a public record available for inspection and reproduction immediately upon oral or written request of any person.”

**Finding Detail:** As a result of procedures performed, the following exceptions were noted with the Election Commissioners’ claim forms:

- Twenty-nine (29) instances where the beginning time and ending time columns were not filled out;
- Thirty (30) instances where the code section column was not filled out;
- Sixteen (16) instances where the purpose of the work column was not filled out;
- Forty-seven (47) instances where the actual hour column was not filled out;
- Eleven (11) instances where the per diem days earned column was not filled out;
- Twenty (20) instances where the prescribed form was not used and the form used omitted the beginning time, ending time and code section columns;
- Two (2) instances where the Deputy Circuit Clerk summarized days incorrectly on the form given to Payroll Clerk causing overpayment totaling \$168;
- Two (2) instances where the Election Commissioners added days improperly causing an overpayment of \$168;
- Ten (10) instances where Election Commissioners were overpaid for working run-off elections totaling \$330; and
- Five (5) instances where Election Commissioners claimed multiple per diem days earned for working over 5 hours, causing an overpayment of \$3,150.

The amounts owed from each Election Commissioner are:

- Election Commissioner, District 1 – \$884
- Election Commissioner, District 2 – \$900
- Election Commissioner, District 3 – \$800
- Election Commissioner, District 4 – \$616
- Election Commissioner, District 5 – \$616

Failure to properly prepare and submit claim forms could result in the loss or misappropriation, fraud and abuse of public funds.

**Recommendation:** The Election Commissioners should correctly fill out the forms prescribed in statutes listed above.

**Official Responses:**



**Election Commissioner, District 1:** We did not know we were using the wrong forms. We also did not know about \$150/\$100 for elections. As the President, I am asking for clear training at ECAM.

**Election Commissioner, District 2:** We did not know we were using the wrong forms. As the Secretary, we will, in the future, make more minutes and keep more detailed records.

**Election Commissioner, District 3:** We did not know we were using incorrect forms. We will go forth using the new ones.

**Election Commissioner, District 4:** We did not know our forms were wrong.

**Election Commissioner, District 5:** We did not know we were doing anything wrong but will correct.

**Auditor's Note:** The Election Commissioner, District 1 remitted check number 11748 in the amount of \$884 to the Lee County General Fund for claim exceptions, as evidenced by the County's receipt number 26133 on August 23, 2019. The Election Commissioner, District 2 remitted check number 1312 in the amount of \$900 to the Lee County General Fund for claim exceptions, as evidenced by the County's receipt number 26133 on August 23, 2019. The Election Commissioner, District 3 remitted check number 2966 in the amount of \$800 to the Lee County General Fund for claim exceptions, as evidenced by the County's receipt number 26133 on August 23, 2019. The Election Commissioner, District 4 remitted money order number 2106509300 in the amount of \$682 to the Lee County General Fund for claim exceptions, as evidenced by the County's receipt number 26133 on August 23, 2019. The Election Commissioner, District 5 remitted check number 2085 in the amount of \$616 to the Lee County General Fund for claim exceptions, as evidenced by the County's receipt number 26133 on August 23, 2019. The County acknowledged the overpayment by the District 4 Commissioner and will issue a refund to the Commissioner.

**Repeat Finding:** No.

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#### **Justice Court Judge – District 3, County Prosecuting Attorney, and Constable – District 4.**

**Finding 12:** Public Officials Should Ensure Compliance with State Law over Filing of the Statement of Economic Interest.

**Applicable State Law:** *Section 25-4-25, Mississippi Code Annotated (1972)*, provides that “Each of the following individuals shall file a statement of economic interest with the commission in accordance with the provisions of this chapter:  
a) Persons elected by popular vote...”

*Section 25-4-29, Mississippi Code Annotated (1972)*, provides that “(1) Required statements hereunder shall be filed as follows: a) Every incumbent public official required....to file a statement of economic interest shall file such statement with the commission on or before May 1 of each year that such official holds office, regardless of duration....2) Any person who fails to file a statement of economic interest within thirty (30) days of the date of the statement is due shall be deemed delinquent by the commission...a fine of Fifty Dollars (\$50.00) per day, not to exceed a total fine of One Thousand Dollars (\$1,000.00) shall be assessed against the delinquent filer for each day thereafter in which the statement of economic interest is not properly filed. The commission shall enroll such assessment as a civil judgment with the circuit clerk in the delinquent filer's county of residence...”

**Finding Detail:** As a result of procedures performed, the following exceptions were noted:

- The Justice Court Judge – District 3 and the County Prosecuting Attorney failed to file a Statement of Economic Interest by May 1<sup>st</sup>, as required by state law, and such statements remained unfiled as of July 31, 2019.
- Constable – District 4 failed to file a Statement of Economic Interest by May 1<sup>st</sup> as required by state law; however, such a statement was filed on January 1, 2019.

Failure to file a Statement of Economic Interest, as required by state law, results in non-compliance with *Section 25-4-29* and could result in fines being assessed and a civil judgment being enrolled against the delinquent filer, as allowed by *Section 25-4-29(2)*.

**Recommendation:** We recommend the Public Officials implement procedures to ensure all officials file their Statement of Economic Interest annually, no later than May 1<sup>st</sup> of each year, that such official holds office.

**Official Responses:**

**Justice Court Judge – District 3:** I will get this taken care of this week.

**County Prosecuting Attorney:** I forgot to file and will do so ASAP.

**Constable – District 4:** Due to the illness and death of my wife, the untimely filing of these forms was delayed.

**Repeat Finding:** No.

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Lee County's responses to the findings included in this report were not audited, and accordingly, we express no opinion on them. Minor grammatical changes may have been made to responses in order to provide clarity. These changes did not change the substance of the Official Response.

This report is intended solely for the information and use of management, the Board of Supervisors, and others within the County and is not intended to be and should not be used by anyone other than these parties. However, this report is a matter of public record and its distribution is not limited.

Sincerely,



STEPHANIE C. PALMERTREE, CPA, CGMA  
Director, Financial and Compliance Audit