

The City of Portsmouth

"Where the Ohio and Scioto Meet"

Department of Finance

Municipal Building, Room 3

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M. Trent Williams
City Auditor

TO: HONORABLE JAMES. D. KALB, MAYOR
FROM: M. TRENT WILLIAMS, PORTSMOUTH CITY AUDITOR
DATE: MAY 25, 2006
RE: POLICE SPECIAL ACCOUNT
COPY: PORTSMOUTH CITY COUNCIL
DAVID W. KUHN, CITY SOLICITOR
CHARLES HORNER, CHIEF OF POLICE
RICHARD SKETEL, CHIEF DEPUTY AUDITOR OF STATE, ATHENS REGION

You are in receipt of a copy of my letter to Police Chief Charles Horner dated May 8, 2006 regarding the "Police Special Account". You have also received a copy of my letter to City Council dated May 19, 2006 in response to the same issue and Council Letter #31.

As you are aware, this office has been advised by the Auditor of State, and its legal staff, that the Police Special Account is to be conveyed to the custody of the City Auditor immediately and the special account terminated. The Auditor of State has provided documentation used as the basis for this decision, specifically the following Management Advisory Services (MAS) Bulletins: #86-12, #86-16, #87-18, #88-18, #90-26, #90-28 and #91-17. These bulletins are based on pertinent sections of Ohio Revised Code. Further our City Charter provides in Section 42 that the City Auditor shall also be the City Treasurer, and have charge of the administration of the financial affairs of the City, including the keeping and supervision of all accounts, the custody and disbursements of City funds.

These funds must be accounted for on the financial records of the City and must be deposited into the City treasury. The actual accounting funds in which these monies belong are already in existence in the City chart of accounts (Fund #223 Mandatory Fines and Fund #225 Law Enforcement Trust. The money in the Police Special Account merely needs to be paid into those funds, appropriated and booked accordingly. The Chief of Police will continue to have discretionary use of those funds within the laws governing the establishment of those funds.

At this time I have not received a response to my letter from the Chief of Police. As this matter needs to be resolved as quickly as possible, I respectfully request your assistance in that you direct the Chief of Police to immediately deposit the balance of the Police Special Account into the City treasury and close the special account as per the instruction in my letter of May 8, 2006. If you have any questions or concerns, I will be available to discuss this matter with you further at your convenience. Also please feel free to contact Chief Deputy Auditor of State Richard Sketel, if you haven't done so already, should you feel it necessary and appropriate. Your assistance in bringing this matter to resolution would be prudent and appreciated.

Respectfully submitted,

M. TRENT WILLIAMS, AUDITOR