



STARK COUNTY PROSECUTOR
AGREED UPON PROCEDURES REPORT
FOR THE PERIOD
JANUARY 1, 1996 THROUGH JUNE 30, 1999



JIM PETRO
AUDITOR OF STATE

STATE OF OHIO

TABLE OF CONTENTS

	PAGE(S)
Report of Independent Accountants	3-5
Supplement to the Agreed Upon Procedures Report:	
Background Information	7-8
Issue No. 1 Ohio Campaign Finance Fund	9-11
Issue No. 2 Forfeiture Account	12-13
Issue No. 3 Delinquent Tax and Assessment Collection Fund	14-15
Issue No. 4 Stark County Treasurer's Office Activity	16
Schedule of Findings	17

This page intentionally left blank.



STATE OF OHIO
OFFICE OF THE AUDITOR

JIM PETRO, AUDITOR OF STATE

111 Second Street, NW
Fourth Floor
Canton, Ohio 44702
Telephone 330-438-0617
800-443-9272
Facsimile 330-471-0001
www.auditor.state.oh.us

Report of Independent Accountants

Mr. Robert Horowitz
Stark County Prosecutor
Citizens Building, Suite 510
110 Central Plaza South
Canton, Ohio 44702

Pursuant to your request, we have performed "Agreed Upon Procedures" as summarized below and detailed in our "Supplement to the Agreed Upon Procedures Report," which were agreed to by you for the period January 1, 1996 through June 30, 1999 (the Period). These procedures were performed solely to determine: a) if activity reported by Mark Roach, former Stark County Treasurer, on certain Ohio Campaign Finance Reports was complete and accurate; b) whether questionable checks were issued from Stark County's Forfeiture Account and if any unrecorded receipts exist; c) whether questionable expenditures were made from Stark County's Delinquent Tax and Assessment Collection Fund; and d) whether questionable expenditures were made by the Stark County Treasurer's Office. This engagement to apply agreed-upon procedures was performed in accordance with standards established by the American Institute of Certified Public Accountants. The sufficiency of the procedures is solely the responsibility of the users of the report. Consequently, we make no representation regarding the sufficiency of the procedures discussed below for the purpose for which this report has been requested or for any other purpose. The procedures we performed are summarized as follows:

Ohio Campaign Finance Fund:

1. The Stark County Prosecutor's Office obtained all Ohio Campaign Finance Reports, bank statements, canceled checks, and deposit information related to the former Stark County Treasurer's Ohio Campaign Finance Fund Account (the Account) for the Period. Utilizing this information, we detailed the Account's expenditure and deposit activity for the Period. We documented checks payable to Cash; and campaign contribution receipts which individually exceeded \$25 and contributions received from employees.
2. We reconciled the receipt and expenditure activity reflected in No. 1 above to the applicable Ohio Campaign Finance Reports filed with the Stark County Board of Elections during the Period. Any unreconciled items were detailed and documented including, but not limited to, unreported receipts including individual contributions more than \$25 and contributions received from employees, and unreported expenditures or expenditures payable to Cash or Mark Roach.

Forfeiture Account:

The Stark County Prosecutor's Office obtained all bank statements, canceled checks, and deposit information related to the former Stark County Treasurer's Forfeiture Account (the Account) for the Period. Utilizing this information, we detailed the Account's expenditure and deposit activity for the Period. We documented checks payable to Cash and other potentially questionable expenditures. We also documented the source and date of receipts as well as any unrecorded receipts. In addition, the Stark County Prosecutor provided us with a \$500 receipt from an interested purchaser dated November 1, 1995. We performed procedures to determine if this receipt was deposited into the Account.

Delinquent Tax and Assessment Collection Fund:

We obtained Appropriation Ledgers from the Stark County Auditor's Office for Stark County's Delinquent Tax and Assessment Collection Fund (the Fund) for the Period. We also requested the same information for 1995. We reviewed supporting documentation for any potentially questionable expenditures including, but not limited to, purchase orders, invoices, and canceled checks. We also documented any potentially questionable expenditures including all transfers into and out of the Fund.

Stark County Treasurer's Office Activity:

We obtained Receipt and Appropriation Ledgers from the Stark County Auditor's Office for the Stark County Treasurer's Office for the period January 1, 1996 through May 31, 1999. We reviewed the expenditures and documented any potentially questionable expenditures. Ultimately, we noted no questionable expenditures.

On January 5, 2001, we held an exit conference with the following elected officials and administrative personnel of the Stark County Prosecutor's Office:

Robert Horowitz, Stark County Prosecuting Attorney
David Thorley, Civil Division Chief, Stark County Prosecuting Attorney's Office

The attendees were given an opportunity to respond to the Agreed Upon Procedures Report. A written response was received January 5, 2001, which indicated that no changes to the report were necessary.

Our detailed procedures and the results of applying these procedures are contained in the attached "Supplement to the Agreed Upon Procedures Report." Because these procedures do not constitute an examination conducted in accordance with generally accepted auditing standards, we do not express an opinion or limited assurance on any of the accounts or items referred to above. Also, we express no opinion on the County's internal control system over financial reporting or any part thereof. Had we performed additional procedures, or had we conducted an examination of the financial statements in accordance with generally accepted auditing standards, other matters might have come to our attention that would have been reported to you.

This report relates only to transactions relating to the above procedures, and does not extend to any financial statements of the County taken as a whole.

This report is intended for the use of the specified users listed above and should not be used by those who have not agreed to the procedures and taken responsibility for the sufficiency of the procedures for their purposes. Reports by the Auditor of State are a matter of public record and use by other components of state government or local government officials is not limited.

Jim Petro
Auditor of State

December 1, 2000

This page intentionally left blank.

SUPPLEMENT TO THE AGREED UPON PROCEDURES REPORT

Background Information

REQUEST FOR AGREED UPON PROCEDURES

On September 2, 1999, Auditor of State representatives met with Mr. Robert Horowitz, Stark County Prosecutor, and two of his assistants to discuss and review information relating to three allegations involving the former Stark County Treasurer, Mark Roach. The three allegations included:

- It was alleged that the former Treasurer wrote checks payable to "Cash" from his Ohio Campaign Finance Fund Account (the Account) and that these checks, along with certain monies deposited into the Account were not properly disclosed on the Treasurer's Ohio Campaign Finance Reports which he submitted to the Stark County Board of Elections;
- It was alleged that funds were improperly transferred from Stark County's Delinquent Tax and Assessment Collection Fund to the Treasurer's Forfeiture Account; and
- It was alleged that the Treasurer received a \$500 deposit from an individual who was interested in purchasing property designated as delinquent real estate by the County Auditor; however, the \$500 was not deposited into the Treasurer's Forfeiture Account.

CAMPAIGN FUND

The authoritative guidance pertaining to Ohio Campaign Finance Reporting is Ohio Rev. Code Section 3517.10. This Section requires, in part, that each campaign committee that made or received a contribution or made an expenditure in connection with the nomination or election of any candidate shall file a full, true, and itemized statement.

Ohio Campaign Finance Reports (the Report) are required to be filed at various intervals during an election year with a final Report due on the last business day of January of every year to reflect the contributions received and expenditures made from the close of business on the last day reflected in the last previously filed Report to the close of business on the last day of December of the previous year. This final Report is the only required report filing for a non-election year.

Each filed Report is required to include certain specific information including, but not limited to:

- the full name and address from which a contribution was received;
- the value in dollars and cents of the contribution;
- a separately itemized account of all contributions and expenditures, regardless of the amount, except a receipt of a contribution from a person in the sum of \$25 or less at one social or fund-raising activity;
- a statement of expenditures detailing the date, amount, purpose, and the recipient of the expenditure; and
- a designation of each contributor who is an employee in any unit or department under the candidate's direct supervision and control.

SUPPLEMENT TO THE AGREED UPON PROCEDURES REPORT

Background Information (Continued)

FORFEITURE ACCOUNT

During Mark Roach's tenure (June 30, 1993 through April 14, 1999) as the Stark County Treasurer, he maintained a checking account titled "Forfeiture Account" (the Account). The Account was established by a prior Stark County Treasurer and, consistent with former practice, the Account was maintained solely by the Stark County Treasurer's Office. The Account was used to record activity related to Stark County's Interested Purchaser Program (the Program). The Program was initiated during the mid 1980's to allow individuals to initiate the sale of delinquent real estate property located within Stark County. Interested purchasers inquired at the Stark County Treasurer's Office about the potential sale of a lot or house which appeared on Stark County's delinquent tax listing. The amount of the delinquency was determined and the individual signed an agreement and remitted a deposit to the Treasurer to initiate the process. The amount of the deposit was equal to the estimated amount of court costs required to process the sale.

At the inception of the Program, the deposit was informally established at \$500 and sometime during the mid to late 1990's, the deposit was informally increased to \$600. In August 1999, the deposit was informally increased, once again, to \$750. When a deposit was received from an interested purchaser, the individual generally received a handwritten or typed receipt from either the Treasurer or his designee. The receipt was not the standard receipt typically issued by the Treasurer's Office. Rather the receipt was neither pre-numbered nor in duplicate and was merely created from copies of the Treasurer's letterhead.

A file was also initiated in the Treasurer's Office when a deposit was received. This file was to contain the name of the interested purchaser, the parcel number, a copy of the receipt, and a request to purchase the property which was sent to the Prosecutor's Office. Deposits were placed in the Account until such time when the property was auctioned by the Sheriff's Office. If the interested purchaser was the successful bidder, the deposit was applied to the cost of the purchase. If another individual became the successful bidder, the Treasurer's Office refunded the interested purchaser's deposit via a check written from the Account to the interested purchaser.

The Account was closed on June 18, 1999 by the current Stark County Treasurer. At that time, the account had a balance of \$17,178.16 which was placed in a newly established Stark County Forfeiture Fund. Due to the inadequacy of the former Treasurer's accounting records, it was not possible to identify the names of the interested purchasers from whom the \$17,178.16 was received or the land parcel number for which the deposits were received.

DELINQUENT TAX AND ASSESSMENT COLLECTION FUND

Ohio Rev. Code Section 321.261 requires that 5% of all delinquent real property, personal property, and manufactured and mobile home taxes and assessments collected by a County Treasurer must be deposited in the Delinquent Tax and Assessment Collection Fund (the Fund). The County Commissioners are required to appropriate one-half of the monies to the County Treasurer and the other half to the County Prosecutor to be used solely in conjunction with the collection of delinquent taxes and assessments.

STARK COUNTY TREASURER'S OFFICE FINANCIAL ACTIVITY

As fiscal officer for Stark County, the County Auditor maintains all records relating to the receipt and expenditure of funds for County offices, including the Treasurer's Office. All County warrants issued by the Auditor's Office are recorded in the accounting system of the County Auditor. The financial transactions of the Treasurer's Office are recorded within a separate cost center within the County's General Fund. The County Auditor has the ability to provide detailed ledgers documenting expenditures of all County departments including, the Treasurer. Expenditure information is reflected within the County's Appropriation Ledger while receipt information is reflected within County's Receipt Ledger.

The financial activity for the previously discussed Ohio Campaign Finance Fund Account and Forfeiture Account maintained by former Treasurer Mark Roach were not maintained by the Stark County Auditor.

SUPPLEMENT TO THE AGREED UPON PROCEDURES REPORT

Issue No. 1 - Ohio Campaign Finance Fund

Procedures:

1. Discussions were held with the Stark County Prosecutor's Office, the Stark County Treasurer's Office, and the Stark County Board of Elections to obtain an understanding of the Ohio Campaign Finance Reports which are required to be filed by candidates.
2. We obtained all bank statements, canceled checks, and deposit information for the Ohio Campaign Finance Fund bank account for the Period via subpoenas issued by the Stark County Prosecutor's Office. This account was maintained by Key Bank and First Merit Bank at differing times during the Period. We also obtained all Ohio Campaign Finance Reports which were filed by Mark Roach, former Stark County Treasurer, for the Period. These items were obtained from Stark County Prosecutor's Office personnel, who obtained them from the Stark County Board of Elections, for the Period.
3. We detailed the Ohio Campaign Finance Fund Account's expenditure and deposit activity for the Period.
4. We identified all checks which were issued to either "Cash" or to Mark Roach.
5. We attempted to reconcile the receipt and expenditure activity obtained from Key Bank and First Merit Bank to the applicable Ohio Campaign Finance Reports filed with the Stark County Board of Elections and we documented the unreconciled items.

Results:

1. The results of our discussions disclosed that all campaign contributions received and expended by a candidate must be included on an Ohio Campaign Finance Report (the Report). This Report must be filed with the County Board of Elections at various intervals during an election year with a final Report due on the last business day of January of every year. The "final" Report is the only report required to be filed during a non-election year.

According to representatives of the County Board of Elections, all contributions listed on the Reports must be identified by a) the name of the contributor, and b) the method of payment whether cash, check, or money order. All expenditures listed on the Reports must be supported by either a) a copy of the check, or b) a copy of the invoice for which the check was written.

Campaign contributions received and expended are not "public monies" for purposes of Ohio Rev. Code Section 117.01.

SUPPLEMENT TO THE AGREED UPON PROCEDURES REPORT

Issue No. 1 - Ohio Campaign Finance Fund (Continued)

Results (Continued):

2. All bank statements, canceled checks and deposit information for the Ohio Campaign Finance Fund bank account were received for the Period. Certain deposit information consisted solely of cash tickets. A cash ticket, based upon discussions with bank personnel, is a document issued by the bank when actual cash is provided to the bank for deposit.

We obtained all of the Reports filed with the Stark County Board of Elections by the former Treasurer Mark Roach; four were filed for 1996, two were filed for 1997, and three were filed for 1998. The 1997 and 1998 reports were filed multiple times due to errors detected by the Stark County Board of Elections. As of December 1, 2000, Mr. Roach had not filed his 1999 Report, which was due on January 31, 2000. We will issue a noncompliance citation relating to Mr. Roach's failure to file the necessary Report.

For purposes of reconciling the receipt and expenditure transactions reflected on the Reports to the receipt and expenditure transactions of the Ohio Campaign Finance Fund bank account, we used the final Report filed by Mr. Roach for each year.

3. Using the bank account information obtained in No. 2 above, we scheduled each receipt and expenditure which aggregated into the following:

	1996	1997	1998	1999	Totals
Number of checks issued	183	79	94	35	391
Total dollar amount of checks issued	\$24,646.29	\$5,954.38	\$6,762.84	\$4,789.50	\$42,153.01
Number of deposits made	11	7	14	11	43
Total dollar amount of deposits	\$21,432.50	\$6,341.73	\$7,890	\$3,741.34	\$39,405.57

4. Of total checks issued from the Ohio Campaign Finance Fund bank account during the Period, the following were made payable either to "Cash" or to Mark Roach:

	1996	1997	1998	1999	Totals
Number of checks issued to "Cash"	22	37	18	22	99
Total of checks issued to "Cash"	\$2,002.30	\$2,232.05	\$1,999.50	\$3,696	\$9,929.85
Number of checks issued to Mark Roach	1	-	1	-	2
Total of checks issued to Mark Roach	\$125	-	\$40	-	\$165
Number of checks issued to "Cash" or Mark Roach which were endorsed by Mark Roach	20	37	19	22	98

SUPPLEMENT TO THE AGREED UPON PROCEDURES REPORT

Issue No. 1 - Ohio Campaign Finance Fund (Continued)

Results (Continued):

5. The following discrepancies were noted while attempting to reconcile the receipts and expenditures which Mr. Roach reported on his Ohio Campaign Finance Reports to the receipts and expenditures which were recorded in Mr. Roach's campaign bank account:

	1996	1997	1998	1999	Totals
Receipts reported on the bank statement but not reported on the Ohio Campaign Finance Report	\$720	\$3,073.53	\$2,105	-	\$5,898.53
Number of contributions deposited more than \$25 that were not reported on the Ohio Campaign Finance Report	7	1	66	-	74
Total contributions deposited more than \$25 that were not reported on the Ohio Campaign Finance Report	\$365	\$1,100	\$3,405	-	\$4,870
Number of contributions deposited from employees that were not reported on the Ohio Campaign Finance Report	4	1	1	-	6
Total contributions deposited from employees that were not reported on the Ohio Campaign Finance Report	\$355	\$200	\$40	-	\$595
Expenditures not recorded on Ohio Campaign Finance Report	-	\$2,735.53	\$3,438.35	-	\$6,173.88

As a result of Mark Roach, former Stark County Treasurer, not filing the 1999 Report, which was due on January 31, 2000, and for providing incomplete information for the 1998, 1997, and 1996 Reports, we are issuing a noncompliance citation with Ohio Rev. Code Section 3517.10.

NONCOMPLIANCE CITATION

Ohio Rev. Code Section 3517.10 requires, in part, that each campaign committee that made or received a contribution or made an expenditure in connection with the nomination or election of any candidate shall file a full, true, and itemized statement. The Ohio Campaign Finance Report (the Report) is required to be filed at various intervals during an election year with a final Report due on the last business day of January of every year to reflect the contributions received and expenditures made from the close of business on the last day reflected in the last previously filed report to the close of business on the last day of December of the previous year.

Each filed Report is required to include certain specific information including, but not limited to, the full name and address from which a contribution is received; the value in dollars and cents of the contribution; a separately itemized account of all contributions and expenditures, regardless of the amount, except a receipt of a contribution from a person in the sum of \$25 or less at one social or fund-raising activity; a statement of expenditures detailing the date, amount, purpose, and the recipient of the expenditure; and, a designation of each contributor who is an employee in any unit or department under the candidate's direct supervision and control.

Mark Roach, former Stark County Treasurer, did not file a 1999 Report with the Stark County Board of Elections by January 31, 2000. In addition, the Reports filed for 1996, 1997, and 1998 did not reflect all contributions received or expenditures made. In fact, the 1998 and 1997 Reports were ultimately filed 3 and 2 times, respectively, due to errors detected by the Stark County Board of Elections. The Reports also did not reflect an itemized account of all contributions received from individuals in excess of \$25 or contributions received from employees.

SUPPLEMENT TO THE AGREED UPON PROCEDURES REPORT

Issue No. 2 - Forfeiture Account

Procedures:

1. We obtained all bank statements, canceled checks, and deposit information for the Stark County Treasurer's Forfeiture Account (the Account) via a subpoena issued by the County Prosecutor's Office for the Period. Using this information, we prepared a schedule of the Account's expenditure and deposit activity for the Period.
2. We identified all checks issued payable to "Cash" and checks which appeared questionable, such as checks issued to Mark Roach, unusual vendors, or unusually large expenditures. We also identified receipts for which no case was identified, all cash tickets, and any receipts which were not deposited within the Account.
3. The County Prosecutor's Office provided us with a \$500 receipt from an interested purchaser dated November 1, 1995. We performed procedures to determine whether this receipt was deposited into the Account.

Results:

1. All bank statements, canceled checks and deposit information for the Treasurer's Forfeiture Account were received for the Period. Certain deposit information consisted solely of cash tickets. Using this information, we scheduled each receipt and expenditure which aggregated into the following:

	1996	1997	1998	1999	Totals
Number of checks issued	76	75	51	13	215
Total dollar amount of checks issued	\$37,950	\$41,750	\$27,300	\$7,125	\$114,125
Total dollar amount of deposits	\$39,050	\$44,036.28	\$62,053.16	\$3,000	\$148,139.44

2. Our analysis of the Forfeiture Account transactions disclosed the following:

1996	<ul style="list-style-type: none"> ○ Eight receipts existed for which there was no case identified. ○ No expenditures which appeared questionable were noted. See Procedure No. 2 above. ○ Fifteen cash tickets totaling \$9,000 were issued.
1997	<ul style="list-style-type: none"> ○ Two receipts existed for which there was no case identified. ○ No expenditures which appeared questionable were noted. See Procedure No. 2 above. ○ Six cash tickets totaling \$3,500 were issued. ○ A \$500 receipt from an interested purchaser dated November 12, 1997 was provided to us by the Stark County Prosecutor's Office. There were no unidentified deposits subsequent to the date of this receipt; therefore, there is no evidence reflecting the \$500 deposit was ever deposited within Stark County's Forfeiture Account. As a result, a \$500 Finding for Recovery will be issued against Mark Roach, former Stark County Treasurer.
1998	<ul style="list-style-type: none"> ○ On December 23, 1998, the Key Bank statement reflected a \$22,803.16 debit memo from the Account. Five days later, on December 28, 1998, a \$22,803.16 Cashier's Check from Key Bank was deposited back into the Account. No supporting documentation was available to support these transactions. However, since the money was returned, no further action was taken. ○ Nine cash tickets totaling \$4,700 were issued.
1999	<ul style="list-style-type: none"> ○ No expenditures which appeared questionable were noted. See Procedure No. 2 above. ○ No cash tickets were issued.

SUPPLEMENT TO THE AGREED UPON PROCEDURES REPORT

Issue No. 2 - Forfeiture Account (Continued)

Results (Continued):

3. A \$500 receipt from an interested purchaser dated November 1, 1995 was provided to us by the Stark County Prosecutor's Office. Based upon a review of the Account's bank statements and check register and since subsequent receipts did not always include case names, we were unable to determine whether the \$500 was deposited.

FINDING FOR RECOVERY:

A participant in Stark County's Interested Purchaser Program requested a refund of his/her \$500 deposit which he/she had previously remitted to former County Treasurer Mark Roach to purchase land, parcel No. 02-06735, as there was ultimately no foreclosure action taken on the property by the County. The participant presented a \$500 receipt issued on November 12, 1997 and signed by Mark Roach, former Stark County Treasurer, as evidence of the deposit. Based upon a review of the Account's bank statements and check register and the fact that all subsequent receipts included the case names, we were able to determine that the \$500 deposit was not recorded within the County's financial records or deposited within the Treasurer's Forfeiture bank account. Therefore, the \$500 deposit remains unaccounted for. A \$500 refund was returned to the interested purchaser on October 19, 1999 out of the County's Forfeiture Fund (Fund No. 002). Ohio Rev. Code Section 9.39 states that all "public officials are liable for all public money received or collected by them or their subordinates under color of office."

In accordance with the foregoing facts, and pursuant to Ohio Rev. Code Section 117.28, a Finding for Recovery for public money collected, but not accounted for, is hereby issued against Mark Roach, former Stark County Treasurer, and his bonding company, Continental Casualty Company, jointly and severally, in the amount of \$500 and in favor of Stark County's Forfeiture Fund.

An attempt to contact Mark Roach was made by the Stark County Prosecutor's Office on December 12, 2000.

MANAGEMENT COMMENTS

These internal control issues were identified while obtaining an understanding of the Forfeiture Account procedures which is described in the "Background Information" on page No. 8:

1. The County's Interested Purchaser Program deposit amount increased from \$500 to \$600 and, then again, to \$750 during the Period. However, the increases were not formally approved or documented within any policy of the Stark County Treasurer's Office. The lack of a formal and approved deposit rate policy could result in the collection of deposits which are not reflective of current deposit rate requirements.

In conjunction with the Stark County Prosecutor's Office and Stark County Sheriff's Department, the Stark County Treasurer's Office should formally adopt a deposit rate structure. The rate structure should be periodically reviewed and subsequently revised, as necessary.

2. The Stark County Treasurer's Office used certain practices to facilitate the Interested Purchaser Program (Program); however, those practices were not codified into prescribed procedures. For example, it was merely an understood practice to create and maintain interested purchaser files (files). We noted instances when the respective files were either partially completed or not maintained at all. The lack of complete and accurate files and, more important, specific Program policies, makes it difficult to effectively manage Stark County's Program.

The Stark County Treasurer's Office should develop formal Program policies beginning with the initial deposit through final disposition of the foreclosure. Specifically, the policies should include, but not be limited to, prescribing the required elements of a file; requiring maintenance of certain accounting records including the detailed support of the records and a monthly reconciliation of the records to the respective bank statement; and requiring certain periodic follow up with the Stark County Prosecutor's Office and Stark County Sheriff's Department. In addition, the policies should also address unique issues which may occur during the process. The policies should also be periodically reviewed by the Stark County Treasurer's Office personnel responsible for administering the Program.

SUPPLEMENT TO THE AGREED UPON PROCEDURES REPORT

Issue No. 3 - Delinquent Tax and Assessment Collection Fund
--

Procedures:

1. Through discussions with Stark County Treasurer's Office and Stark County Prosecutor's Office personnel, we obtained an understanding of the Delinquent Tax and Assessment Collection Fund (the Fund) operations.
2. We obtained the Stark County Appropriation Ledger for the Fund from the Stark County Auditor's Office for the years 1995, 1996, 1997, 1998, and 1999. We scanned the Appropriation Ledger for any questionable expenditures such as expenditures to Mark Roach, expenditures to "Cash", expenditures to individuals, or large expenditures. For any questionable expenditures, we reviewed supporting documentation including, but not limited to, purchase orders, invoices, and canceled warrants. We documented any questionable expenditures including all transfers into and out of the Fund.

Results:

1. The results of our discussions disclosed that the Fund can only be used in connection with the collection of delinquent property taxes. Monies expended from the Fund are made on Stark County warrants and processed through the Stark County Auditor's Office.
2. Our procedures resulted in four questionable expenditures which were investigated, with the following conclusions:

County Warrant No. 179616	<ul style="list-style-type: none"> ○ A \$950.71 warrant was issued to Chuck Roska, Stark County Treasurer's Office employee, for the purpose of correcting a payroll error. ○ We verified this transaction was a reimbursement to the Delinquent Tax and Assessment Collection Fund in Stark County's 1995 Receipt Ledger. ○ This expenditure was deemed reasonable.
County Warrant No. 239474	<ul style="list-style-type: none"> ○ A \$6,019 warrant was issued to the Stark County Treasurer for the purpose of reimbursing Stark County for indirect costs. ○ We verified Stark County's receipt of this money to Stark County's 1996 Receipt Ledger. ○ This expenditure was deemed reasonable.
County Warrant No. 279801	<ul style="list-style-type: none"> ○ A \$7,000 warrant was issued to the Stark County Treasurer and deposited into the Forfeiture Account. ○ We verified the Forfeiture Account's receipt of this money in the February 1997 Forfeiture Account bank statement. ○ This expenditure was deemed unallowable pursuant to Ohio Rev. Code Section 321.261. As a result, we will issue a \$7,000 Finding for Adjustment against the Stark County Forfeiture Fund and in favor of the Stark County Delinquent Tax and Assessment Collection Fund.
County Warrant No. 289372	<ul style="list-style-type: none"> ○ A \$2,582 warrant was issued to the Stark County Treasurer for the purpose of reimbursing the County for indirect costs. ○ We verified the County's receipt of this money to the County's 1997 Receipt Ledger. ○ This expenditure was deemed reasonable.

SUPPLEMENT TO THE AGREED UPON PROCEDURES REPORT

Issue No. 3 - Delinquent Tax and Assessment Collection Fund (Continued)
--

FINDING FOR ADJUSTMENT:

Ohio Rev. Code Section 321.261 states that moneys deposited in the Delinquent Tax and Assessment Collection Fund (DETAC Fund) shall be used only in connection with the collection of delinquent real property, personal property, and manufactured and mobile home taxes and assessments. On February 4, 1997, Mark Roach, former Stark County Treasurer, improperly expended \$7,000 from the DETAC Fund for use within Stark County's Forfeiture Account, a separate checking account not maintained on the books of Stark County. We were unable to determine if the \$7,000 was either used to pay the court costs related to successful interested purchasers, to return the deposits to unsuccessful interested purchasers, or remained within the \$17,178.16 balance placed in the Stark County Forfeiture Fund. These uses are not permissible expenditures of the DETAC Fund.

In accordance with the foregoing facts, a Finding for Adjustment is hereby rendered against the Stark County Forfeiture Fund, and in favor of the Stark County Delinquent Tax and Assessment Collection Fund for the \$7,000 expenditure which was not specified under state statute.

SUPPLEMENT TO THE AGREED UPON PROCEDURES REPORT

Issue No. 4 - Stark County Treasurer's Office Activity

Procedures:

We obtained the Stark County Receipt Ledger and the Stark County Appropriation Ledger for the Stark County Treasurer's Accounts from the Stark County Auditor's Office for the period January 1, 1996 through May 31, 1999. We scanned the Ledgers for any questionable receipts or expenditures such as, transfers from other funds, transfers to other funds, expenditures to Cash, expenditures to Mark Roach, large personal type purchases, and expenditures to employees.

Results:

Receipt and expenditure activity in the Stark County Treasurer's Accounts appeared to be reasonable and no questionable receipts or expenditures were noted.

SUPPLEMENT TO THE AGREED UPON PROCEDURES REPORT

Schedule of Findings

Page Number	Type	Amount	For
13	Finding for Recovery	\$500	Receipt not accounted for
15	Finding for Adjustment	7,000	Improper expenditure from the Delinquent Tax and Assessment Collection Fund



STATE OF OHIO
OFFICE OF THE AUDITOR

JIM PETRO, AUDITOR OF STATE

88 East Broad Street
P.O. Box 1140
Columbus, Ohio 43216-1140
Telephone 614-466-4514
800-282-0370
Facsimile 614-466-4490

STARK COUNTY PROSECUTOR

STARK COUNTY

CLERK'S CERTIFICATION

This is a true and correct copy of the report which is required to be filed in the Office of the Auditor of State pursuant to Section 117.26, Revised Code, and which is filed in Columbus, Ohio.

Susan Babbitt

CLERK OF THE BUREAU

**CERTIFIED
JANUARY 11, 2001**