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NEWS RELEASE

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FOR RELEASE August 25, 2003

Auditor of State David Vaudt today released a report on a special investigation of the City of Johnston Public Works Department for the period July 1, 1999 through February 17, 2003. The special investigation was requested by the Polk County Attorney's Office and the Division of Criminal Investigation (DCI) as a result of alleged improprieties with certain Public Works Department disbursements.

Vaudt reported that the special investigation identified \$13,353.22 of misappropriated funds. This amount includes seven disbursements to Rick's Tire Service for which the City did not receive goods or services. The seven disbursements were approved by the former Public Works Coordinator, Jerry Meyers, and totaled \$11,359.50. Vaudt also reported that the tire vendor paid \$5,800 to Meyers which, according to the vendor, was to split the proceeds received from fraudulent invoices.

The report also identified disbursements totaling \$1,993.72 for equipment, supplies, materials and labor that appear to have been for the personal benefit of the former Public Works Coordinator. In addition, Vaudt reported that certain collections made by the Public Works Department may not have been properly deposited, but they were not identifiable because sufficient collection records were not available.

Copies of the report have been filed with the Polk County Attorney's Office, the Division of Criminal Investigation, and the Attorney General's Office. A copy of the report is available for review in the Office of Auditor of State and on the Auditor of State's website at www.state.ia.us/government/auditor/reports.

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**REPORT ON SPECIAL INVESTIGATION
OF THE
CITY OF JOHNSTON PUBLIC WORKS DEPARTMENT
FOR THE PERIOD JULY 1, 1999 THROUGH FEBRUARY 17, 2003**

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Auditor of State's Report

To the Honorable Mayor and
Members of the City Council:

As a result of alleged improprieties with certain Public Works Department disbursements, we conducted a special investigation of the City of Johnston Public Works Department. We have applied certain tests and procedures to selected financial transactions for the period July 1, 1999 through February 17, 2003, unless specified differently in the procedures listed below. Based on a review of relevant information and discussions with City officials and personnel and representatives of the Polk County Attorney's Office and the Division of Criminal Investigation (DCI), we performed the following procedures for the Public Works Department:

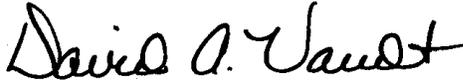
- (1) We evaluated the Department's internal controls to determine whether adequate policies and procedures were in place and operating effectively.
- (2) We analytically compared the expenditures to certain vendors for various periods.
- (3) We reviewed certain disbursements to determine if the payments were for goods or services received by the City. Additional disbursements for periods as early as 1996 were also reviewed for specific items identified by City employees.
- (4) We examined copies of redeemed checks for certain disbursements.
- (5) We observed selected fixed assets to determine if equipment was in the City's custody.
- (6) We reviewed detailed records of the City's collections. Additional collections for periods as early as 1996 were also reviewed for specific items identified by representatives of the Polk County Attorney's Office and the DCI.
- (7) We reviewed certain timesheets and payroll information for specific periods identified by City employees.
- (8) We reviewed the former Public Works Coordinator's personal bank account information subpoenaed by the Polk County Attorney's Office.

These procedures identified \$13,353.22 of misappropriated funds. We were unable to determine if additional funds were misappropriated because sufficient collection records were not available. Several internal control weaknesses were also identified. Our detailed findings and recommendations are presented in the Investigative Summary and **Exhibits A** and **B** of this report.

The procedures described above do not constitute an audit of financial statements conducted in accordance with U.S. generally accepted auditing standards. Had we performed additional procedures, or had we performed an audit of financial statements for the City of Johnston, other matters might have come to our attention that would have been reported to you.

Copies of this report have been filed with the Polk County Attorney's Office, the Division of Criminal Investigation, and the Attorney General's Office.

We would like to acknowledge the many courtesies and assistance extended to us by the officials and personnel of the City of Johnston, the Division of Criminal Investigation and the Polk County Attorney's Office during the course of our investigation.



DAVID A. VAUDT, CPA
Auditor of State



WARREN G. JENKINS, CPA
Chief Deputy Auditor of State

April 14, 2003

City of Johnston Public Works Department

Investigative Summary

Background Information

The City of Johnston Public Works Department is responsible for the operation and maintenance of the City's streets, parks, water distribution system, storm sewers and sewage collection system. The Department also provides maintenance for City facilities and vehicles. Jerry Meyers began employment with the City in January 1987, and served as the City's Street Superintendent for approximately 10 years. In June 1999, he became the Public Works Coordinator, a position he held until his resignation on February 17, 2003. As Public Works Coordinator, Mr. Meyers supervised Public Works Department employees. He also developed and administered the Department's budget and approved the Department's invoices for purchases of supplies, equipment, and contractual services.

In February 2003, the Polk County Attorney's Office was informed of alleged inappropriate actions taken by the Public Works Coordinator. The County Attorney's Office requested assistance with the investigation from the Iowa Division of Criminal Investigation (DCI) and the Office of Auditor of State. As a result of that request, we have performed the procedures detailed in the Auditor of State's Report for the period July 1, 1999 through February 17, 2003.

Detailed Findings

These procedures identified \$13,353.22 of misappropriated funds. We were unable to determine if additional funds were misappropriated because sufficient collection records were not available. All findings are summarized in **Exhibit A** and a detailed explanation of each finding is below.

Purchases from Rick's Tire Service

The City routinely purchases tires for the vehicles maintained by the Public Works Department. Typically, smaller size tires for vehicles such as the police cars are purchased from various vendors and installed by an employee of the Public Works Department. Larger tires for other vehicles, such as dump trucks, trailers and tractors used by the Public Works Department, are purchased from vendors and mounted on the vehicles by the tire vendor. According to employees of the Public Works Department, the Department's general practice for the last several years was to purchase tires larger than sixteen inches from Rick's Tire Service and to have the tires installed on the vehicles by the vendor.

Rick's Tire Service is owned and operated by Rick Hubbell. From July 1, 1999 through February 17, 2003, the City of Johnston issued 32 checks totaling \$25,263.14 to Rick's Tire Service. The table below summarizes the number and value of the checks issued to the vendor on a fiscal year basis.

For the Fiscal Year Ended June 30,	Number of Checks	Total Value
2000	5	\$ 2,944.40
2001	9	4,446.40
2002	13	10,728.84
2003 *	5	7,143.50
	32	\$ 25,263.14

* Through February 17, 2003

As illustrated by the table, the number and value of the checks increased significantly during the fiscal year ended June 30, 2002. We reviewed the claims related to each of the 32 payments made to Rick's Tire Service. In addition, representatives from the Polk County Attorney's Office and the DCI interviewed Mr. Hubbell about disbursements made by the City to his business. Interviews were also held with Mr. Meyers and Public Works Department employees about the Department's disbursements and operations. During the interviews, Public Works employees voiced concerns about tire purchases and other purchases made by Mr. Meyers. During initial interviews, neither Mr. Hubbell nor Mr. Meyers identified any irregularities concerning tire purchases made by the City from Rick's Tire Service.

Following the interviews, representatives from the Polk County Attorney's Office, the DCI and a tire wholesaler inspected the tires on certain City vehicles. The vehicles' tires were compared to invoices identifying tires purchased relatively recently from Rick's Tire Service for the specified vehicles. During the inspection, certain discrepancies were identified between the tires identified on the invoices and the type and/or condition of the tires on the specified vehicles. In several cases, the tires on the vehicles appeared quite worn or were believed to be the original equipment and not recently purchased. The discrepancies are summarized below:

- **Vehicle #107** – This vehicle is a 1991 GMC Pickup that had an odometer reading of 84,517 miles on the day of the inspection. Invoice number 13063 from Rick's Tire Service dated December 26, 2001 stated that four tires (265/85R16) were placed on the vehicle by the vendor. However, the tires observed on the truck were LT245/75R16. According to a Public Works employee, the tires would have been replaced by a Public Works employee, not by a vendor.
- **Vehicle #208** – This vehicle is a 1994 Ford L8000 truck with two tires on the front and four on the back. The odometer reading on the day of the inspection was 40,605 miles. Based on the observations made, the tires on the front of the vehicle appeared to be the original tires, while the ones on the back of the vehicle appeared newer. There were several invoices from Rick's Tire Service that state tires were purchased for vehicle #208, as follows:
 - Invoice number 11863, dated March 7, 2001: Four 10.00x20 SAT and two 10.00x20 T1 tires were purchased at a total cost of \$1,411.00, including installation.
 - Invoice number 12629, dated September 20, 2001: Four 11R22.5 663 tires were purchased at a total cost of \$1,253.00, including installation. The description of these tires matches the four Firestone tires observed on the back of the vehicle.
 - Invoice number 13271, dated March 25, 2002: Four 11R22.5 Goodyear 167 and two 11R22.5 Goodyear 286 tires were purchased at a total cost of \$1,919.00, including installation.
- **Vehicle #225** – This vehicle is a Caterpillar Backhoe model 336c. According to a Public Works employee, the tires on this vehicle have never been replaced. The Department of Transportation number stamped on the tires indicate they were manufactured in 1997. The City paid invoice number 13712 from Rick's Tire Service dated July 24, 2002 that states four tires were placed on the vehicle. The invoice, including installation costs, totaled \$1,839.50.

Following the tire inspection, representatives of the Polk County Attorney's Office and the DCI conducted a second interview with Mr. Hubbell. During the interview, Mr. Hubbell identified six invoices he submitted to the City for tires that were not delivered and mounting services that were not provided. Two of the six invoices contained charges for tires that were delivered, in addition to charges for tires that were not delivered. The six fraudulent invoices, less any portions identified as legitimate, totaled \$9,636.50. The invoices are summarized in **Exhibit B** and copies are included in **Appendix 1**.

According to Mr. Hubbell, he submitted the fraudulent invoices at Mr. Meyers' request. After Mr. Meyers approved the fraudulent invoices for payment, the City issued checks payable to Rick's Tire Service. Mr. Hubbell stated he redeemed the six resulting checks and split the proceeds with Mr. Meyers. We reviewed copies of the checks Mr. Hubbell issued to Mr. Meyers when splitting the proceeds. Each cancelled check identified Mr. Meyers as the endorser. The following table illustrates how the proceeds of the six fraudulent invoices were split between Mr. Meyers and Mr. Hubbell.

Invoice Number	Date Paid	Amount Paid	Misappropriated Funds	Amount Paid to Mr. Meyers	Amount Retained by Mr. Hubbell
11863	03/19/01	\$ 1,411.00	1,411.00	900.00	511.00
13063	01/07/02	721.00	721.00	500.00	221.00
13271*	04/01/02	1,919.00	1,261.00	900.00	361.00
13712	08/05/02	1,839.50	1,839.50	1,000.00	839.50
13888	09/16/02	2,249.00	2,249.00	1,300.00	949.00
14121*	11/18/02	2,865.00	2,155.00	1,200.00	955.00
		\$11,004.50	9,636.50	5,800.00	3,836.50

*Invoice includes charges for services or tires that were provided to the City.

In addition to the six fraudulent invoices, Mr. Hubbell identified twenty-six invoices for which he stated he provided goods and/or services to the City. Of the invoices identified by Mr. Hubbell, fifteen related to repairs of damaged tires. The remaining eleven invoices were for tires purchased by the City. For nine of the eleven tire purchases, Mr. Hubbell provided invoices from various tire wholesalers documenting his purchase of the tires. We were able to compare the dates and description of tires purchased by Mr. Hubbell with the dates and description of tires he sold to the City for each of the nine invoices. However, this does not ensure these tires were received by the City.

Mr. Hubbell could not provide the related wholesale invoices for two invoices paid by the City. For one of the invoices, Mr. Hubbell provided a carbon copy of the check he issued to the wholesaler. We were not able to compare the description of the tires purchased by Mr. Hubbell, nor were we able to ensure that the tires purchased by Mr. Hubbell were not resold to a customer other than the City of Johnston. However, the date of the check he provided was consistent with the dates of the invoices provided to the City.

Mr. Hubbell was unable to provide any documentation to support invoice number 12245 issued to the City on July 6, 2001 for \$1,723.00. This invoice documents that six 10.00x20 tires were sold to the City and mounted on City vehicle #206. However, the tire inspection conducted by representatives of the Polk County Attorney's Office and the DCI showed vehicle #206 was a 1999 vehicle with an odometer reading of 12,100 miles that appeared to have its original tires. The two front tires were Goodyear 291-315/80R22.5 and the four back tires were Goodyear 124-11R22.5. This invoice has been included in **Exhibit A**, and a copy is included in **Appendix 5**.

Three invoices from Rick's Tire Service indicated the City paid the state bid price for eighteen tires. We obtained the pricing information from the applicable state bid and compared the prices to those documented on the invoices. We determined the prices paid for the two tires actually received by the City exceeded the state bid price by \$196.58. The remaining sixteen tires on the invoices were not received by the City, and the amounts paid for them have already been included in **Exhibit A**.

Reimbursement for Safety Glasses

On January 6, 2003, the City reimbursed Mr. Meyers \$258.00 for safety glasses he had purchased in 2002. Mr. Meyers submitted a claim for reimbursement to the City that included the original receipt from the vendor. The receipt documented that an eye exam and a pair of glasses costing \$85.00 and \$258.00, respectively, had been paid for by Mr. Meyers. Because the cost of the eye exam was not a reimbursable expense, the City reimbursed Mr. Meyers \$258.00 for the safety glasses only. The City made notations documenting the reimbursement on the receipt submitted by Mr. Meyers. Several weeks after the City issued the reimbursement to Mr. Meyers, he requested and received from City administrative personnel a copy of the receipt. The copy of the receipt was attached to a claim Mr. Meyers subsequently submitted to the City's flexible spending plan administrator.

Flexible spending accounts allow employees to pay out-of-pocket, unreimbursed medical expenses on a pre-tax basis. The City has elected to have a service provider administer the flexible spending accounts established by its employees. As a participant in the City's flexible spending accounts program, Mr. Meyers elected to have \$600.00 withheld from his salary and deposited to a flexible spending account for medical expenses incurred during calendar year 2002. In February 2003, Mr. Meyers submitted a claim and the related supporting documentation to the plan administrator for reimbursement of \$529.63 of medical expenses incurred in 2002. The expenses claimed included a \$343.00 invoice for an eye exam and purchase of glasses. The expenses were reimbursed to Mr. Meyers by the City's plan administrator. According to terms of the City's flexible spending accounts program, unexpended balances of individual accounts at the end of the claim period become the property of the City.

The notations made by City staff indicating the cost of the glasses had been reimbursed to Mr. Meyers were whited out on the copy of the claim submitted to the administrator. As a result, Mr. Meyers was reimbursed twice for the safety glasses. The \$258.00 duplicate payment made by the City is included in **Exhibit A**.

Concrete Work and Rebar

During late summer and early fall of 2002, Mr. Meyers constructed a garage and poured a concrete driveway at his residence. According to City employees interviewed, during the early stages of constructing the garage, certain employees of the City's Public Works Department assisted Mr. Meyers in pouring the footings of the garage. Assistance provided by City employees did not occur during normal working hours for the employees.

However, certain employees of the Public Works Department indicated they helped Mr. Meyers pour concrete at his home on two other occasions. In September 2002, Mr. Meyers poured the garage floor and in October 2002, he poured a concrete driveway. These projects were partially completed during normal work hours for employees of the Public Works Department. Through interviews with City employees, we were able to identify the individuals that worked on the projects and we reviewed their timesheets for the dates and times of the concrete work. (These times were identified by the billings from the concrete company.)

Some of the employees used vacation or compensatory time when they assisted Mr. Meyers on these projects, but others did not and were paid by the City for the time they spent working at Mr. Meyers' residence. The cost of the wages and the City's share of benefits paid by the City to the employees that did not take leave time totaled \$298.58. These costs are summarized in the following table and are included in **Exhibit A**.

Employee	Hourly Pay Rate	Number of Hours	Cost of Salary	Cost of Benefits	Amount Paid by the City
September 10, 2002:					
Steve Grief	\$ 15.11	2	\$ 30.22	\$ 4.05	\$ 34.27
Doug Kueck	16.18	2	32.36	4.34	36.70
Jerry Meyers	27.2271	2	54.45	7.30	61.75
October 11, 2002:					
Doug Kueck	16.18	2	32.36	4.34	36.70
Wade Bartz	15.11	2	30.22	4.05	34.27
Dave Brauckman	14.61	2	29.22	3.92	33.14
Jerry Meyers	27.2271	2	54.45	7.30	61.75
					\$ 298.58

An employee of the Public Works Department indicated that Mr. Meyers had taken rebar from the City's inventory during the summer of 2002. According to the employee, Mr. Meyers instructed a part-time employee to cut rebar pieces down to certain sizes. The pieces were then loaded in the City vehicle assigned to Mr. Meyers and removed from the City's facilities. We asked Public Works employees about the existence of any City projects to which Mr. Meyers would have delivered rebar, but the employees with whom we spoke were not aware of any City projects needing rebar during that time period.

Representatives from the Polk County Attorney's Office and the DCI asked Mr. Meyers during an interview about the rebar that was loaded into his vehicle. Mr. Meyers confirmed that rebar had been loaded into his truck and transported to his residence. However, he indicated that he did not use the rebar because a contractor that poured the footings of his garage provided the rebar. Several pieces of rebar were recovered from Mr. Meyers residence by DCI representatives. We reviewed City receipt records and did not identify any reimbursements to the City from Mr. Meyers for the rebar. Based on employee knowledge of the rebar inventory, City projects and purchases made by the City, we estimated the value of rebar used by Mr. Meyers at \$135.00. This amount has been included in **Exhibit A**.

Equipment, Supplies and Materials

Representatives of the DCI and the Polk County Attorney's Office interviewed various employees of the Public Works Department regarding allegations that Mr. Meyers used City equipment, supplies and materials for personal use. The following items were identified during the interviews:

Steel I-Beam – Several employees of the Public Works Department told representatives of the Polk County Attorney's Office and the DCI that Mr. Meyers used a steel I-beam purchased by the City in the construction of a deck at his former residence. A photograph of the steel I-beam supporting the deck at Mr. Meyers' former residence is included in **Appendix 2**. As shown in the photograph, the beam contains a chalked number on it.

We identified an invoice documenting that the City paid Steel Warehousing Corporation \$738.00 for a steel I-beam on October 21, 1996. The invoice describes a *10 in 45 lb W.F. Beam x 40' 0"* as being delivered to the City. When contacted, Steel Warehousing reviewed their copy

of the invoice and provided the Materials Test Report copied in **Appendix 3**. The report was attached to the vendor's copy of the invoice paid by the City and indicates the specific beam shipped to the City. As can be seen in the **Appendices**, the heat numbers shown in the report match the numbers chalked on the beam supporting the deck. Officials from Steel Warehousing Corporation confirmed that, if the numbers on the beam supporting the deck match the numbers on the report, the beam is the one delivered to the City on October 1, 1996.

We reviewed City receipt records from 1996 until Mr. Meyer's termination date and could not locate a reimbursement to the City from Mr. Meyers for the steel I-beam. The \$738.00 paid by the City for the I-beam is included in **Exhibit A**.

Auto Parts – During an interview with representatives of the Polk County Attorney's Office and the DCI, an employee of the Public Works Department identified an invoice improperly paid by the City. The invoice was from Car Quest and included automobile parts for a 1991 Pontiac Firebird totaling \$74.21.

According to the interview, the employee questioned Mr. Meyers about submitting the invoice to the City's Administrative personnel for payment when it included parts for a vehicle not owned by the City. According to the employee's statement, Mr. Meyers scratched through the description on the invoice and returned it to the employee for processing. The invoice was submitted and the City issued a check on July 3, 2000. When representatives of the Polk County Attorney's Office and the DCI questioned Mr. Meyers about the altered invoice, he indicated he could have scratched out the description but he didn't remember doing it. Mr. Meyers stated during the interview with representatives of the Polk County Attorney's Office and the DCI that his son drove a Firebird and that it had been serviced at the City's garage.

A copy of the original invoice was obtained from Car Quest. The copy of the vendor's invoice, along with a copy of the altered invoice filed with the City, are included in **Appendix 4**. We reviewed City receipt records and did not locate a reimbursement to the City from Mr. Meyers for the auto parts. The \$74.21 paid by the City is included in **Exhibit A**.

Bush Hog Mower and Post Hole Digger – During interviews with representatives of the Polk County Attorney's Office and the DCI, employees of the Public Works Department reported seeing City owned property on Mr. Meyers' brother's property near Mount Ayr. The items observed were mower and auger attachments for the City's tractor. Representatives of the Polk County Attorney's Office and the DCI observed the auger at Mr. Meyers' brother's property. His brother indicated he had also possessed the mower attachment but that he had scrapped it as junk. Because complete purchase records were not readily available, we were not able to determine the cost of the equipment removed from the City's possession and provided to Mr. Meyers' brother.

Employee Use of City Owned Equipment – During an interview with representatives from the DCI and the Polk County Attorney's Office, Mr. Meyers stated he had taken home an older model weed eater owned by the City. Public Works employees also stated that Mr. Meyers had previously taken various pieces of City equipment home and used them for personal use. Some of the items identified included an air nailer, ladders, lawn mower and flood lights. The City's personnel handbook allowed employees to use City equipment with Department Head approval. On February 26, 2003, the City revoked the policy.

Other Equipment, Supplies and Materials – We examined various invoices from the Public Works Department for the purchase of equipment, supplies, and materials and subsequently observed the items or determined that the products had been used for City purposes.

We identified two purchases of equipment that were not delivered to or used by the City. One purchase was a 12-volt emergency sump pump and related supplies. The City paid \$194.95 for this equipment on July 1, 2002. The second purchase was a pair of extended-view towing mirrors for \$29.98 which were paid for by the City on October 7, 2002.

Employees of the Public Works Department also indicated that Mr. Meyers purchased a cordless saw/drill combination tool at a local vendor, which was not delivered to the City. The tool cost was \$265.00 and was paid for by the City on June 3, 2002.

We reviewed City receipt records and did not locate any reimbursements to the City from Mr. Meyers for the items. The purchases not received by the City are included in **Exhibit A**.

Undeposited Revenues

We interviewed employees of the Public Works Department to identify the types of revenues Mr. Meyers had access to as Public Works Coordinator. The employees indicated that cash sales generated from bulk water sales and the sale of scrap metal were remitted to Mr. Meyers. We determined inadequate controls were in place for these collections and, because of the lack of collection records, we were unable to determine if the revenues collected in the Public Works Department were properly deposited or used for City purposes.

Violations of the Iowa Gift Law

Section 68B.22 of the Code of Iowa prohibits a public official or employee from directly or indirectly accepting or receiving any gift or series of gifts from a restricted donor. Restricted donors are defined as any party who seeks to be a party to a sale, purchase, lease or contract with the agency in which the donee holds office or is employed. We identified two instances of non-compliance with this law involving Mr. Meyers and/or the Public Works Department.

- A vendor of the Public Works Department provided twenty meals costing \$6.99 each to Public Works employees on December 23, 2002. According to employees, the same vendor provided Christmas meals to employees in 2000 and 2001.
- Representatives from the Polk County Attorney's Office, the DCI and the Office of Auditor of State interviewed officials representing a company from whom the City had purchased a pre-engineered steel building. The company representatives stated they had paid for Mr. Meyers' accommodations on a trip taken to Tulsa, Oklahoma. The trip occurred in January 2002 and the City entered into a contract for the building in June 2002.

Recommended Control Procedures

As part of our investigation, we reviewed the procedures followed by City of Johnston Public Works Department related to receipts and disbursements. An important aspect of internal control is to establish procedures that provide accountability for assets susceptible to loss from errors and irregularities. These procedures provide that the actions of one individual will act as a check on those of another and provide a level of assurance that errors or irregularities will be noted within a reasonable time during the course of normal operations. Based on our findings and observations detailed below, the following recommendations are made to strengthen control over transactions authorized by the City of Johnston Public Works Department.

- A. Segregation of Duties – During our review of internal controls, the existing procedures were evaluated in order to determine that incompatible duties, from a control standpoint, are not performed by the same individual. For some disbursements reviewed, the former Public Works Coordinator initiated the purchases, received the goods, delivered the invoices to accounting personnel, and approved the invoices for payment.

Recommendation – The City should develop procedures that allow for proper segregation of duties to help prevent losses from individual error or dishonesty.

- B. Purchase Orders – The City’s purchasing policy requires purchase orders for items or services with values in excess of \$200. The policy was adopted in 1978 and was last amended in 1992. The Public Works Department did not always complete purchase orders, as required by the policy.

Recommendation – The City should review the existing policy and determine if the established thresholds are set at appropriate levels. Procedures should also be established to ensure compliance with the policy.

- C. Inventory – The Public Works Department does not maintain perpetual inventory records for supplies and materials.

Recommendation – For better control over assets, the City should consider maintaining perpetual inventory records for supplies and materials.

- D. Surplus Property – The City does not have a written policy for the disposal of surplus property. According to a Public Works Department employee, the former Public Works Coordinator sold an old computer monitor to her for \$25 cash. In addition, the employee stated the former Public Works Coordinator took his City computer home with him after the City purchased a new one.

Recommendation – For better control over fixed assets, the City should establish a written policy regarding the proper procedures for disposing of surplus City property.

- E. Bulk Water Sales – The City receives coin collections for bulk water sales made at Public Works. The coins accumulate in an unlocked container within the Public Works shop. The collections are not emptied on a regular basis and are occasionally used by City employees for filling water tanks. No receipt record is maintained of collections emptied from the container. The collections are placed in an envelope and given to the Public Works Coordinator. Deposits made at City Hall are not done on a timely basis.

Recommendation – Collections from bulk water sales should be properly safeguarded in a locked container. The collections should be emptied on a regular

basis and the amounts should be entered into a receipt log. The collections should be remitted to City Hall intact and on a timely basis.

- F. Scrap Metal Sales/Cash Fund – The Public Works Department sells City scrap metal approximately once per year. The entity purchasing the scrap metal prepares checks payable to the employee that transported the metal. The employees were instructed to cash the checks and remit the proceeds to the former Public Works Coordinator. According to Public Works Department employees, the proceeds were placed in a metal cash box that was maintained by the former Public Works Coordinator.

The cash fund was not authorized by the City Council. Records were not maintained of the receipts or disbursements from the cash fund. After the former Public Works Coordinator resigned, the Public Works Department employees turned the contents of the cash box over to the City. The contents included \$129.73 of cash and receipts totaling \$34.68. Two of the receipts totaling \$18.94 were for food purchased from HyVee for a chili lunch provided to Public Works Department employees.

Recommendation – Proceeds received from the sale of scrap metal should be remitted intact to City Hall for proper recording and deposit. Any petty cash fund maintained by the City should be established by the City Council and should be maintained on an imprest basis. Receipts should be retained for all purchases and petty cash vouchers should be completed to indicate the amount and description of the expenditure and the person making the purchase. The Public Works Coordinator should approve all petty cash vouchers. Periodically, the fund should be replenished by remitting the petty cash vouchers and supporting receipts to the City Council for approval.

- G. Change Order – After the City entered into an agreement to purchase a prefabricated building, the Public Works Coordinator authorized a modification that decreased the size of the building by 20% without any decrease in cost. The Public Works Coordinator's authorization was made verbally to the vendor and the modification was not included on a change order or approved by the City Council. In addition, a \$500 change order on the project was approved by the former Public Works Coordinator, but was not approved by the City Council.

Recommendation – Modifications to the scope or content of projects should be made through change orders approved by the City Council.

- H. Concrete Work – As stated previously, several Public Works employees poured a concrete floor and driveway at Mr. Meyers' residence during the employees' normal working hours. While some of the employees used vacation or compensatory time when they assisted in the projects, others did not and were paid by the City for the time they spent working at Mr. Meyers' residence. The cost of the wages and the City's share of benefits paid by the City to the employees that did not take leave time totaled \$298.58.

Recommendation – The City should consult legal counsel to address the possibility of requesting repayment from the employees or appropriately adjusting their balance of leave time.

City of Johnston Public Works Department

City of Johnston Public Works Department
Summary of Findings

Description	Amount
Misappropriated Funds:	
Purchases from Rick's Tire Service:	
Fraudulent invoices identified by Rick Hubbell (Exhibit B)	\$ 9,636.50
Additional fraudulent invoice number 12245 (Appendix 5)	<u>1,723.00</u>
	\$ 11,359.50
Reimbursement for safety glasses	258.00
Concrete work	298.58
Rebar	135.00 *
I-Beam	738.00
Auto parts	74.21
Sump pump and supplies	194.95
Extended-view towing mirrors	29.98
Cordless saw/drill combination	<u>265.00</u>
Total	<u><u>\$ 13,353.22</u></u>

* Estimated cost.

City of Johnston Public Works Department
Fraudulent Invoices Identified by Rick Hubbell

Invoice Number	Invoice Date	Unit Number	Quantity	Description	Price per Unit
11863	03/07/01	208	1	Service call	\$ 25.00
			4	10.00X20 SAT	228.00
			2	10.00X20 T1	209.00
			6	Dismount & mount	14.00
13063	12/26/01	107	1	Service call	25.00
			4	265 85R16 10Ply	158.00
			4	Dismount & mount	8.00
			4	Balance	8.00
13271	03/25/02	208	1	Service call	25.00
			2	11R22.5 Goodyear 286	315.00
			4	11R22.5 Goodyear 167	295.00
			6	Dismount & mount	14.00
13712	07/24/02	225	1	Service call (tractor tires)	25.00
			2	19.5 L24 12 Ply	535.00
			2	12.580X18 12 Ply	305.00
			2	24 Dismount & mount	41.25
			2	18 Dismount & mount	26.00
13888	09/10/02	*	1	Service call	25.00
			2	315 80R22.5 386	430.00
			4	11R22.5 Goodyear 362	325.00
			6	Dismount & mount	16.00
14121	11/12/02	*	1	Service call	25.00
			8	11R22.5 Michelin	339.00
			8	Dismount & mount	16.00

Totals

* Unit number not available.

Total Invoice Amount	Tires Delivered		Misappropriated Funds
	Quantity	Value	
\$ 25.00	-	-	25.00
912.00	-	-	912.00
418.00	-	-	418.00
56.00	-	-	56.00
<u>1,411.00</u>	-	-	<u>1,411.00</u>
25.00	-	-	25.00
632.00	-	-	632.00
32.00	-	-	32.00
32.00	-	-	32.00
<u>721.00</u>	-	-	<u>721.00</u>
25.00	-	-	25.00
630.00	2	630.00	-
1,180.00	-	-	1,180.00
84.00	2	28.00	56.00
<u>1,919.00</u>	<u>4</u>	<u>658.00</u>	<u>1,261.00</u>
25.00	-	-	25.00
1,070.00	-	-	1,070.00
610.00	-	-	610.00
82.50	-	-	82.50
52.00	-	-	52.00
<u>1,839.50</u>	-	-	<u>1,839.50</u>
25.00	-	-	25.00
860.00	-	-	860.00
1,300.00	-	-	1,300.00
64.00	-	-	64.00
<u>2,249.00</u>	-	-	<u>2,249.00</u>
25.00	-	-	25.00
2,712.00	2	678.00	2,034.00
128.00	2	32.00	96.00
<u>2,865.00</u>	<u>4</u>	<u>710.00</u>	<u>2,155.00</u>
<u>\$ 11,004.50</u>	<u>8</u>	<u>\$ 1,368.00</u>	<u>\$ 9,636.50</u>

City of Johnston Public Works Department

Staff

This special investigation was conducted by:

Annette K. Campbell, CPA, Director
Donna F. Kruger, CPA, Senior Auditor II
Travis J. Davis, CPA, Senior Auditor
Natalie J. Storm, CPA, Staff Auditor

A handwritten signature in black ink that reads "Tamera Kusian". The signature is written in a cursive style with a large, sweeping initial 'T'.

Tamera S. Kusian, CPA
Deputy Auditor of State

City of Johnston Public Works Department

Appendix 1

City of Johnston Public Works Department

Copies of Selected Invoices from Rick's Tire Service

For the period July 1, 1999 through February 17, 2003

RIK'S TIRE SERVICE
P. O. Box 10082
Des Moines, IA 50310
Phone 245-1270

CUSTOMER'S ORDER NO.		PHONE		DATE <u>2-7-01</u>	
SOLD TO <u>City of Johnston</u>					
SHIP TO					
SOLD BY	CASH	CHEQUE	C.O.D.	SHIP VIA	PREPAID COLLECT
<u>W</u>		<u>X</u>			
QUANTITY	DESCRIPTION	UNIT PRICE	AMOUNT		
1	Service Call				25.00
4	10.00 P30 SAT	228.00	912.00		
2	10.00 P20 T.T.L.	209.00	418.00		
4	10.00 P20 T.T.L.	14.00	56.00		
					1911.00
<i>Jay E. Meyer</i>				TAX	
RECEIVED BY				TOTAL	1911.00

Thank You

11863

FORM 5827, R4/90 (FORM 5827 TO PREORDER CALL 800-977-4361)

ALL CLAIMS AND RETURNED GOODS MUST BE ACCOMPANIED BY THE BILL

City of Johnston Public Works Department
 Copies of Selected Invoices from Rick's Tire Service
 For the period July 1, 1999 through February 17, 2003

RICK'S TIRE SERVICE
 P. O. Box 16092
 Des Moines, IA 50316
 Pager 245-1270

CUSTOMER'S ORDER NO.		PHONE		DATE <i>12-26-01</i>		
SOLD TO <i>City of Johnston</i>						
SHP TO						
SOLD BY <i>RK</i>		CASH	CHARGE <input checked="" type="checkbox"/>	C.O.D.	SHIP VIA	
PREPAID		COLLECT				
QUANTITY	DESCRIPTION	PRICE	AMOUNT			
<i>1</i>	<i>Service Call</i>			<i>25</i>	<i>00</i>	
<i>4</i>	<i>265 85R14</i>	<i>158</i>		<i>632</i>	<i>00</i>	
<i>4</i>	<i>Dismt + mt</i>	<i>8</i>		<i>32</i>	<i>00</i>	
<i>4</i>	<i>Bal.</i>	<i>8</i>		<i>32</i>	<i>00</i>	
				<i>721</i>	<i>00</i>	
<i>[Signature]</i>					TAX	<i>0</i>
					RECEIVED BY	TOTAL

Thank You

ALL CLAIMS AND RETURNED GOODS MUST BE ACCOMPANIED BY THIS INVOICE.

13063

FORM 687, RAINBOWS, INC. TO REORDER CALL 800-533-3344

Appendix 1

City of Johnston Public Works Department

Copies of Selected Invoices from Rick's Tire Service

For the period July 1, 1999 through February 17, 2003

www.ricks.com, LA 00314
Pager 245-1270

CUSTOMER'S ORDER NO.		PHONE	DATE 3-25-02	
SOLD TO City of Johnston				
SHIP TO				
SOLD BY RH	CASH	CHECK <input checked="" type="checkbox"/>	C.O.D.	SHIP VIA
PREPAID COLLECT				
1	Service Call			25.00
2	11R225 Goly 282			315.00 630.00
4	11R225 Goly 167			295.00 1180.00
6	Distmt tint			19.00 84.00
				1919.00
				
RECEIVED BY				TAX 0
TOTAL				1919.00

Thank You

13271

FORM NO. 100-000000-000 TO REORDER CALL 800-874-4444

ALL CLAIMS AND RETURNED GOODS MUST BE ACCOMPANIED BY THIS BILL

City of Johnston Public Works Department
 Copies of Selected Invoices from Rick's Tire Service
 For the period July 1, 1999 through February 17, 2003

RICK'S TIRE SERVICE
 P. O. Box 16092
 Des Moines, IA 50316
 Pager: 248-1270

CUSTOMER'S ORDER NO.		PHONE		DATE: 7-24-02	
SOLD TO: City of Johnston					
SHIP TO:					
SOLD BY: RH	CASH:	CHARGE: X	C.O.D.:	SHIP VIA:	PAYMENT COLLECT:
QUANTITY	DESCRIPTION	PRICE	AMOUNT		
1	Service Call			25	00
2	19.5 x 24 72 ply	535 ⁰⁰		1070	00
2	12.500 x 18 12 ply	305 ⁰⁰		610	00
2	24 Dis. Mt + mt	41.25 ⁰⁰		82	50
2	18 Dis. Mt + mt	26 ⁰⁰		52	00
				1839	50
RECEIVED BY: <i>[Signature]</i>				TAX:	0
				TOTAL:	1839.50

Thank You

ALL CLAIMS AND RETURNED GOODS MUST BE ACCOMPANIED BY THIS BILL.

13712

FORM 557, RAINBOW, INC. TO REORDER CALL 800-257-4254

City of Johnston Public Works Department
 Copies of Selected Invoices from Rick's Tire Service
 For the period July 1, 1999 through February 17, 2003

RIK'S TIRE SERVICE
 P. O. Box 10000
 Des Moines, IA 50310
 Pager 245-1270

CUSTOMER'S ORDER NO.		PHONE		DATE <i>1/12-02</i>	
SOLD TO <i>City of Johnston</i>					
SHIP TO					
SOLD BY <i>RH</i>		CASH	CHARGE <input checked="" type="checkbox"/>	C.O.D.	SHIP VIA
				PREPAID	COLLECT
<i>1 Service Call</i>					<i>25.00</i>
<i>8 1/R 22.5 Mich</i>				<i>339⁰⁰</i>	<i>2712.00</i>
<i>8 Des Mt Frnt</i>				<i>16⁰⁰</i>	<i>128.00</i>
					<i>2865.00</i>
<i>[Signature]</i>					
RECEIVED BY				TAX	<i>0</i>
				TOTAL	<i>2865.00</i>

Thank You

14121

ALL CLAIMS AND RETURNED GOODS MUST BE ACCOMPANIED BY THIS BILL.

FORM 100, REPRODUCTION INC. TO PREVENT CALL 800-858-8888

Appendix 2

City of Johnston Public Works Department

Picture of I-Beam

For the period July 1, 1999 through February 17, 2003



City of Johnston Public Works Department

Copy of Material Test Report for I-Beam

For the period July 1, 1999 through February 17, 2003

CHAPARRAL STEEL		INDUSTRIAL 200 WARD HO.		MATERIAL TEST REPORT							
TEXAS 75181 (214) 775-8241											
SOLD TO: STEEL WAREHOUSING INC. P.O. BOX 3248 DES MOINES IA 50316		SHIP TO: STEEL WAREHOUSING INC 3213 E 19TH ST COURT DES MOINES IA 50316									
CUSTOMER PURCHASE ORDER NUMBER	DATE	CAPACITY	DESCRIPTION		UNITS						
DM18387	3-APR-96	10.80	W 10 X 45#		40.000						
TESTED ACCORDING TO ASTM A5-92 A36-91, A372-92A A992 SA36 SEC. 2	SIZE W 10 X 45#	GRADE A36/A572C	PRODUCT WF BEAMS	TEST NO. 7-2432							
CHEMICAL ANALYSIS											
C	Mn	P	S	Si	Cu	Ni	Cr	Mo	V	Nb	
0.12	0.76	0.009	0.039	0.24	0.31	0.10	0.07	0.020	0.000	0.010	
TENSILE PROPERTIES											
YIELD STRENGTH k. s. i.	TENSILE STRENGTH k. s. i.	SPECIMEN AREA sq. in.	REDUCTION OF AREA %		ELONGATION INCHES	BEV. TEST COR.	BEV. TEST RESULT	GRAIN SIZE	REVISION OF A992		
32.6 33.3	74.6 74.7	13.237 13.237	42.5 42.2		2" 2"	0.50 0.50	PASS PASS				
I hereby certify that the contents of this report are correct and accurate. All test results and operations performed by this material manufacturer or its sub-contractors, when applicable, are in compliance with the requirements of the material specification, and when designated by the purchaser meet the specific applicable material requirements of section III of the A.S.M.E. Boiler and Pressure Vessel Code.											
Signed: <u>Tom L. Harrington</u>						REMARKS					
Tom L. Harrington - Quality Assurance Manager											
Work was performed by before me, in and for Elm County on											
At 4th day APRIL, 1996											
POWER PUBLIC											
By Certification Expires											
MANIFEST 1089283 (NOT VALID ON REENTRY ONLY)											
STEEL WAREHOUSING INC P.O. BOX 3248 DES MOINES IA 50316											
MANUFACTURING PROCESSES OF THE STEEL MATERIALS IN THIS PRODUCT, INCLUDING MELTING, HAVE OCCURRED WITHIN THE UNITED STATES IN COMPLIANCE WITH THE "BUY AMERICA" PROVISION OF THE SURFACE TRANSPORTATION ASSISTANCE ACT OF 1982. O											

City of Johnston Public Works Department

Copy of Invoice for Automobile Parts

CARQUEST YOU'LL FIND IT AT CARQUEST™

REQUEST OF ANKENY

AUTO PARTS 6602 SE DELAWARE AVE
ANKENY, IA 50021
PHONE # 515-963-3030
SHOP WITH THE PRO'S

PW111

ANY PART RETURNED FOR CREDIT MUST BE ACCOMPANIED BY THIS RECEIPT.
SEE CARQUEST STORE FOR DETAILS OF THE COAST TO COAST GUARANTEE.

WARRANTY DISCLAIMER: The factory warranty constitutes all of the warranties with respect to the sale of all items. The seller hereby expressly excludes all warranties, either expressed or implied, including any implied warranty of merchantability or fitness for a particular purpose, and the seller neither assumes nor authorizes any other person to assume for it any liability in connection with the sale of all items.

B I L L T O	JOHNSTONE PUBLIC WORKS 6602 SE DELAWARE JOHNSTONE, IA 50021	S H I P T O	JOHNSTONE PUBLIC WORKS 6602 SE DELAWARE JOHNSTONE, IA 50021																																																																																								
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th>INV. NO.</th> <th>CUST. NO.</th> <th>DATE</th> <th>DEPT. AND</th> <th>SALES NO.</th> <th>CASH NO.</th> <th>SHIP VIA</th> <th>TERMS</th> </tr> <tr> <td>A75654</td> <td>225118</td> <td>05/07/00</td> <td></td> <td>8</td> <td>9</td> <td></td> <td>SALE-CHARGE</td> </tr> </table>	INV. NO.	CUST. NO.	DATE	DEPT. AND	SALES NO.	CASH NO.	SHIP VIA	TERMS	A75654	225118	05/07/00		8	9		SALE-CHARGE	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th>MFG. PART NUMBER</th> <th>QTY</th> <th>UNIT</th> <th>SHIP</th> <th>PRICE</th> <th>SUGGESTED</th> <th>NET</th> <th>MTCORE</th> <th>EXT. AMT</th> </tr> <tr> <td colspan="9" style="text-align: center;">APPROVED FOR PAYMENT</td> </tr> <tr> <td colspan="9"><i>[Signature]</i></td> </tr> <tr> <td colspan="9">BY</td> </tr> <tr> <td colspan="9">DATE</td> </tr> <tr> <td colspan="9">ITEM</td> </tr> <tr> <td colspan="9">ACCT #</td> </tr> <tr> <td colspan="9">WHIPPLE COAST SET</td> </tr> </table>			MFG. PART NUMBER	QTY	UNIT	SHIP	PRICE	SUGGESTED	NET	MTCORE	EXT. AMT	APPROVED FOR PAYMENT									<i>[Signature]</i>									BY									DATE									ITEM									ACCT #									WHIPPLE COAST SET								
INV. NO.	CUST. NO.	DATE	DEPT. AND	SALES NO.	CASH NO.	SHIP VIA	TERMS																																																																																				
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FEIGHT	LABOR	SHOW	TOTAL CORE	TAXABLE AMT.	SALES TAX	SUB TOTAL																																																																																					

12:38 PM
REC'D BY X

Copy of altered invoice obtained from City records.

For the period July 1, 1999 through February 17, 2003

City of Johnston Public Works Department

Copy of Invoice for Automobile Parts

For the period July 1, 1999 through February 17, 2003

CARQUEST YOU'LL FIND IT AT CARQUEST™

QUEST OF ANKENY
 AUTO PARTS 4502 SE DELAWARE AVE
 ANKENY, IA 50021
 PHONE # 515-963-3030
 SHOP WITH THE PRO'S

WARRANTY DISCLAIMER: The limited warranty constitutes all of the warranty with respect to the sale of all items. The seller hereby disclaims, in whole or in part, any implied warranty of merchantability or fitness for a particular purpose, and the seller further disclaims any liability in connection with the sale of all items.

ANY PART RETURNED FOR CREDIT MUST BE ACCOMPANIED BY THIS RECEIPT. SEE CARQUEST STORE FOR DETAILS OF THE COAST TO COAST GUARANTEE.

JOHNSTONE PUBLIC WORKS JOHNSTONE PUBLIC WORKS

DATE	QTY	DESCRIPTION	UNIT PRICE	TOTAL	TAXES	NET AMT	EX. TAX
06/07/99	1	parts	6.28	6.28	0.00	6.28	0.00
				TOTAL		6.28	
				TAXABLE AMT		6.28	
				TAXES		0.00	
				NET TOTAL		6.28	
				SALES TAX		0.00	
				SUB TOTAL		6.28	

APPROVED FOR PAYMENT
 BY *Jerry P. Mayo*
 DATE *6-28-00*
 ITEM *parts*
 ACCT # *0100 56710 45560*
PAID

LIST TOTAL: 6.28
 PAY THIS AMT. **FINAL**

RECD *[Signature]*

City of Johnston Public Works Department

Copy of Invoice for Automobile Parts

For the period July 1, 1999 through February 17, 2003

CARQUEST YOU'LL FIND IT AT CARQUESTSM

REQUEST OF ANKENY
AUTO PARTS 6602 SE DELAWARE AVE
 ANKENY, IA 50021
 PHONE # 515-963-3030
 SHOP WITH THE PRO'S

WARRANTY DISCLAIMER: The factory warranty constitutes all of the warranties with respect to the sale of all items. The seller hereby expressly disclaims all warranties, either expressed or implied, including any implied warranty of merchantability or fitness for a particular purpose, and the seller neither assumes nor authorizes any other person to assume for it any liability in connection with the sale of all items.

ANY PART RETURNED FOR CREDIT MUST BE ACCOMPANIED BY THIS RECEIPT. SEE CARQUEST STORE FOR DETAILS OF THE COAST TO COAST GUARANTEE.

BILL TO JOHNSTONE PUBLIC WORKS 6400 NW BEAVER JOHNSTON IA 50131	SHIP TO JOHNSTONE PUBLIC WORKS 6400 NW BEAVER JOHNSTON IA 50131	1 CF 4/13 2
--------------------------------------------------------------------------	--------------------------------------------------------------------------	-------------------

INV. NO.	CUST. NO.	DATE	CUST. PO NO.	SALES PR.	CNTR. NO.	SHIP VIA	TERMS
075634	225118	06/07/04		0	9		SALE-CHARGE
MFG. PART NUMBER	ORD	SHIP	BKO	SUGGESTED LIST PRICE	NET	NET CORE	EXT. AMT.
This ticket contains parts for a:							
91 PONTIAC FIREBIRD V8-350 S.L.							
RDR R060945	1	1	0	42.720	17.439		17.44
MICRO V BELT							
CTC 209766	1	1	0	31.040	19.050		19.05
TRLEN VALVEY							
GSK V850161	1	1	0	28.130	15.450		15.45
VALVE COVER GSKT SET							
GSK W515315W	1	1	0	33.130	18.190		18.19
MANIFOLD GSKT SET							
FREIGHT	LABOR	SHOP	TOTAL CORE	TAXABLE AMT.	SALES TAX	SUB TOTAL	

12:30 PM LIST TOTAL ▶ PAY THIS AMT. ▶ Continued

REC'D BY X _____

Invoice obtained from vendor.
 Invoice obtained from vendor.

City of Johnston Public Works Department

Copy of Invoice Number 12245

For the period July 1, 1999 through February 17, 2003

RICK'S TIRE SERVICE
P. O. Box 16092
Des Moines, IA 50316
Pager 246-1270

CUSTOMER'S ORDER NO.		PHONE	DATE 7-8-01	
SOLD TO City of Johnston				
SHIP TO				
SOLD BY	CASH	CHARGE	C.O.D.	SHIP VIA
RN		X		
PREPAID		COLLECT		
1	Service Call			25.00
6	Plus 1000R20 Nyls	25.10		1506.00
6	Tube 10.00R20	18.00		108.00
6	Diemnt Street	14.00		84.00
		1/2 hr # 206		
				PAYD 1723.00
				JUL 18 2001
				FINANCE
APPROVED FOR PAYMENT				
BY <i>[Signature]</i>				
DATE 7-9				
RECEIVED BY	ITEM	TOTAL		
	Tex Tires	1723.00		
ACCT # 60050-21045560		ALL CLAIMS AND RETURNED GOODS MUST BE ACCOMPANIED BY THIS BILL		

12245

FORM 804, AMPEFORMA, INC. TO ORDER CALL 800-844-4344