

For Immediate Release
May 3, 2011
Contact: Mike Foley (402) 471-2111

Foley Files Complaint Against Saunders County Attorney

State Auditor Mike Foley announced today the release of the annual audit of Saunders County and that he is filing a formal complaint against the Saunders County Attorney for issues that came to light as a result of that audit.

The audit discloses details on fifteen (15) separate discrepancies in the personal expense reimbursement claims filed by the County Attorney in recent years, resulting in nearly \$5,000 in excess payments to the Attorney.

The issue relates to multiple purchases made by the County Attorney, primarily at electronics retailer, Best Buy. In some instances, the County Attorney made purchases, was reimbursed for the purchases by the County, and then returned some of the merchandise to the retailer and kept the refunds for himself.

In other instances, he purchased merchandise, returned some of it for a partial refund, which he kept, and then filed claims for reimbursement from the County for the full original purchase, even though some of the merchandise had already been returned to the retailer.

In still other instances, the County Attorney submitted photocopies of receipts in his request for reimbursement from the County, was reimbursed by the County, and then re-submitted the same photocopied receipts some months later and was double-reimbursed.

The audit report is also critical of the County Attorney for spending public funds on purchases that appear to be excessive and unnecessary. For example, two years ago, the County Attorney bought seven high-dollar flat screen TVs for a total cost of over \$3,400.00. Five of the six TVs were found by the auditors in the original boxes and never used, and a sixth was out of the box but not in use. The

County Attorney returned the seventh TV to Best Buy two years ago and received a refund of nearly \$500.00, which he kept despite having been reimbursed for that expenditure earlier by the County.

The audit was complicated by the fact that the County Attorney was found not to be complying with State law that requires him to maintain a complete inventory of all County assets under his control. The audit itemizes thousands of dollars of assets under the control of the County Attorney that are not shown on the official Saunders County inventory of assets.

Although the County Attorney claims that the overpayments to himself were simply the result of clerical errors, for which the County Attorney has now reimbursed the County, Foley said that the matter merits further investigation.

Today, Foley filed a formal complaint against the Saunders County Attorney with the Nebraska Accountability and Disclosure Commission. The complaint relates to the applicability of State law that prohibits the improper use of public office for personal financial gain. Foley is also referring the matter to the Office of the Attorney General.

Foley has already had discussions on this case with both of the above offices prior to today's issuance of the audit report.

A copy of the audit report can be found on the State Auditor's web site at the following link.

<http://www.auditors.nebraska.gov>