

STATE BOARD OF ACCOUNTS
302 West Washington Street
Room E418
INDIANAPOLIS, INDIANA 46204-2769

AUDIT REPORT

OF

COUNTY COUNCIL

DEARBORN COUNTY, INDIANA

January 1, 2009 to December 31, 2009



FILED

08/13/2010

TABLE OF CONTENTS

<u>Description</u>	<u>Page</u>
County Officials	2
Transmittal Letter	3
Audit Results and Comments:	
Donations of Riverboat Admission Tax Funds	4
Donations of Riverboat Revenue Sharing Funds	4
Exit Conference.....	5

COUNTY OFFICIALS

<u>Office</u>	<u>Official</u>	<u>Term</u>
President of the County Council	Dennis Kraus, Sr.	01-01-09 to 12-31-10
President of the Board of County Commissioners	Ralph Thompson	01-01-09 to 12-31-10



STATE OF INDIANA
AN EQUAL OPPORTUNITY EMPLOYER

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TO: THE OFFICIALS OF DEARBORN COUNTY

We have audited the records of the County Council for the period from January 1, 2009 to December 31, 2009, and certify that the records and accountability for cash and other assets are satisfactory to the best of our knowledge and belief, except as stated in the Audit Results and Comments. The financial transactions of this office are reflected in the Annual Report of Dearborn County for the year 2009.

STATE BOARD OF ACCOUNTS

June 30, 2010

COUNTY COUNCIL
DEARBORN COUNTY
AUDIT RESULTS AND COMMENTS

DONATIONS OF RIVERBOAT ADMISSION TAX FUNDS

The County receives admission taxes derived from a riverboat gaming facility. In 2009, the County gave \$1,931,605 of riverboat admissions tax to various governmental entities pursuant to revenue sharing agreements. The County also donated \$386,321 of riverboat admissions taxes to various not-for-profit organizations.

IC 4-33-12 (Admission Taxes) does not contain provisions authorizing a county to enter into agreements with units of local governments to share a County's share of admission taxes.

Governmental funds should not be donated or given to other organizations, individuals, or governmental units unless specifically authorized by statute. (Accounting and Uniform Compliance Guidelines Manual for Counties of Indiana, Chapter 1)

A similar comment was reported in the prior Reports B31158, B32742 and B34942.

DONATION OF RIVERBOAT REVENUE SHARING FUNDS

The County receives riverboat revenue sharing funds from the City of Lawrenceburg. In 2009, the County donated \$138,782 of riverboat funds to various not-for-profit organizations.

IC 36-1-8-9(a) states: "Each unit that receives:

- (1) tax revenue under IC 4-33-12-6 or IC 4-33-13;
- (2) revenue under an agreement to share the tax revenue receive under IC 4-33-12 or IC 4-33-13 by another unit; or
- (3) revenue under a development agreement (as defined in section 9.5 of this chapter); may establish a riverboat fund. Money in the fund may be used for any legal or corporate purpose of the unit."

This statute does not authorize a county to make donations from the fund.

Governmental funds should not be donated or given to other organizations, individuals, or governmental units unless specifically authorized by statute. (Accounting and Uniform Compliance Guidelines Manual for Counties of Indiana, Chapter 1)

A similar comment was reported in the prior Reports B31158, B32742 and B34942.

COUNTY COUNCIL
DEARBORN COUNTY
EXIT CONFERENCE

The contents of this report were discussed on June 30, 2010, with Dennis Kraus, Sr., President of the County Council; and Ralph Thompson, President of the Board of County Commissioners.