

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

EXAMINATION REPORT
OF
BAILEY-COX-NEWTSON CONSERVANCY DISTRICT
STARKE COUNTY, INDIANA
January 1, 2008 to December 31, 2010



FILED
08/24/2011

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OFFICIALS

Office

Official

Term

Financial Clerk

Todd Lawrence

07-01-07 to 06-30-12

Chairman of the Board

Todd Lawrence

07-01-07 to 06-30-12



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INDEPENDENT ACCOUNTANT'S REPORT

TO: THE OFFICIALS OF THE BAILEY-COX-NEWTSON
CONSERVANCY DISTRICT, STARKE COUNTY, INDIANA

We have examined the financial statement(s) of Bailey-Cox-Newtson Conservancy District (District), for the period of January 1, 2008 to December 31, 2010. The District's management is responsible for the financial statement(s). Our responsibility is to express an opinion based on our examination.

Our examination was conducted in accordance with attestation standards established by the American Institute of Certified Public Accountants and, accordingly, included examining, on a test basis, evidence supporting the financial statement(s) and performing such other procedures as we considered necessary in the circumstances. We believe that our examination provides a reasonable basis for our opinion.

As discussed in Note 1, the District prepares its financial statement(s) on the prescribed basis of accounting that demonstrates compliance with the reporting requirements established by the State Board of Accounts as allowed by state statute (IC 5-11-1-6), which is a comprehensive basis of accounting other than accounting principles generally accepted in the United States of America. The basis noted above is a different basis than that used in the prior year.

In our opinion, the financial statement(s) referred to above present fairly, in all material respects, the financial position and results of operations of the District for the years ended December 31, 2008, 2009 and 2010, on the basis of accounting described in Note 1.

The Combining Schedule(s) of Receipts, Disbursements, and Cash and Investment Balances – Regulatory Basis, Schedule of Capital Assets, and Schedule of Long-Term Debt, as listed in the Table of Contents, are presented for additional analysis and are not required parts of the financial statement(s). They have not been subjected to the examination procedures applied to the financial statement(s) and, accordingly, we express no opinion on them.

This report is intended solely for the information and use of the District's management, the District's Board, and is not intended to be and should not be used by anyone other than these specified parties. In accordance with Indiana Code 5-11-5-1, this report is a part of the public records of the State Board of Accounts and of the office examined.

STATE BOARD OF ACCOUNTS

July 28, 2011

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FINANCIAL STATEMENT(S)

BAILEY-COX-NEWTSON CONSERVANCY DISTRICT
STATEMENTS OF RECEIPTS, DISBURSEMENTS, AND CASH AND INVESTMENT BALANCES -
REGULATORY BASIS
For The Years Ended December 31, 2008, 2009 and 2010

	Cash and Investments 01-01-08	Receipts	Disbursements	Cash and Investments 12-31-08
Operation And Maintenance	\$ 53,077	\$ 20,123	\$ 38,232	\$ 34,968
Debt Service	(5,502)	33,729	32,001	(3,774)
Cumulative Maintenance	<u>2,650</u>	<u>3,103</u>	<u>1,664</u>	<u>4,089</u>
Totals	<u>\$ 50,225</u>	<u>\$ 56,955</u>	<u>\$ 71,897</u>	<u>\$ 35,283</u>

	Cash and Investments 01-01-09	Receipts	Disbursements	Cash and Investments 12-31-09
Operation And Maintenance	\$ 34,968	\$ 19,973	\$ 28,154	\$ 26,787
Debt Service	(3,774)	33,246	32,142	(2,670)
Cumulative Maintenance	<u>4,089</u>	<u>3,398</u>	<u>1,535</u>	<u>5,952</u>
Totals	<u>\$ 35,283</u>	<u>\$ 56,617</u>	<u>\$ 61,831</u>	<u>\$ 30,069</u>

	Cash and Investments 01-01-10	Receipts	Disbursements	Cash and Investments 12-31-10
Operation And Maintenance	\$ 26,787	\$ 35,254	\$ 27,322	\$ 34,719
Debt Service	(2,670)	27,656	31,907	(6,921)
Cumulative Maintenance	<u>5,952</u>	<u>3,419</u>	<u>2,013</u>	<u>7,358</u>
Totals	<u>\$ 30,069</u>	<u>\$ 66,329</u>	<u>\$ 61,242</u>	<u>\$ 35,156</u>

The notes to the financial statement(s) are an integral part of this statement.

BAILY-COX-NEWTSON CONSERVANCY DISTRICT
NOTES TO FINANCIAL STATEMENT(S)

Note 1. Summary of Significant Accounting Policies

A. Reporting Entity

The District was established under the laws of the State of Indiana. The District operates under an appointed governing board.

The accompanying financial statement(s) present(s) the financial information for the District (primary government), and does not include financial information for any of the District's legally separate component units, which accounting principles generally accepted in the United States of America require to be reported with the financial information of the District (primary government).

B. Basis of Accounting

The financial statements are reported on a regulatory basis of accounting prescribed by the State Board of Accounts in accordance with state statute (IC 5-11-1-6), which is a comprehensive basis of accounting other than accounting principles generally accepted in the United States of America. Receipts are recorded when received and disbursements are recorded when paid.

The regulatory basis of accounting differs from accounting principles generally accepted in the United States of America in that receipts are recognized when received in cash, rather than when earned, and disbursements are recognized when paid, rather than when a liability is incurred.

C. Cash and Investments

Investments are stated at cost. Any changes in fair value of the investments are reported as receipts in the year of the sale of the investment.

D. Receipts

Receipts are presented in the aggregate on the face of the financial statements. The aggregate receipts may include, but are not limited to, the following sources:

Taxes which can include one or more of the following: property taxes, certified shares (local option tax), property tax replacement credit (local option tax), county option income tax, wheel tax, innkeepers tax, food and beverage tax, county economic development income tax, boat and trailer excise tax, county adjusted gross income tax, and other taxes that are set by the District.

Intergovernmental receipts which include receipts from other governments in the form of operating grants, entitlements, or payments in lieu of taxes. Examples of this type of receipts include, but are not limited to: federal grants, state grants, cigarette tax distributions received from the state, motor vehicle highway distribution received from the state, local road and street distribution received from the state, financial institution tax received from the state, auto excise surtax received from the state, commercial vehicle excise tax received from the state, major moves distributions received from the state, and riverboat receipts received from the county.

BAILY-COX-NEWTSON CONSERVANCY DISTRICT
NOTES TO FINANCIAL STATEMENT(S)
(Continued)

Charges for services which can include, but are not limited to the following: planning commission charges, building department charges, copies of public records, copy machine charges, accident report copies, gun permit applications, 911 telephone services, recycling fees, dog pound fees, emergency medical service fees, park rental fees, swimming pool receipts, cable tv receipts, ordinance violations, fines and fees, bond forfeitures, court costs, and court receipts.

Fines and forfeits which include receipts derived from fines and penalties imposed for the commission of statutory offenses, violation of lawful administrative rules and regulations (fines), and for the neglect of official duty and monies derived from confiscating deposits held as performance guarantees (forfeitures).

Utility fees which are comprised mostly of charges for current services.

Other receipts which include amounts received from various sources which can include, but are not limited to the following: net proceeds from borrowings; interfund loan activity; transfers authorized by statute, ordinance, resolution or court order; internal service receipts; and fiduciary receipts.

E. Disbursements

Disbursements are presented in the aggregate on the face of the financial statements. The aggregate disbursements may include, but are not limited to, the following uses:

Personal services include outflows for salaries, wages, and related employee benefits provided for all persons employed. In those units where sick leave, vacation leave, overtime compensation, and other such benefits are appropriated separately, such payments would also be included.

Supplies which include articles and commodities that are entirely consumed and materially altered when used and/or show rapid depreciation after use for a short period of time. Examples of supplies include office supplies, operating supplies, and repair and maintenance supplies.

Other services and charges which include, but are not limited to: professional services, communication and transportation, printing and advertising, insurance, utility services, repairs and maintenance, and rental charges.

Debt service principal and interest which include fixed obligations resulting from financial transactions previously entered into by the District. It includes all expenditures for the reduction of the principal and interest of the District's general obligation indebtedness.

Capital outlay which include all outflows for land, infrastructure, buildings, improvements, and machinery and equipment having an appreciable and calculable period of usefulness.

Utility operating expenses which include all outflows for operating the utilities.

Other disbursements which include, but are not limited to the following: interfund loan payments, loans made to other funds, internal service disbursements, and transfers out that are authorized by statute, ordinance, resolution, or court order.

BAILY-COX-NEWTSON CONSERVANCY DISTRICT
NOTES TO FINANCIAL STATEMENT(S)
(Continued)

F. Interfund Transfers

The District may, from time to time, transfer money from one fund to another. These transfers, if any, are included as a part of the receipts and disbursements of the affected funds and as a part of total receipts and disbursements. The transfers are used for cash flow purposes as provided by various statutory provisions.

G. Fund Accounting

Separate funds are established, maintained, and reported by the District. Each fund is used to account for money received from and used for specific sources and uses as determined by various regulations. Restrictions on some funds are set by statute while other funds are internally restricted by the District. The money accounted for in a specific fund may only be available for use for certain, legally restricted purposes. Additionally, some funds are used to account for assets held by the District in a trustee capacity as an agent of individuals, private organizations, other funds, or other governmental units and therefore the funds cannot be used for any expenditures of the unit itself.

Note 2. Budgets

The operating budget is initially prepared and approved at the local level. The fiscal officer of the District submits a proposed operating budget to the governing board for the following calendar year. The budget is advertised as required by law. Prior to adopting the budget, the governing board conducts public hearings and obtains taxpayer comments. Prior to November 1, the governing board approves the budget for the next year. The budget for funds for which property taxes are levied or highway use taxes are received is subject to final approval by the Indiana Department of Local Government Finance.

Note 3. Property Taxes

Property taxes levied are collected by the County Treasurer and are scheduled to be distributed to the District in June and December; however, situations can arise which would delay the distributions. State statute (IC 6-1.1-17-16) requires the Indiana Department of Local Government Finance to establish property tax rates and levies by February 15. These rates were based upon the preceding year's March 1 (lien date) assessed valuations adjusted for various tax credits. Taxable property is assessed at 100 percent of the true tax value (determined in accordance with rules and regulations adopted by the Indiana Department of Local Government Finance). Taxes may be paid in two equal installments which normally become delinquent if not paid by May 10 and November 10, respectively.

Note 4. Deposits and Investments

Deposits, made in accordance with state statute (IC 5-13), with financial institutions in the State of Indiana at year end should be entirely insured by the Federal Depository Insurance Corporation or by the Indiana Public Deposit Insurance Fund. This includes any deposit accounts issued or offered by a qualifying financial institution.

State statutes authorize the District to invest in securities including, but not limited to, federal government securities, repurchase agreements, and certain money market mutual funds. Certain other statutory restrictions apply to all investments made by local governmental units.

BAILY-COX-NEWTSON CONSERVANCY DISTRICT
NOTES TO FINANCIAL STATEMENT(S)
(Continued)

Note 5. Risk Management

The District may be exposed to various risks of loss related to torts; theft of, damage to, and destruction of assets; errors and omissions; job related illnesses or injuries to employees; medical benefits to employees, retirees, and dependents; and natural disasters.

These risks can be mitigated through the purchase of insurance, establishment of a self-insurance fund, and/or participation in a risk pool. The purchase of insurance transfers the risk to an independent third party. The establishment of a self-insurance fund allows the District to set aside money for claim settlements. The self-insurance fund would be included in the financial statements. The purpose of participation in a risk pool is to provide a medium for the funding and administration of the risks. These risks may also be mitigated by the District by recording as a disbursement and replacement items purchased.

SUPPLEMENTARY INFORMATION – UNAUDITED

For additional financial information, the Bailey-Cox-Newtson Conservancy District's Annual Report(s) can be found on the Indiana Transparency Portal website: www.in.gov/itp/annual_reports/.

BAILEY-COX-NEWTSON CONSERVANCY DISTRICT
 COMBINING SCHEDULE OF RECEIPTS, DISBURSEMENTS, AND
 CASH AND INVESTMENT BALANCES - REGULATORY BASIS
 For The Year Ended December 31, 2008

	Operation And Maintenance	Debt Service	Cumulative Maintenance	Totals
Cash and investments - beginning	\$ 53,077	\$ (5,502)	\$ 2,650	\$ 50,225
Receipts:				
Taxes	19,076	33,729	3,103	55,908
Other receipts	1,047	-	-	1,047
Total receipts	20,123	33,729	3,103	56,955
Disbursements:				
Personal services	1,812	-	-	1,812
Other services and charges	33,187	-	1,664	34,851
Other disbursements	3,233	32,001	-	35,234
Total disbursements	38,232	32,001	1,664	71,897
Excess (deficiency) of receipts over disbursements	(18,109)	1,728	1,439	(14,942)
Cash and investments - ending	\$ 34,968	\$ (3,774)	\$ 4,089	\$ 35,283

BAILEY-COX-NEWTSON CONSERVANCY DISTRICT
 COMBINING SCHEDULE OF RECEIPTS, DISBURSEMENTS, AND
 CASH AND INVESTMENT BALANCES - REGULATORY BASIS
 For The Year Ended December 31, 2009

	<u>Operation And Maintenance</u>	<u>Debt Service</u>	<u>Cumulative Maintenance</u>	<u>Totals</u>
Cash and investments - beginning	\$ 34,968	\$ (3,774)	\$ 4,089	\$ 35,283
Receipts:				
Taxes	<u>19,973</u>	<u>33,246</u>	<u>3,398</u>	<u>56,617</u>
Total receipts	<u>19,973</u>	<u>33,246</u>	<u>3,398</u>	<u>56,617</u>
Disbursements:				
Personal services	2,039	-	-	2,039
Other services and charges	<u>26,115</u>	<u>32,142</u>	<u>1,535</u>	<u>59,792</u>
Total disbursements	<u>28,154</u>	<u>32,142</u>	<u>1,535</u>	<u>61,831</u>
Excess (deficiency) of receipts over disbursements	<u>(8,181)</u>	<u>1,104</u>	<u>1,863</u>	<u>(5,214)</u>
Cash and investments - ending	<u>\$ 26,787</u>	<u>\$ (2,670)</u>	<u>\$ 5,952</u>	<u>\$ 30,069</u>

BAILEY-COX-NEWTSON CONSERVANCY DISTRICT
 COMBINING SCHEDULE OF RECEIPTS, DISBURSEMENTS, AND
 CASH AND INVESTMENT BALANCES - REGULATORY BASIS
 For The Year Ended December 31, 2010

	Operation And Maintenance	Debt Service	Cumulative Maintenance	Totals
Cash and investments - beginning	\$ 26,787	\$ (2,670)	\$ 5,952	\$ 30,069
Receipts:				
Taxes	35,254	27,656	3,419	66,329
Total receipts	<u>35,254</u>	<u>27,656</u>	<u>3,419</u>	<u>66,329</u>
Disbursements:				
Personal services	1,850	-	-	1,850
Other services and charges	25,472	31,907	-	57,379
Other disbursements	-	-	2,013	2,013
Total disbursements	<u>27,322</u>	<u>31,907</u>	<u>2,013</u>	<u>61,242</u>
Excess (deficiency) of receipts over disbursements	<u>7,932</u>	<u>(4,251)</u>	<u>1,406</u>	<u>5,087</u>
Cash and investments - ending	<u>\$ 34,719</u>	<u>\$ (6,921)</u>	<u>\$ 7,358</u>	<u>\$ 35,156</u>

BAILEY-COX-NEWTSON CONSERVANCY DISTRICT
SUPPLEMENTARY INFORMATION
SCHEDULE OF CAPITAL ASSETS
December 31, 2010

Capital assets are reported at actual or estimated historical cost based on appraisals or deflated current replacement cost. Contributed or donated assets are reported at estimated fair value at the time received.

<u>Primary Government</u>	<u>Ending Balance</u>
Governmental activities:	
Capital assets, not being depreciated:	
Machinery and equipment	<u>\$ 249,000</u>

BAILEY-COX-NEWTSON CONSERVANCY DISTRICT
 SUPPLEMENTARY INFORMATION
 SCHEDULE OF LONG-TERM DEBT
 December 31, 2010

The District has entered into the following debt:

Description of Debt	Ending Principal Balance	Principal and Interest Due Within One Year
Governmental Activities:		
Bonds payable:		
2003 Refunding Bonds	\$ 286,000	\$ 31,927

BAILEY-COX-NEWTSON CONSERVANCY DISTRICT
EXAMINATION RESULT(S) AND COMMENT(S)

OFFICIAL BOND

No official bond for the financial clerk was presented for our examination. A similar comment was included in prior Reports B18352, B22524, B28144 and B32353.

A financial clerk shall execute a surety bond in the manner prescribed by IC 5-4-1. [IC 14-33-5-18(b)] (Accounting and Uniform Compliance Guidelines Manual for Special Districts, Chapter 1)

PRESCRIBED FORMS

The following prescribed or approved forms were not being used or were not provided for our examination:

Form 359, Ledger of Appropriations, Encumbrances, Disbursements and Balances
Form 354, Claim (General Expense)
Form 364, Accounts Payable Voucher Register

Officials and employees are required to use State Board of Accounts prescribed or approved forms in the manner prescribed. (Accounting and Uniform Compliance Guidelines Manual for Special Districts, Chapter 10)

OVERDRAWN CASH BALANCES

The cash balance of the Debt Service Fund was overdrawn in 2008, 2009, and 2010, and at the end of each year was (\$3,774), (\$2,670), and (\$6,921), respectively. A similar comment was shown in the prior Report B32353.

The cash balance of any fund may not be reduced below zero. Routinely overdrawn funds could be an indicator of serious financial problems which should be investigated by the governmental unit. (Accounting and Uniform Compliance Guidelines Manual for Special Districts, Chapter 10)

FEDERAL AND STATE AGENCIES - COMPLIANCE REQUIREMENTS

The Conservancy District did not file Internal Revenue Service 1099 forms for contractors. An identical comment has been included in the past four reports, the most recent being Report B32353.

Political subdivisions are required to comply with all grant agreements, rules, regulations, bulletins, directives, letters, letter rulings and filing requirements concerning reports and other procedural matters of federal and state agencies, including opinions of the Attorney General of the State of Indiana, and court decisions. Governmental units should file accurate reports required by federal and state agencies. Noncompliance may require corrective action. (Accounting and Uniform Compliance Guidelines Manual for Special Districts, Chapter 10)

Each governmental unit is responsible for compliance with all rules, regulations, guidelines, and directives of the Internal Revenue Service and the Indiana Department of Revenue. All questions concerning taxes should be directed to these agencies. (Accounting and Uniform Compliance Guidelines Manual for Special Districts, Chapter 10)

BAILEY-COX-NEWTSON CONSERVANCY DISTRICT
EXIT CONFERENCE

The contents of this report were discussed on July 28, 2011, with Todd Lawrence, Financial Clerk and Chairman of the Board. The official concurred with our findings.