

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

AUDIT REPORT  
OF  
COUNTY COMMISSIONERS  
SWITZERLAND COUNTY, INDIANA  
January 1, 2012 to December 31, 2012



**FILED**  
02/26/2014



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COUNTY OFFICIALS

| <u>Office</u>                                     | <u>Official</u>                | <u>Term</u>                                  |
|---|--------------------------------|--|
| President of the Board of<br>County Commissioners | Brian L. Morton<br>Mark Lohide | 01-01-12 to 12-31-12<br>01-01-13 to 12-31-13 |
| President of the<br>County Council                | Michael L. Jones               | 01-01-12 to 12-31-13                         |



**STATE OF INDIANA**  
AN EQUAL OPPORTUNITY EMPLOYER

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TO: THE OFFICIALS OF SWITZERLAND COUNTY

We have audited the records of the County Commissioners for the period from January 1, 2012 to December 31, 2012, 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 Result and Comment. The financial transactions of this office are reflected in the Annual Report of Switzerland County for the year 2012.

STATE BOARD OF ACCOUNTS

December 17, 2013

COUNTY COMMISSIONERS  
SWITZERLAND COUNTY  
AUDIT RESULT AND COMMENT

**PAVING PROJECTS NOT BID AND NOT IDENTIFIED**

The County paid David O'Mara Contractor, Inc., \$738,357 during the year 2012 for paving various County Roads. The Board of County Commissioners awarded an annual bid for the year 2009 and extended the contract to the years 2010, 2011, and 2012 in lieu of soliciting annual bids (there were no changes in contract prices for the year 2012 from those listed in the year 2009 bid/contract). As a result of not soliciting bids for paving projects, there was also no listing of the proposed paving projects for the year 2012.

A similar comment appeared in prior Report B41781.

Indiana Code 36-1-12-4(a) (Version a, effective until July 1, 2012)(Version b, effective July 1, 2012) states in part: "This section applies whenever the cost of a public work project will be: (1) at least one hundred fifty thousand dollars (\$150,000) . . ."

Indiana Code 36-1-12-4(b) (Version a, effective until July 1, 2012)(Version b, effective July 1, 2012) states in part:

"The board must comply with the following procedure:

- (1) The board shall prepare general plans and specifications describing the kind of public work required, but shall avoid specifications which might unduly limit competition. . . .
- (2) The board shall file the plans and specifications in a place reasonably accessible to the public, which shall be specified in the notice required by subdivision (3).
- (3) Upon the filing of the plans and specifications, the board shall publish notice in accordance with IC 5-3-1 calling for sealed proposals for the public work needed."

Indiana Code 36-1-12-3(c) states:

"When the project involves the rental of equipment with an operator furnished by the owner, or the installation or application of materials by the supplier of the materials, the project is considered to be a public work project and subject to this chapter. However, an annual contract may be awarded for equipment rental and materials to be installed or applied during a calendar or fiscal year if the proposed project or projects are described in the bid specifications."

COUNTY COMMISSIONERS  
SWITZERLAND COUNTY  
EXIT CONFERENCE

The contents of this report were discussed on December 17, 2013, with Patrick S. Lyons, County Commissioner; Michael L. Jones, President of County Council; and Gayle A. Rayles, Auditor. The officials concurred with our audit finding.