REPORT OF THE AUDIT OF THE LEE COUNTY FISCAL COURT

For The Fiscal Year Ended June 30, 2013



ADAM H. EDELEN AUDITOR OF PUBLIC ACCOUNTS www.auditor.ky.gov

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EXECUTIVE SUMMARY

AUDIT EXAMINATION OF THE LEE COUNTY FISCAL COURT

June 30, 2013

The Auditor of Public Accounts has completed the audit of the Lee County Fiscal Court for fiscal year ended June 30, 2013.

We have issued an unqualified opinion, based on our audit, on the Statement of Receipts, Disbursements, and Changes in Cash Balances and Cash Equivalents - Regulatory Basis of Lee County, Kentucky.

Financial Condition:

The Lee County Fiscal Court had total receipts of \$5,997,356, an increase of \$264,481, disbursement of \$6,245,585, a decrease of \$67,606, and a cash and cash equivalents balance of \$1,053,320, an increase of \$4,399 from the prior year.

Report Comment:

2013-01 The County Should Comply With KRS 424.260 And Bid All Expenditures Over \$20,000

Deposits:

The fiscal court deposits were insured and collateralized by bank securities.

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CERTIFICATION OF COMPLIANCE - LOCAL GOVERNMENT ECONOMIC ASSISTANCE PROGRAM



ADAM H. EDELEN AUDITOR OF PUBLIC ACCOUNTS

To the People of Kentucky
Honorable Steven L. Beshear, Governor
Lori H. Flanery, Secretary
Finance and Administration Cabinet
Honorable Steve Mays, Lee County Judge/Executive
Members of the Lee County Fiscal Court

Independent Auditor's Report

Report on the Financial Statement

We have audited the accompanying Statement of Receipts, Disbursements, and Changes in Cash Balances and Cash Equivalents - Regulatory Basis of Lee County, Kentucky, for the year ended June 30, 2013, and the related notes to the financial statement.

Management's Responsibility for the Financial Statement

Management is responsible for the preparation and fair presentation of this financial statement in accordance with accounting practices prescribed or permitted by the Department for Local Government to demonstrate compliance with the Commonwealth of Kentucky's regulatory basis of accounting and budget laws. Management is also responsible for the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of a financial statement that is free from material misstatement, whether due to fraud or error.

Auditor's Responsibility

Our responsibility is to express an opinion on this financial statement based on our audit. We conducted our audit in accordance with auditing standards generally accepted in the United States of America, the standards applicable to financial audits contained in <u>Government Auditing Standards</u>, issued by the Comptroller General of the United States and the <u>Audit Guide for Fiscal Court Audits</u> issued by the Auditor of Public Accounts, Commonwealth of Kentucky. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statement is free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statement. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the financial statement, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation and fair presentation of the financial statement in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. Accordingly, we express no such opinion. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statement. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.



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Basis for Adverse Opinion on U.S. Generally Accepted Accounting Principles

As described more fully in Note 1, the financial statement is prepared by Lee County, Kentucky on the basis of the accounting practices prescribed or permitted by the Department for Local Government to demonstrate compliance with the Commonwealth of Kentucky's regulatory basis of accounting and budget laws, which is a basis of accounting other than accounting principles generally accepted in the United States of America.

The effects on the financial statement of the variances between the regulatory basis of accounting described in Note 1 and accounting principles generally accepted in the United States of America, although not reasonably determinable, are presumed to be material.

Adverse Opinion on U.S. Generally Accepted Accounting Principles

In our opinion, because of the significance of the matter discussed in the Basis for Adverse Opinion on U.S. Generally Accepted Accounting Principles paragraph, the financial statement referred to above does not present fairly, in accordance with accounting principles generally accepted in the United States of America, the financial position of Lee County, Kentucky as of June 30, 2013, or changes in financial position or cash flows thereof for the year then ended.

Opinion on Regulatory Basis of Accounting

In our opinion, the financial statement referred to above presents fairly, in all material respects, the cash and cash equivalents of Lee County, Kentucky as of June 30, 2013, and its cash receipts and disbursements, for the year then ended, in accordance with the basis of accounting practices prescribed or permitted by the Department for Local Government described in Note 1.

Emphasis of Matters

As discussed in Note 1 to the financial statement, in fiscal year 2013, the Lee County Fiscal Court adopted new accounting guidance on a regulatory basis. Our opinion is not modified with respect to this matter.

Other Matters

Our audit was conducted for the purpose of forming an opinion on the financial statement taken as a whole of Lee County, Kentucky. The budgetary comparison schedules and capital asset schedule are presented for purposes of additional analysis and are not a required part of the financial statement. The budgetary comparison schedules have been subjected to the auditing procedures applied in the audit of the financial statement and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the financial statement or to the financial statement itself, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, the budgetary comparison schedules are fairly stated in all material respects in relation to the basic financial statement. The capital asset schedule has not been subjected to the auditing procedures applied in the audit of the basic financial statement and, accordingly, we do not express an opinion or provide any assurance on it.

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Other Reporting Required by Government Auditing Standards

In accordance with <u>Government Auditing Standards</u>, we have also issued our report dated January 29, 2014 on our consideration of Lee County, Kentucky's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements and other matters. The purpose of that report is to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on the internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with <u>Government Auditing Standards</u> and should be considered in assessing the results of our audit.

Based on the results of our audit, we present the accompanying comment and recommendation included herein, which discusses the following report comment:

2013-01 The County Should Comply With KRS 424.260 And Bid All Expenditures Over \$20,000

Respectfully submitted,

Adam H. Edelen

Auditor of Public Accounts

January 29, 2014

LEE COUNTY OFFICIALS

For The Year Ended June 30, 2013

Fiscal Court Members:

Steve Mays County Judge/Executive

Tim Brandenburg Magistrate

Dean Noe Magistrate

Leonard Carl Ross Magistrate

Everett Lee Marshall Magistrate

Other Elected Officials:

Thomas Hollon County Attorney

Corbett Dunaway Jailer

Kimberly Noe County Clerk

Emma Adams Circuit Court Clerk

Wendell Childers, Jr. Sheriff

Elizabeth Roach Property Valuation Administrator

Ray Shuler Coroner

Appointed Personnel:

Jodi Coldiron County Treasurer
Pearl Spencer Finance Officer

LEE COUNTY STATEMENT OF RECEIPTS, DISBURSEMENTS, AND CHANGES IN CASH BALANCES AND CASH EQUIVALENTS - REGULATORY BASIS

For The Year Ended June 30, 2013

LEE COUNTY STATEMENT OF RECEIPTS, DISBURSEMENTS, AND CHANGES IN CASH BALANCES AND CASH EQUIVALENTS - REGULATORY BASIS

For The Year Ended June 30, 2013

	Budgeted Funds				
	General Fund	Road Fund	Jail Fund		
RECEIPTS					
Taxes	\$ 1,729,626	\$ 6,941	\$		
In Lieu Tax Payments	9,445				
Excess Fees	9,427				
Licenses and Permits	20,210				
Intergovernmental	296,196	1,498,787	65,473		
Charges for Services	11,401				
Miscellaneous	164,835	217,970	4,880		
Interest	326	320	48		
Total Receipts	2,241,466	1,724,018	70,401		
DISBURSEMENTS					
General Government	1,072,320				
Protection to Persons and Property	360,732	755	291,425		
General Health and Sanitation	22,196				
Social Services	77,089				
Recreation and Culture	167,304				
Roads		1,582,945			
Bus Services					
Debt Service		287,495			
Administration	320,807	157,660	16,952		
Total Disbursements	2,020,448	2,028,855	308,377		
Excess (Deficiency) of Receipts Over					
Disbursements Before Other					
Adjustments to Cash (Uses)	221,018	(304,837)	(237,976)		
Other Adjustments to Cash (Uses)					
Governmental Leasing Act Receipts		252,628			
Transfers From Other Funds	200,000	200,000	230,000		
Transfers To Other Funds	(375,000)	(200,000)			
Total Other Adjustments to Cash (Uses)	(175,000)	252,628	230,000		
Net Change in Cash Balances and Cash Equivalents	46,018	(52,209)	(7,976)		
Cash Balances and Cash Equivalents - Beginning (Restated)	508,542	256,023	29,973		
Cash Balances and Cash Equivalents - Ending	\$ 554,560	\$ 203,814	\$ 21,997		

LEE COUNTY STATEMENT OF RECEIPTS, DISBURSEMENTS, AND CHANGES IN CASH BALANCES AND CASH EQUIVALENTS - REGULATORY BASIS For The Year Ended June 30, 2013 (Continued)

		Budgeted Funds	3	_
E	Local overnment conomic ssistance Fund	Ambulance Fund	Solid Waste Fund	Total Funds
\$	502,946	\$	\$	\$ 2,239,513 9,445 9,427
	1,682	10,714	216,348	20,210 2,089,200
	1,002	801,307 11,516	413,751 2,983	1,226,459 402,184
	92	46	86	918
	504,720	823,583	633,168	5,997,356
	43,013 12,240	810,278	590,939	1,072,320 1,463,190 656,148 77,089 179,544 1,582,945
	60,234	1 202	16 945	60,234 305,543
	10,522	1,203 259,961	16,845 82,670	848,572
	126,009	1,071,442	690,454	6,245,585
	378,711	(247,859)	(57,286)	(248,229)
	(355,000)	260,000	40,000	252,628 930,000 (930,000)
	(355,000)	260,000	40,000	252,628
\$	23,711 54,277 77,988	12,141 66,755 \$ 78,896	(17,286) 133,351 \$ 116,065	4,399 1,048,921 \$ 1,053,320

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LEE COUNTY NOTES TO FINANCIAL STATEMENT

June 30, 2013

Note 1. Summary of Significant Accounting Policies

A. Reporting Entity

The financial statement of Lee County includes all budgeted and unbudgeted funds under the control of the Lee County Fiscal Court. Budgeted funds included within the reporting entity are those funds presented in the county's approved annual budget and reported on the quarterly reports submitted to the Department for Local Government. Unbudgeted funds include non-fiduciary financial activities that are within the county's control. Unbudgeted funds may also include any corporation created to act as the fiscal court in the acquisition and financing of any public project which may be undertaken by the fiscal court pursuant to the provisions of Kentucky law and thus accomplish a public purpose of the fiscal court. The unbudgeted funds are not presented in the annual approved budget or in the quarterly reports submitted to the Department for Local Government.

B. Basis of Accounting

The financial statement is presented on a regulatory basis of accounting, which is a basis of accounting other than accounting principles generally accepted in the United States of America (GAAP) as established by the <u>Government Accounting Standards Board</u>. This basis of accounting involves the reporting of cash and cash equivalents and the changes therein resulting from cash inflows (cash receipts) and cash outflows (cash disbursements) to meet the financial reporting requirements of the Department for Local Government and the laws of the Commonwealth of Kentucky.

This regulatory basis of accounting differs from GAAP primarily because the financial statement format does not include the GAAP presentations of government-wide and fund financial statements, cash receipts are recognized when received in cash rather than when earned and susceptible to accrual, and cash disbursements are recognized when paid rather than when incurred or subject to accrual.

Generally and except as otherwise provided by law, property taxes are assessed as of January 1, levied (mailed) November 1, due at discount November 30, due at face value December 31, delinquent January 1 following the assessment, and subject to sale ninety days following April 15.

C. Basis of Presentation

Budgeted Funds

The fiscal court reports the following budgeted funds:

General Fund - This is the primary operating fund of the fiscal court. It accounts for all financial resources of the general government, except where the Department for Local Government requires a separate fund or where management requires that a separate fund be used for some function.

Road Fund - This fund is for road and bridge construction and repair. The primary source of receipts for this fund is state payments for truck licenses distribution, municipal road aid, and transportation grants. The Department for Local Government requires the fiscal court to maintain these receipts and disbursements separately from the General Fund.

Note 1. Summary of Significant Accounting Policies (Continued)

C. Basis of Presentation (Continued)

Budgeted Funds (Continued)

Jail Fund - The primary purpose of this fund is to account for the jail expenses of the county. The primary sources of receipts for this fund are reimbursements from the state and federal government, payments from other counties for housing prisoners, and transfers from the General Fund. The Department for Local Government requires the fiscal court to maintain these receipts and disbursements separately from the General Fund.

Local Government Economic Assistance Fund - The primary purpose of this fund is to account for grants and related expenditures. The primary sources of receipts for this fund are grants from the state and federal governments.

Ambulance Fund - The primary purpose of this fund is to account for the ambulance service expenses of the county. The primary source of receipts for this fund is the ambulance service billings.

Solid Waste Fund - The primary purpose of this fund is to account for garbage collections expenses of the county. The primary source of receipts for this fund is from monthly billing of solid waste collections to users.

Unbudgeted Funds

The Public Service Corporation Fund- The fund is a legally separate entity established to provide debt service for the purchase of real estate property from the Kentucky Mountains Farm Cooperative. The Public Service Corporation's governing body consists entirely of Fiscal Court members. Therefore, management should include the Public Service Corporation as a component unit, and its financial activity should be blended with that of the fiscal court. However, the Public Service Corporation had no financial activity during the year to blend with the fiscal court.

D. Budgetary Information

Annual budgets are adopted on a cash basis of accounting and according to the laws of Kentucky as required by the State Local Finance Officer.

The County Judge/Executive is required to submit estimated receipts and proposed expenditures to the fiscal court by May 1 of each year. The budget is prepared by fund, function, and activity and is required to be adopted by the fiscal court by July 1.

The fiscal court may change the original budget by transferring appropriations at the activity level; however, the fiscal court may not increase the total budget without approval by the State Local Finance Officer. Expenditures may not exceed budgeted appropriations at the activity level.

Note 1. Summary of Significant Accounting Policies (Continued)

E. Lee County Elected Officials

Kentucky law provides for election of the officials below from the geographic area constituting Lee County. Pursuant to state statute, these officials perform various services for the Commonwealth of Kentucky, its judicial courts, the fiscal court, various cities and special districts within the county, and the board of education. In exercising these responsibilities, however, they are required to comply with state laws. Audits of their financial statements are issued separately and individually and can be obtained from their respective administrative offices. These financial statements are not required to be included in the financial statement of Lee County, Kentucky.

- Circuit Court Clerk
- County Attorney
- Property Valuation Administrator
- County Clerk
- County Sheriff

F. Deposits and Investments

The government's cash and cash equivalents are considered to be cash on hand, demand deposits, certificates of deposit, and short-term investments with original maturities of three months or less from the date of acquisition.

KRS 66.480 authorizes the county to invest in the following, including but not limited to, obligations of the United States and of its agencies and instrumentalities, obligations and contracts for future delivery or purchase of obligations backed by the full faith and credit of the United States, obligations of any corporation of the United States government, bonds or certificates of indebtedness of this state, and certificates of deposit issued by or other interest-bearing accounts of any bank or savings and loan institution which are insured by the Federal Deposit Insurance Corporation (FDIC) or which are collateralized, to the extent uninsured, by any obligation permitted by KRS 41.240(4).

G. Long-term Obligations

The fund financial statement recognizes bond interest, as well as bond issuance costs when received or when paid, during the current period. The principal amount of the debt and interest are reported as expenditures. Issuance costs, whether or not withheld from the actual debt proceeds received, are reported as expenditures. Debt proceeds are reported as other adjustments to cash.

H. Joint Venture

A legal entity or other organization that results from a contractual agreement and that is owned, operated, or governed by two or more participants as a separate activity subject to joint control, in which the participants retain (a) an ongoing financial interest or (b) an ongoing financial responsibility is a joint venture. Based upon these criteria, the following is considered a joint venture of the Lee County Fiscal Court: Three Forks Regional Jail.

Note 1. Summary of Significant Accounting Policies (Continued)

H. Joint Venture (Continued)

Three Forks Regional Jail

On October 6, 2000, the Counties of Lee, Owsley and Wolfe (the participating counties) entered into an Interlocal Cooperation Agreement in order to provide for joint and cooperative action in the acquisition, construction, installation, maintenance and financing of the Three Forks Regional Jail. Pursuant to this interlocal agreement, Lee County (the lead county) established the Three Forks Public Properties Corporation, a legally separate organization, to act as an agency and instrumentality of the participating counties in financing the acquisition and construction of the Three Forks Regional Jail. On December 1, 2000, the corporation issued \$6,295,000 of first mortgage revenue bonds.

The only source of funds expected by the Three Forks Public Properties Corporation to meet the debt service requirements on the bonds are the rental payments from the participating counties, as stipulated in the lease and sublease agreements dated October 1, 2000. Pursuant to the lease and sublease, each participating county covenants to meet its proportionate share of the debt service requirements on the bond as follows (the "proportionate share" or "use allowance"): 40% for Lee County, 22% for Owsley County and 38% for Wolfe County.

On December 1, 2000, the three participating counties established the Three Forks Regional Jail Authority pursuant to the provisions of KRS 441.800 and KRS 441.810 to act as the constituted authority of the participating counties in the acquisition, construction, equipping, and operation of the Three Forks Regional Jail.

The Three Forks Regional Jail Authority and the Three Forks Public Property Corporation are comprised of an eight-member board of directors. Lee County appoints three of the eight members. Wolfe and Owsley counties appoint two members each. In addition, the Lee County Jailer is a required member of the board.

Note 2. Deposits

The fiscal court maintained deposits of public funds with depository institutions insured by the Federal Deposit Insurance Corporation (FDIC) as required by KRS 66.480(1)(d). According to KRS 41.240(4), the depository institution should pledge or provide sufficient collateral which, together with FDIC insurance, equals or exceeds the amount of public funds on deposit at all times. In order to be valid against the FDIC in the event of failure or insolvency of the depository institution, this pledge or provision of collateral should be evidenced by an agreement between the county and the depository institution, signed by both parties, that is (a) in writing, (b) approved by the board of directors of the depository institution or its loan committee, which approval must be reflected in the minutes of the board or committee, and (c) an official record of the depository institution. These requirements were met.

Custodial Credit Risk - Deposits

Custodial credit risk is the risk that in the event of a depository institution failure, the government's deposits may not be returned. The government does not have a deposit policy for custodial credit risk, but rather follows the requirements of KRS 41.240(4). As of June 30, 2013, all deposits were covered by FDIC insurance or a properly executed collateral security agreement.

Note 3. Transfers

The table below shows the interfund operating transfers for fiscal year 2013.

	General Fund		Road Fund				Total Transfers In	
General Fund	\$		\$	200,000		\$	200,000	
Road Fund		200,000					200,000	
Jail Fund					230,000		230,000	
Ambulance Fund		175,000			85,000		260,000	
Solid Waste Fund					40,000		40,000	
	·							
Total Transfers Out	\$	375,000	\$	200,000	\$ 355,000	\$	930,000	

Reason for transfers:

To move resources from and to the General Fund and other funds, for budgetary purposes, to the funds that will expend them.

Note 4. Short-term Debt

A. Mack Trucks

In March 2012, the Lee County Fiscal Court entered into a financing obligation agreement for \$238,530 with People's Exchange Bank to purchase Mack trucks. The county purchased heavy trucks to use for one year; then the trucks are to be sold at auction. The terms of the agreement stipulate a one-year repayment schedule, with principal and interest due on March 18, 2012 with an interest rate of 4.0 percent. The debt was paid in full as of June 30, 2013.

B. Mack Trucks

In March 2013, the Lee County Fiscal Court entered into a financing obligation agreement for \$252,628 with People's Exchange Bank to purchase Mack trucks. The county purchased heavy trucks to use for one year; then the trucks are to be sold at auction. The terms of the agreement stipulate a one-year repayment schedule, with principal and interest due on March 13, 2014 with an interest rate of 3.0 percent. The outstanding principal as of June 30, 2013 was \$252,628.

C. Changes In Short-term Debt

Short-term Debt activity for the year ended June 30, 2013, was as follows:

	В	eginning					Ending	\mathbf{D}_{T}	ue Within
		Balance		Additions Reductions		eductions	 Balance		One Year
Financing Obligations	\$	238,530	\$	252,628	\$	238,530	\$ 252,628	\$	252,628
Total Short-term Debt	\$	238,530	\$	252,628	\$	238,530	\$ 252,628	\$	252,628

Note 5. Long-term Debt

A. Rear Loader

In February 2008, the Lee County Fiscal Court entered into a financing obligation agreement for \$111,800 with the Kentucky Association of Counties Leasing Trust Program to purchase a rear loader. The terms of the agreement stipulate an eight-year repayment schedule, with variable monthly payments and variable monthly principal payments to end on March 20, 2016. The outstanding principal as of June 30, 2013 was \$43,172. Future lease principal and interest requirements are:

Fiscal Year Ended June 30	Principal	Interest		
June 30	1 i ii cipai	Interest		
2014	15,370	1,761		
2015	16,340	1,094		
2016	11,462	339		
Totals	\$ 43,172	\$ 3,194		

B. Blacktop Project

In August 2009, the Lee County Fiscal Court entered into a financing obligation agreement for \$300,000 with the Kentucky Association of Counties Leasing Trust Program to pave county roads. The terms of the agreement stipulate an eight-year repayment schedule with variable monthly payments and variable monthly principal payments to end on August 20, 2017. The outstanding principal as of June 30, 2013 was \$168,157. Future lease principal and interest requirements are:

Fiscal Year Ended			Scheduled			
June 30	F	Principal	I	nterest		
2014	\$	37,844	\$	6,709		
2015		39,386		5,071		
2016		40,990		3,372		
2017		42,660		1,600		
2018		7,277		89		
		_				
Totals	\$	168,157	\$	16,841		

Note 5. Long-term Debt (Continued)

C. Heart Start Monitor

In April 2013, the Lee County Fiscal Court entered into a financing obligation agreement for \$21,808 with Phillips Medical Capital to purchase a heart monitor. The terms of the agreement stipulate a forty-eight month repayment schedule with variable monthly payments and variable monthly principal payments to end on April 15, 2017. The outstanding principal as of June 30, 2013 was \$21,010. Future lease principal and interest requirements are:

Fiscal Year Ended June 30	P	rincipal	Scheduled Interest		
2014	\$	5,114	\$	898	
2015		5,366		646	
2016		5,629		383	
2017		4,901		109	
Totals	\$	21,010	\$	2,036	

D. Changes In Long-term Debt

Long-term Debt activity for the year ended June 30, 2013, was as follows:

	В	eginning						Ending	Du	e Within
		Balance	Additions		Reductions		Balance		One Year	
Financing Obligations	\$	262,149	\$	21,808	\$	51,618	\$	232,339	\$	58,328
Total Long-term Debt	\$	262,149	\$	21,808	\$	51,618	\$	232,339	\$	58,328

Note 6. Employee Retirement System

The fiscal court has elected to participate in the County Employees Retirement System (CERS), pursuant to KRS 78.530 administered by the Board of Trustees of the Kentucky Retirement Systems. This is a cost sharing, multiple employer defined benefit pension plan, which covers all eligible full-time employees and provides for retirement, disability and death benefits to plan members. Benefit contributions and provisions are established by statute.

Nonhazardous covered employees are required to contribute 5 percent of their salary to the plan. Nonhazardous covered employees who begin participation on or after September 1, 2008 are required to contribute 6 percent of their salary to the plan. The county's contribution rate for nonhazardous employees was 19.55 percent.

The county's contribution for FY 2011 was \$253,512, FY 2012 was \$385,251, and FY 2013 was \$385,953.

Benefits fully vest on reaching five years of service for nonhazardous employees. Aspects of benefits for nonhazardous employees include retirement after 27 years of service or age 65. Nonhazardous employees who begin participation on or after September 1, 2008 must meet the rule of 87 (members age plus years of service credit must equal 87, and the member must be a minimum of 57 years of age) or the member is age 65, with a minimum of 60 months service credit.

CERS also provides post retirement health care coverage as follows:

For members participating prior to July 1, 2003, years of service and respective percentages of the maximum contribution are as follows:

		% Paid by Member through
Years of Service	% paid by Insurance Fund	Payroll Deduction
20 or more	100%	0%
15-19	75%	25%
10-14	50%	50%
4-9	25%	75%
Less than 4	0%	100%

As a result of House Bill 290 (2004 General Assembly), medical insurance benefits are calculated differently for members who began participation on or after July 1, 2003. Once members reach a minimum vesting period of ten years, non-hazardous employees whose participation began on or after July 1, 2003, earn ten dollars per month for insurance benefits at retirement for every year of earned service without regard to a maximum dollar amount.

Historical trend information showing the CERS' progress in accumulating sufficient assets to pay benefits when due is presented in the Kentucky Retirement Systems' annual financial report. This report may be obtained by writing the Kentucky Retirement Systems, 1260 Louisville Road, Frankfort, KY 40601-6124, or by telephone at (502) 564-4646.

Note 7. Insurance

For the fiscal year ended June 30, 2013, Lee County was a member of the Kentucky Association of Counties' All Lines Fund (KALF). KALF is a self-insurance fund and was organized to obtain lower cost coverage for general liability, property damage, public officials' errors and omissions, public liability, and other damages. The basic nature of a self-insurance program is that of a collectively shared risk by its members. If losses incurred for covered claims exceed the resources contributed by the members, the members are responsible for payment of the excess losses.

Note 8. Subsequent Events

Going Concern Issue - Three Forks Regional Jail Authority, Inc.

Lee County is one of three counties served by the Three Forks Regional Jail Authority, Inc. (a Joint Venture described at Note 1 H). On July 22, 2013, the Three Forks Regional Jail Authority issued their audit report for the fiscal year 2013 that contained the following going concern disclosure:

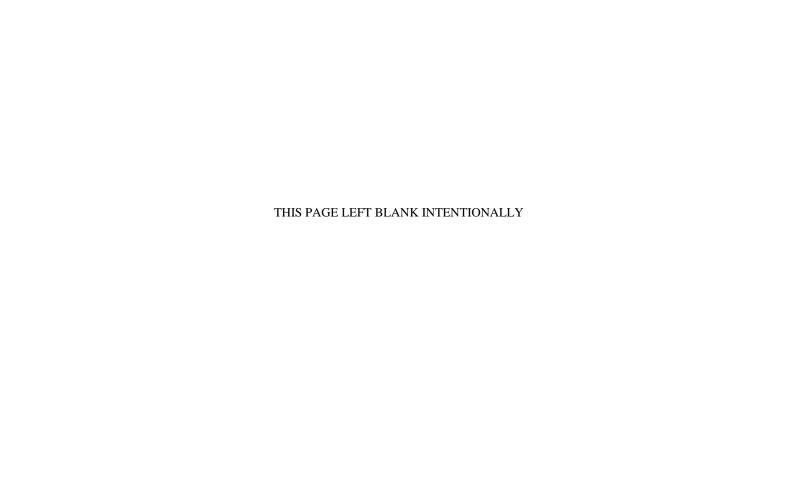
Management has evaluated the Authority's ability to continue as a going concern and serious doubts have been raised. The Authority's operations have shown an operating loss over the past two years, the inmate population is decreasing and costs are increasing. These factors have caused a serious concern about the Authority's ability to continue as a going concern over the next twelve months. Management is investigating options for increasing revenues and decreasing costs.

Note 9. Related Party Transactions

The county paid \$1,320 to Marshall's Catering to cater the county employees' Christmas dinner. Marshall's Catering is owned by Everett Marshall, a magistrate.

Note 10. Change in Basis of Accounting and Prior Period Adjustments

Lee County, Kentucky, has changed its basis of accounting from presenting its financial statements in accordance with the modified cash basis of accounting and relevant Government Accounting Standards Board (GASB) pronouncements to the regulatory basis of accounting as prescribed or permitted by the Department for Local Government and the laws of the Commonwealth of Kentucky. The net effect was an decrease to the beginning balance of the General Fund by \$151,005 and increase the balance of Jail Fund, Local Government Economic Assistance Fund, and Ambulance Fund by \$29,973, \$54,277, \$66,755, respectively on the *Statement of Receipts, Disbursements, and Changes in Cash Balances and Cash Equivalents-Regulatory Basis*.



LEE COUNTY SUPPLEMENTARY SCHEDULES Supplementary Information - Regulatory Basis

For The Year Ended June 30, 2013

LEE COUNTY BUDGETARY COMPARISON SCHEDULES Supplementary Information - Regulatory Basis

For The Year Ended June 30, 2013

	GENERAL FUND								
	Budgeted Amounts Original Final				Actual Amounts, Budgetary Basis)	Fir	riance with nal Budget Positive Negative)		
RECEIPTS		_							
Taxes	\$	2,153,500	\$	2,153,500	\$	1,729,626	\$	(423,874)	
In Lieu Tax Payments		2,800		2,800		9,445		6,645	
Excess Fees		30,280		30,280		9,427		(20,853)	
Licenses and Permits		18,000		18,000		20,210		2,210	
Intergovernmental Revenue		261,300		261,300		296,196		34,896	
Charges for Services		8,000		8,000		11,401		3,401	
Miscellaneous		84,531		84,531		164,835		80,304	
Interest		1,500		1,500		326		(1,174)	
Total Receipts		2,559,911		2,559,911		2,241,466		(318,445)	
DISBURSEMENTS									
General Government		948,192		1,136,780		1,072,320		64,460	
Protection to Persons and Property		277,168		398,709		360,732		37,977	
General Health and Sanitation		245,000		267,556		22,196		245,360	
Social Services		51,300		81,146		77,089		4,057	
Recreation and Culture		85,133		200,708		167,304		33,404	
Capital Projects		600,000		137,982		,		137,982	
Administration		347,813		331,725		320,807		10,918	
Total Disbursements		2,554,606		2,554,606		2,020,448		534,158	
Excess (Deficiency) of Receipts Over									
Disbursements Before Other									
Adjustments to Cash (Uses)		5,305		5,305		221,018		215,713	
Other Adjustments to Cash (Uses)									
Transfers From Other Funds						200,000		200,000	
Transfers To Other Funds		(398,382)		(398,382)		(375,000)		23,382	
Total Other Adjustments to Cash (Uses)		(398,382)		(398,382)		(175,000)		223,382	
Net Change in Cash Balances and Cash Equivalents Cash Balances and Cash Equivalents -		(393,077)		(393,077)		46,018		439,095	
Beginning (Restated)		393,077		393,077		508,542		115,465	
Cash Balances and Cash Equivalents - Ending	\$	0	\$	0	\$	554,560	\$	554,560	

	ROAD FUND								
	Budgeted Amounts Original Final				Actual Amounts, Budgetary Basis)	Variance with Final Budget Positive (Negative)			
RECEIPTS									
In Lieu Tax Payments	\$	24,000	\$	24,000	\$	6,941	\$	(17,059)	
Intergovernmental Revenue		1,142,269		1,352,269		1,498,787		146,518	
Miscellaneous		193,824		193,824		217,970		24,146	
Interest		450		450		320		(130)	
Total Receipts		1,360,543		1,570,543		1,724,018		153,475	
DISBURSEMENTS									
Protection to Persons and Property				755		755			
Roads		945,218		1,586,316		1,582,945		3,371	
Debt Service		289,994		287,861		287,495		366	
Administration		256,331		159,239		157,660		1,579	
Total Disbursements		1,491,543		2,034,171		2,028,855		5,316	
Excess (Deficiency) of Receipts Over Disbursements Before Other									
Adjustments to Cash (Uses)		(131,000)		(463,628)		(304,837)		158,791	
Other Adjustments to Cash (Uses)									
Transfers From Other Funds						200,000		200,000	
Transfers To Other Funds						(200,000)		(200,000)	
Governmental Leasing Act Receipts				252,628		252,628			
Total Other Adjustments to Cash (Uses)				252,628		252,628			
Net Change in Cash Balances and Cash Equivalents		(131,000)		(211,000)		(52,209)		158,791	
Cash Balances and Cash Equivalents - Beginning		131,000		211,000		256,023		45,023	
Cash Balances and Cash Equivalents - Ending	\$	0	\$	0	\$	203,814	\$	203,814	

	JAIL FUND								
	Budgeted Amounts			A (B	Actual mounts, udgetary	Variance with Final Budget Positive			
RECEIPTS		Original		Final		Basis)	<u>(N</u>	legative)	
Intergovernmental Revenue	\$	39,828	\$	39,828	\$	65,473	\$	25,645	
Miscellaneous	Ψ	100	Ψ	100	Ψ	4,880	Ψ	4,780	
Interest		50		50		48		(2)	
Total Receipts		39,978		39,978		70,401		30,423	
DISBURSEMENTS									
Protection to Persons and Property		406,780		406,283		291,425		114,858	
Administration		18,300		18,797		16,952		1,845	
Total Disbursements		425,080		425,080		308,377		116,703	
Excess (Deficiency) of Receipts Over									
Disbursements Before Other									
Adjustments to Cash (Uses)		(385,102)		(385,102)		(237,976)		147,126	
Other Adjustments to Cash (Uses)									
Transfers From Other Funds		380,102		380,102		230,000		(150,102)	
Total Other Adjustments to Cash (Uses)		380,102		380,102		230,000		(150,102)	
Net Change in Cash Balances and Cash Equivalents		(5,000)		(5,000)		(7,976)		(2,976)	
Cash Balances and Cash Equivalents - Beginning		5,000		5,000		29,973		24,973	
Cash Balances and Cash Equivalents - Ending	\$	0	\$	0	\$	21,997	\$	21,997	

LOCAL GOVERNMENT ECONOMIC ASSISTANCE FUND

	 00.12		. (1.1111 (1.1111)	0110	1,110 110 0 10	111110	
	Budgeted	Amo	ounts	A	Actual mounts, udgetary	Fina	ance with al Budget ositive
	Original		Final		Basis)	(Ne	egative)
RECEIPTS							<u> </u>
Intergovernmental Revenue	\$ 499,000	\$	499,000	\$	502,946	\$	3,946
Miscellaneous					1,682		1,682
Interest	50		50		92		42
Total Receipts	499,050		499,050		504,720		5,670
DISBURSEMENTS							
General Health and Sanitation	42,675		45,894		43,013		2,881
Recreation and Culture	12,000		12,240		12,240		,
Roads	63,000		60,504		60,234		270
Administration	12,273		11,310		10,522		788
Total Disbursements	129,948		129,948		126,009		3,939
Excess (Deficiency) of Receipts Over							
Disbursements Before Other							
Adjustments to Cash (Uses)	 369,102		369,102		378,711		9,609
Other Adjustments to Cash (Uses)							
Transfers From Other Funds							
Transfers To Other Funds	(380,102)		(380,102)		(355,000)		25,102
Total Other Adjustments to Cash (Uses)	(380,102)		(380,102)		(355,000)		25,102
Net Change in Cash Balances and Cash Equivalents	(11,000)		(11,000)		23,711		34,711
Cash Balances and Cash Equivalents - Beginning	11,000		11,000		54,277		43,277
zama zama zama zama zama zama zama zama	 11,000		11,000		· .,=. /		,,
Cash Balances and Cash Equivalents - Ending	\$ 0	\$	0	\$	77,988	\$	77,988

AMBULANCE FUND

	Budgeted Amounts Original Final			A (B	Actual mounts, audgetary Basis)	Fin	iance with al Budget Positive Jegative)		
RECEIPTS		<u> </u>							
Intergovernmental Revenue	\$	11,000	\$	11,000	\$	10,714	\$	(286)	
Charges For Services		588,000		678,000		801,307		123,307	
Miscellaneous						11,516		11,516	
Interest		100		100		46		(54)	
Total Receipts		599,100		689,100		823,583		134,483	
DISBURSEMENTS									
Protection to Persons and Property		735,957		833,707		810,278		23,429	
Debt Service		,		2,456		1,203		1,253	
Administration		273,525		263,319		259,961		3,358	
Total Disbursements		1,009,482		1,099,482		1,071,442		28,040	
Excess (Deficiency) of Receipts Over Disbursements Before Other		(410.292)		(410, 292)		(247, 950)		162.522	
Adjustments to Cash (Uses)		(410,382)		(410,382)		(247,859)		162,523	
Other Adjustments to Cash (Uses)									
Transfers From Other Funds		398,382		398,382		260,000		(138,382)	
Total Other Adjustments to Cash (Uses)		398,382		398,382		260,000		(138,382)	
Net Change in Cash Balances and Cash Equivalents Cash Balances and Cash Equivalents - Beginning		(12,000) 12,000		(12,000) 12,000		12,141 66,755		24,141 54,755	
Cash Balances and Cash Equivalents - Ending	\$	0	\$	0	\$	78,896	\$	78,896	

SOLID WASTEFUND

		Budgeted	geted Amounts		A	Actual mounts, udgetary	nts, Final Bu	
	C	Original		Final		Basis)	(No	egative)
RECEIPTS								
Intergovernmental Revenue	\$		\$	211,665	\$	216,348	\$	4,683
Charges for Services		420,000		420,000		413,751		(6,249)
Miscellaneous		3,100		3,100		2,983		(117)
Interest		500		500		86		(414)
Total Receipts		423,600		635,265		633,168		(2,097)
DISBURSEMENTS								
General Health and Sanitation		419,759		650,572		590,939		59,633
Debt Service		16,800		16,939		16,845		94
Administration		104,041		84,754		82,670		2,084
Total Disbursements		540,600		752,265		690,454		61,811
Excess (Deficiency) of Receipts Over								
Disbursements Before Other								
Adjustments to Cash (Uses)		(117,000)		(117,000)		(57,286)		59,714
Other Adjustments to Cash (Uses)								
Transfers From Other Funds						40,000		40,000
Total Other Adjustments to Cash (Uses)						40,000		40,000
Total other ragistilents to cash (oses)						10,000		10,000
Net Change in Cash Balances and Cash Equivalents		(117,000)		(117,000)		(17,286)		99,714
Cash Balances and Cash Equivalents - Beginning		117,000		117,000		133,351		16,351
Cash Balances and Cash Equivalents - Ending	\$	0	\$	0	\$	116,065	\$	116,065

LEE COUNTY NOTES TO SUPPLEMENTARY INFORMATION

June 30, 2013

Note 1. Budgetary Information

Annual budgets are adopted on a cash basis of accounting and according to the laws of Kentucky as required by the State Local Finance Officer.

The County Judge/Executive is required to submit estimated receipts and proposed expenditures to the fiscal court by May 1 of each year. The budget is prepared by fund, function, and activity and is required to be adopted by the fiscal court by July 1.

The fiscal court may change the original budget by transferring appropriations at the activity level; however, the fiscal court may not increase the total budget without approval by the State Local Finance Officer. Expenditures may not exceed budgeted appropriations at the activity level.



LEE COUNTY SUPPLEMENTARY SCHEDULE Other Information - Regulatory Basis

For The Year Ended June 30, 2013

LEE COUNTY SCHEDULE OF CAPITAL ASSETS Other Information - Regulatory Basis

For The Year Ended June 30, 2013

The fiscal court reports the following schedule of capital assets:

	E	Beginning					Ending
		Balance	A	dditions	Deletions		Balance
Land and Land Improvements	\$	319,083	\$		\$	\$	319,083
Construction In Progress		34,446		48,043			82,489
Buildings		285,144		9,520			294,664
Land and Building Improvements		3,183,150		20,753			3,203,903
Vehicles		2,108,452		107,296			2,215,748
Equipment		543,542		259,949			803,491
Infrastructure		4,312,184		413,330			4,725,514
Total Capital Assets	\$ 1	0,786,001	\$	858,891	\$ ()\$	11,644,892

LEE COUNTY NOTES TO OTHER INFORMATION

June 30, 2013

Note 1. Capital Assets

Capital assets, which include land, land improvements, buildings, furniture and office equipment, building improvements, machinery, equipment, and infrastructure assets (roads and bridges) that have a useful life of more than one reporting period based on the government's capitalization policy, are reported as other information. Such assets are recorded at historical cost or estimated historical cost when purchased or constructed.

	Cap	oitalization	Useful Life
	T1	hreshold	(Years)
Land Improvements	\$	12,500	10-60
Buildings and Building Improvements	\$	25,000	10-75
Equipment	\$	2,500	3-25
Vehicles	\$	2,500	3-25
Infrastructure	\$	20,000	10-50

REPORT ON INTERNAL CONTROL OVER FINANCIAL REPORTING AND ON COMPLIANCE AND OTHER MATTERS BASED ON AN AUDIT OF THE FINANCIAL STATEMENT PERFORMED IN ACCORDANCE WITH GOVERNMENT AUDITING STANDARDS



ADAM H. EDELEN AUDITOR OF PUBLIC ACCOUNTS

The Honorable Steve Mays, Lee County Judge/Executive Members of the Lee County Fiscal Court

Report On Internal Control Over Financial Reporting And On Compliance And Other Matters Based On An Audit Of The Financial Statement Performed In Accordance With Government Auditing Standards

Independent Auditor's Report

We have audited, in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in <u>Government Auditing Standards</u> issued by the Comptroller General of the United States, the Statement of Receipts, Disbursements, and Changes in Cash Balances and Cash Equivalents - Regulatory Basis of the Lee County Fiscal Court for the fiscal year ended June 30, 2013 and the related notes to the financial statement and have issued our report thereon dated January 29, 2014. The Fiscal Court's financial statement is prepared on a regulatory basis of accounting, which demonstrates compliance with the laws of Kentucky and is a special purpose framework.

Internal Control Over Financial Reporting

In planning and performing our audit of the financial statement, we considered the Lee County Fiscal Court's internal control over financial reporting to determine audit procedures that are appropriate in the circumstances for the purpose of expressing our opinions on the financial statement, but not for the purpose of expressing an opinion on the effectiveness of the Lee County Fiscal Court's internal control. Accordingly, we do not express an opinion on the effectiveness of the Lee County Fiscal Court's internal control.

A *deficiency in internal control* exists when the design or operation of a control does not allow management or employees in the normal course of performing their assigned functions, to prevent, or detect and correct misstatements on a timely basis. A *material weakness* is a deficiency, or combination of deficiencies, in internal control, such that there is a reasonable possibility that a material misstatement of the entity's financial statement will not be prevented, or detected and corrected on a timely basis. A *significant deficiency* is a deficiency, or a combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance.

Our consideration of internal control over financial reporting was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control over financial reporting that might be material weaknesses or significant deficiencies. Given these limitations, during our audit we did not identify any deficiencies in internal control over financial reporting that we consider to be material weaknesses. However, material weaknesses may exist that have not been identified.



Report On Internal Control Over Financial Reporting And On Compliance And Other Matters Based On An Audit Of Financial Statement Performed In Accordance With Government Auditing Standards (Continued)

Compliance and Other Matters

As part of obtaining reasonable assurance about whether the Lee County Fiscal Court's financial statement is free of material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit and, accordingly, we do not express such an opinion. The results of our tests disclosed an instance of noncompliance or other matters that is required to be reported under Government Auditing Standards and which is described in the accompanying comment and recommendation as item 2013-01.

County Judges' Response to Finding

The Lee County Judge's response to the finding identified in our audit is included in the accompanying comment and recommendation. The County Judge's response was not subjected to the auditing procedures applied in the audit of the financial statement and, accordingly, we express no opinion on it.

Purpose of this Report

The purpose of this report is solely to describe the scope of our testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the entity's internal control or on compliance. This report is an integral part of an audit performed in accordance with <u>Government Auditing Standards</u> in considering the entity's internal control and compliance. Accordingly, this communication is not suitable for any other purpose.

Respectfully submitted,

Adam H. Edelen

Auditor of Public Accounts

January 29, 2014

LEE COUNTY COMMENT AND RECOMMENDATION

Fiscal Year Ended June 30, 2013

LEE COUNTY COMMENT AND RECOMMENDATION

Fiscal Year Ended June 30, 2013

STATE LAWS AND REGULATIONS:

2013-01 The County Should Comply With KRS 424.260 And Bid All Expenditures Over \$20,000

The Lee County Fiscal Court received coal severance funds for the construction of a park pavilion at St. Helens Park. This project was separated into three different contracts, none of which exceeding the \$20,000 bidding requirement. Since the contracts were below \$20,000 the county did not advertise for bids. All contracts were awarded and completed by the same vendor. The Department of Local Government (DLG) investigated and found the pavilion shelter, bathrooms and electrical were part of the same project and were not factually separable, because they are pertained to the construction of a single simple structure. Therefore, the county should have advertised for bids for this project.

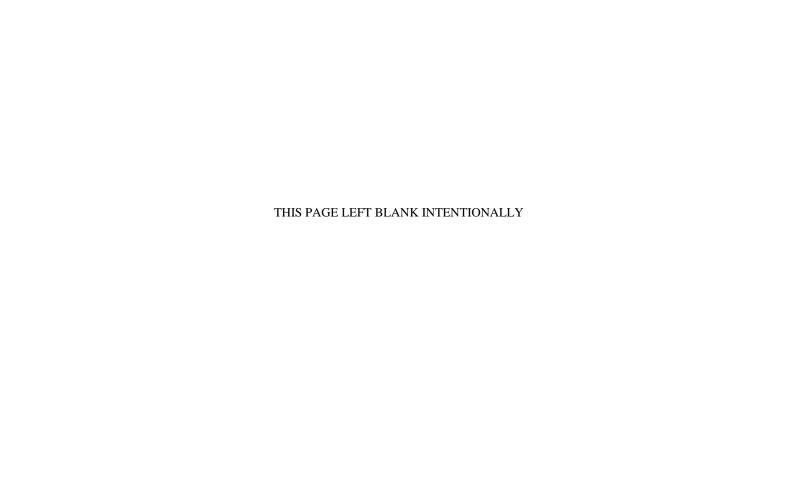
KRS 424.260 states when the county makes a contract, lease, or other agreement involving an expenditure of more than \$20,000, they must advertise for bids. Furthermore, based on an Attorney General opinion (OAG 84-274), the court made it clear that a unit of government in complying with the demands of a bidding statute cannot divide the work and let it under several contracts so as to circumvent the bidding requirements.

Since bidding requirements were not met, the county could have been imposed sanctions including repaying the entire amount of the project back to the state.

We reviewed all expenditures to this vendor and noted another project for the renovation of the Senior Citizens building where total expenditures to this vendor exceeded the \$20,000 bidding requirements.

We recommend the county comply with KRS 424.260 and advertise for bids for purchases more than \$20,000 and for projects exceeding \$20,000.

County Judge/Executive's Response: The Lee County Fiscal Court will comply in the future.



CERTIFICATION OF COMPLIANCE - LOCAL GOVERNMENT ECONOMIC ASSISTANCE PROGRAM

LEE COUNTY FISCAL COURT

For The Fiscal Year Ended June 30, 2013

CERTIFICATION OF COMPLIANCE

LOCAL GOVERNMENT ECONOMIC ASSISTANCE PROGRAM

LEE COUNTY FISCAL COURT

For The Fiscal Year Ended June 30, 2013

The Lee County Fiscal Court hereby certifies that assistance received from the Local Government Economic Assistance Program was expended for the purpose intended as dictated by the applicable Kentucky Revised Statutes.

Jodi Coldiron County Treasurer