
Review of Local Government Audit Reports

Fiscal Year Ending June 30, 2007



OFFICE OF LEGISLATIVE AUDITS
DEPARTMENT OF LEGISLATIVE SERVICES
MARYLAND GENERAL ASSEMBLY

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Karl S. Aro
Executive Director

DEPARTMENT OF LEGISLATIVE SERVICES
OFFICE OF LEGISLATIVE AUDITS
MARYLAND GENERAL ASSEMBLY

Bruce A. Myers, CPA
Legislative Auditor

September 12, 2008

Senator Verna L. Jones, Co-Chair, Joint Audit Committee
Delegate Steven J. DeBoy, Sr., Co-Chair, Joint Audit Committee
Members of Joint Audit Committee
Annapolis, Maryland

The Honorable Peter V. R. Franchot
Comptroller of the Treasury

Mr. Karl S. Aro, Executive Director
Department of Legislative Services

Ladies and Gentlemen:

In accordance with Article 19, Section 40(a) of the Annotated Code of Maryland, we have performed desk reviews of the audit reports filed by each county, incorporated city or town, and taxing district in Maryland for the fiscal year ended June 30, 2007. The desk reviews consisted of assessments of compliance with accounting and auditing standards, evaluations of compliance with certain State laws, and analyses of selected financial data to identify potential financial problems.

Most of the local governments and their independent auditors substantially complied with accounting and auditing standards for the fiscal year ended June 30, 2007. Nevertheless, we identified instances of noncompliance with certain requirements of our audit guidelines, generally accepted accounting principles, and/or generally accepted auditing standards. Letters were sent to 62 local governments and to their independent auditors to notify them of the deficiencies disclosed by our reviews so that corrective actions could be taken to help ensure future compliance.

The financial statements disclosed 26 local governments with uninsured/ uncollateralized bank deposits, which is an area of noncompliance with State law. In addition, our desk reviews identified 6 local governments with potential financial problems (such as deficit fund balances or unfavorable financial trends). Where appropriate, letters were sent to these local governments, and to their legislative representatives, to communicate their noncompliance or potential financial problems, and to request that the local governments advise us of the corrective actions that will be taken.

Respectfully submitted,

Bruce A. Myers, CPA
Legislative Auditor

Table of Contents

Introduction and Scope	4
Results of Desk Reviews	
Audit Reports	
Audit Reports Were Not Filed or Were Not Filed on Time	6
Auditors Issued an Adverse Opinion	7
Auditors' Reports Were Not Presented in Accordance with Generally Accepted Auditing Standards	7
Financial Statements	
Financial Statements Did Not Meet Certain Requirements of Generally Accepted Accounting Principles	8
Financial Statements and Accompanying Notes Did Not Include Certain Required Disclosures	8
Noncompliance with State Law	
Cash Deposits Were Not Fully Collateralized or Insured	9
Potential Financial Problems	
Three Governments Had Unreserved General Fund Deficits	9
Two Governments Had Significant Unfavorable Trends and Ratios	10
The Pension Plan for One Government Was Underfunded	10
Special Taxing Districts	
Required Reports Not Filed	10
Exhibit A – Schedule of Audit Reports Containing Disclosures That Cash Deposits Were Not Fully Collateralized or Otherwise Insured	11
Exhibit B – Schedule of General Fund Deficits	12
Exhibit C – Schedule of Unfavorable General Fund Trends and Ratios	13

Introduction and Scope

Article 19, Section 40(a) of the Annotated Code of Maryland requires each county, incorporated city or town, and taxing district in Maryland to file annual (once every four years under specified conditions) audit reports. There were 190 local government audit reports due for fiscal year 2007 (24 counties, 148 cities and towns, and 18 taxing districts). The reports are to include financial statements with accompanying notes, and auditors' reports that express opinions as to whether the financial statements are fairly presented. The financial statements are required to be prepared in accordance with generally accepted accounting principles and audited in accordance with generally accepted auditing standards. We have prepared and distributed audit guidelines to provide additional information regarding the accounting, reporting, and auditing requirements.

Article 19, Section 40(a) of the Code requires the Office of Legislative Audits to perform a desk review of each local government's annual audit report for compliance with generally accepted accounting principles and auditing standards. Subsections (b) through (f) of Section 40 specify the reporting and review requirements applicable to special taxing districts created by the counties. The applicable county is responsible for reviewing each special taxing district's compliance with the applicable provisions of the law and for submitting the districts' reports to the Office of Legislative Audits. The Office is required to review the results of the counties' reviews and the districts' reports for compliance with the law.

We conducted a desk review of each of the fiscal year 2007 reports that had been received from the counties, incorporated cities and towns, and taxing districts, as well as of three fiscal year 2006 reports (Towns of East New Market and Forest Heights and the City of Glenarden) received subsequent to our previous review. The desk reviews were performed to accomplish the following tasks:

- Identify areas of noncompliance with our audit guidelines and accounting and auditing standards, using a checklist for governmental audits published by the American Institute of Certified Public Accountants.
- Identify any instances of noncompliance with certain provisions of State law (for example, collateral for bank deposits).

- Identify local governments with potential financial problems relating to deficit fund balances, underfunded pension plans, or unfavorable trends and ratios, based on analyses of financial data over the most recent five-year period (July 1, 2002 through June 30, 2007).

We also reviewed each of the fiscal year 2007 special taxing district reports received and the related results of the counties' reviews of these reports. The purpose of our review was to ensure that the counties had reviewed the reports submitted for compliance with the provisions of the law and to identify instances in which required reports were not submitted.

Results of Desk Reviews

Audit Reports

One local government had not filed audit reports for fiscal years 2006 and 2007, and one other local government had not filed an audit report for fiscal year 2007 only. Thirty-three local governments submitted audit reports after the required filing date.

One local government had not filed audit reports for fiscal years 2006 and 2007, and one other local government had not filed an audit report for fiscal year 2007 only. Furthermore, 33 local governments submitted audit reports after the required filing date. The failure of a local government to file an audit, or a delay in filing, results in the lack of timely accountability to its citizens. The submission of audit reports after the required filing date was also noted for 13 of these 33 local governments during our preceding year's review. Article 19, Section 40(a) of the Annotated Code of Maryland requires audit reports to be filed by November 1 after the close of the fiscal year, or by January 1 after the close of the fiscal year for those local governments with a population of more than 400,000.

Audit reports for the fiscal year ended June 30, 2006 and June 30, 2007 had not been received, as of August 28, 2008, for the Mount Savage Special Taxing Area local government entity. The failure of this taxing district to submit audit reports has been reported to the Executive Director of the Department of Legislative Services. If these reports are not filed, the State Comptroller, acting upon the advice of the Executive Director, is authorized by law to discontinue the payment of all funds, grants, or State aid to which the taxing district is entitled.

Additionally, an audit report for the fiscal year ended June 30, 2007 had not been received for the Town of Forest Heights as of August 28, 2008.

We will review these fiscal year 2006 and 2007 audit reports and take any follow-up action necessary when they are received. The results of these reviews will be included in the report on our review of fiscal year 2008 local government audit reports.

The Town of Barclay and the Village of Port Tobacco requested and were granted waivers from filing audit reports in fiscal year 2007 because they met the conditions for filing an audit report every fourth year as provided for under Article 19, Section 40(a) of the Code. These entities will next be required to file an audit report for fiscal year 2010. The Towns of Brookview, Church Creek, Eldorado, Galestown, Henderson, Hillsboro, Marydel, Queen Anne, and Templeville had previously requested and were granted waivers from filing audit

reports. These towns will next be required to file an audit report for either fiscal year 2008 or fiscal year 2009.

The audit report for one local government contained an adverse opinion.

The audit report for the Town of Sykesville contained an adverse opinion related to the discretely presented component unit for fiscal year 2007 due to the omission of financial data for the Town's legally separate component unit. Specifically, the Warfield Development Corporation was determined to be a component unit of the Town based on criteria established by generally accepted accounting principles. Accordingly, financial data for the Corporation should be reported as part of the Town's financial reporting entity. However, the Corporation's financial statements were not included in the Town's financial statements because audited financial statements were not available for the Corporation for the fiscal year ended June 30, 2007. The Town's audit report for fiscal year 2006 also contained an adverse opinion due to this situation.

An adverse opinion states that the financial statements for an opinion unit (or for the financial statements taken as a whole) do not present fairly the financial position, changes in financial position or, where applicable, cash flows in conformity with generally accepted accounting principles.

Auditors' reports for 16 local governmental units were not presented in accordance with certain generally accepted auditing standards.

Auditors' reports for 16 local governmental units were not presented in accordance with generally accepted auditing standards. The auditors' reports for 8 of these local governmental units included a deficiency that was also cited during our previous year's review. The following is a summary of these deficiencies:

Area of Noncompliance	Number of Audit Reports
Auditor did not express an opinion(s) on all opinion units or on all financial statements or information.	10
Auditor's report did not include all basic elements of an audit report (for example, report was not presented in accordance with the State and Local Governments Audit Guide published by the American Institute of Certified Public Accountants).	5
Auditor's report did not report on all prior-period financial information presented.	1

Article 19, Section 40(a) of the Annotated Code of Maryland requires that audits be performed in accordance with generally accepted auditing standards. These standards require, in part, that the auditor express an opinion(s) as to whether the basic financial statements present fairly, in all material respects, the respective financial position, the respective changes in financial position, and cash flows, where applicable, of the local government in conformity with accounting principles generally accepted in the United States of America.

Financial Statements

Financial statements submitted by 24 local governments did not meet certain requirements of generally accepted accounting principles.

Financial statements submitted by 24 local governments did not meet certain requirements of generally accepted accounting principles. The financial statements of 2 of these local governments included two or more such deficiencies, and the financial statements of 8 of these local governments included one or more deficiencies that were also cited during our preceding year's review. The following is a summary of the deficiencies and the corresponding number of instances:

Deficiency	Number of Instances
Misclassification or improper presentation (for example, presentation of Statement of Cash Flows was improper).	15
All required financial statements were not presented or presentation of statement(s) was inappropriate.	12

Financial statements and accompanying notes for 11 local governments did not include certain disclosures required by generally accepted accounting principles.

Certain required information was not included in the financial statements, or in the accompanying notes, for 11 audit reports. The financial statements of 3 of these local governments included two or more areas of insufficient disclosure, and the financial statements for 8 of these local governments included an area of insufficient disclosure that was also cited during our preceding year's review. Adequate disclosure is necessary to facilitate the understanding of, and to provide for fair presentation of the financial information. The following is a summary of these areas of insufficient disclosure and the corresponding number of instances:

Area of Insufficient Disclosure	Number of Instances
Basis of accounting or revenue recognition policies	7
Long-term or short-term debt	6
Capital assets	2

Noncompliance with State Law

Financial statements of 26 local governments contained disclosures that cash deposits were not fully collateralized, or otherwise insured, as required by State law.

Financial statements of 26 local governments contained disclosures that cash deposits were not fully collateralized, or otherwise insured, as required by State law (Exhibit A). Article 95, Section 22 of the Annotated Code of Maryland requires that deposits with financial institutions by local governmental units be fully collateralized. Full collateralization minimizes the risk of loss of deposits in the event the financial institution defaults.

Potential Financial Problems

For the fiscal year ended June 30, 2007, the following potential financial problems were noted based on the information presented in the local governments' audited financial statements and accompanying notes.

Unreserved general fund deficit balances were noted for three local governments as of June 30, 2007.

Unreserved general fund deficit balances were noted for three local governments as of June 30, 2007 (Exhibit B). The general fund is used to account for most of the current operating expenditures of a local governmental unit. A general fund deficit balance represents the costs of current or past services that will need to be financed in future periods. Consequently, a general fund deficit may indicate a potential financial problem. All three of these local governments also had a general fund deficit as of June 30, 2006.

Significant unfavorable trends and ratios were noted for two local governments as of June 30, 2007.

Significant unfavorable trends and ratios were noted for two local governments as of June 30, 2007 (Exhibit C). The unfavorable trends and ratios occurred because, over the five-year period reviewed, the local governments had general fund expenditures that exceeded general fund revenues, significant decreases in general fund balances, and significant decreases in the ratio of general fund balances to general fund expenditures.

The pension plan for one local government was significantly underfunded.

One local government had a pension plan that was significantly underfunded. Specifically, members of the Fire and Police Departments of Baltimore City, who were hired prior to January 1, 1947, were eligible for coverage under a defined benefit retirement plan. All employees eligible under the plan have retired. The City funds pension benefits under this plan on a “pay-as-you-go” basis. During fiscal year 2007, the City contributed approximately \$2.2 million to the plan. The present value of future benefits related to this plan was approximately \$9.3 million as of June 30, 2007.

Special Taxing Districts

The preceding contents of this report are applicable to local governments filing audit reports in accordance with the provisions of Article 19, Section 40(a) of the Code. Subsections (b) through (f) of this Section require that certain types of special taxing districts file annual audit or financial reports with the county in which they are located within 90 days of the close of the fiscal year in accordance with the rules and regulations established by the applicable county. The applicable county is responsible for reviewing each district’s compliance with the applicable provisions of the law and for submitting copies of these reports to the Office of Legislative Audits.

The required reports have not been filed for three special taxing districts.

As of August 28, 2008, we had not received the required reports for three special taxing districts located in Anne Arundel County for the fiscal year ended June 30, 2007. The County advised us that they were in the process of pursuing compliance with applicable filing requirements for these districts and that appropriate follow-up action would be taken (for example, withholding County funds).

Exhibit A

Schedule of Audit Reports Containing Disclosures That Cash Deposits Were Not Fully Collateralized or Otherwise Insured

<u>Entity</u>	<u>Uninsured/ Uncollateralized Amount</u>	<u>Similar Disclosures Included in Audit Reports for Each Year Since Fiscal Year</u>
<u>At June 30, 2007</u>		
Counties		
Allegany County	\$ 2,169,165	
Anne Arundel County	325,201	2000
Caroline County	96,000	2005
Dorchester County	53,000	2003
Frederick County	788,567	
Howard County	473,797	
Prince George's County	12,000	
Cities and Towns		
Town of Cheverly	93,468	2006
Village of Chevy Chase, Section 5	1,507	2003
Town of Chevy Chase View	76,068	
Town of East New Market	384,424	
Town of Emmitsburg	2,643	
Town of Glen Echo*	9,416	2001
City of Havre de Grace	179,974	2004
Town of Hurlock	741,187	
Town of Morningside	7,101	
City of New Carrollton	63,118	
Town of Oakland	424,236	
Town of Oxford	105,446	
Town of Pittsville	248,220	2003
Town of Ridgely	28,465	2006
City of Salisbury	178,000	2005
Town of Sharptown	19,340	
Town of Willards	81,937	
Town of Williamsport	74,995	
Taxing Districts		
Maryland National Capital Park and Planning Commission	235,523	
* This Town's financial statement also disclosed that uninsured/uncollateralized cash existed throughout the fiscal year, although the financial statement did not disclose the dollar amount of the uninsured/uncollateralized cash deposits during the year.		

Exhibit B
Schedule of General Fund Deficits
Fiscal Year Ended June 30, 2007

Entity	Unreserved Fund Balance (Deficit) at July 1, 2006	Revenues and Other Increases	Expenditures and Other Decreases	Unreserved Fund Balance (Deficit) at June 30, 2007
Cities and Towns				
Town of Morningside	\$ (352,929)	\$ 1,048,746	\$ 880,113	\$ (184,296)
Town of Myersville	(297,324)	1,370,093	1,493,445	(420,676)
Town of Ridgely	(33,313)	1,416,709	1,447,124	(63,728)

Exhibit C
Schedule of Unfavorable General Fund Trends and Ratios
Fiscal Year Ended June 30, 2007

<u>Entity</u>	<u>Unfavorable Trend or Ratio</u>
City of Havre de Grace	<p>Expenditures and other fund uses exceeded revenues and other fund sources for the fiscal years ending June 30, 2005 and 2007.</p> <p>Fund balance decreased from \$955,161 as of June 30, 2006 to \$421,914 as of June 30, 2007.</p> <p>Fund balance as a percentage of annual expenditures decreased from 11% as of June 30, 2006 to 4% as of June 30, 2007.</p>
Town of Vienna	<p>Expenditures and other fund uses exceeded revenues and other fund sources for the fiscal years ending June 30, 2004, 2006, and 2007.</p> <p>Fund balance decreased from \$91,494 as of June 30, 2003 to \$8,087 as of June 30, 2007.</p> <p>Fund balance as a percentage of annual expenditures decreased from 45% as of June 30, 2003 to 5% as of June 30, 2007.</p>

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