



**TUSCARAWAS COUNTY LAW LIBRARY ASSOCIATION
TUSCARAWAS COUNTY
REGULAR AUDIT
FOR THE YEARS ENDED DECEMBER 31, 2007-2006**



Mary Taylor, CPA
Auditor of State

**TUSCARAWAS COUNTY LAW LIBRARY ASSOCIATION
TUSCARAWAS COUNTY**

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Mary Taylor, CPA

Auditor of State

Tuscarawas County Law Library Association
Tuscarawas County
101 East High Avenue
New Philadelphia, Ohio 44663

To the Board of Trustees:

As you are aware, the Auditor of State's Office (AOS) must modify the *Independent Accountants' Report* we provide on your financial statements due to an interpretation from the American Institute of Certified Public Accountants (AICPA). While AOS does not legally require your government to prepare financial statements pursuant to Generally Accepted Accounting Principles (GAAP), the AICPA interpretation requires auditors to formally acknowledge that you did not prepare your financial statements in accordance with GAAP. Our Report includes an adverse opinion relating to GAAP presentation and measurement requirements, but does not imply the amounts the statements present are misstated under the non-GAAP basis you follow. The AOS report also includes an opinion on the financial statements you prepared using the cash basis and financial statement format the AOS permits.

A handwritten signature in cursive script that reads "Mary Taylor".

Mary Taylor, CPA
Auditor of State

September 16, 2008

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Mary Taylor, CPA

Auditor of State

INDEPENDENT ACCOUNTANTS' REPORT

Tuscarawas County Law Library Association
Tuscarawas County
101 East High Avenue
New Philadelphia, Ohio 44663

To the Board of Trustees:

We have audited the accompanying financial statements of the general fund, and the retained monies fund of the Tuscarawas County Law Library Association, Tuscarawas County, Ohio (the Library) as of and for the years ended December 31, 2007 and 2006. These financial statements are the responsibility of the Library's management. Our responsibility is to express an opinion on these financial statements based on our audit.

We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in the Comptroller General of the United States' *Government Auditing Standards*. Those standards require that we plan and perform the audit to reasonably assure whether the financial statements are free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation. We believe our audit provides a reasonable basis for our opinion.

The financial statements present only the general fund and the retained monies fund and do not intend to present fairly the financial position or results of operations of all the Library funds.

As described more fully in Note 1, the Library has prepared these financial statements using accounting practices the Auditor of State prescribes or permits. These practices differ from accounting principles generally accepted in the United States of America (GAAP). Although we cannot reasonably determine the effects on the financial statements of the variances between these regulatory accounting practices and GAAP, we presume they are material.

GAAP requires presenting entity wide statements and also presenting the Library's larger (i.e. major) funds separately. While the Library does not follow GAAP, generally accepted auditing standards requires us to include the following paragraph if the statements do not substantially conform to GAAP presentation requirements. The Auditor of State permits, but does not require Libraries to reformat their statements. The Library has elected not to follow GAAP statement formatting requirements. The following paragraph does not imply the amounts reported are materially misstated under the accounting basis the Auditor of State permits. Our opinion on the fair presentation of the amounts reported pursuant to its non-GAAP basis is in the second following paragraph.

In our opinion, because of the effects of the matter discussed in the preceding two paragraphs, the financial statements referred to above for the years ended December 31, 2007 and 2006 do not present fairly, in conformity with accounting principles generally accepted in the United States of America, the financial position of the Library as of December 31, 2007 and 2006, or its changes in financial position for the years then ended.

Also, in our opinion, the financial statements referred to above present fairly, in all material respects, the fund cash balances of the Tuscarawas County Law Library Association, Tuscarawas County, general fund and the retained monies fund as of December 31, 2007 and 2006, and its cash receipts and disbursements for the years then ended on the accounting basis Note 1 describes.

The Library has not presented Management's Discussion and Analysis, which accounting principles generally accepted in the United States of America has determined is necessary to supplement, although not required to be part of, the financial statements.

In accordance with *Government Auditing Standards*, we have also issued our report dated September 16, 2008, on our consideration of the Library's internal control over financial reporting and our tests of its compliance with certain provisions of laws, regulations, contracts and grant agreements and other matters. While we did not opine on the internal control over financial reporting or on compliance, that report describes the scope of our testing of internal control over financial reporting and compliance, and the results of that testing. That report is an integral part of an audit performed in accordance with *Government Auditing Standards*. You should read it in conjunction with this report in assessing the results of our audit.



Mary Taylor, CPA
Auditor of State

September 16, 2008

**TUSCARAWAS COUNTY LAW LIBRARY ASSOCIATION
TUSCARAWAS COUNTY**

**STATEMENT OF CASH RECEIPTS, CASH DISBURSEMENTS, AND
CHANGES IN FUND CASH BALANCES
ALL PUBLIC FUNDS
FOR THE YEAR ENDED DECEMBER 31, 2007**

	<u>General Fund</u>	<u>Retained Monies Fund</u>	<u>Totals (Memorandum Only)</u>
Cash Receipts:			
Fine and Forfeitures	\$167,164		\$167,164
Interest	42	\$1,772	1,814
Miscellaneous	278		278
Total Cash Receipts	<u>167,484</u>	<u>1,772</u>	<u>169,256</u>
Cash Disbursements:			
Salaries	9,901		9,901
Supplies and Materials	139,286		139,286
Refunds to Relative Income Sources - See Note 3	15,183		15,183
Purchased Services	5,519		5,519
Equipment	5,941		5,941
Other	4,415		4,415
Total Cash Disbursements	<u>180,245</u>	<u>0</u>	<u>180,245</u>
Total Cash Receipts Over/(Under) Cash Disbursements	<u>(12,761)</u>	<u>1,772</u>	<u>(10,989)</u>
Other Financing Receipts/(Disbursements):			
Remittance to Retained Funds	(1,687)		(1,687)
Retained Monies		1,687	1,687
Total Other Financing Receipts/(Disbursements)	<u>(1,687)</u>	<u>1,687</u>	<u>0</u>
Excess (Deficiency) of Cash Receipts and Other Financing Receipts Over (Under) Cash Disbursements and Other Financing Disbursements	<u>(14,448)</u>	<u>3,459</u>	<u>(10,989)</u>
Public Fund Cash Balances, January 1	<u>16,870</u>	<u>40,514</u>	<u>57,384</u>
Public Fund Cash Balances, December 31	<u><u>\$2,422</u></u>	<u><u>\$43,973</u></u>	<u><u>\$46,395</u></u>

The notes to the financial statements are an integral part of this statement.

**TUSCARAWAS COUNTY LAW LIBRARY ASSOCIATION
TUSCARAWAS COUNTY**

**STATEMENT OF CASH RECEIPTS, CASH DISBURSEMENTS, AND
CHANGES IN FUND CASH BALANCES
ALL PUBLIC FUNDS
FOR THE YEAR ENDED DECEMBER 31, 2006**

	General Fund	Retained Monies Fund	Totals (Memorandum Only)
Cash Receipts:			
Fine and Forfeitures	\$140,854		\$140,854
Interest	27	\$1,483	1,510
Miscellaneous	482		482
Total Cash Receipts	141,363	1,483	142,846
Cash Disbursements:			
Supplies and Materials	109,596		109,596
Refunds to Relative Income Sources - See Note 3	4,802		4,802
Purchased Services	7,377		7,377
Equipment	4,400		4,400
Other	3,120		3,120
Total Cash Disbursements	129,295	0	129,295
Total Cash Receipts Over Cash Disbursements	12,068	1,483	13,551
Other Financing Receipts/(Disbursements):			
Remittance to Retained Funds	(534)		(534)
Retained Monies		534	534
Total Other Financing Receipts/(Disbursements)	(534)	534	0
Excess of Cash Receipts and Other Financing Receipts Over Cash Disbursements and Other Financing Disbursements	11,534	2,017	13,551
Public Fund Cash Balances, January 1 - Restated - See Note 2	5,336	38,497	43,833
Public Fund Cash Balances, December 31	\$16,870	\$40,514	\$57,384

The notes to the financial statements are an integral part of this statement.

**TUSCARAWAS COUNTY LAW LIBRARY ASSOCIATION
TUSCARAWAS COUNTY**

**NOTES TO THE FINANCIAL STATEMENTS
DECEMBER 31, 2007 AND 2006**

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

A. Description of the Entity

The Tuscarawas County Law Library Association (the Library) is governed by a board of seven trustees. Members of the Law Library Association annually elect the board members. The Library provides access to all county officers and the judges of the several courts within the county.

The Library operates by receiving a portion of fine and forfeiture monies from the courts (and any associated interest) under Ohio Revised Code (ORC) §§ 3375.50 to .53, inclusive. ORC § 3375.54 authorizes the Library to disburse funds to purchase, lease or rent law books; computer communications consoles to access a system of computerized legal research; microfilm materials and equipment, videotape materials and equipment; audio or visual materials and equipment; and other services, materials, and equipment that provide legal information or facilitate legal research.

ORC §3375.49 requires the Tuscarawas County Commissioners to provide adequate facilities for the Library, including suitable bookcases, heating and lighting for the rooms.

The Board of Trustees hire a librarian and not more than two assistant law librarians. The Judges of the Court of Common Pleas of Tuscarawas County fix these librarians' compensation pursuant to ORC § 3375.48. If the Library provides free access to all county officers and the judges of the several courts, the County treasury pays the librarians' salary. If the Library does not provide free access, the Library must pay the librarians' salary. ORC § 3375.49 was revised for the beginning of 2007 with the County treasury being responsible for eighty percent of the librarian's salary and the Library being responsible for the remaining twenty percent.

The Library's management believes these financial statements present all public funds for which the Library is financially accountable.

The Library deems some funds it receives as private monies. Private monies include: membership dues, overdue book charges, and photocopying charges. Fees the Library collects for the use of books and copiers remain private even though the books and copiers may have been purchased with public funds. The Library need not comply with ORC § 3375.54 when disbursing private money. The accompanying financial statements do not present private monies.

B. Accounting Basis

These financial statements follow the accounting basis the Auditor of State prescribes or permits. This basis is similar to the cash receipts and disbursements accounting basis. The Library recognizes receipts when received in cash rather than when earned, and recognizes disbursements when paid rather than when a liability is incurred.

These statements include adequate disclosure of material matters, as the Auditor of State prescribes or permits.

**TUSCARAWAS COUNTY LAW LIBRARY ASSOCIATION
TUSCARAWAS COUNTY**

**NOTES TO THE FINANCIAL STATEMENTS
DECEMBER 31, 2007 AND 2006
(Continued)**

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)

C. Cash and Investments

The Library maintains all cash in an interest bearing checking account, savings account, and certificates of deposit.

D. Fund Accounting

The Library uses fund accounting to segregate cash and investments that are restricted as to use. The Library classifies its funds into the following types:

1. General Fund

The General Fund reports all financial resources except those required to be accounted for in another fund.

2. Retained Monies Fund

Retained Monies Fund reports funds the Library retains under Ohio Revised Code § 3375.56. At the end of each calendar year the Library may retain up to ten percent of their unencumbered balance. See footnote 3 for additional information.

E. Property, Plant, and Equipment

The Library records disbursements for acquisitions of property, plant, and equipment when paid. The accompanying financial statements do not report these items as assets.

F. Refund to Relative Income Sources

If certain conditions are met, Ohio Revised Code § 3375.56 requires the Library to refund at least ninety percent of any *unencumbered* balance to political subdivisions that provided revenues to the Library. See Footnote 3 for additional information.

G. Accumulated Leave

In certain circumstances, such as upon leaving employment, employees are entitled to cash payments for unused leave. The financial statements do not include a liability for unpaid leave.

H. Total Columns on Financial Statements

Total columns on the financial statements are captioned (Memorandum Only) to indicate that they are presented only to facilitate financial analysis. Data in these columns do not present financial position, or results of operations in conformity with the Library's accounting basis. Neither is such data comparable to a consolidation. The Library does not eliminate interfund transactions when aggregating this data.

**TUSCARAWAS COUNTY LAW LIBRARY ASSOCIATION
TUSCARAWAS COUNTY**

**NOTES TO THE FINANCIAL STATEMENTS
DECEMBER 31, 2007 AND 2006
(Continued)**

2. RESTATEMENT OF BEGINNING FUND BALANCE

To report disbursements in the year they were made, the January 1, 2006 General Fund balance was restated as follows:

January 1, 2006 Fund Balance as reported	\$0
 Adjustments:	
Disbursements made in 2007 reported in 2006	<u>5,336</u>
Restated January 1, 2006 Fund Balance	<u><u>\$5,336</u></u>

3. REFUND TO RELATIVE INCOME SOURCES AND AMOUNT RETAINED

In any year that receipts exceed disbursements, the Library refunds at least ninety percent of the balance to the political subdivisions who provided the funds and retains the remainder. Ohio Revised Code § 3375.56 requires this "refund to relative income sources". The following tables present the refunded and retained amounts during 2007 and 2006.

Balance at December 31, 2006	
<u>Refunded and Retained During Calendar Year 2007</u>	
Balance at December 31, 2006	\$16,870
Refunded to Relative Sources during 2007	<u>15,183</u>
Retained Funds Amount during 2007	<u><u>\$1,687</u></u>

Balance at December 31, 2005	
<u>Refunded and Retained During Calendar Year 2006</u>	
Balance at December 31, 2005	\$5,336
Refunded to Relative Sources during 2006	<u>4,802</u>
Retained Funds Amount during 2006	<u><u>\$534</u></u>

**TUSCARAWAS COUNTY LAW LIBRARY ASSOCIATION
TUSCARAWAS COUNTY**

**NOTES TO THE FINANCIAL STATEMENTS
DECEMBER 31, 2007 AND 2006**

4. EQUITY IN POOLED CASH AND INVESTMENTS

The Library maintains a cash and investments pool all funds use. The Ohio Revised Code prescribes allowable deposits and investments. The carrying amount of cash and investments at December 31 was as follows:

	2007	2006
Demand deposits	\$5,876	\$18,600
Certificates of deposit	40,519	38,784
Total deposits	\$46,395	\$57,384

Deposits: Deposits are insured by the Federal Depository Insurance Corporation or the National Credit Union Administration.

5. RISK MANAGEMENT

Commercial Insurance

The Library has obtained commercial insurance for the following risks:

- Comprehensive property and general liability; and
- Inland Marine; and
- Errors and omissions.

6. RETIREMENT SYSTEM

The Library's employees belong to the Ohio Public Employees Retirement System (OPERS). OPERS is a cost-sharing, multiple-employer plan. The Ohio Revised Code prescribes this plan's benefits, which include postretirement healthcare and survivor and disability benefits.

The Ohio Revised Code also prescribes contribution rates. For 2007, OPERS members contributed 9.5 percent and 9.0 percent, respectively, of their gross salaries and the Library contributed an amount equaling 13.85 percent and 13.70 percent, respectively, of participants' gross salaries. The Library has paid all contributions required through December 31, 2007.



Mary Taylor, CPA

Auditor of State

INDEPENDENT ACCOUNTANTS' REPORT ON INTERNAL CONTROL OVER FINANCIAL REPORTING AND ON COMPLIANCE AND OTHER MATTERS REQUIRED BY *GOVERNMENT AUDITING STANDARDS*

Tuscarawas County Law Library Association
Tuscarawas County
101 East High Avenue
New Philadelphia, Ohio 44663

To the Board of Trustees:

We have audited the financial statements of the Tuscarawas County Law Library Association, Tuscarawas County, Ohio, (the Library) as of and for the years ended December 31, 2007 and 2006, and have issued our report thereon dated September 16, 2008, wherein we noted the Library followed accounting practices the Auditor of State prescribes rather than accounting principles generally accepted in the United States of America. We also noted the financial statements include only the general fund and the retained monies. We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in the Comptroller General of the United States' *Government Auditing Standards*.

Internal Control Over Financial Reporting

In planning and performing our audit, we considered the Library's internal control over financial reporting as a basis for designing our audit procedures for expressing our opinion on the financial statements, but not to opine on the effectiveness of the Library's internal control over financial reporting. Accordingly, we have not opined on the effectiveness of the Library's internal control over financial reporting.

Our consideration of internal control over financial reporting was for the limited purpose described in the preceding paragraph and would not necessarily identify all deficiencies in internal control over financial reporting that might be significant deficiencies or material weaknesses. However, as discussed below, we identified a certain deficiency in internal control over financial reporting that we consider a significant deficiency.

A control deficiency exists when the design or operation of a control does not allow management or employees, in performing their assigned functions, to prevent or detect misstatements on a timely basis. A significant deficiency is a control deficiency, or combination of control deficiencies, that adversely affects the Library's ability to initiate, authorize, record, process, or report financial data reliably in accordance with its applicable accounting basis, such that there is more than a remote likelihood that the Library's internal control will not prevent or detect a more-than-inconsequential financial statement misstatement.

We consider Finding Number 2007-001 described in the accompanying Schedule of Findings to be a significant deficiency in internal control and financial reporting.

A material weakness is a significant deficiency, or combination of significant deficiencies resulting in more than a remote likelihood that the Library's internal control will not prevent or detect a material financial statement misstatement.

Our consideration of internal control over financial reporting was for the limited purpose described in the first paragraph of this section and would not necessarily identify all deficiencies in the internal control that might be significant deficiencies and accordingly, would not necessarily disclose all significant deficiencies that are also material weaknesses. We believe the significant deficiency described above is not a material weakness.

We noted certain matters that we reported to the Library's management in a separate letter dated September 16, 2008.

Compliance and Other Matters

As part of reasonably assuring whether the Library's financial statements are free of material misstatement, we tested its compliance with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could directly and materially affect 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 an opinion. The results of our tests disclosed no instances of noncompliance or other matters we must report under *Government Auditing Standards*.

We did note certain noncompliance or other matters that we reported to the Library's management in a separate letter dated September 16, 2008.

The Library's response to the finding identified in our audit is described in the accompanying Schedule of Findings. We did not audit the Library's response and, accordingly, we express no opinion on it.

We intend this report solely for the information and use of the management and the Board of Trustees. It is not intended for anyone other than these specified parties.



Mary Taylor, CPA
Auditor of State

September 16, 2008

**TUSCARAWAS COUNTY LAW LIBRARY ASSOCIATION
TUSCARAWAS COUNTY**

**SCHEDULE OF FINDINGS
DECEMBER 31, 2007 AND 2006**

FINDINGS RELATED TO THE FINANCIAL STATEMENTS REQUIRED TO BE REPORTED IN ACCORDANCE WITH GAGAS
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FINDING NUMBER 2007-001

Significant Deficiency

Bank to Book Reconciliations

During 2007, the following errors were noted with the bank to book reconciliations:

- The Law Library created and voided check number 7457 in the amount of \$186; however, the check was still reported as a disbursement on the 2007 financial statements.
- A \$600 check was written in 2006 and was still outstanding as of December 31, 2007; however, this check was not included as an outstanding check.
- A \$688 check was written and redeemed in 2007; however, this check was shown as voided on the 2007 financial statements.
- A \$100 receipt transaction for Miscellaneous Income that did not occur was included on the 2007 financial statements to correct an unreconciled difference.

Sound financial reporting is the responsibility of the Law Library and is essential to ensure the information provided to the readers of the financial statements is complete and accurate. These errors and omissions increase the likelihood of misappropriation within the Law Library as well as errors occurring within the financial statements.

The Treasurer should perform monthly bank to book cash reconciliations to detect errors or omissions as well as compare the computerized Quick Books records with manual check ledgers to help ensure that voided checks and long outstanding checks are reviewed and properly reflected on the Law Library's financial statements. These procedures will help ensure the Law Library maintains sound financial reporting as well as help the Law Library report and maintain the proper cash balances actually on hand.

Officials' Response: We will perform monthly (opposed to quarterly) bank-to-book cash reconciliations using the QuickBooks software "bank reconciliation routine" (opposed to manually) and compare it with the manual check ledgers and bank statements. This will ensure the accuracy of the Law Library's financial statements.

We have now performed the above referenced reconciliations back to January 1, 2000 in order to bring our QuickBooks files up-to-date. We have currently reconciled through the 9/30/2008 bank statement.



Mary Taylor, CPA
Auditor of State

LAW LIBRARY ASSOCIATION

TUSCARAWAS COUNTY

CLERK'S CERTIFICATION

This is a true and correct copy of the report which is required to be filed in the Office of the Auditor of State pursuant to Section 117.26, Revised Code, and which is filed in Columbus, Ohio.

Susan Babbitt

CLERK OF THE BUREAU

**CERTIFIED
NOVEMBER 6, 2008**