

ATTESTATION ENGAGEMENT

Susquehanna County

Pennsylvania

57-000

Liquid Fuels Tax Fund

And Act 44 Tax Fund

For the Period

January 1, 2013 to December 31, 2013

April 2015



Commonwealth of Pennsylvania
Department of the Auditor General

Eugene A. DePasquale • Auditor General



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EUGENE A. DePASQUALE
AUDITOR GENERAL

Independent Auditor's Report

The Honorable Leslie Richards
Acting Secretary
Department of Transportation
Harrisburg, PA 17120

We examined the accompanying Form MS-991 With Adjustments for the Liquid Fuels Tax Fund and the Report of Act 44 Tax Fund With Adjustments of Susquehanna County for the period January 1, 2013 to December 31, 2013. The county's management is responsible for the Form MS-991 and the Report of Act 44 Tax Fund. Our responsibility is to express an opinion on the Form MS-991 With Adjustments and the Report of Act 44 Tax Fund With Adjustments based on our examination.

Our examination was conducted in accordance with attestation standards established by the American Institute of Certified Public Accountants and the standards applicable to attestation engagements contained in *Government Auditing Standards* issued by the Comptroller General of the United States. An examination includes examining, on a test basis, evidence supporting Susquehanna County's Form MS-991 and Report of Act 44 Tax Fund for the period January 1, 2013 to December 31, 2013 and performing such other procedures as we considered necessary in the circumstances. We believe that our examination provides a reasonable basis for our opinion.

We are mandated by Section 403 of *The Fiscal Code*, 72 P.S. § 403, to audit each county's Liquid Fuels Tax Fund to ensure that funds received are expended in accordance with applicable laws and regulations. *Government Auditing Standards* issued by the Comptroller General of the United States include attestation engagements as a separate type of audit. An attestation engagement performed pursuant to *Government Auditing Standards* involves additional standards that exceed the standards provided by the American Institute of Certified Public Accountants. Accordingly, this attestation engagement complies with both *Government Auditing Standards* and Section 403 of *The Fiscal Code*.

As described in Note 4, the adjustments included on the Form MS-991 With Adjustments and the Report of Act 44 Tax Fund With Adjustments are made by the Department of the Auditor General.

Independent Auditor's Report (Continued)

As discussed in the Findings and Recommendations and Summary Of Prior Examination Recommendations sections of this report:

- The county expended \$18,807.82 during 2013 from its Liquid Fuels Tax Fund for payroll. However, the county did not maintain daily payroll time sheets identifying the nature of work performed and the location of work assignments (Finding No. 1).
- On December 4, 2012, the county expended \$5,597.09 from its General Fund for retirement benefits. On August 27, 2013 the county transferred \$5,597.09 from the Liquid Fuels Tax Fund to the General Fund for the reimbursement of the retirement benefits, which is a retroactive expenditure (Finding No.2)
- During our prior examination, we recommended that the county reimburse \$36,000.00 to its Liquid Fuels Tax Fund for retroactive expenditures. The county reimbursed this amount to its Liquid Fuels Tax Fund on July 31, 2014, which was subsequent to our examination period (Summary Of Prior Examination Recommendations).

In our opinion, except for the bulleted matters discussed above, the Form MS-991 With Adjustments and the Report of Act 44 Tax Fund With Adjustments present, in all material respects, the information required by the Pennsylvania Department of Transportation for the Liquid Fuels Tax Fund and Act 44 Tax Fund of Susquehanna County for the period January 1, 2013 to December 31, 2013, in conformity with the criteria set forth in Note 1.

In accordance with *Government Auditing Standards*, we are required to report all deficiencies that are considered to be significant deficiencies or material weaknesses in internal control; fraud and noncompliance with provisions of laws or regulations that have a material effect on the Form MS-991 and the Report of Act 44 Tax Fund; and any other instances that warrant the attention of those charged with governance; noncompliance with provisions of contracts or grant agreements, and abuse that has a material effect on the Form MS-991 and the Report of Act 44 Tax Fund. We are also required to obtain and report the views of responsible officials concerning the findings, conclusions, and recommendations, as well as any planned corrective actions. We performed our examination to express an opinion on whether the Form MS-991 and the Report of Act 44 Tax Fund are presented in accordance with the criteria described above and not for the purpose of expressing an opinion on the internal control over reporting on the Form MS-991 and the Report of Act 44 Tax Fund or on compliance and other matters; accordingly, we express no such opinions.

Independent Auditor's Report (Continued)

Our consideration of internal control was for the limited purpose of expressing an opinion on whether the Form MS-991 and the Report of Act 44 Tax Fund are presented in accordance with the criteria described above and was not designed to identify all deficiencies in internal control that might be material weaknesses or significant deficiencies and therefore, material weaknesses or significant deficiencies may exist that were not identified. However, as described below, we identified certain deficiencies in internal control that we consider to be material weaknesses and other deficiencies that we consider to be significant deficiencies.

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 a combination of deficiencies, in internal control such that there is a reasonable possibility that a material misstatement of the Form MS-991 and the Report of Act 44 Tax Fund will not be prevented, or detected and corrected, on a timely basis. We consider the deficiency below to be a material weakness.

- Documentation Supporting Payroll Expenditures Was Not Available For Examination.

As part of obtaining reasonable assurance about whether the Form MS-991 and the Reports of Act 44 Tax Fund are free from material misstatement, we performed tests of Susquehanna County's 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 amounts on the Form MS-991 and the Reports of Act 44 Tax Fund. However, providing an opinion on compliance with those provisions was not an objective of our engagement, and accordingly, we do not express such an opinion. The results of our tests disclosed the following instance of noncompliance that is required to be reported under *Government Auditing Standards*:

- Retroactive Expenditure - Recurring.

We are concerned that the county failed to correct a previously reported finding for retroactive expenditures. During our current examination, the county failed to maintain documentation to support payroll expenditures and made a retroactive expenditure. Without payroll documentation that includes daily time sheets that identify the nature of work performed and the location of work assignments, we could not determine if the payroll expenditures were permissible according to the Liquid Fuels Tax Municipal Allocation Law. Additionally, the failure to maintain documentation for payroll expenditures and the payment of retroactive expenditures could result in the county having to reimburse \$18,807.82 and \$5,597.09, respectively, to its Liquid Fuels Tax Fund. The municipality should strive to implement the recommendations and corrective actions noted in this report.

Independent Auditor's Report (Continued)

This report is intended solely for the information and use of the Pennsylvania Department of Transportation and the management of Susquehanna County and is not intended to be and should not be used by anyone other than these specified parties.

We appreciate the courtesy extended by Susquehanna County, to us during the course of our examination. If you have any questions, please feel free to contact Michael B. Kashishian, CPA, CGAP, CFE, Director, Bureau of County Audits, at 717-787-1363.

A handwritten signature in black ink, appearing to read "Eugene A. DePasquale". The signature is fluid and cursive, with a long horizontal stroke at the end.

Eugene A. DePasquale
Auditor General

January 12, 2015

CONTENTS

	<u>Page</u>
Background	1
Financial Section:	
2013 Form MS-991 With Adjustments	2
2013 Report Of Act 44 Tax Fund With Adjustments.....	3
Notes To Form MS-991 And Report Of Act 44 Tax Fund With Adjustments	4
Findings And Recommendations:	
Finding No. 1 - Documentation Supporting Payroll Expenditures Was Not Available For Examination.....	10
Finding No. 2 - Retroactive Expenditure - Recurring	12
Summary Of Prior Examination Recommendations.....	14
Summary Of Exit Conference.....	15
Report Distribution	16

SUSQUEHANNA COUNTY
LIQUID FUELS TAX FUND
AND ACT 44 TAX FUND
BACKGROUND
FOR THE PERIOD
JANUARY 1, 2013 TO DECEMBER 31, 2013

Background

The Vehicle Code makes provisions and provides funding for County Liquid Fuels and Act 44 Programs. The Pennsylvania Department of Transportation has regulatory administration and oversight of the funds supporting these county programs. Counties are required to comply with those provisions and to report annually.

The Vehicle Code imposes a state tax on liquid fuels and fuels used or sold and delivered by distributors within the Commonwealth (75 Pa. C.S. § 9004(a)). One-half cent of the tax collected on each gallon of liquid fuels is deposited in the Commonwealth's Liquid Fuels Tax Fund. The Vehicle Code further provides for the disposition and use of this tax, including the allocations to counties in June and December of each year to fund construction, reconstruction, maintenance and repair of county roads, streets and bridges. The allocation to the respective counties is made in the ratio that the average amount returned to each county during the three preceding years bears to the average amount returned to all counties during the three preceding years (75 Pa C.S. § 9010).

The Vehicle Code, as recently amended by Act 44 of 2007 (July 18, 2007, P.L.169), requires the Pennsylvania Turnpike Commission to make annual contributions for the benefit of the Pennsylvania Department of Transportation's Motor License Fund, and further requires the Department of Transportation to distribute \$5,000,000 of the annual contribution to counties (75 Pa. C.S. § 8915.6). The annual distribution to counties is determined based upon the ratio of square footage of deck area of a county's county-owned bridges to the total square footage of deck area of county-owned bridges throughout the Commonwealth. The reporting of the square footage of deck area of a county's county-owned bridges is required as part of the National Bridge Inspection Standards Program.

SUSQUEHANNA COUNTY
LIQUID FUELS TAX FUND
2013 FORM MS-991 WITH ADJUSTMENTS

	<u>Reported</u>	<u>Adjustments (Note 4)</u>	<u>Adjusted Amount</u>
Balance, January 1, 2013	\$ 72,151.50	\$ 147.09	\$ 72,298.59
<u>Receipts:</u>			
State allocations	103,089.46	-	103,089.46
Interest (Note 3)	860.79	-	860.79
Reimbursable agreements (Note 5)	-	5,255.98	5,255.98
Miscellaneous (Note 6)	6,480.85	30,189.05	36,669.90
Total receipts	<u>110,431.10</u>	<u>35,445.03</u>	<u>145,876.13</u>
Total funds available	<u>182,582.60</u>	<u>35,592.12</u>	<u>218,174.72</u>
<u>Expenditures:</u>			
Construction	-	-	-
Maintenance and repair	94,387.63	4,545.09	98,932.72
Administrative	7,753.03	-	7,753.03
Grants to political subdivisions	-	-	-
Miscellaneous (Note 7)	-	31,047.03	31,047.03
Total expenditures	<u>102,140.66</u>	<u>35,592.12</u>	<u>137,732.78</u>
Balance, December 31, 2013	80,441.94	-	80,441.94
Unpaid encumbrances	-	-	-
Unencumbered balance, December 31, 2013	<u>\$ 80,441.94</u>	<u>\$ -</u>	<u>\$ 80,441.94</u>

Notes To Form MS-991 And Reports Of Act 44 Tax Fund With Adjustments are an integral part of this report.

SUSQUEHANNA COUNTY
LIQUID FUELS TAX FUND
2013 REPORT OF ACT 44 TAX FUND
WITH ADJUSTMENTS

	<u>Reported</u>	<u>Adjustments (Note 4)</u>	<u>Adjusted Amount</u>
Balance, January 1, 2013	\$ 91,684.85	\$ 5,450.00	\$ 97,134.85
<u>Receipts:</u>			
Act 44 Funds	31,047.03	-	31,047.03
Interest (Note 3)	710.22	-	710.22
Reimbursable Agreement Receipts	-	-	-
Miscellaneous Receipts	-	-	-
Total receipts	<u>31,757.25</u>	<u>-</u>	<u>31,757.25</u>
Total funds available	<u>123,442.10</u>	<u>5,450.00</u>	<u>128,892.10</u>
<u>Expenditures:</u>			
Construction	21,209.41	-	21,209.41
Maintenance and repair	63,867.60	5,450.00	69,317.60
Miscellaneous	-	-	-
Total expenditures	<u>85,077.01</u>	<u>5,450.00</u>	<u>90,527.01</u>
Balance, December 31, 2013	<u>\$ 38,365.09</u>	<u>\$ -</u>	<u>\$ 38,365.09</u>

Notes To Form MS-991 And Report Of Act 44 Tax Fund With Adjustments are an integral part of this report.

SUSQUEHANNA COUNTY
LIQUID FUELS TAX FUND AND ACT 44 TAX FUND
NOTES TO FORM MS-991 AND
REPORT OF ACT 44 TAX FUND WITH ADJUSTMENTS
FOR THE PERIOD
JANUARY 1, 2013 TO DECEMBER 31, 2013

1. Criteria

A. *The Vehicle Code* prescribes criteria for liquid fuels program funds (75 Pa C.S. § 9010). The Pennsylvania Department of Transportation's *Publication 9* provides more specific policies and procedures to counties for the administration and reporting of the liquid fuels program funds. In the event of any discrepancies between the two, the legislation governs.

(1) Funds received by the counties must be deposited in a special fund designated as the County Liquid Fuels Tax Fund and no other money may be deposited and commingled. Money should be invested to earn interest until expended.

- For purposes of payments under (2), below, the county may borrow and place in the special fund money not in excess of the liquid fuels tax funds to be received during the current calendar year.

(2) Payments from the special fund may be used for:

- construction, reconstruction, maintenance and repair of roads, highways, bridges and curb ramps from a road or highway to provide for access by individuals with disabilities consistent with Federal and State law;
- property damages and compensation of viewers for services in eminent domain proceedings involving roads, highways, and bridges;
- construction, reconstruction, operation and maintenance of publicly owned ferryboat operations;
- interest and principal payments on road, bridge, or publicly owned ferryboat operation bonds or sinking fund charges;
- acquisition, maintenance, repair and operation of traffic signs and signals;
- erection and maintenance of stop and go signal lights, blinkers and other like traffic control devices;
- indirect costs, including benefit costs, overhead and other administrative charges for those county employees directly engaged in eligible projects, not to exceed 10 percent of the yearly allocation to the county; and

SUSQUEHANNA COUNTY
LIQUID FUELS TAX FUND AND ACT 44 TAX FUND
NOTES TO FORM MS-991 AND
REPORT OF ACT 44 TAX FUND WITH ADJUSTMENTS
FOR THE PERIOD
JANUARY 1, 2013 TO DECEMBER 31, 2013

1. Criteria (Continued)

- individual vehicle liability insurance for equipment purchased under the fund, not to exceed 10 percent of the yearly allocation to the county.
- (3) Counties may not make expenditures from the special fund for new construction on roads, bridges, curb ramps, or publicly owned ferryboat operations without the approval of the plans for construction by the Pennsylvania Department of Transportation. And, counties may not allocate money from the special fund to political subdivisions within the county until the application and the contracts or plans for the proposed expenditures have been made on a form prescribed by the Pennsylvania Department of Transportation.
- (4) Counties may encumber current funds for future road and bridge construction, reconstruction, and maintenance projects including viable municipal projects. Counties must redistribute any unencumbered balance in the special fund to political subdivisions if the unencumbered balance is more than the county's receipts during the preceding twelve month period.
- (5) Counties must submit a report to the Pennsylvania Department of Transportation by January 15 for the period ending December 31 on prescribed Form MS-991, The Report of County Liquid Fuels Tax Fund, showing the receipts and expenditures of the money received by the county from the Commonwealth. Upon failure to file the report or instances of any non-compliant payments, allocations, or expenditures, the Pennsylvania Department of Transportation will withhold further funding until the delinquent report is filed, the money is allocated, or the expenditures for the prior 12 months are approved.
- B. *The Vehicle Code*, as recently amended by Act 44 of 2007 (July 18, 2007, P.L. 169), prescribes the Pennsylvania Department of Transportation with oversight authority of the Act 44 funds distributed to the counties from the Pennsylvania Turnpike Commission's annual contribution of \$5,000,000 to the Commonwealth's Motor License Fund. The County's Act 44 Tax Fund is used to account for the distribution made to the county from the Department of Transportation and the payments made for construction and maintenance of county-owned bridges.

SUSQUEHANNA COUNTY
LIQUID FUELS TAX FUND AND ACT 44 TAX FUND
NOTES TO FORM MS-991 AND
REPORT OF ACT 44 TAX FUND WITH ADJUSTMENTS
FOR THE PERIOD
JANUARY 1, 2013 TO DECEMBER 31, 2013

1. Criteria (Continued)

Basis Of Presentation

In accordance with reporting requirements prescribed by the Pennsylvania Department of Transportation, the Report of County Liquid Fuels Tax Fund With Adjustments and the Report of Act 44 Tax Fund With Adjustments do not constitute complete financial presentations of the county's assets, liabilities, expenses, and fund balance but include the receipts, expenditures, and fund balances of the County Liquid Fuels Tax Fund and the County Act 44 Tax Fund, respectively.

The Pennsylvania Department of Transportation prescribes that the county report the following on the MS-991 form, *Report of County Liquid Fuels Tax Fund*:

- A. The balance in the County Liquid Fuels Tax Fund at the beginning of the report calendar year.
- B. Receipts which must be itemized and include interest, reimbursable agreements, and miscellaneous items such as loans, sale of salvageable material, and damage claims to road or bridge property.

Refer to the related Notes: Note 3, Interest Earnings; Note 5, Reimbursable Agreements; and Note 6, Miscellaneous Receipts.

- C. Accounts receivable (to be realized within 60 days of the year end).
- D. Total Liquid Fuels Tax funds available for expenditure and encumbrances.
- E. Expenditures for county-owned roads, highways, and bridges.

Refer to related Note: Note 7, Deposit In Error.

- F. Accounts payable (accrued wages, accrued payroll taxes, and accounts payable vendors to be realized within 60 days of the year end).
- G. The balance in the fund at the close of the report calendar year.
- H. Encumbered and unencumbered balances on hand at the close of the report calendar year.

SUSQUEHANNA COUNTY
LIQUID FUELS TAX FUND AND ACT 44 TAX FUND
NOTES TO FORM MS-991 AND
REPORT OF ACT 44 TAX FUND WITH ADJUSTMENTS
FOR THE PERIOD
JANUARY 1, 2013 TO DECEMBER 31, 2013

2. Deposits

The County Code, Title 16 P.S § 17067, authorizes the county to deposit its funds in the following:

- Deposits in savings accounts or time deposits, other than certificates of deposit or share accounts of institutions having their principal place of business in the Commonwealth of Pennsylvania and insured by the Federal Deposit Insurance Corporation (FDIC) or other like insurance. For any amount above the insured maximum, the depository shall pledge approved collateral.
- Certificates of deposit from institutions having their principal place of business in or outside the Commonwealth of Pennsylvania that are insured by the FDIC or other like insurance. For any amounts in excess of the insured maximum, such deposits shall be collateralized by a pledge or assignment of assets. Certificates of deposit may not exceed 20 percent of a bank's total capital surplus or 20 percent of a savings and loan or savings bank's assets minus liabilities.

Deposits consist of receipts and deposits in a financial institution. Pennsylvania statutes require all deposits to be insured and, for any amount above the insured maximum, to be secured with approved collateral as defined.

There were no deposits exposed to custodial credit risk as of December 31, 2013. Custodial credit risk, as defined by GASB No. 40, includes deposits that are not covered by depository insurance and the deposits are uncollateralized, collateralized with securities held by the pledging financial institution, or collateralized with securities held by the pledging financial institution's trust department or agent but not in the county's name.

Fund Balance

The fund balance for the Liquid Fuels Tax Fund consists of the following:

Cash	<u>\$80,441.94</u>
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The fund balance for the Act 44 Tax Fund consists of the following:

Cash	<u>\$38,365.09</u>
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SUSQUEHANNA COUNTY
LIQUID FUELS TAX FUND AND ACT 44 TAX FUND
NOTES TO FORM MS-991 AND
REPORT OF ACT 44 TAX FUND WITH ADJUSTMENTS
FOR THE PERIOD
JANUARY 1, 2013 TO DECEMBER 31, 2013

3. Interest Earnings

Our examination disclosed that the county deposited idle liquid fuels tax money in an interest-bearing account which earned \$860.79 during 2013, thus providing additional funds for road maintenance and repairs.

Additionally, the county deposited idle Act 44 tax money in an interest-bearing account which earned \$710.22 during 2013, thus providing additional funds for road maintenance and repairs.

4. Adjustments

2013 Form MS-991

An adjustment of \$147.09 was made to “Balance, January 1, 2013” because of prior report adjustments that were not carried forward in the fund balance.

An adjustment of \$5,255.98 was made to “Reimbursable agreements” because these receipts were misclassified as miscellaneous.

An adjustment of \$30,189.05 was made to “Miscellaneous” because these receipts were understated by \$35,445.03 and receipts of \$5,255.98 for reimbursable agreements were misclassified.

An adjustment of \$4,545.09 was made to “Maintenance and repair” because these expenditures were understated.

An adjustment of \$31,047.03 was made to “Miscellaneous” expenditures because a correction of a deposit in error was not reported.

2013 Report of Act 44 Tax Fund

An adjustment of \$5,450.00 was made to “Balance, January 1, 2013” because of prior report adjustments that were not carried forward in the fund balance.

An adjustment of \$5,450.00 was made to “Maintenance and repair” because these expenditures were understated.

SUSQUEHANNA COUNTY
LIQUID FUELS TAX FUND AND ACT 44 TAX FUND
NOTES TO FORM MS-991 AND
REPORT OF ACT 44 TAX FUND WITH ADJUSTMENTS
FOR THE PERIOD
JANUARY 1, 2013 TO DECEMBER 31, 2013

5. Reimbursable Agreements

During our examination, we noted that the county entered into a reimbursement agreement with The Commonwealth of Pennsylvania for bridge inspections. During our current examination period, the county received \$5,255.98 as a result of this agreement and deposited the money into the Liquid Fuels Tax Fund.

6. Miscellaneous Receipts

The following miscellaneous receipts were deposited into the Liquid Fuels Tax Fund during the examination period:

<u>Source</u>	<u>Description</u>	<u>Amount</u>
Herrick Township	Bridge inspections	\$ 132.87
Commonwealth of Pennsylvania	Turnback allocation	40.00
Act 44 Fund	Reimbursement for bridge repairs	5,450.00
Commonwealth of Pennsylvania	Deposit in error (Note 7)	<u>31,047.03</u>
Total		<u><u>\$36,669.90</u></u>

7. Deposit In Error

On December 6, 2013 the municipality deposited \$31,047.03 into its Liquid Fuels Tax Fund in error. On December 19, 2013, the municipality transferred this amount from its Liquid Fuels Tax Fund to its General Fund to correct the deposit in error.

SUSQUEHANNA COUNTY
LIQUID FUELS TAX FUND
AND ACT 44 TAX FUND
FINDINGS AND RECOMMENDATIONS
FOR THE PERIOD
JANUARY 1, 2013 TO DECEMBER 31, 2013

Finding No. 1 - Documentation Supporting Payroll Expenditures Was Not Available For Examination

Our examination disclosed that the county expended \$18,807.82 during 2013 from the Liquid Fuels Tax Fund for payroll. However, the county did not maintain daily payroll time sheets identifying the nature of work performed and the location of work assignments.

Good internal control procedures over payroll ensure that there is documentation identifying the nature of the work performed and location of work assignments.

The Liquid Fuels Tax Municipal Allocation Law, 72 P.S. § 2615.4, provides, in part, that monies herein allocated may be used only for construction, reconstruction, maintenance and repairs of such public roads or streets, including bridges, culverts and drainage structures, for which they are legally responsible. Also permitted are expenditures involving acquisition, maintenance, repairs and operation of street signs, traffic signs, traffic signal control systems, road equipment, and snow fences.

The Department of Transportation has been statutorily authorized to promulgate regulations concerning the administration of Liquid Fuels Tax Fund money and has determined that certain items, including expenditures made without supporting documentation, are outside the scope of permissible expenditures.

Without payroll documentation that includes daily time sheets that identify the nature of work performed and the location of work assignments, we could not determine if the payroll expenditures were permissible according to the Liquid Fuels Tax Municipal Allocation Law.

The failure to maintain documentation of payroll expenditures as noted above could result in the county having to reimburse \$18,807.82 to its Liquid Fuels Tax Fund.

Recommendations

We recommend that the county reimburse \$18,807.82 to its Liquid Fuels Tax Fund upon official notification by the Department of Transportation.

We further recommend that the county ensure good internal control over payroll by maintaining daily time sheets that identify the nature of work performed and the location of work assignments.

SUSQUEHANNA COUNTY
LIQUID FUELS TAX FUND
AND ACT 44 TAX FUND
FINDINGS AND RECOMMENDATIONS
FOR THE PERIOD
JANUARY 1, 2013 TO DECEMBER 31, 2013

Finding No. 1 - Documentation Supporting Payroll Expenditures Was Not Available For Examination (Continued)

Management's Response

The county officials stated:

A new head of maintenance has been hired and from his inception he was able to provide the required documentation, as such, this should not be a deficient area in the future.

Auditor's Conclusion

During our next examination we will determine if the county complied with our recommendations.

SUSQUEHANNA COUNTY
LIQUID FUELS TAX FUND
AND ACT 44 TAX FUND
FINDINGS AND RECOMMENDATIONS
FOR THE PERIOD
JANUARY 1, 2013 TO DECEMBER 31, 2013

Finding No. 2 - Retroactive Expenditure - Recurring

We cited the county for making retroactive expenditures from its Liquid Fuels Tax Fund in our prior report for the period January 1, 2011 to December 31, 2012. Our current examination disclosed that on December 4, 2012, the county expended \$5,597.09 from its General Fund for retirement benefits. On August 27, 2013, the county transferred \$5,597.09 from the Liquid Fuels Tax Fund to the General Fund for the reimbursement of retirement benefits. Because the transfer was for the reimbursement of prior year expenditures, it is considered a retroactive expenditure.

The Department of Transportation's *Publication 9* contains the policies and procedures for the administration of the Liquid Fuels Tax Fund. *Publication 9*, Chapter One, Section 1.6.6.3, states, in relevant part:

Unacceptable Expenditures

10. Retroactive expenditures.

Because these expenditures were paid from the General Fund on December 4, 2012, and were not reimbursed with Liquid Fuels Tax Fund money until August 27, 2013, the expenditures incurred were not reimbursed in a reasonable period of time. Therefore, the county did not comply with the Department of Transportation's *Publication 9*.

This condition occurred because the county failed to comply with our prior examination recommendation to comply with the Department of Transportation's *Publication 9* regarding retroactive expenditures.

The failure to follow the Department of Transportation's *Publication 9* could result in the county having to reimburse \$5,597.09 to its Liquid Fuels Tax Fund.

Recommendations

We recommend that the county reimburse \$5,597.09 to its Liquid Fuels Tax Fund upon official notification by the Department of Transportation.

We again recommend that, in the future, the county comply with the Department of Transportation's *Publication 9* as noted above.

SUSQUEHANNA COUNTY
LIQUID FUELS TAX FUND
AND ACT 44 TAX FUND
FINDINGS AND RECOMMENDATIONS
FOR THE PERIOD
JANUARY 1, 2013 TO DECEMBER 31, 2013

Finding No. 2 - Retroactive Expenditure - Recurring (Continued)

Management's Response

The county officials stated:

We have been made aware of the 90 day reporting requirements.

Auditor's Conclusion

The Department of Transportation's *Publication 9* does not permit Liquid Fuels Tax Fund money to be used to pay expenditures incurred in the prior year. This is a recurring finding. We strongly recommend that the county comply with our recommendation.

SUSQUEHANNA COUNTY
LIQUID FUELS TAX FUND
AND ACT 44 TAX FUND
SUMMARY OF PRIOR EXAMINATION RECOMMENDATIONS
FOR THE PERIOD
JANUARY 1, 2013 TO DECEMBER 31, 2013

Summary Of Prior Examination Recommendations

In our prior report we recommended that the Department of Transportation review our examination finding to determine if the county should reimburse \$36,000.00 to its Liquid Fuels Tax Fund for retroactive expenditures.

During our current examination we reviewed a letter dated July 10, 2014, from the Department of Transportation informing the county to reimburse \$36,000.00 to its Liquid Fuels Tax Fund. We noted that the county reimbursed its Liquid Fuels Tax Fund on July 31, 2014, which was subsequent to our examination.

In our prior report we also recommended that the county comply with the Department of Transportation's *Publication 9* regarding retroactive expenditures.

During our current examination we noted that the county did not comply with our recommendation (see Finding No. 2).

SUSQUEHANNA COUNTY
LIQUID FUELS TAX FUND
AND ACT 44 TAX FUND
SUMMARY OF EXIT CONFERENCE
FOR THE PERIOD
JANUARY 1, 2013 TO DECEMBER 31, 2013

An exit conference was held October 22, 2014. Those participating were:

SUSQUEHANNA COUNTY

Mr. Robert S. Stoud, Acting Chief Clerk

DEPARTMENT OF THE AUDITOR GENERAL

Mr. Raymond J. Insalaco, Auditor

The results of the examination were presented and discussed in their entirety.

SUSQUEHANNA COUNTY
LIQUID FUELS TAX FUND
AND ACT 44 TAX FUND
REPORT DISTRIBUTION
FOR THE PERIOD
JANUARY 1, 2013 TO DECEMBER 31, 2013

This report was initially distributed to:

The Honorable Leslie Richards
Acting Secretary
Department of Transportation

Susquehanna County
P. O. Box 218
Montrose, PA 18801

The Honorable Alan M. Hall	Chairman of the Board of Supervisors
The Honorable Catherine Benedict	Treasurer
Mr. Robert S. Stoud	Acting Chief Clerk
Mrs. Sharron Depew	Accounting Clerk

This report is a matter of public record and is available online at <http://www.PaAuditor.gov>. Media questions about the report can be directed to the Pennsylvania Department of the Auditor General, Office of Communications, 231 Finance Building, Harrisburg, PA 17120; via email to: news@PaAuditor.gov.