



JIM PETRO
AUDITOR OF STATE

STATE OF OHIO

**SANDUSKY BAY LAW LIBRARY ASSOCIATION
ERIE COUNTY**

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REPORT OF INDEPENDENT ACCOUNTANTS

Sandusky Bay Law Library Association
Erie County
323 Columbus Avenue
Sandusky, Ohio 44870-2692

To the Board of Trustees:

We have audited the accompanying financial statements of the general fund, and the retained monies fund of the Sandusky Bay Law Library Association (the Library) as of and for the years ended December 31, 2001 and 2000. 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 audits.

We conducted our audits in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States. Those standards require that we plan and perform the audits to obtain reasonable assurance about 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 that our audits provide a reasonable basis for our opinion.

As discussed in Note 1, the Library prepares its financial statements on the basis of accounting prescribed or permitted by the Auditor of State, which is a comprehensive basis of accounting other than generally accepted accounting principles. Also, the financial statements present only the general fund and the retained monies fund and are not intended to present fairly the financial position and results of operations of the Library in conformity with the basis of accounting as described in Note 1.

In our opinion, the financial statements referred to above present fairly, in all material respects, the fund cash balances of the Library's general fund, and the retained monies fund as of December 31, 2001 and 2000, and its combined cash receipts and disbursements for the years then ended on the basis of accounting described in Note 1.

As discussed in Note 2, the Library has included activity associated with the retained monies fund.

In accordance with *Government Auditing Standards*, we have also issued our report dated November 5, 2002 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 grants. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* and should be read in conjunction with this report in considering the results of our audit.

Sandusky Bay Law Library Association
Erie County
Report of Independent Accountants
Page 2

This report is intended solely for the information and use of the audit committee, management, the Board of Trustees and other officials authorized to receive this report under § 117.26, Ohio Revised Code, and is not intended to be and should not be used by anyone other than these specified parties.

A handwritten signature in black ink, appearing to read "Jim Petro". The signature is stylized with a large, looping initial "J" and a cursive "Petro".

Jim Petro
Auditor of State

November 5, 2002

**SANDUSKY BAY LAW LIBRARY ASSOCIATION
ERIE COUNTY**

**STATEMENT OF CASH RECEIPTS, CASH DISBURSEMENTS, AND
CHANGES IN FUND CASH BALANCES
ALL PUBLIC FUNDS
FOR THE YEAR ENDED DECEMBER 31, 2001**

	General Fund	Retained Monies Fund	Totals (Memorandum Only)
Cash Receipts:			
Fine and Forfeitures	\$196,072		\$196,072
Interest		\$16,129	16,129
Miscellaneous Receipts	3,977		3,977
Total Cash Receipts	200,049	16,129	216,178
Cash Disbursements:			
Wages and Benefits	50,954		50,954
Supplies and Materials	218,868		218,868
Administration	12,773		12,773
Total Cash Disbursements	282,595		282,595
Total Cash Receipts Over/(Under) Cash Disbursements	(82,546)	16,129	(66,417)
Other Financing Receipts/(Disbursements):			
Transfers-In	75,000		75,000
Transfers-Out		(75,000)	(75,000)
Total Other Financing Receipts/(Disbursements)	75,000	(75,000)	
Excess of Cash Disbursements and Other Financing Disbursements Over Cash Receipts and Other Financing Receipts	(7,546)	(58,871)	(66,417)
Public Fund Cash Balances, January 1	1,435	252,235	253,670
Public Fund Cash Balances, December 31	(\$6,111)	\$193,364	\$187,253

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

**SANDUSKY BAY LAW LIBRARY ASSOCIATION
ERIE COUNTY**

**STATEMENT OF CASH RECEIPTS, CASH DISBURSEMENTS, AND
CHANGES IN FUND CASH BALANCES
ALL PUBLIC FUNDS
FOR THE YEAR ENDED DECEMBER 31, 2000**

	General Fund	Retained Monies Fund	Totals (Memorandum Only)
Cash Receipts:			
Fine and Forfeitures	\$248,497		\$248,497
Interest		\$17,978	17,978
Miscellaneous Receipts	14,642		14,642
Total Cash Receipts	<u>263,139</u>	<u>17,978</u>	<u>281,117</u>
Cash Disbursements:			
Wages and Benefits	51,232		51,232
Supplies and Materials	273,126		273,126
Administration	14,651		14,651
Total Cash Disbursements	<u>339,009</u>		<u>339,009</u>
Total Cash Receipts Over/(Under) Cash Disbursements	<u>(75,870)</u>	<u>17,978</u>	<u>(57,892)</u>
Other Financing Receipts/(Disbursements):			
Transfers-In	40,000		40,000
Transfers-Out		(40,000)	(40,000)
Total Other Financing Receipts/(Disbursements)	<u>40,000</u>	<u>(40,000)</u>	
Excess of Cash Disbursements and Other Financing Disbursements Over Cash Receipts and Other Financing Receipts	(35,870)	(22,022)	(57,892)
Public Fund Cash Balances, January 1 - See Note 2	<u>37,305</u>	<u>274,257</u>	<u>311,562</u>
Public Fund Cash Balances, December 31	<u>\$1,435</u>	<u>\$252,235</u>	<u>\$253,670</u>

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

**SANDUSKY BAY LAW LIBRARY ASSOCIATION
ERIE COUNTY**

**NOTES TO THE FINANCIAL STATEMENTS
DECEMBER 31, 2001 AND 2000**

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

A. Description of the Entity

The Sandusky Bay Law Library Association (the Library) is directed by a board of seven trustees who are elected to three year terms by members of the Sandusky Law Library Association. The Library provides free access for 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. The Library is permitted to expend funds under ORC § 3375.54. The funds of the Library are expended on the purchase, lease or rental of 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.

The Erie County Commissioners are required by ORC § 3375.49 to provide adequate facilities for the Library. The Board of County Commissioners is required to provide suitable bookcases, heating and lighting for the rooms.

The Board of Trustees hires a librarian and not more than two assistant law librarians. The Judges of the Court of Common Pleas of Erie County fix the compensation of the librarian and up to two assistant librarians pursuant to ORC § 3375.48. If the Library provides free access to all county officers and the judges of the several courts, the salary of the law librarian and up to two assistants should be paid from the county treasury. If the conditions above are not met, then the salary of the librarian and any assistants should be paid by the Library.

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

Some funds received by the Library are considered private monies. Private monies include: membership dues, overdue book charges and photocopying charges. Fees collected for the use of books and copiers remain private even though the books and copiers may have been purchased with public funds. Private monies can be disbursed at the discretion of the Library. The accompanying financial statements do not present private monies.

B. Basis of Accounting

These financial statements follow the basis of accounting prescribed or permitted by the Auditor of State, which is similar to the cash receipts and disbursements basis of accounting. Receipts are recognized when received in cash rather than when earned, and disbursements are recognized when paid rather than when a liability is incurred.

These statements include adequate disclosure of material matters, as prescribed or permitted by the Auditor of State.

**SANDUSKY BAY LAW LIBRARY ASSOCIATION
ERIE COUNTY**

**NOTES TO THE FINANCIAL STATEMENTS
DECEMBER 31, 2001 AND 2000
(Continued)**

C. Cash and Investments

Investments are included in Fund Cash Balances. Accordingly, purchases of investments are not recorded as disbursements, and sales of investments are not recorded as receipts. Gains or losses at the time of sale are recorded as receipts or disbursements, respectively.

The investments in federal agency securities are valued at cost. The money market funds are reported at share values reported by Fifth Third Securities, Incorporated.

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 is the general operating fund. It is used to account for all financial resources except those required to be accounted for in another fund.

2. Retained Monies Fund

Retained Monies Fund consists of monies retained by the Library under Ohio Revised Code § 3375.56. At the end of each calendar year the Library is permitted under law to retain up to ten percent of their unencumbered balance. See footnote 2 for additional information.

E. Property, Plant and Equipment

Acquisitions of equipment are recorded as disbursements when paid. These items are not reflected as assets on the accompanying financial statements. Items purchased which are deemed to be equipment are computers, copiers, fax machines, and other items related toward facilitating the use of the equipment.

F. 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 basis of accounting described above. Neither is such data comparable to a consolidation. Interfund eliminations have not been made in the aggregation of this data.

2. ACCOUNTING CHANGE

Prior to January 1, 2000, the retained monies fund was not disclosed by the Library. Effective January 1, 2000, the Library determined the amounts relating to their Retained Monies Fund by providing a summary of investments representing the retained monies invested by the Library to support the balance.

**SANDUSKY BAY LAW LIBRARY ASSOCIATION
ERIE COUNTY**

**NOTES TO THE FINANCIAL STATEMENTS
DECEMBER 31, 2001 AND 2000
(Continued)**

3. CALCULATION OF REFUND TO RELATIVE INCOME SOURCES AND AMOUNT RETAINED

In any year that revenues exceed disbursements, the Library refunds at least ninety percent of the balance to the political subdivisions who provided the funds and retains the remaining amount. This refund process is referred to as the application of ORC § 3375.56 or refund to relative income sources. No refunds were required for the years ending December 31, 2001 and 2000.

4. EQUITY IN POOLED CASH AND INVESTMENTS

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

	2001	2000
Demand deposits	(\$6,111)	\$1,435
Money Market Fund	156,628	65,667
Federal Home Loan Mortgage Corporation	36,736	98,644
Federal National Mortgage Association		29,812
Government National Mortgage Association		23,050
Tennessee Valley Authority		35,062
Total investments	193,364	252,235
Total deposits and investments	\$187,253	\$253,670

Deposits: Deposits are insured by the Federal Depository Insurance Corporation.

Investments: Money market investments are not evidenced by securities that exist in physical or book-entry form. Investments in federal agencies or instrumentalities are held by the counterparty or by its trust department but not in the Library's name.

5. RISK MANAGEMENT

Commercial Insurance

The Library has obtained commercial insurance for the following risks:

- Comprehensive property and general liability;
- Errors and omissions

6. NONCOMPLIANCE

Perkins Township fine monies were not properly remitted to the Library in accordance with the Ohio Revised Code.

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**REPORT OF INDEPENDENT ACCOUNTANTS ON COMPLIANCE AND ON INTERNAL CONTROL
REQUIRED BY GOVERNMENT AUDITING STANDARDS**

Sandusky Bay Law Library Association
Erie County
323 Columbus Avenue
Sandusky, Ohio 44870-2692

To the Board of Trustees:

We have audited the accompanying financial statements of the Sandusky Bay Law Library Association (the Library) as of and for the years ended December 31, 2001 and 2000, and have issued our report thereon dated November 5, 2002, wherein we indicated the financial statements only include the general fund and the retained monies fund. We also noted the Library has included the retained monies fund for the first time. We conducted our audits in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States.

Compliance

As part of obtaining reasonable assurance about whether the Library's financial statements are free of material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts and grants, 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 audits and, accordingly, we do not express such an opinion. The results of our tests disclosed an instance of noncompliance that is required to be reported under *Government Auditing Standards* which is described in the accompanying schedule of findings as item 2001-60522-001. We also noted a certain immaterial instance of noncompliance that we have reported to management of the Library in a separate letter dated November 5, 2002.

Internal Control Over Financial Reporting

In planning and performing our audits, we considered the Library's internal control over financial reporting in order to determine our auditing procedures for the purpose of expressing our opinion on the financial statements and not to provide assurance on the internal control over financial reporting. Our consideration of the internal control over financial reporting would not necessarily disclose all matters in the internal control over financial reporting that might be material weaknesses. A material weakness is a condition in which the design or operation of one or more of the internal control components does not reduce to a relatively low level the risk that misstatements in amounts that would be material in relation to the financial statements being audited may occur and not be detected within a timely period by employees in the normal course of performing their assigned functions. We noted no matters involving the internal control over financial reporting and its operation that we consider to be material weaknesses. However, we noted other matters involving the internal control over financial reporting that do not require inclusion in this report, that we have reported to management of the Library in a separate letter dated November 5, 2002.

Sandusky Bay Law Library Association
Erie County
Report of Independent Accountants on Compliance and on Internal Control
Required by *Government Auditing Standards*
Page 2

This report is intended solely for the information and use of the audit committee, management and the Board of Trustees, and is not intended to be and should not be used by anyone other than these specified parties.

A handwritten signature in black ink, appearing to read "Jim Petro". The signature is stylized with a large, looping initial "J" and a cursive "Petro".

Jim Petro
Auditor of State

November 5, 2002

**SANDUSKY BAY LAW LIBRARY ASSOCIATION
ERIE COUNTY**

**SCHEDULE OF FINDINGS
DECEMBER 31, 2001 AND 2000**

FINDINGS RELATED TO THE FINANCIAL STATEMENTS REQUIRED TO BE REPORTED IN ACCORDANCE WITH GAGAS
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FINDING NUMBER 2001-60522-001

Finding for Recovery

Ohio Revised Code §4513.35 requires the Clerk of Courts to remit fine monies collected from cases in which a township police officer was the arresting officer to the County Auditor for distribution of ½ of the fines to the township and the remaining ½ to the law library. In December 1999, the Sandusky Municipal Court Clerk of Courts, Erie County Auditor, and representatives of Perkins Township came to an agreement that monies collected from cases in which Perkins Township police officers were the arresting officers would be forwarded directly to Perkins Township rather than to the County Auditor as required by the above Ohio Revised Code section in order to limit the amount of time passing between payments from the Municipal Court Clerk to the Township. Remittances due to the Sandusky Bay Law Library association were not addressed; therefore amounts were not properly remitted to the Law Library.

The following schedule summarizes the fines collected and paid to Perkins Township from January 2000 through March 2002, and the amounts that should have been remitted to the Sandusky Bay Law Library Association during that period.

Fiscal Year	Fine Monies Remitted to Perkins Township	Fine Monies Due to Sandusky Bay Law Library Association
2000	\$57,409	\$28,705
2001	95,215	47,608
2002	26,686	13,343
Total	<u>\$179,310</u>	<u>\$89,656</u>

In accordance with the foregoing facts, and pursuant to Ohio Revised Code § 117.28, a Finding for Recovery is hereby issued against the General Fund of Perkins Township, in the amount of eighty-nine thousand six hundred fifty six dollars and no cents (\$89,656.00), and in favor of the Sandusky Bay Law Library Association's General Fund. As of the date of this report, Perkins Township has not remitted the amounts owed to the Sandusky Bay Law Library Association.

**SANDUSKY BAY LAW LIBRARY ASSOCIATION
ERIE COUNTY**

**SCHEDULE OF PRIOR AUDIT FINDINGS
FISCAL YEAR END DECEMBER 31, 2001 AND 2000**

Finding Number	Finding Summary	Fully Corrected?	Not Corrected, Partially Corrected; Significantly Different Corrective Action Taken; or Finding No Longer Valid; <i>Explain:</i>
1999-60522-001	Finding for Recovery against the Administrative Assistant for overpayment in salary during the prior audit.	Yes.	



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SANDUSKY BAY LAW LIBRARY ASSOCIATION

ERIE 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
DECEMBER 10, 2002**