



# MAYES COUNTY

**Financial Report** 

For the fiscal year ended June 30, 2022

Cindy Byrd, CPA

State Auditor & Inspector

MAYES COUNTY, OKLAHOMA FINANCIAL STATEMENT AND INDEPENDENT AUDITOR'S REPORT FOR THE FISCAL YEAR ENDED JUNE 30, 2022

This publication, issued by the Oklahoma State Auditor and Inspector's Office as authorized by 19 O.S. § 171, has not been printed, but is available on the agency's website (<a href="www.sai.ok.gov">www.sai.ok.gov</a>) and in the Oklahoma Department of Libraries Publications Clearinghouse Digital Prairie Collection (<a href="http://digitalprairie.ok.gov/cdm/search/collection/audits/">http://digitalprairie.ok.gov/cdm/search/collection/audits/</a>) pursuant to 65 O.S. § 3-114.



# Cindy Byrd, CPA | State Auditor & Inspector

2300 N. Lincoln Blvd., Room 123, Oklahoma City, OK 73105 | 405.521.3495 | www.sai.ok.gov

January 22, 2024

TO THE CITIZENS OF MAYES COUNTY, OKLAHOMA

Transmitted herewith is the audit of Mayes County, Oklahoma for the fiscal year ended June 30, 2022. The audit was conducted in accordance with 19 O.S. § 171.

A report of this type can be critical in nature. Failure to report commendable features in the accounting and operating procedures of the entity should not be interpreted to mean that they do not exist.

The goal of the State Auditor and Inspector is to promote accountability and fiscal integrity in state and local government. Maintaining our independence as we provide this service to the taxpayers of Oklahoma is of utmost importance.

We wish to take this opportunity to express our appreciation for the assistance and cooperation extended to our office during our engagement.

This report is a public document pursuant to the Oklahoma Open Records Act (51 O.S. § 24A.1 et seq.) and shall be open to any person for inspection and copying.

Sincerely,

CINDY BYRD, CPA

OKLAHOMA STATE AUDITOR & INSPECTOR

# **Board of County Commissioners**

District 1 – Matt Swift

District 2 – Darrell Yoder

District 3 – Ryan Ball

# **County Assessor**

Yolanda Thompson

# **County Clerk**

Brittany True-Howard

# **County Sheriff**

Mike Reed

## **County Treasurer**

**Bobbie Martin** 

#### **Court Clerk**

Jenifer Clinton

## **District Attorney**

Matt Ballard

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#### Independent Auditor's Report

TO THE OFFICERS OF MAYES COUNTY, OKLAHOMA

#### Report on the Audit of the Financial Statement

#### **Opinion**

We have audited the total—all county funds on the accompanying regulatory basis Statement of Receipts, Disbursements, and Changes in Cash Balances of Mayes County, Oklahoma, as of and for the year ended June 30, 2022, and the related notes to the financial statement.

#### Unmodified Opinion on Regulatory Basis of Accounting

In our opinion, the financial statement referred to above presents fairly, in all material respects, the regulatory basis total receipts, disbursements, and changes in cash balances for all county funds of Mayes County, as of and for the year ended June 30, 2022, in accordance with the financial reporting provisions of Title 19 O.S. § 171 of Oklahoma Statutes described in Note 1.

#### Adverse Opinion on U.S. Generally Accepted Accounting Principles

In our opinion, because of the significance of the matter discussed in the Basis for Adverse Opinion on U.S. Generally Accepted Accounting Principles (U.S. GAAP) section of our report, the financial statement referred to above does not present fairly, in accordance with U.S. GAAP, the financial position of Mayes County as of June 30, 2022, or changes in financial position for the year then ended.

#### **Basis for Opinions**

We conducted our audit in accordance with auditing standards generally accepted in the United States of America (GAAS) and the standards applicable to financial audits contained in *Government Auditing Standards* (*Government Auditing Standards*), issued by the Comptroller General of the United States. Our responsibilities under those standards are further described in the Auditor's Responsibilities for the Audit of the Financial Statement section of our report. We are required to be independent of Mayes County, and to meet our other ethical responsibilities, in accordance with the relevant ethical requirements relating to our audit. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis of our audit opinions.

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

As described in Note 1, the financial statement is prepared by Mayes County using accounting practices prescribed or permitted by Oklahoma state law, which is a basis of accounting other than U.S. GAAP to meet the requirements of the State of Oklahoma. The effects on the financial statement of the variances

between the regulatory basis of accounting described in Note 1 and U.S. GAAP, although not reasonably determinable, are presumed to be material and pervasive.

#### Responsibilities of Management for the Financial Statement

Management is responsible for the preparation and fair presentation of this financial statement in accordance with the regulatory basis of accounting prescribed or permitted by Oklahoma state law, and for determining that the regulatory basis of accounting is an acceptable basis for the preparation of the financial statement in the circumstances. Management is also responsible for the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statement, management is required to evaluate whether there are conditions or events, considered in the aggregate, that raise substantial doubt about Mayes County's ability to continue as a going concern for twelve months beyond the financial statement date, including any currently known information that may raise substantial doubt shortly thereafter.

#### Auditor's Responsibilities for the Audit of the Financial Statement

Our objectives are to obtain reasonable assurance about whether the financial statement as a whole is free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with GAAS and *Government Auditing Standards* will always detect a material misstatement when it exists. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control. Misstatements are considered material if there is a substantial likelihood that, individually or in the aggregate, they would influence the judgment made by a reasonable user based on the financial statement.

In performing an audit in accordance with GAAS and Government Auditing Standards, we:

- exercise professional judgment and maintain professional skepticism throughout the audit.
- identify and assess the risks of material misstatement of the financial statement, whether due to fraud or error, and design and perform audit procedures responsive to those risks. Such procedures include examining, on a test basis, evidence regarding the amounts and disclosures in the financial statement.
- obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of Mayes County's internal control. Accordingly, no such opinion is expressed.
- evaluate the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluate the overall presentation of the financial statement.
- conclude whether, in our judgment, there are conditions or events, considered in the aggregate, that raise substantial doubt about Mayes County's ability to continue as a going concern for a reasonable period of time.

We are required to communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit, significant audit findings, and certain internal control-related matters that we identified during the audit.

#### Supplementary Information

Our audit was conducted for the purpose of forming an opinion on the total of all county funds on the financial statement. The supplementary information, as listed in the table of contents, is presented for purposes of additional analysis and is not a required part of the financial statement. Such information is the responsibility of management and was derived from and relates directly to the underlying accounting and other records used to prepare the financial statement. The information has been subjected to the auditing procedures applied in the audit of the financial statement and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the financial statement or to the financial statement itself, and other additional procedures in accordance with GAAS. In our opinion, the supplementary information is fairly stated, in all material respects, in relation to the financial statement.

#### Other Reporting Required by Government Auditing Standards

In accordance with *Government Auditing Standards*, we have also issued our report dated January 8, 2024, on our consideration of Mayes County's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements and other matters. The purpose of that report is solely to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the County's internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering Mayes County's internal control over financial reporting and compliance.

CINDY BYRD, CPA

OKLAHOMA STATE AUDITOR & INSPECTOR

January 8, 2024



## MAYES COUNTY, OKLAHOMA STATEMENT OF RECEIPTS, DISBURSEMENTS, AND CHANGES IN CASH BALANCES—REGULATORY BASIS FOR THE FISCAL YEAR ENDED JUNE 30, 2022

	Beginning Cash Balances July 1, 2021		Receipts Apportioned		Transfers In		Transfers Out		Disbursements		Ending Cash Balances June 30, 2022	
County Funds:												
County General	\$	14,013,056	\$	16,853,047	\$	-	\$	_	\$	16,537,030	\$	14,329,073
County Highway Unrestricted		2,419,756		3,795,913		-		_		3,788,721		2,426,948
Sheriff Commissary		89,447		107,660		_		-		74,763		122,344
Health		2,660,051		1,615,896		_		-		862,316		3,413,631
Resale Property		872,746		374,938	28	3,995		-		232,478		1,044,201
Sheriff Service Fee		627,391		1,058,290		_		_		613,702		1,071,979
Treasurer Mortgage Certification		38,162		12,615		-		-		396		50,381
Community Service Program		6,524		· -		-		_		-		6,524
County Clerk Records Management and Preservation		163,650		97,150		-		-		51,901		208,899
County Clerk Lien Fee		178,906		21,613		-		-		521		199,998
Assessor Revolving Fee		24,520		3,276		-		-		489		27,307
911 Phone Fees		405,921		440,896		-		-		326,604		520,213
Rural Fire - ST		3,157,148		1,319,337		-		-		862,101		3,614,384
Jail - ST		73,680		650,831		-		-		619,221		105,290
Flood Plain		1,054		1,575		-		-		2,075		554
Courthouse Maintenance - ST		27,388		325,381		-		-		326,342		26,427
Court Clerk Payroll		72,916		164,958		-		-		171,764		66,110
County Bridge and Road Improvement		1,135,570		437,623		-		-		579,719		993,474
Sheriff - ST		632,280		651,447		-		-		452,321		831,406
Sheriff Forfeiture		83,450		-		-		-		-		83,450
County Donations		35,016		1,570		-		-		17,656		18,930
Fair Improvement - ST		82,166		979,269		-		-		979,025		82,410
Rental of County Property		100,926		75,777		-		-		88,778		87,925
American Rescue Plan Act of 2021		3,991,596		3,995,053		-		-		436,938		7,549,711
Community Development Block Grant - RWD 5		-		272,877		-		-		250,680		22,197
Total - All County Funds	\$	30,893,320	\$	33,256,992	\$ 28	8,995	\$	-	\$	27,275,541	\$	36,903,766

#### 1. Summary of Significant Accounting Policies

#### A. Reporting Entity

Mayes County is a subdivision of the State of Oklahoma created by the Oklahoma Constitution and regulated by Oklahoma Statutes.

The accompanying financial statement presents the receipts, disbursements, and changes in cash balances of the total of all funds under the control of the primary government. The general fund is the county's general operating fund, accounting for all financial resources except those required to be accounted for in another fund, where its use is restricted for a specified purpose. Other funds established by statute and under the control of the primary government are also presented.

The County Treasurer collects and remits material amounts of intergovernmental revenues and ad valorem tax revenue for other budgetary entities, including school districts, and cities and towns. The cash receipts and disbursements attributable to those other entities do not appear in funds on the County's financial statement; those funds play no part in the County's operations. Any trust or agency funds maintained by the County are not included in this presentation.

#### **B.** Fund Accounting

The County uses funds to report on receipts, disbursements, and changes in cash balances. Fund accounting is designed to demonstrate legal compliance and to aid financial management by segregating transactions related to certain government functions or activities.

Following are descriptions of the county funds included within the financial statement:

County General – accounts for the general operations of the government.

<u>County Highway Unrestricted</u> – accounts for state, local, and miscellaneous receipts and disbursements are for the purpose of constructing and maintaining county roads and bridges.

<u>Sheriff Commissary</u> – accounts for profits on commissary sales in the County jail. Disbursements are for jail operations as defined by state statute.

<u>Health</u> – accounts for ad valorem tax collections and fees for services collected and disbursements are made to operate the County Health Department.

<u>Resale Property</u> – accounts for the collection of interest and penalties on delinquent ad valorem taxes and the disposition of sale as restricted by state statute.

<u>Sheriff Service Fee</u> – accounts for the collection of fees and reimbursements for revenues such as: process fees, courthouse security, contracts for housing and feeding prisoners, and disbursements as restricted by state statute.

#### MAYES COUNTY, OKLAHOMA NOTES TO THE FINANCIAL STATEMENT FOR THE FISCAL YEAR ENDED JUNE 30, 2022

<u>Treasurer Mortgage Certification</u> – accounts for the collection of fees by the County Treasurer for mortgage tax certificates and disbursement of funds as restricted by state statute.

<u>Community Service Program</u> – accounts for the collections from a defendant pay program for participant collections. Disbursements are for expenses to operate the program.

<u>County Clerk Records Management and Preservation</u> – accounts for fees collected for instruments collected with the County Clerk and disbursements as restricted by state statute for the preservation of records.

<u>County Clerk Lien Fee</u> – accounts for lien collections and disbursements as restricted by state statute.

<u>Assessor Revolving Fee</u> – accounts for the collection of fees for copies as restricted by state statute.

<u>911 Phone Fees</u> – accounts for collection for landline and wireless fees and disbursed for operations of emergency 911 services.

<u>Rural Fire - ST</u> – accounts for the collection of sales tax monies to be disbursed for the maintenance and operations of rural fire departments as restricted by the sales tax ballot.

<u>Jail - ST</u> – accounts for the collection of sales tax monies to be disbursed as restricted by the sales tax ballot.

<u>Flood Plain</u> – accounts for the receipt of fees from flood plain permits. Disbursements are for lawful expenses of the flood plain office.

<u>Courthouse Maintenance - ST</u> – accounts for the collection of sales tax monies to be disbursed as restricted by the sales tax ballot.

<u>Court Clerk Payroll</u> – accounts for funds collected by the Court Clerk and disbursements for payroll of Court Fund employees.

<u>County Bridge and Road Improvement</u> – accounts for state receipts and disbursements for the improvement of county bridges and roads.

<u>Sheriff-ST</u> – accounts for the collection of sales tax monies to be disbursed as restricted by the sales tax ballot.

<u>Sheriff Forfeiture</u> – accounts for funds received from forfeitures and disbursed for Drug Task Force training, equipment, and criminal intervention.

<u>County Donations</u> – accounts for donations to the County for specified projects as restricted by resolution approved by the Board of County Commissioners (BOCC).

<u>Fair Improvement - ST</u> – accounts for the collection of sales tax monies to be disbursed as restricted by the sales tax ballot.

<u>Rental of County Property</u> – accounts for collections from rentals of County facilities. Disbursements are for expenses related to the Free Fair.

American Rescue Plan Act of 2021 – accounts for monies received from the United States Department of Treasury and disbursed for responding to the COVID-19 public health emergency and its negative economic impact, premium pay to eligible workers, the provision of government services to the extent of the reduction in revenue due to the COVID-19 public health emergency, and investments in water, sewer, and broadband infrastructure as restricted by federal requirements.

<u>Community Development Block Grant - RWD 5</u> – accounts for federal grant monies used for the installation of a new water line for Rural Water District 5.

#### C. Basis of Accounting

The financial statement is prepared on a basis of accounting wherein amounts are recognized when received or disbursed. This basis of accounting differs from accounting principles generally accepted in the United States of America (U.S. GAAP), which require revenues to be recognized when they become available and measurable or when they are earned, and expenditures or expenses to be recognized when the related liabilities are incurred. This regulatory basis financial presentation is not a comprehensive measure of economic condition or changes therein.

Title 19 O.S. § 171 allows Oklahoma counties to present their financial statement in accordance with U.S. GAAP or on a regulatory basis. The County has elected to present their financial statement on a regulatory basis in conformity with Title 19 O.S. § 171, which specifies the format and presentation of such regulatory basis financial statements: county governments (primary only) are required to present their financial statements on a fund basis format with, at a minimum, the general fund and all other county funds, which represent ten percent or greater of total county revenue with all other funds included in the audit presented in the aggregate in a combining statement. However, the County has elected to present all funds included in the audit in the Statement of Receipts, Disbursements, and Changes in Cash Balances—Regulatory Basis.

#### D. Budget

Under current Oklahoma Statutes, a general fund and a county health department fund are the only funds required to adopt a formal budget. On or before the first Monday in July of each year, each officer or department head submits an estimate of needs to the governing body. The budget is approved for the respective fund by office, or department and object. The County Board of

Commissioners may approve changes of appropriations within the fund by office or department and object. To increase or decrease the budget by fund requires approval by the County Excise Board.

#### E. Cash and Investments

For the purposes of financial reporting, "Ending Cash Balances, June 30" includes cash and cash equivalents and investments as allowed by statutes. The County pools the cash of its various funds in maintaining its bank accounts. However, cash applicable to a particular fund is readily identifiable on the County's books. The balance in the pooled cash accounts is available to meet current operating requirements.

State statutes require financial institutions with which the County maintains funds to deposit collateral securities to secure the County's deposits. The amount of collateral securities to be pledged is established by the County Treasurer; this amount must be at least the amount of the deposit to be secured, less the amount insured (by, for example, the FDIC).

The County Treasurer has been authorized by the County's governing board to make investments. Allowable investments are outlined in statutes 62 O.S. § 348.1 and § 348.3.

All investments must be backed by the full faith and credit of the United States Government, the Oklahoma State Government, fully collateralized, or fully insured. All investments as classified by state statute are nonnegotiable certificates of deposit. Nonnegotiable certificates of deposit are not subject to interest rate risk or credit risk.

#### 2. Ad Valorem Tax

The County's property tax is levied each October 1 on the assessed value listed as of January 1 of the same year for all real and personal property located in the County, except certain exempt property. Assessed values are established by the County Assessor within the prescribed guidelines established by the Oklahoma Tax Commission and the State Equalization Board. Title 68 O.S. § 2820.A. states, ". . . Each assessor shall thereafter maintain an active and systematic program of visual inspection on a continuous basis and shall establish an inspection schedule which will result in the individual visual inspection of all taxable property within the county at least once each four (4) years."

Taxes are due on November 1 following the levy date, although they may be paid in two equal installments. If the first half is paid prior to January 1, the second half is not delinquent until April 1. The County Treasurer, according to the law, shall give notice of delinquent taxes and special assessments by publication once a week for two consecutive weeks at any time after April 1, but prior to the end of September following the year the taxes were first due and payable. Unpaid real property taxes become a lien upon said property after the treasurer has perfected the lien by public notice.

Unpaid delinquent personal property taxes are usually published in May. If the taxes are not paid within 30 days from publication, they shall be placed on the personal tax lien docket.

#### 3. Other Information

#### A. Pension Plan

<u>Plan Description</u>. The County contributes to the Oklahoma Public Employees Retirement Plan (the Plan), a cost-sharing, multiple-employer defined benefit pension plan administered by the Oklahoma Public Employees Retirement System (OPERS). Benefit provisions are established and amended by the Oklahoma Legislature. The Plan provides retirement, disability, and death benefits to Plan members and beneficiaries. Title 74, Sections 901 through 943, as amended, establishes the provisions of the Plan. OPERS issues a publicly available financial report that includes financial statements and supplementary information. That report may be obtained by writing OPERS, P.O. Box 53007, Oklahoma City, Oklahoma 73105 or by calling 1-800-733-9008.

<u>Funding Policy</u>. The contribution rates for each member category are established by the Oklahoma Legislature and are based on an actuarial calculation which is performed to determine the adequacy of contribution rates.

#### B. Other Post Employment Benefits (OPEB)

In addition to the pension benefits described in the Pension Plan note, OPERS provides post-retirement health care benefits of up to \$105 each for retirees who are members of an eligible group plan. These benefits are funded on a pay-as-you-go basis as part of the overall retirement benefit. OPEB expenditure and participant information is available for the state as a whole; however, information specific to the County is not available nor can it be reasonably estimated.

#### C. Contingent Liabilities

Amounts received or receivable from grantor agencies are subject to audit and adjustment by grantor agencies, primarily the federal government. Any disallowed claims, including amounts already collected, may constitute a liability of the applicable fund. The amount, if any, of expenditures which may be disallowed by the grantor cannot be determined at this time; however, the County expects such amounts, if any, to be immaterial.

As of the end of the fiscal year, there were no claims or judgments that would have a material adverse effect on the financial condition of the County; however, the outcome of any lawsuit would not be determinable.

#### D. Sales Tax

#### Sales Tax of December 3, 1985

On December 3, 1985, voters of Mayes County approved a permanent one-quarter of one percent (1/4%) sales tax. The revenue from the sales tax is designated in trust for the establishment and operation of an ambulance service for the people of Mayes County. These funds are accounted for within the County General fund.

In addition, on December 3, 1985, voters of Mayes County approved a permanent three-eighths of one percent (3/8%) sales tax specifically for the construction, operation, and maintenance of the County Road System of Mayes County. These funds are accounted for within the County General fund.

#### Sales Tax of October 14, 1997

On October 14, 1997, voters of Mayes County approved a permanent one-eighth of one percent (1/8%) sales tax to be used for the maintenance and operation expenses of the jail facility. These funds are accounted for within the Jail - ST fund.

#### Sales Tax of November 5, 2002

On November 5, 2002, voters of Mayes County approved a permanent one-quarter of one percent (1/4%) sales tax for the purpose of construction or improving fire stations, purchase of equipment, training, education, general maintenance and operations and for paying existing debt. This sales tax is to be divided equally between the following fourteen fire departments in Mayes County, Oklahoma: Adair Fire Department, Cabin Creek Fire Department, Chimney Rock Fire Department, Chouteau Fire Department, Diamond-Head Lone Chapel Fire Department, Disney Fire Department, Langley Fire Department, Locust Grove Fire Department, Osage-Pleasant View Fire Department, Pryor Fire Department, Salina Fire Department, Spavinaw Fire Department, Sportsman Acres Fire Department, and Strang Fire Department. However, Sportsman Acres Fire Department was never established and has never received any sales tax proceeds. These funds are accounted for within the Rural Fire - ST fund.

#### Sales Tax of August 26, 2014

On August 26, 2014, voters of Mayes County approved a one-eighths of one percent (1/8%) sales tax to be designated solely for the maintenance, operation, equipment, furnishing, and improvement or construction of facilities of the Mayes County Jail. Also, to the extent available, revenues generated by said sales tax may be used for the operation and maintenance for other county facilities. These funds are accounted for within the Sheriff - ST fund.

#### Sales Tax of January 12, 2016

On January 12, 2016, voters of Mayes County approved a three-sixteenths of one percent (3/16%) sales tax to pay debt service on bonds or notes issued by the Mayes County Public Facilities Authority, the proceeds of which are to be used to acquire, construct, equip and remodel the county fairgrounds facilities. The sales tax terminates at the earliest possible date that revenues are sufficient to retire said bonds or notes. These funds are accounted for within the Fair Improvement - ST fund.

In addition, on January 12, 2016, voters of Mayes County approved a permanent one-sixteenth of one percent (1/16%) sales tax to be used to pay operation and maintenance on all county buildings. These funds are accounted for within the Courthouse Maintenance - ST fund.

#### E. Tax Abatements

The County is subject to ad valorem tax abatements granted by the State of Oklahoma in accordance with the Oklahoma Constitution, Article 10 Section 6B for qualifying manufacturing concern—ad valorem tax exemption.

Under this program, a five-year ad valorem tax exemption exempts all real and personal property that is necessary for the manufacturing of a product and facilities engaged in research and development which meet the requirements set by the Oklahoma Constitution and statutes. Under Title 68 O.S. § 2902, in exchange for the five-year exemption, qualifying manufacturing concerns must meet certain minimum investment requirements for construction, acquisition, or expansion of a manufacturing facility. In addition, there are general minimum payroll requirements that must be met and the qualifying manufacturing concern must offer basic health benefit plans to all full-time employees within 180 days of employment.

The County had \$6,532,917 of ad valorem taxes abated under this program for the fiscal year ended June 30, 2022.

The State has an Ad Valorem Reimbursement Fund in accordance with Title 62 O.S. § 193 that is used to reimburse the County for the loss of revenue. Monies apportioned to this fund by the State also may be transferred to other state funds or otherwise expended as directed by the Legislature. In the event monies apportioned to the Fund are insufficient to pay all claims for reimbursement, claims for reimbursement for loss of revenue due to manufacturing exemptions of ad valorem taxes shall be paid first, and any remaining funds shall be distributed proportionally among the counties making claims for reimbursement for loss of revenue for school district exemptions.

## F. Interfund Transfers

During the fiscal year, the County made the following transfer between cash funds:

• \$28,995 was transferred to the Resale Property fund from the Excess Resale fund (a trust and agency fund) in accordance with 68 O.S. § 3131C.



# MAYES COUNTY, OKLAHOMA COMPARATIVE SCHEDULE OF EXPENDITURES—BUDGET AND ACTUAL— BUDGETARY BASIS—GENERAL FUND FOR THE FISCAL YEAR ENDED JUNE 30, 2022

	General Fund						
	Budget	Actual	Variance				
County Sheriff	\$ 1,915,748	\$ 1,911,186	\$ 4,562				
County Treasurer	178,084	176,884	1,200				
County Commissioners	2,230,519	2,124,662	105,857				
OSU Extension	187,550	171,040	16,510				
County Clerk	352,136	331,563	20,573				
County Court Clerk	519,432	502,201	17,231				
County Assessor	305,418	263,661	41,757				
Visual Inspection	361,108	331,293	29,815				
General Government	8,902,257	1,256,561	7,645,696				
Excise Equalization	3,500	1,911	1,589				
Election Board	136,011	106,250	29,761				
Insurance/Benefits	3,366,162	3,069,038	297,124				
Emergency Management	416,398	93,534	322,864				
Charity	800	800	-				
Economic Development	8,000	8,000	-				
County Jail	174,000	166,493	7,507				
Courthouse Security	134,145	132,300	1,845				
E-911	187,267	159,262	28,005				
County Purchasing	47,156	46,783	373				
County Audit Budget	362,915	362,915	-				
Free Fair	137,949	137,949	-				
Highway District 1	777,699	777,696	3				
Highway District 2	777,699	775,000	2,699				
Highway District 3	777,699	-	777,699				
Ambulance Service District Sales Tax	1,256,080	1,256,080	-				
Highway Distict 1 Sales Tax	1,093,208	1,039,090	54,118				
Highway Distict 2 Sales Tax	987,803	773,921	213,882				
Highway Distict 3 Sales Tax	1,396,324	1,335,738	60,586				
Total Expenditures, Budgetary Basis	\$ 26,993,067	\$ 17,311,811	\$ 9,681,256				

# MAYES COUNTY, OKLAHOMA COMPARATIVE SCHEDULE OF EXPENDITURES—BUDGET AND ACTUAL— BUDGETARY BASIS—HEALTH FUND FOR THE FISCAL YEAR ENDED JUNE 30, 2022

		Health Fund							
		Budget		Actual	,	Variance			
Health and Welfare	\$	3,547,718	\$	908,223	\$	2,639,495			
Total Expenditures, Budgetary Basis	\$	3,547,718	\$	908,223	\$	2,639,495			

#### 1. Budgetary Schedules

The Comparative Schedules of Expenditures—Budget and Actual—Budgetary Basis for the General Fund and the Health Fund presents comparisons of the legally adopted budget with actual data. The "actual" data, as presented in the comparison of budget and actual, will differ from the data as presented in the Statement of Receipts, Disbursements, and Changes in Cash Balances because of adopting certain aspects of the budgetary basis of accounting and the adjusting of encumbrances and outstanding warrants to their related budget year.

Encumbrance accounting, under which purchase orders, contracts, and other commitments for the expenditure of monies are recorded in order to reserve that portion of the applicable appropriation, is employed as an extension of formal budgetary integration in these funds. At the end of the year unencumbered appropriations lapse.





# Cindy Byrd, CPA | State Auditor & Inspector

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# Independent Auditor's Report on Internal Control Over Financial Reporting and on Compliance and Other Matters Based on an Audit of Financial Statements Performed in Accordance With Government Auditing Standards

TO THE OFFICERS OF MAYES COUNTY, OKLAHOMA

We have audited, in accordance with auditing standards generally accepted in the United States of America (GAAS) and the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States, the total—all county funds of the accompanying Statement of Receipts, Disbursements, and Changes in Cash Balances of Mayes County, Oklahoma, as of and for the year ended June 30, 2022, and the related notes to the financial statement, which collectively comprise Mayes County's financial statement, prepared using accounting practices prescribed or permitted by Oklahoma state law, and have issued our report thereon dated January 8, 2024.

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Our report included an adverse opinion on the financial statement because the statement is prepared using accounting practices prescribed or permitted by Oklahoma state law, which is a basis of accounting other than accounting principles generally accepted in the United States of America (U.S. GAAP). However, our report also included our opinion that the financial statement does present fairly, in all material respects, the receipts, disbursements, and changes in cash balances – regulatory basis of the County as of and for the year ended June 30, 2022, on the basis of accounting prescribed by Oklahoma state law, described in Note 1.

#### **Report on Internal Control Over Financial Reporting**

In planning and performing our audit of the financial statement, we considered Mayes County's internal control over financial reporting (internal control) as a basis for designing audit procedures that are appropriate in the circumstances for the purpose of expressing our opinions on the financial statement, but not for the purpose of expressing an opinion on the effectiveness of Mayes County's internal control. Accordingly, we do not express an opinion on the effectiveness of Mayes County's internal control.

Our consideration of internal control was for the limited purpose described in the preceding paragraph 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 in the accompanying schedule of findings and responses, we identified certain deficiencies in internal control that we consider to be material weaknesses and 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 combination of deficiencies, in internal control such that there is a reasonable possibility that a material misstatement of the entity's financial statements will not be prevented, or detected and corrected on a timely basis. We consider the

deficiencies described in the accompanying schedule of findings and responses to be material weaknesses: 2022-001 and 2022-009.

A *significant deficiency* is a deficiency, or combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance. We consider the deficiency described in the accompanying schedule of findings and responses to be a significant deficiency: 2022-002.

#### **Report on Compliance and Other Matters**

As part of obtaining reasonable assurance about whether Mayes County's financial statement is free from material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a direct and material effect on the financial statement. However, providing an opinion on compliance with those provisions was not an objective of our audit, and accordingly, we do not express such an opinion. The results of our tests disclosed instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards* and which are described in the accompanying schedule of findings and responses as item 2022-009.

We noted certain matters regarding statutory compliance that we reported to the management of Mayes County, which are included in Section 2 of the schedule of findings and responses contained in this report.

#### Mayes County's Response to Findings

Government Auditing Standards requires the auditor to perform limited procedures on Mayes County's response to the findings identified in our audit and described in the accompanying schedule of findings and responses. Mayes County's response was not subjected to the other auditing procedures applied in the audit of the financial statement and, accordingly, we express no opinion on it.

#### **Purpose of this Report**

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

CINDY BYRD, CPA

OKLAHOMA STATE AUDITOR & INSPECTOR

January 8, 2024



# Cindy Byrd, CPA | State Auditor & Inspector

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# Report on Compliance for the U.S. Department of Treasury Coronavirus State and Local Fiscal Recovery Funds Program (CSLFRF) Requirements for an Alternative CSLFRF Compliance Examination Engagement

#### **Independent Accountant's Report**

TO THE OFFICERS OF MAYES COUNTY, OKLAHOMA

We have examined Mayes County's compliance with the compliance requirements "activities allowed or unallowed" and "allowable cost/cost principles" (the specified requirements) as described in Part IV "Requirements for an Alternative Compliance Examination Engagement for Recipients That Would Otherwise be Required to Undergo a Single Audit or Program-Specific Audit as a Result of Receiving Coronavirus State and Local Fiscal Recovery Funds" of the CSLFRF section of the 2021 OMB Compliance Supplement (referred to herein as "Requirements for an Alternative CSLFRF Compliance Examination Engagement") during the year ended June 30, 2022. The County is responsible for compliance with the specified requirements. Our responsibility is to express an opinion on Mayes County's compliance with the specified requirements based on our examination.

Our examination was conducted in accordance with attestation standards established by the AICPA; the standards applicable to attestation engagements contained in *Government Auditing Standards*, issued by the Comptroller General of the United States; and in the "Requirements for an Alternative CSLFRF Compliance Examination Engagement." Those standards and requirements require that we plan and perform the examination to obtain reasonable assurance about whether Mayes County complied, in all material respects, with the specified requirements referenced above. An examination involves performing procedures to obtain evidence about whether Mayes County complied with the specified requirements. The nature, timing, and extent of the procedures selected depend on our judgment, including an assessment of the risks of material noncompliance, whether due to fraud or error. We believe that the evidence we obtained is sufficient and appropriate to provide a reasonable basis for our opinion.

We are required to be independent and meet our other ethical responsibilities in accordance with relevant ethical requirements relating to the engagement.

Our examination does not provide a legal determination on Mayes County's compliance with specified requirements.

In our opinion, Mayes County complied, in all material respects, with the specified requirements referenced above during the year ended June 30, 2022.

#### Other Reporting Required by Government Auditing Standards

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, regulations, contracts or grant agreements that have a material effect on Mayes County's compliance with the specified requirements and any other instances that warrant the attention of those charged with governance. 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 Mayes County's compliance with the specified requirements and not for the purpose of expressing an opinion on the internal control over the specified requirements or on compliance and other matters; accordingly, we express no such opinions. The results of our tests disclosed no matters that are required to be reported under Government Auditing Standards.

#### **Intended Purpose**

The purpose of this examination report is solely to express an opinion on whether Mayes County complied, in all material respects with the specified requirements referenced above during the year ended June 30, 2022. Accordingly, this report is not suitable for any other purpose.

CINDY BYRD, CPA

OKLAHOMA STATE AUDITOR & INSPECTOR

January 8, 2024

SECTION 1—Findings related to the Report on Internal Control Over Financial Reporting and on Compliance and Other Matters Based on an Audit of Financial Statements Performed in Accordance With *Government Auditing Standards* 

Finding 2022-001 – Lack of County-Wide Internal Controls (Repeat Finding - 2008-001, 2009-001, 2010-001, 2011-012, 2012-012, 2013-012, 2018-001, 2019-001, 2020-001, 2021-001)

**Condition:** Through the process of gaining an understanding of the County's internal control structure, it was noted that county-wide internal controls regarding Risk Assessment and Monitoring have not been designed.

**Cause of Condition:** Policies and procedures have not been designed and implemented to address Risk Assessment and Monitoring of the County.

**Effect of Condition:** Without an adequate system of county-wide controls, there is greater risk of a breakdown in control activities which could result in unrecorded transactions, undetected errors, or misappropriation of funds.

**Recommendation:** The Oklahoma State Auditor & Inspector's Office (OSAI) recommends that the County design and implement a system of county-wide procedures to identify and address risks related to financial reporting and to ensure that information is communicated effectively. OSAI also recommends that the County design monitoring procedures to assess the quality of performance over time. These procedures should be written policies and procedures and could be included in the County's policies and procedures handbook.

#### **Management Response:**

**Chairman of the Board of County Commissioners:** The Board of County Commissioners will work towards assessing and identifying risks to design written county-wide controls.

**Criteria:** The United States Government Accountability Office's (*Standards for Internal Control in the Federal Government*) (2014 version) aided in guiding our assessments and conclusion. Although this publication (GAO Standards) addresses controls in the federal government, this criterion can be treated as best practices and may be applied as a framework for an internal control system for state, local, and quasi-governmental entities.

The GAO Standards – Section 1 – Fundamental Concepts of Internal Control – OV1.01 states in part:

#### Definition of Internal Control

Internal control is a process effected by an entity's oversight body, management, and other personnel that provides reasonable assurance that the objectives of an entity will be achieved.

Additionally, GAO Standards – Section 2 – Establishing an Effective Internal Control System – OV2.04 states in part:

Components, Principles, and Attributes

Control Environment - The foundation for an internal control system. It provides the discipline and structure to help an entity achieve its objectives.

Risk Assessment - Assesses the risks facing the entity as it seeks to achieve its objectives. This assessment provides the basis for developing appropriate risk responses.

Information and Communication - The quality information management and personnel communicate and use to support the internal control system.

Monitoring - Activities management establishes and operates to assess the quality of performance over time and promptly resolve the findings of audits and other reviews.

# Finding 2022-002 – Lack of Internal Controls and Noncompliance Over the Appropriations Process of County Sales Tax

**Condition:** Upon inquiry and the observation of records over the collections and appropriations of sales tax funds, the following was noted:

Highway District Sales Tax:

- Calculated appropriations available totaled \$3,206,867; however, an excess of \$268,000 was appropriated for the Highway District Sales Tax accounts.
- A resolution for the appropriations to each District was not approved by the BOCC and the Excise Board.

Cause of Condition: Policies and procedures have not been designed and implemented to ensure sales tax revenue is properly appropriated, including lapsed balances, and to comply with AG Opinions and 68 O.S. § 1370E. Further, the BOCC has not established, through resolution, the amount of sales tax that should be appropriated to each highway district within the County General fund.

**Effect of Condition:** This condition resulted in noncompliance with state statute and nonconformity with the AG Opinions. Additionally, this could result in unrecorded transactions, misstated financial reports, undetected errors, and misappropriation of funds.

**Recommendation:** OSAI recommends that internal controls be designed and implemented to ensure sales tax collections are appropriated in accordance with the sales tax ballot; specifically, through BOCC resolution, management should establish lapsed balances, excess collections, and percentages to discretely present sales tax funds appropriated into separate accounts within the General Fund in accordance with the AG Opinions and 68 O.S. § 1370E.

#### **Management Response:**

Chairman of the Board of County Commissioners: We will calculate to determine available sales tax appropriations for the Highway Sales Tax accounts and the Ambulance Service District Sales Tax, and we will establish, by resolution, the amount of sales tax that should be appropriated to each highway district and the Ambulance Service District within the County General fund. The excess \$268,000 that was appropriated for the Highway Sales Tax accounts for fiscal year 2022 was money for a road project reimbursement from the Cherokee Nation that District 2 received in September 2021. We had been told that we could not transfer the money into the County General fund without doing a supplemental budget, but if there was money that we definitely knew we would receive we could go ahead and budget it.

Criteria: The GAO Standards - Principle 10 - Design Control Activities - 10.03 states in part:

10.03 - Management clearly documents internal control and all transactions and other significant events in a manner that allows the documentation to be readily available for examination. The documentation may appear in management directives, administrative policies, or operating manuals, in either paper or electronic form. Documentation and records are properly managed and maintained.

Title 68 O.S. § 1370E, requires the sales tax collections be deposited in the general revenue or sales tax revolving fund of the County and be used only for the purpose for which such sales tax was designated.

Further, AG opinion 2005 OK AG 23 dated 07/13/2005 states:

"3. Proceeds of a county sales tax voted for a specific purpose but placed in the county's general fund must be accounted for as a discrete fund, and any surplus not needed for the stated purpose during one fiscal year must be transferred to the county budget for the next fiscal year, for the same specified purpose."

Additionally, AG opinion 2014 OK AG 15 dated 10/31/2014 states:

"4. C. As the fiscal agent responsible for superintending the funds of Canadian County, the board of county commissioners is responsible to ensure that the sales tax proceeds are not intermingled and are used exclusively for the purpose expressed in the ballot measure and resolution. The board can direct that the funds be deposited in a dedicated revolving fund and not intermingled with other revenues. Okla. Const. art. X, § 19; 68 O.S. 2011, § 1370; 19 O.S. Supp. 2013, § 339; 19 O.S. 2011, § 345; Cavin v. Bd. of County Comm'rs, 1934 OK 245 ¶ 11, 33 P.2d 477, 479."

Finding 2022-009 – Lack of Internal Controls and Noncompliance Over the Disbursement and Payroll Processes (Repeat Finding - 2008-009, 2009-009, 2010-007, 2011-002, 2012-002, 2013-002, 2018-009, 2019-009, 2020-009, 2021-009)

**Condition:** Upon inquiry and observation, and testing of sixty-five (65) of the County's disbursement and payroll processes, we noted the following:

- The County does not have an adequate segregation of duties over payroll to ensure that duties assigned to individuals are done so in a manner that would not allow one individual to control both the recording function and the procedures relative to the processing of a transaction.
- Three (3) of the (65) disbursements tested were signed by only one member of the BOCC.

Cause of Condition: Policies and procedures have not been designed and implemented with regard to segregation of duties and/or compensating controls over the disbursement and payroll processes and to ensure compliance with state statutes.

**Effect of Condition:** This condition resulted in noncompliance with state statute which could result in unrecorded transactions, misstated financial reports, undetected errors, and misappropriation of funds.

Recommendation: OSAI recommends the County design and implement a system of internal controls over the disbursement and payroll processes. Such controls should include ensuring that funds are encumbered prior to the receipt of goods and/or services, implementing a review process with adequate documentation to support the review, and implementing procedures to ensure authorized personnel requisition, receive, and approve cash disbursements in accordance with 19 O.S. § 1505. Additionally, OSAI recommends management determine if duties can be properly segregated. In the event that segregation of duties is not possible due to limited personnel, OSAI recommends implementing compensating controls to mitigate the risks involved with a concentration of duties. Compensating controls would include separating key processes and/or critical functions of the office and having management review and approval of accounting functions.

#### **Management Response:**

**Chairman of the Board of County Commissioners:** I will express to fellow County Commissioners the importance of having at least two members of the BOCC sign each disbursement.

**County Clerk:** I will work to segregate duties over the payroll process.

**Criteria:** The GAO Standards – Principle 10 – Design Control Activities – 10.03 states in part:

#### Segregation of Duties

Management divides or segregates key duties and responsibilities among different people to reduce the risk of error, misuse, or fraud. This includes separating the responsibilities for authorizing transactions, processing and recording them, reviewing the transactions, and handling any related assets so that no one individual controls all key aspects of a transaction or event.

Additionally, Principle 10 - Segregation of Duties states:

10.12 — Management considers segregation of duties in designing control activity responsibilities so that incompatible duties are segregated and, where such segregation is not practical, designs alternative control activities to address the risk.

10.13 – Segregation of duties helps prevent fraud, waste, and abuse in the internal control system. Management considers the need to separate control activities related to authority, custody, and accounting of operations to achieve adequate segregation of duties. In particular, segregation of duties can address the risk of management override. Management override circumvents existing control activities and increases fraud risk. Management addresses this risk through segregation of duties but cannot absolutely prevent it because of the risk of collusion, where two or more employees act together to commit fraud.

10.14 – If segregation of duties is not practical within an operational process because of limited personnel or other factors, management designs alternative control activities to address the risk of fraud, waste, or abuse in the operational process.

The GAO Standards – Section 2 – Objectives of an Entity - OV2.23 states in part:

#### Compliance Objectives

Management conducts activities in accordance with applicable laws and regulations. As part of specifying compliance objectives, the entity determines which laws and regulations apply to the entity. Management is expected to set objectives that incorporate these requirements.

Further, effective internal controls require that management properly implement procedures to ensure that purchases comply with 19 O.S. § 1505.

SECTION 2—This section contains certain matters not required to be reported in accordance with *Government Auditing Standards*. However, we believe these matters are significant enough to bring to management's attention. We recommend that management consider these matters and take appropriate corrective action.

Finding 2022-012 – Lack of Internal Controls and Noncompliance Over the Inmate Trust Fund Checking Account (Repeat Finding 2019-012, 2020-012, 2021-012)

**Condition:** Upon inquiry and observation of the Inmate Trust Fund Checking Account, the following exceptions were noted:

- The County Sheriff does not have an adequate segregation of duties to ensure that duties assigned to individuals are done so in a manner that would not allow one individual to control both the recording function and the procedures relative to processing a transaction.
- Audit evidence does not exist to support that bank reconciliations are prepared and reviewed by separate individuals.
- Deposits are not made daily.

**Cause of Condition:** Policies and procedures have not been designed and implemented to ensure that controls are in place regarding the Inmate Trust Fund Checking Account.

Effect of Condition: This condition resulted in noncompliance with state statute. Further, a single person having responsibility for more than one area of recording, authorization, custody of assets, and execution of transactions could result in unrecorded transactions, misstated financial reports, clerical errors, or misappropriation of funds not being detected in a timely manner.

**Recommendation:** OSAI recommends management be aware of this condition and realize that a concentration of duties and responsibilities is not desired from a control point of view. Management should provide segregation of duties so that no employee is able to perform all accounting functions. We further recommend that deposits be made on a daily basis in accordance with state statute.

#### **Management Response:**

**County Sheriff:** We will work towards implementing review processes.

**Criteria:** The GAO Standards – Principle 10 – Design Control Activities – 10.03 states in part:

#### Segregation of Duties

Management divides or segregates key duties and responsibilities among different people to reduce the risk of error, misuse, or fraud. This includes separating the responsibilities for authorizing transactions, processing and recording them, reviewing the transactions, and handling any related assets so that no one individual controls all key aspects of a transaction or event.

Additionally, Principle 10 - Segregation of Duties states:

- 10.12 Management considers segregation of duties in designing control activity responsibilities so that incompatible duties are segregated and, where such segregation is not practical, designs alternative control activities to address the risk.
- 10.13 Segregation of duties helps prevent fraud, waste, and abuse in the internal control system. Management considers the need to separate control activities related to authority, custody, and accounting of operations to achieve adequate segregation of duties. In particular, segregation of duties can address the risk of management override. Management override circumvents existing control activities and increases fraud risk. Management

addresses this risk through segregation of duties, but cannot absolutely prevent it because of the risk of collusion, where two or more employees act together to commit fraud.

10.14 - If segregation of duties is not practical within an operational process because of limited personnel or other factors, management designs alternative control activities to address the risk of fraud, waste, or abuse in the operational process.

Title 19 O.S. § 682 states in part, "It shall be the duty of each and every county officer...to deposit daily...all monies...of every kind received or collected by virtue or under color of office..."

SECTION 3—Findings related to the Report on Compliance for the U.S. Department of Treasury Coronavirus State and Local Fiscal Recovery Funds Program (CSLFRF) Requirements for an Alternative CSLFRF Compliance Examination Engagement

No matters were noted.



