



## DEPARTMENT OF AUDITS AND ACCOUNTS

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**GREG S. GRIFFIN**  
STATE AUDITOR

### MEMORANDUM

TO: All Agency Heads *EGS*

FROM: Greg S. Griffin, State Auditor

DATE: March 25, 2015

RE: Local Government Eligibility for State Grants

Enclosed please find a listing of local governments that are not in compliance with audit report/grant certification form submission requirements, including information on the specific nature of the noncompliance noted on the date the listing was prepared (as of March 16, 2015). Noncompliance with these requirements could impact a local government's eligibility for state grant transmittals or could require return to the state of previously awarded grant funds. To facilitate access to this information by your staff, this memo and the enclosed listing of noncompliant local governments will be available on the Department of Audits and Accounts web page. The direct web address to access this information is:

[http://www.audits.ga.gov/NALGAD/Local\\_Government\\_Audits.html](http://www.audits.ga.gov/NALGAD/Local_Government_Audits.html)

In addition, if members of your staff would like to be added to our email list to receive future updates to this listing, please send your request to Christina Anderson, whose contact information appears at the end of this memo.

The following Code sections affect a local government's eligibility for state grant funds based upon submission of documents to the State Auditor for review:

O.C.G.A. §36-81-7 requires that local governments forward a copy of their annual audit report to the State Auditor for review. This code section also requires local governments to correct deficiencies noted during this review. Subparagraph (d)(5) of this code section specifies that "no state agency shall make or transmit any state grant funds to any local government which has failed to provide all the audits required by law within the preceding five years".

O.C.G.A. §36-81-8.1 requires that local government recipients of grants from the Governor's emergency fund or from a special project appropriation annually submit a grant certification form to the State Auditor. Except under certain limited circumstances, certification is required by the local government and the local government auditor that the grant funds were used solely for the express purpose or purposes for which the grant was made. Paragraph (e) specifies that "the failure to comply with the requirements of this code section shall result in a forfeiture of a state grant and the return to the state of any such grant funds which have been received by the local government". An additional provision states that "a grant recipient ... shall be ineligible to receive funds from the Governor's emergency fund or from a special project appropriation until all unallowed expenditures are returned to the state...".

In cooperation with the Office of the State Treasurer, the enclosed listing includes local governments that are not in compliance with O.C.G.A. §47-1-5 or Article 2 of §47-20. In even numbered years, local governments that have established defined benefit retirement plans are required to report on the financial condition of their plan. For those governments not in compliance, the Department of Audits and Accounts is required to "notify the state treasurer; and it shall be the duty of the state treasurer to withhold any state funds payable to the applicable political subdivision or local board of education until the actuarial investigation and financial report are submitted to the state auditor." The same requirement applies to governments whose actuary opines that the government has not met the minimum funding standards for their defined benefit plan. Noncompliant governments have been added to the listing to ensure that agency officials are aware of the requirement to withhold state funds payable to these local governments.

Please note that O.C.G.A. §36-81-7 refers to "any **state** grant funds" (emphasis added). This provision to suspend state grants does not apply to grants made or transmitted by state agencies to local governments that are not considered state grants. For example, federal grant awards that state agencies pass through to local governments should not be withheld from noncompliant governments, even if the grant has state matching requirements.

It is important to note that, for purposes of O.C.G.A. §36-81-7, a local government is defined as "a municipality, county, consolidated city-county government, or other political subdivision of the state." Although not included on the attached listing, the Department of Audits and Accounts maintains information regarding the compliance status of other political subdivisions; if your agency is considering the award of a grant or transmittal of state grant funds to such an entity, we will provide compliance status information upon request.

If your agency is considering the award of a grant or transmittal of state grant funds to a local government, an agency official should confirm whether the local government is in compliance with the applicable code section(s) identified above. The attached listing was accurate as of the date it was prepared; however, it is important to note that local government compliance with these code sections is subject to change. Therefore, I would encourage you to request updated information on the status of local government compliance by submitting an e-mail request for information to our office. My staff will research the compliance status of the potential local government grantees specified in the e-mail and notify you of the results. Please send the e-mail to [anderson@audits.ga.gov](mailto:anderson@audits.ga.gov) to request information on compliance status and include the names of particular governments. The next listing is due to be released on June 15, 2015.

If you have any questions regarding the provisions of the above referenced code sections or local government eligibility for state grants, please contact Christina Anderson by e-mail at [anderson@audits.ga.gov](mailto:anderson@audits.ga.gov) or by telephone at (404) 463-6495.

GEORGIA DEPARTMENT OF AUDITS AND ACCOUNTS

Nonprofit and Local Government Audits Division

Listing of Noncompliant Local Governments

--- Government ---								
Name	Type	2009	2010	2011	2012	2013	2014	
Washington County Memorial Hospital	Authority		3		3		3	
Ambrose	City					1B		
Andersonville	City			1B	1A	1A		
Aragon	City	1A	1A	1A	1A	1A		
Atlanta	City							1B
Braswell	City	1A	1A	1A	1A	1A	1A	1A
Broxton	City					1A		
Buena Vista	City					1B		
Byromville	City	1A	1A	1A	1A	1A		
Chauncey	City							1A
Cobbtown	City			1B				
Cohutta	City				1A	1A		
Damascus	City			1A	1A	1A		
DeSoto	City	1A	1A	1A	1A	1A		
DuPont	City			1A				
Enigma	City	1A, 2	1A, 2	1A, 2	1A, 2	1A,2		
Franklin	City				1B	1B		
Funston	City					1A		
Gillsville	City					1A	1A	
Grantville	City				1A	1A		
Hazlehurst	City							1B
Keysville	City					1A		
Lincolnton	City					1A		
Lovejoy	City							1A
Lumber City	City					1B		
Lumpkin	City				1A	1A	1A	
Mansfield	City					1A		
Morganton	City	1A	1A	1A	1A	1A	1A	1A
Newton	City					1A		
Oak Park	City					1A		
Oglethorpe	City					1A		
Pelham	City		3		3			1A, 3
Plainville	City				1B	1B		
Ranger	City	2	1A, 2	1A, 2	1A, 2	1A, 2		
Rayle	City	1B	1B	1B	1B	1B	1A	
Rebecca	City					1A		
Register	City	1B						
Rocky Ford	City	1A	1A	1A	1A	1A		
Santa Claus	City					1A		
Screven	City					1A	1A	
Sparks	City		1B					
Stillmore	City					1A		
Sugar Hill	City				1A			
Sumner	City				1A	1A		
Talbotton	City	1B						
Twin City	City	1B	1B	1A	1A	1A		
Waco	City				1B			1B
Warrenton	City					1A		
Washington	City					1B		

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--- Government ---

Name	Type	2009	2010	2011	2012	2013	2014
Woodland	City				1A	1A	
Yatesville	City	1A	1B	1B	1A	1A	
Colquitt	County					1A	1A
Marion	County				1B	1B	
Polk	County						1A
Toombs	County					1B	

Note 1: This information is accurate as of the date it was prepared. State agency officials are strongly encouraged to contact Department of Audits and Accounts to confirm eligibility for potential local government grantees prior to award of contract and transmittal of state grant funds. Eligibility may be confirmed by sending an e-mail to [anderson@audits.ga.gov](mailto:anderson@audits.ga.gov) and including name(s) of local government grantees. The inclusion or exclusion of a particular government on the above list does not constitute proof of eligibility status under O.C.G.A. §36-81-7.

KEY:

1. Noncompliant with O.C.G.A. §36-81-7 (A: Report not received; B: Uncorrected report deficiencies)
2. Noncompliant with O.C.G.A. §36-81-8.1
3. Reported to Office of the State Treasurer as noncompliant with O.C.G.A. §47-1-5 or Article 2 of §47-20