

STATE OF MINNESOTA

Office of the State Auditor



Patricia Anderson
State Auditor

TOWN OF EMPIRE
DAKOTA COUNTY, MINNESOTA

YEAR ENDED DECEMBER 31, 2005

Description of the Office of the State Auditor

The Office of the State Auditor serves as a watchdog for Minnesota taxpayers by helping to ensure financial integrity, accountability, and cost-effectiveness in local governments throughout the state.

Through financial, compliance, and special audits, the State Auditor oversees and ensures that local government funds are used for the purposes intended by law and that local governments hold themselves to the highest standards of financial accountability.

The State Auditor performs approximately 250 financial and compliance audits per year and has oversight responsibilities for over 4,300 local units of government throughout the state. The office currently maintains five divisions:

Audit Practice - conducts financial and legal compliance audits for local governments;

Government Information - collects and analyzes financial information for cities, towns, counties, and special districts;

Legal/Special Investigations - provides legal analysis and counsel to the Office and responds to outside inquiries about Minnesota local government law; as well as investigates allegations of misfeasance, malfeasance, and nonfeasance in local government;

Pension - monitors investment, financial, and actuarial reporting for over 700 public pension funds; and

Tax Increment Financing, Investment and Finance - promotes compliance and accountability in local governments' use of tax increment financing through financial and compliance audits.

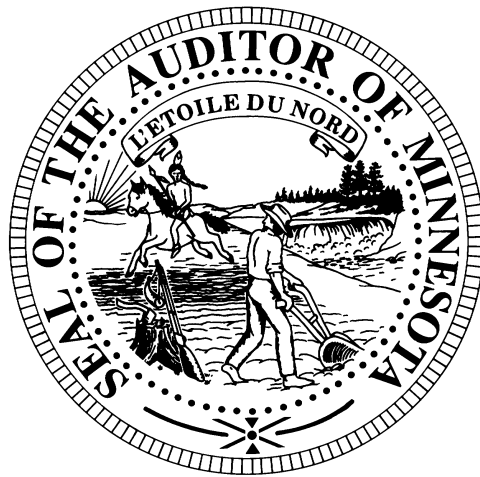
The State Auditor serves on the State Executive Council, State Board of Investment, Land Exchange Board, Public Employee's Retirement Association Board, Minnesota Housing Finance Agency, and the Rural Finance Authority Board.

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**TOWN OF EMPIRE
DAKOTA COUNTY, MINNESOTA**

Year Ended December 31, 2005



**Audit Practice Division
Office of the State Auditor
State of Minnesota**

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**TOWN OF EMPIRE
DAKOTA COUNTY, MINNESOTA**

TABLE OF CONTENTS

	<u>Reference</u>	<u>Page</u>
Introductory Section		
Organization		1
Financial Section		
Independent Auditor's Report		2
Financial Statements		
Governmental Funds		
Statement of Receipts, Disbursements, and Changes in Cash Balance	Exhibit 1	4
Statement of Classification of Receipts - Budget and Actual	Exhibit 2	5
Statement of Classification of Disbursements - Budget and Actual	Exhibit 3	6
Escrow Fiduciary Fund		
Statement of Changes in Cash Balances	Exhibit 4	8
Notes to the Financial Statements		9
Management and Compliance Section		
Schedule of Findings and Recommendations		14
Report on Internal Control Over Financial Reporting and Minnesota Legal Compliance		16

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**TOWN OF EMPIRE
DAKOTA COUNTY, MINNESOTA**

ORGANIZATION
DECEMBER 31, 2005

	Term of Office	
	From	To
<u>Elected Positions</u>		
Town Board of Supervisors		
Terry Holmes, Chair	March 1987	February 2008
Ed Gerten	September 1998	February 2006
Jamie Elvestad	June 2004	February 2007
<u>Appointed Position</u>		
Clerk/Treasurer		
Kathleen Krippner		Indefinite

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PATRICIA ANDERSON
STATE AUDITOR

INDEPENDENT AUDITOR'S REPORT

Town Board of Supervisors
Town of Empire

We have audited the governmental funds statement of receipts, disbursements, and changes in cash balance and the related statements of classification of receipts and disbursements, and the fiduciary statement of changes in cash balances of the Town of Empire, Dakota County, Minnesota, as of and for the year ended December 31, 2005, as listed in the table of contents. These financial statements are the responsibility of the Town of Empire's management. Our responsibility is to express an opinion on these financial statements based on our audit.

Except as discussed in the following paragraph, we conducted our audit in accordance with auditing standards generally accepted in the United States of America. Those standards require that we plan and perform the audit 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 audit provides a reasonable basis for our opinion.

Except for the Escrow Fiduciary Fund, the Town of Empire's accounting records are not sufficient to support maintaining cash balances by fund. Therefore, except for the Escrow Fiduciary Fund, all of the Town's receipts and disbursements are reported in the General Fund.

As described in Note 1.B. to the financial statements, the Town of Empire's policy is to prepare its financial statements on the cash basis of accounting. This practice differs from accounting principles generally accepted in the United States of America. Accordingly, the accompanying financial statements are not intended to present financial position and results of operations in conformity with accounting principles generally accepted in the United States of America.

In our opinion--except for the effect of such adjustments, if any, as might have been determined to be necessary had the Town of Empire's accounting records been sufficient to support cash balances by fund--the financial statements referred to above present fairly, in all material respects, the cash balance of the Town of Empire at December 31, 2005, and the receipts and disbursements for the year then ended in conformity with the cash basis of accounting described in Note 1.B. to the financial statements.

The Town has not presented a Management's Discussion and Analysis that the Governmental Accounting Standards Board has determined is necessary to supplement, although not required to be part of, the financial statements.

/s/Pat Anderson

PATRICIA ANDERSON
STATE AUDITOR

/s/Greg Hierlinger

GREG HIERLINGER, CPA
DEPUTY STATE AUDITOR

End of Fieldwork: March 28, 2006

FINANCIAL STATEMENTS

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**TOWN OF EMPIRE
DAKOTA COUNTY, MINNESOTA**

EXHIBIT 1

**GOVERNMENTAL FUNDS
STATEMENT OF RECEIPTS, DISBURSEMENTS, AND CHANGES IN CASH BALANCE
FOR THE YEAR ENDED DECEMBER 31, 2005**

Cash Balance - January 1	\$ 2,084,577
Additions to cash	
Receipts, Exhibit 2	2,759,363
Deductions from cash	
Disbursements, Exhibit 3	<u>(2,078,509)</u>
Cash Balance - December 31	<u><u>\$ 2,765,431</u></u>

**TOWN OF EMPIRE
DAKOTA COUNTY, MINNESOTA**

EXHIBIT 2

**GOVERNMENTAL FUNDS
STATEMENT OF CLASSIFICATION OF RECEIPTS
BUDGET AND ACTUAL
FOR THE YEAR ENDED DECEMBER 31, 2005**

	<u>Budget</u>	<u>Actual</u>	<u>Variance Favorable (Unfavorable)</u>
Taxes			
Real and personal property	\$ 632,200	\$ 592,582	\$ (39,618)
Gravel tax	20,000	13,737	(6,263)
Franchise fee	5,000	4,432	(568)
Total taxes	\$ 657,200	\$ 610,751	\$ (46,449)
Intergovernmental revenue			
Shared revenue			
PERA	\$ -	\$ 260	\$ 260
Market value credit	19,000	36,111	17,111
Dakota County	-	621,579	621,579
City of Farmington	-	2,908	2,908
Metropolitan Council	-	434,061	434,061
Total intergovernmental revenue	\$ 19,000	\$ 1,094,919	\$ 1,075,919
Charges for services	\$ 170,000	\$ 294,367	\$ 124,367
Licenses and permits	\$ 232,000	\$ 249,072	\$ 17,072
Fines and forfeits	\$ -	\$ 1,127	\$ 1,127
Miscellaneous revenues			
Chargebacks	\$ -	\$ 450,470	\$ 450,470
Rent	-	925	925
Donations	-	8,245	8,245
Interest earnings	-	49,487	49,487
Total miscellaneous revenues	\$ -	\$ 509,127	\$ 509,127
Total	\$ 1,078,200	\$ 2,759,363	\$ 1,681,163

**TOWN OF EMPIRE
DAKOTA COUNTY, MINNESOTA**

EXHIBIT 3

**GOVERNMENTAL FUNDS
STATEMENT OF CLASSIFICATION OF DISBURSEMENTS
BUDGET AND ACTUAL
FOR THE YEAR ENDED DECEMBER 31, 2005**

	<u>Budget</u>	<u>Actual</u>	<u>Variance Favorable (Unfavorable)</u>
General Fund			
Supervisors			
Wages and per diems	\$ -	\$ 14,049	\$ (14,049)
Other services and charges	-	153	(153)
Clerk/Treasurer			
Wages and per diems	36,300	30,127	6,173
Clerical			
Wages and per diems	11,000	9,506	1,494
Elections			
Wages and per diems	500	326	174
Supplies	100	448	(348)
Other services and charges	100	222	(122)
Planning and zoning			
Wages and per diems	6,000	4,430	1,570
Other services and charges	5,500	15,856	(10,356)
Maintenance employees			
Wages and per diems	21,300	5,409	15,891
Legal			
Contracted services	3,000	800	2,200
General government buildings			
Supplies	2,000	4,309	(2,309)
Other services and charges	4,900	12,242	(7,342)
Other general government			
Insurance	7,000	10,424	(3,424)
Computer services	-	2,269	(2,269)
Fire protection	65,000	38,367	26,633
Ambulance	12,000	9,991	2,009
Animal control	-	925	(925)
Building inspection	200,000	88,100	111,900
Sanitation	15,000	19,987	(4,987)
General engineering	50,000	16,687	33,313
Employer paid insurance	10,200	12,434	(2,234)
Auditing	5,000	3,700	1,300
Supplies	4,600	8,775	(4,175)
Other services and charges	34,700	458,931	(424,231)
Total General Fund	\$ 494,200	\$ 768,467	\$ (274,267)

**TOWN OF EMPIRE
DAKOTA COUNTY, MINNESOTA**

**EXHIBIT 3
(Continued)**

**GOVERNMENTAL FUNDS
STATEMENT OF CLASSIFICATION OF DISBURSEMENTS
BUDGET AND ACTUAL
FOR THE YEAR ENDED DECEMBER 31, 2005**

	<u>Budget</u>	<u>Actual</u>	<u>Variance Favorable (Unfavorable)</u>
Road and Bridge Fund			
Wages and per diems - maintenance	\$ 17,700	\$ 21,532	\$ (3,832)
Repair and maintenance	76,700	101,025	(24,325)
Construction	-	752,565	(752,565)
Total Road and Bridge Fund	\$ 94,400	\$ 875,122	\$ (780,722)
Parks and Trail Fund			
Wages and per diems - maintenance	\$ 6,000	\$ 12,914	\$ (6,914)
Wages and per diems - clerical	-	1,949	(1,949)
Wages and per diems - commission	6,000	426	5,574
Supplies	46,500	93,954	(47,454)
Other services and charges	8,100	18,223	(10,123)
Total Parks and Trail Fund	\$ 66,600	\$ 127,466	\$ (60,866)
Parks Commission Fund			
Wages and per diems - commission	\$ -	\$ 1,840	\$ (1,840)
Supplies	-	50,235	(50,235)
Other services and charges	-	663	(663)
Total Parks Commission Fund	\$ -	\$ 52,738	\$ (52,738)
Capital Improvement Fund			
Capital outlay	\$ 265,000	\$ 38,999	\$ 226,001
Storm Water Management Fund			
Supplies	\$ -	\$ 220	\$ (220)
Other services and charges	3,000	1,434	1,566
Total Storm Water Management Fund	\$ 3,000	\$ 1,654	\$ 1,346
Sewer Hookup Fund			
Other services and charges	\$ -	\$ 20,122	\$ (20,122)
Sewer and Water Enterprise Fund			
Wages and per diems - clerical	\$ 5,200	\$ 2,849	\$ 2,351
Wages and per diems - clerk	6,200	6,951	(751)
Wages and per diems - maintenance employees	24,500	34,522	(10,022)
Supplies	24,500	46,120	(21,620)
Other services and charges	61,200	103,499	(42,299)
Total Sewer and Water Enterprise Fund	\$ 121,600	\$ 193,941	\$ (72,341)
Total	\$ 1,044,800	\$ 2,078,509	\$ (1,033,709)

**TOWN OF EMPIRE
DAKOTA COUNTY, MINNESOTA**

EXHIBIT 4

**ESCROW FIDUCIARY FUND
STATEMENT OF CHANGES IN CASH BALANCES
FOR THE YEAR ENDED DECEMBER 31, 2005**

	<u>Cash Balance January 1</u>	<u>Cash Additions</u>	<u>Cash Deductions</u>	<u>Cash Balance December 31</u>
Escrow Fund	<u>\$ 75,221</u>	<u>\$ 162,606</u>	<u>\$ 78,093</u>	<u>\$ 159,734</u>

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**TOWN OF EMPIRE
DAKOTA COUNTY, MINNESOTA**

NOTES TO THE FINANCIAL STATEMENTS
AS OF AND FOR THE YEAR ENDED DECEMBER 31, 2005

1. Summary of Significant Accounting Policies

A. Financial Reporting Entity

The Town of Empire is an organized township having the powers, duties, and privileges granted towns by Minn. Stat. ch. 365. The Town of Empire is governed by a three-member Board of Supervisors who are elected for three-year terms. A chair is elected annually by the Board members at the reorganization meeting in March of each year.

B. Basis of Accounting

The accounts of the Town of Empire are maintained on the cash basis. The Statement of Cash Receipts, Disbursements, and Changes in Cash Balance; the Statement of Classification of Receipts; the Statement of Classification of Disbursements; and the Escrow Fiduciary Fund Statement of Changes in Cash Balances are prepared on the cash basis. Receipts are recorded when cash is received, and disbursements are recorded when order-checks are issued. These statements do not reflect accounts receivable, accounts payable, or other accrued items and, therefore, are not presented in accordance with generally accepted accounting principles.

C. Budgets

Budgets are adopted and presented on the cash basis. The Town's electors vote to authorize the amount of money to be raised for a given year through tax levies for Town purposes in accordance with Minn. Stat. §§ 365.10 and 365.431. This vote occurs at the Town's annual meeting in March. The annual meeting is then generally continued in August of each year, and the final levy amounts are approved at that time. The Town also budgets for other expected sources of receipts, such as charges for services. However, the Town does not budget for expenditures they expect to be reimbursed for from developers or other governments.

D. Capital Assets

Capital assets are recorded as disbursements when purchased. No records are maintained.

**TOWN OF EMPIRE
DAKOTA COUNTY, MINNESOTA**

2. Deposits and Investments

A. Deposits

Minn. Stat. §§ 118A.02 and 118A.04 authorize the Town to designate a depository for public funds and to invest in certificates of deposit. Minn. Stat. § 118A.03 requires all deposits be protected by insurance, surety bond, or collateral. The market value of collateral pledged shall be at least ten percent more than the amount on deposit plus accrued interest at the close of the financial institution's banking day, not covered by insurance or bonds.

Authorized collateral includes treasury bills, notes and bonds; issues of U.S. government agencies; general obligations rated "A" or better, revenue obligations rated "AA" or better; irrevocable standard letters of credit issued by the Federal Home Loan Bank; and certificates of deposit. Minnesota statutes require that securities pledged as collateral be held in safekeeping in a restricted account at the Federal Reserve Bank or in an account at a trust department of a commercial bank or other financial institution not owned or controlled by the financial institution furnishing the collateral.

Custodial Credit Risk

Custodial credit risk is the risk that in the event of a financial institution failure, the Town's deposits may not be returned to it. The Town does not have a deposit policy for custodial credit risk. As of December 31, 2005, the Town's deposits were not exposed to custodial credit risk.

B. Investments

During the year ended December 31, 2005, the Town had no investments.

3. Property Tax Receipts

During the month of March, the Town levies its property tax for the subsequent year. The tax is billed to individual property owners annually and, for the most part, is due and payable in January, but may be paid in two equal installments on or before May 15 and October 15 without penalty.

Dakota County is the collecting agency for the levy and remits the collections to the Town three times per year. The property taxes are receipted when they are received.

**TOWN OF EMPIRE
DAKOTA COUNTY, MINNESOTA**

4. Pension Plans

A. Plan Description

All full-time and certain part-time employees of the Town of Empire are covered by defined benefit plans administered by the Public Employees Retirement Association of Minnesota (PERA). The PERA administers the Public Employees Retirement Fund, which is a cost-sharing, multiple-employer retirement plan. The plan is established and administered in accordance with Minn. Stat. chs. 353 and 356.

Public Employees Retirement Fund members belong to either the Coordinated Plan or the Basic Plan. Coordinated Plan members are covered by Social Security, and Basic Plan members are not. All new members must participate in the Coordinated Plan.

The PERA provides retirement benefits as well as disability benefits to members and benefits to survivors upon death of eligible members. Benefits are established by state statute and vest after three years of credited service. The retirement benefits are based on a member's highest average salary for any five successive years of allowable service, age, and years of credit at termination of service.

Two methods are used to compute benefits for Coordinated and Basic Plan members. The retiring member receives the higher of a step-rate benefit accrual formula (Method 1) or a level accrual formula (Method 2). Under Method 1, the annuity accrual rate for a Basic Plan member is 2.2 percent of average salary for each of the first ten years of service and 2.7 percent for each year thereafter. For a Coordinated Plan member, the annuity accrual rate is 1.2 percent of average salary for each of the first ten years and 1.7 percent for each successive year. Using Method 2, the annuity accrual rate is 2.7 percent of average salary for Basic Plan members and 1.7 percent for Coordinated Plan members for each year of service.

For Public Employees Retirement Fund members whose annuity is calculated using Method 1, a full annuity is available when age plus years of service equal 90. A reduced retirement annuity is also available to eligible members seeking early retirement.

The benefit provisions stated in the previous paragraphs of this section are current provisions and apply to active plan participants. Vested, terminated employees who are entitled to benefits but are not yet receiving them are bound by the provisions in effect at the time they last terminated public service.

**TOWN OF EMPIRE
DAKOTA COUNTY, MINNESOTA**

4. Pension Plans

A. Plan Description (Continued)

The PERA issues a publicly available financial report that includes financial statements and required supplementary information for the Public Employees Retirement Fund. That report may be obtained on the internet at www.mnpera.org; by writing to PERA at 60 Empire Drive, Suite 200, Saint Paul, Minnesota 55103-2088; or by calling 651-296-7460 or 1-800-652-9026.

B. Funding Policy

Pension benefits are funded from member and employer contributions and income from the investment of fund assets. Minn. Stat. ch. 353 sets the rates for employer and employee contributions. These statutes are established and amended by the State Legislature. The Town makes annual contributions to the pension plans equal to the amount required by state statutes. Public Employees Retirement Fund Basic Plan members and Coordinated Plan members were required to contribute 9.10 and 5.10 percent, respectively, of their annual covered salary in 2005. Contribution rates in the Coordinated Plan increased in 2006 to 5.5 percent. The Town is required to contribute the following percentages of annual covered payroll:

In 2005	
Public Employees Retirement Fund	
Basic Plan members	11.78%
Coordinated Plan members	5.53
In 2006	
Public Employees Retirement Fund	
Basic Plan members	11.78%
Coordinated Plan members	6.00

The Town's contributions for the years ending December 31, 2005, 2004, and 2003, were \$7,222, \$6,483, and \$5,669, respectively, equal to the contractually required contributions for each year as set by state statute.

**TOWN OF EMPIRE
DAKOTA COUNTY, MINNESOTA**

5. Risk Management

The Town of Empire is exposed to various risks of loss related to torts; theft of, damage to, and destruction of assets; errors and omissions; injuries to Town officers and employees; and natural disasters. All risks of loss are insured by the purchase of commercial insurance. There were no significant reductions in insurance coverage from the previous year. There were no settlements in excess of insurance for any of the past three fiscal years.

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**TOWN OF EMPIRE
DAKOTA COUNTY, MINNESOTA**

**SCHEDULE OF FINDINGS AND RECOMMENDATIONS
FOR THE YEAR ENDED DECEMBER 31, 2005**

INTERNAL CONTROL

PREVIOUSLY REPORTED ITEM NOT RESOLVED

04-1 Segregation of Duties

The Town of Empire has two employees that perform accounting duties--the Clerk/Treasurer and Deputy Clerk. Segregation of accounting functions necessary to ensure adequate internal control is not possible. This is not unusual in towns the size of Empire.

We recommend that the Board of Supervisors be constantly aware of this condition and realize that the concentration of duties and responsibilities in two individuals is not desirable from an internal control point of view.

MINNESOTA LEGAL COMPLIANCE

ITEM ARISING THIS YEAR

05-1 Cash and Investment Balances

Starting with the year ending December 31, 2002, in order to eliminate negative cash balances, the beginning cash balances were adjusted. Total cash for the Town remained the same, but the beginning cash amounts were moved from the General Fund to funds with negative balances. As a result, the ending cash balances by fund are misstated by the amounts of these transfers.

Minn. Stat. § 366.04 authorizes the transfer of surplus monies from one fund to any other fund with a deficiency. The statute requires a unanimous vote of the Town Board of Supervisors. All actions of the Town Board should be recorded in the minutes in accordance with Minn. Stat. §§ 367.11 and 13D.01, subd. 4.

We recommend that cash and investments be properly tracked for each fund. Approved transfers or loans should be made from a fund with available balances if there is not sufficient cash in a fund. The Town should review the cash and investment records and make any adjustments necessary to properly record cash and investment balances for each fund.

MANAGEMENT PRACTICES

ITEM ARISING THIS YEAR

05-2 Negative Cash Balances

As of December 31, 2005, three separate funds had negative cash balances. The Parks and Trail Fund had a deficit cash balance of \$162,602; the Parks Commission Fund had a deficit balance of \$52,738; and the Capital Improvement Fund had a deficit balance of \$67,723. Revenues in these funds are sporadic, and these funds have not had a positive cash balance for the last several years. As a result, cash deficits in these funds continue to grow as disbursements are made.

We recommend that the Town monitor cash balances by fund in order to avoid negative cash balances. If there is not sufficient revenue and fund balance to cover the disbursements, operating transfers or loans should be made from another fund with sufficient cash available. Another option is to establish levies for these funds to cover the disbursements.

05-3 Budgeting

The Town does not amend its receipts and disbursements budgets during the year for the requests for services they get from other governments, developers, and mining companies. This creates large variances on the budget and actual financial statements.

We recommend that the Town begin amending its budget for disbursements and the receipts as requests for services arise during the year. The Town Board of Supervisors should approve these budget amendments at their regular meetings.



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PATRICIA ANDERSON
STATE AUDITOR

REPORT ON INTERNAL CONTROL OVER FINANCIAL REPORTING AND MINNESOTA LEGAL COMPLIANCE

Town Board of Supervisors
Town of Empire

We have audited the cash basis financial statements of the Town of Empire as of and for the year ended December 31, 2005, and have issued our report thereon dated March 28, 2006. Our opinion on the Town's financial statements was qualified because the Town maintains insufficient records to account for cash and investment balances by fund.

We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the provisions of the *Minnesota Legal Compliance Audit Guide for Local Government*, promulgated by the State Auditor pursuant to Minn. Stat. § 6.65. Accordingly, the audit included such tests of the accounting records and such other auditing procedures as we considered necessary in the circumstances.

Internal Control Over Financial Reporting

The management of the Town of Empire is responsible for establishing and maintaining internal control. In fulfilling this responsibility, management must make estimates and judgments to assess the expected benefits and related costs of internal control policies and procedures. The objectives of internal control are to provide management with reasonable, but not absolute, assurance that:

- assets are safeguarded against loss from unauthorized use or disposition,
- transactions are executed in accordance with management's authorization, and
- transactions are recorded properly to permit the preparation of financial statements in accordance with the cash basis.

Because of inherent limitations in internal controls, errors or irregularities may nevertheless occur and not be detected. Also, projection of any evaluation of the controls to future periods is subject to the risk that procedures may become inadequate because of changes in conditions or that the effectiveness of the design and operation of policies and procedures may deteriorate.

In planning and performing our audit, we considered the Town of Empire'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 an opinion on the internal control over financial reporting. However, we noted a matter involving the internal control over financial reporting and its operation that we consider to be a reportable condition. Reportable conditions involve matters coming to our attention relating to significant deficiencies in the design or operation of the internal control over financial reporting that, in our judgment, could adversely affect the Town's ability to record, process, summarize, and report financial data consistent with the assertions of management in the financial statements. The reportable condition is described in the accompanying Schedule of Findings and Recommendations as item 04-1.

A material weakness is a reportable 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 caused by error or fraud 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. Our consideration of the internal control over financial reporting would not necessarily disclose all matters in the internal control that might be reportable conditions and, accordingly, would not necessarily disclose all reportable conditions that are also considered to be material weaknesses. However, we believe the reportable condition indicated above is not a material weakness.

Minnesota Legal Compliance

The *Minnesota Legal Compliance Audit Guide for Local Government* contains five categories of compliance to be tested: contracting and bidding, deposits and investments, conflicts of interest, public indebtedness, and claims and disbursements. Our study included all of the listed categories, except that we did not test for compliance in public indebtedness because no debt has been issued.

The results of our tests indicate that, for the items tested, the Town of Empire complied with the material terms and conditions of applicable legal provisions, except as described in the Schedule of Findings and Recommendations as item 05-1.

This report is intended solely for the information and use of the Town Board of Supervisors and management and is not intended to be, and should not be, used by anyone other than those specified parties.

/s/Pat Anderson

PATRICIA ANDERSON
STATE AUDITOR

/s/Greg Hierlinger

GREG HIERLINGER, CPA
DEPUTY STATE AUDITOR

End of Fieldwork: March 28, 2006