# **City of Eureka Springs, Arkansas**

# Regulatory Basis Financial Statements and Other Reports

**December 31, 2022** 



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Sen. David Wallace Senate Chair Sen. John Payton Senate Vice Chair



Rep. Jimmy Gazaway House Chair Rep. Richard Womack House Vice Chair

# LEGISLATIVE JOINT AUDITING COMMITTEE ARKANSAS LEGISLATIVE AUDIT

Independent Auditor's Report

City of Eureka Springs, Arkansas Officials and Council Members Legislative Joint Auditing Committee

#### Report on the Audit of the Financial Statements

#### **Opinions**

We have audited the regulatory basis financial statements of the City of Eureka Springs, Arkansas (City), which are comprised of the Balance Sheet – Regulatory Basis for the general fund, street fund, and other funds in the aggregate as of December 31, 2022, and the related Statements of Revenues, Expenses, and Changes in Fund Balances and Budget and Actual – General and Street Funds – Regulatory Basis for the year then ended, and the related notes to the financial statements.

#### **Unmodified Opinions on Regulatory Basis of Accounting**

In our opinion, the accompanying regulatory basis financial statements referred to above present fairly, in all material respects, the regulatory basis financial position of the general fund, street fund, and other funds in the aggregate of the City of Eureka Springs, Arkansas as of December 31, 2022; the regulatory basis revenues, expenditures, and changes in net position; and the budgetary comparisons for the general fund and street fund for the year then ended, in accordance with the financial reporting provisions of Ark. Code Ann. § 10-4-412 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 section of our report, the accompanying regulatory basis financial statements referred to above do not present fairly, in accordance with accounting principles generally accepted in the United States of America, the financial position of the general fund, street fund, and other funds in the aggregate of the City of Eureka Springs, Arkansas, as of December 31, 2022, or the revenues, expenditures, and changes in net position and, where applicable, cash flows thereof 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*, 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 Regulatory Basis Financial Statements section of our report. We are required to be independent of the City, 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 for our audit opinions.

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

As described in Note 1 of the financial statements, the financial statements are prepared by the City on the basis of the financial reporting provisions of Ark. Code Ann. § 10-4-412, which is a basis of accounting other than accounting principles generally accepted in the United States of America, to meet the requirements permitted by the State of Arkansas.

The effects on the financial statements of the variances between the regulatory basis of accounting described in Note 1 and accounting principles generally accepted in the United States of America, although not reasonably determinable, are presumed to be material and pervasive.

#### **Emphases of Matter**

As discussed in Note 1 to the financial statements, in 2022 the City adopted new accounting guidance, Governmental Accounting Standards Board Statement No. 87, Leases. Our opinions are not modified with respect to this matter.

As discussed in Note 1 to the financial statements, the City would have included other funds under accounting principles generally accepted in the United States of America (GAAP) as established by the Governmental Accounting Standards Board. However, under the regulatory basis, these funds are not required to be included as part of the reporting entity. Our opinions are not modified with respect to this matter.

#### Responsibilities of Management for the Financial Statements

Management is responsible for the preparation and fair presentation of these financial statements in accordance with the financial reporting provisions of Ark. Code Ann. § 10-4-412, as described in Note 1, to meet the requirements permitted by the State of Arkansas; this includes determining that the regulatory basis of accounting is an acceptable basis for the preparation of the financial statements 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 misstatements, whether due to fraud or error.

In preparing the financial statements, management is required to evaluate whether there are conditions or events, considered in the aggregate, that raise substantial doubt about the City'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 Statements

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinions. 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 statements.

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

- Exercise professional judgement and maintain professional skepticism throughout the audit.
- Identify and assess the risk of material misstatements of the financial statements, 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 statements.
- 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 the City'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 statements.
- Conclude whether, in our judgment, there are conditions or events, considered in the aggregate, that raise substantial doubt
  about the City'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 opinions on the regulatory basis financial statements as a whole. The accompanying supplementary information listed in the table of contents is presented for purposes of additional analysis and is not a required part of the financial statements. 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 regulatory basis financial statements. The information has been subjected to the auditing procedures applied in the audit of the regulatory basis financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the regulatory basis financial statements or to the regulatory basis financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, the accompanying supplementary information listed in the table of contents is fairly stated in all material respects, in relation to the regulatory basis financial statements as a whole on the basis of accounting described in Note 1.

#### Other Information

Management is responsible for the other information included in the report. The other information is comprised of the schedules listed in the table of contents but does not include the regulatory basis financial statements, supplemental information, and our auditor's reports thereon. Our opinions on the regulatory basis financial statements do not cover the other information, and we do not express an opinion or any form of assurance thereon.

In connection with our audit of the regulatory basis financial statements, our responsibility is to read the other information and consider whether a material inconsistency exists between the other information and the financial statements, or the other information otherwise appears to be materially misstated. If, based on the work performed, we conclude that an uncorrected material misstatement of the other information exists, we are required to describe it in our report.

#### Other Reporting Required by Government Auditing Standards

In accordance with *Government Auditing Standards*, we have also issued our report dated April 17, 2024, on our consideration of the City'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 the testing, and not to provide an opinion on the effectiveness of the City's internal control over financial reporting or on compliance. The report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the City's internal control over financial reporting and compliance.

ARKANSAS LEGISLATIVE AUDIT

Kevin William White, CPA, JD

Legislative Auditor

Little Rock, Arkansas April 17, 2024 LOM103322



Sen. David Wallace Senate Chair Sen. John Payton Senate Vice Chair



Rep. Jimmy Gazaway House Chair Rep. Richard Womack House Vice Chair

# LEGISLATIVE JOINT AUDITING COMMITTEE ARKANSAS LEGISLATIVE AUDIT

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

Independent Auditor's Report

City of Eureka Springs, Arkansas Officials and Council Members Legislative Joint Auditing Committee

We have audited, in accordance with the auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States, the regulatory basis financial statements of the general fund, street fund, and other funds in the aggregate of City of Eureka Springs, Arkansas (City), as of and for the year ended December 31, 2022, and the related notes to the financial statements, which collectively comprise the City's regulatory basis financial statements, and have issued our report thereon dated April 17, 2024. We issued an adverse opinion because the financial statements are prepared by the City on the basis of the financial reporting provisions of Ark. Code Ann. § 10-4-412, which is a basis of accounting other than accounting principles generally accepted in the United States of America. The effects on the financial statements of the variances between the regulatory basis of accounting described in Note 1 and accounting principles generally accepted in the United States of America, although not reasonably determinable, are presumed to be material. However, with respect to the regulatory basis of accounting described in Note 1, our opinions on the general fund, street fund, and other funds in the aggregate were unmodified.

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

In planning and performing our audit of the financial statements, we considered the City'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 statements, but not for the purpose of expressing an opinion on the effectiveness of the City's internal control. Accordingly, we do not express an opinion on the effectiveness of the City's internal control.

A deficiency in internal control exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, misstatements on a timely basis. A material weakness is a deficiency, or a combination of deficiencies, in internal control, such that there is a reasonable possibility that a material misstatement of the entity's financial statements will not be prevented, or detected and corrected, on a timely basis. A significant deficiency is a deficiency, or a 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.

Our consideration of internal control was for the limited purpose described in the first paragraph of this section 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. We identified a certain deficiency in internal control, described below as item 2022-1, that we consider to be a material weakness.

2022-1 Arkansas Code requires management to maintain financial records. The City's financial records contained errors that were considered material as noted below:

- The General Fund financial records contained misstatements in assets, revenues, and expenditures of \$297,194, \$204,560, and \$823,467, respectively, due to errors in cash, classification errors, and posting errors.
- The Street Fund financial records contained misstatements in expenditures of \$347,490 due to posting errors.

A similar finding was reported in the two previous two reports.

The effect of these errors constitutes a control deficiency in the process of preparing financial statements. City management should implement procedures to ensure financial records are properly posted.

The Mayor and Finance Director concurred with the above recommendations and have approved the appropriate adjustments to the City's financial records.

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

As part of obtaining reasonable assurance about whether the City's financial statements are free from material misstatement, we performed tests of its compliance with certain provisions of laws, regulation, contracts, and grant agreements, noncompliance with which could have a direct and material effect on the financial statements. 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 result of our tests disclosed an instance of noncompliance or other matters that are required to be reported under *Government Auditing Standards* and which are described in the Report on Internal Control over Financial Reporting section as item 2022-1.

We also reported to management of the City in a separate letter dated April 17, 2024.

#### City's Response to Finding

Government Auditing Standards requires the auditor to perform limited procedures on the City's responses to the findings identified in our audit and described previously. The City's response was not subjected to the other auditing procedures applied in the audit of the financial statements and, accordingly, we express no opinion on the response.

#### **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. However, pursuant to Ark. Code Ann. § 10-4-417, all reports presented to the Legislative Joint Auditing Committee are matters of public record, and distribution is not limited.

ARKANSAS LEGISLATIVE AUDIT

Joseph D. Archer, CPA Deputy Legislative Auditor

Little Rock, Arkansas April 17, 2024



Sen. David Wallace Senate Chair Sen. John Payton Senate Vice Chair



Rep. Jimmy Gazaway House Chair Rep. Richard Womack House Vice Chair

# LEGISLATIVE JOINT AUDITING COMMITTEE ARKANSAS LEGISLATIVE AUDIT

#### MANAGEMENT LETTER

City of Eureka Springs, Arkansas Officials and Council Members Legislative Joint Auditing Committee

The commentary contained in this letter relates to the following officials who held office during 2022:

Mayor: Robert B. Berry

Recorder/Treasurer: Ann Armstrong District Court Clerk: Jessica Perew Police Chief: Brian Young

City Advertising and Promotion Chairperson: Jeff Carter Historic District Commission Chairperson: Steve Holifield Parks and Recreation Chairperson: Ruth Hager Finance Director: Lonnie Clark (retired September 2022) Cemetery Commission Chairperson: L.B. Wilson

We would like to communicate the following items that came to our attention during this audit. The purpose of such comments is to provide constructive feedback and guidance, in an effort to assist management in maintaining a satisfactory level of compliance with the state constitution, laws and regulations, and to improve internal control. These matters were discussed previously with City officials during the course of our audit fieldwork and at the exit conference.

#### Mayor

An audit was not obtained for the City's Water and Waste Water Department for 2021, 2020, and 2019, as required by Ark. Code Ann. § 14-234-119. A similar finding was noted in the previous two reports.

Street Fund expenditures exceeded budgeted appropriations by \$246,586 (17%), in noncompliance with Ark. Code Ann. § 14-58-203.

#### **Finance Director**

Monthly bank reconciliations were not performed timely or prepared properly, as required by Ark. Code Ann. § 14-59-108. A similar finding was noted in the previous two reports.

A fixed asset listing was established, but records were not updated to include additions, deletions, or control totals, as required by Ark. Code Ann. § 14-59-107. A similar finding was noted in the previous two reports.

Annual financial statements were not published by April 1, as required by Ark. Code Ann. § 14-59-116.

This letter is intended solely for the information and use of the Legislative Joint Auditing Committee, the City Council (or local governing body) and City management, and other parties as required by Arkansas Code and is not intended to be and should not be used by anyone other than these specified parties. However, pursuant to Ark. Code Ann. § 10-4-417, all reports presented to the Legislative Joint Auditing Committee are matters of public record, and distribution is not limited.

ARKANSAS LEGISLATIVE AUDI

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Joseph D. Archer, CPA Deputy Legislative Auditor

Little Rock, Arkansas April 17, 2024

# CITY OF EUREKA SPRINGS, ARKANSAS BALANCE SHEET - REGULATORY BASIS DECEMBER 31, 2022

						ther Funds in the
400570		General		Street		Aggregate
ASSETS	\$	2,209,124	\$	1,143,180	\$	5,072,837
Cash and cash equivalents Investments	Φ	2,209,124	Φ	1,143,160	Φ	607,352
Accounts receivable		395,775		58,098		312,196
Interfund receivables		17,387	,			77,938
TOTAL ASSETS	\$	2,622,286	\$	1,201,278	\$	6,070,323
LIABILITIES AND FUND BALANCES						
Liabilities:						
Accounts payable	\$	34,598	\$	44,073	\$	8,279
Interfund payables		75,017				20,308
Settlements pending						175,232
Total Liabilities		109,615	-	44,073	-	203,819
Fund Balances:						
Restricted				1,157,205		3,525,207
Committed						29,934
Assigned		64,940				2,311,363
Unassigned		2,447,731				
Total Fund Balances		2,512,671	-	1,157,205	-	5,866,504
TOTAL LIABILITIES AND FUND BALANCES	\$	2,622,286	\$	1,201,278	\$	6,070,323

The accompanying notes are an integral part of these financial statements.

Other Funds

## CITY OF EUREKA SPRINGS, ARKANSAS

# STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCES - REGULATORY BASIS

# FOR THE YEAR ENDED DECEMBER 31, 2022

	General			Other Funds in the Aggregate	
REVENUES					
State aid	\$ 193,996	\$	187,005	\$	175,890
Federal aid	6,419				1,132,414
Property taxes	279,182		94,140		37,646
Franchise fees	423,508				
Sales taxes	1,045,284		559,073		2,196,356
Fines, forfeitures, and costs	122,945				11,043
Interest and dividends	40,034		17,029		93,967
Local permits and fees	392,500				271,281
Advertising and promotion taxes					1,918,083
Ambulance fees	667,177				
Parking meter fees and fines	128,240				
Employee contributions	80,931				
Walton Family Foundation Grant					16,940
Trolley passenger fares					461,236
Promoter ticket sales					154,134
Sale of land	36,102				
Net increase/(decrease) in fair value of investments					(141,012)
Other	 307,597		10,933		163,763
TOTAL REVENUES	 3,723,915		868,180		6,491,741
EXPENDITURES					
Current:					
General government	1,013,394				500
Law enforcement	1,693,808				23,790
Highways and streets	,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,		955,616		347,490
Public safety	1,596,290		555,515		252,143
Recreation and culture	26,059				1,525,289
Advertising and promotion	20,000				1,642,822
Public transit					1,334,051
Cemetery	49,619				95,607
Wastewater	.0,0.0				347,490
Recycling	37,077				0,
Total Current	 4,416,247		955,616		5,569,182
Debt Service:			•		•
					276 447
Bond principal					276,417
Bond interest and other charges					28,147
Financed purchases principal					33,574
Financed purchases interest	 				22,907
TOTAL EXPENDITURES	 4,416,247		955,616		5,930,227

# CITY OF EUREKA SPRINGS, ARKANSAS STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCES -REGULATORY BASIS

# FOR THE YEAR ENDED DECEMBER 31, 2022

	General		Street		Other Funds in the Aggregate	
EXCESS OF REVENUES OVER (UNDER) EXPENDITURES	\$	(692,332)	\$	(87,436)	\$	561,514
OTHER FINANCING SOURCES (USES) Transfers in Transfers out Contribution to water department Contribution from water department		2,221,872 (1,360,516) (286,825)		(347,490)		1,708,006 (2,221,872) 347,490
TOTAL OTHER FINANCING SOURCES (USES)		574,531		(347,490)		(166,376)
EXCESS OF REVENUES AND OTHER SOURCES OVER (UNDER) EXPENDITURES AND OTHER USES		(117,801)		(434,926)		395,138
FUND BALANCES - JANUARY 1		2,630,472		1,592,131		5,471,366
FUND BALANCES - DECEMBER 31	\$	2,512,671	\$	1,157,205	\$	5,866,504

The accompanying notes are an integral part of these financial statements.

# CITY OF EUREKA SPRINGS, ARKANSAS STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCES BUDGET AND ACTUAL - GENERAL AND STREET FUNDS - REGULATORY BASIS FOR THE YEAR ENDED DECEMBER 31, 2022

		General				
	Budget	Actual	Variance Favorable (Unfavorable)	Budget	Actual	Variance Favorable (Unfavorable)
REVENUES State aid	\$ 52,647	\$ 193,996	\$ 141,349	\$ 187,005	\$ 187,005	\$ 0
Federal aid	\$ 52,647 218,160	\$ 193,996 6,419	\$ 141,349 (211,741)	\$ 167,005	\$ 167,005	\$ 0
Property taxes	321,048	279,182	(41,866)	112,273	94,140	(18,133)
Franchise fees	53,944	423,508	369,564	112,210	54,140	(10,100)
Sales taxes	1,648,320	1,045,284	(603,036)	552,841	559,073	6,232
Fines, forfeitures, and costs	118,511	122,945	4,434	,-	,-	-, -
Interest	23,931	40,034	16,103	17,029	17,029	0
Local permits and fees	372,906	392,500	19,594			
Ambulance fees	702,381	667,177	(35,204)			
Parking meter fees and fines	128,038	128,240	202			
Employer contributions	303,867		(303,867)			
Employee contributions	77,103	80,931	3,828			
Sale of land		36,102	36,102			
Other	385,181	307,597	(77,584)	10,889	10,933	44
TOTAL REVENUES	4,406,037	3,723,915	(682,122)	880,037	868,180	(11,857)
EXPENDITURES						
Current:						
General government	2,021,340	1,013,394	1,007,946			
Law enforcement	1,837,857	1,693,808	144,049			
Highways and streets				1,056,520	955,616	100,904
Public safety	1,504,174	1,596,290	(92,116)			
Recreation and culture		26,059	(26,059)			
Cemetery		49,619	(49,619)			
Recycling		37,077	(37,077)			
TOTAL EXPENDITURES	5,363,371	4,416,247	947,124	1,056,520	955,616	100,904
EXCESS OF REVENUES OVER (UNDER)						
EXPENDITURES	(957,334)	(692,332)	265,002	(176,483)	(87,436)	89,047
OTHER FINANCING SOURCES (USES)						
Transfers in	1,550,494	2,221,872	671,378			
Transfers out	(243,500)	(1,360,516)	(1,117,016)		(347,490)	(347,490)
Contribution to water department		(286,825)	(286,825)		. , ,	
TOTAL OTHER FINANCING SOURCES (USES)	1,306,994	574,531	(732,463)		(347,490)	(347,490)
EXCESS OF REVENUES AND OTHER SOURCES OVER (UNDER) EXPENDITURES AND OTHER USES	349,660	(117,801)	(467,461)	(176,483)	(434,926)	(258,443)
FUND BALANCES - JANUARY 1	2,630,472	2,630,472	0	1,592,131	1,592,131	0
FUND BALANCES - DECEMBER 31	\$ 2,980,132	\$ 2,512,671	\$ (467,461)	\$ 1,415,648	\$ 1,157,205	\$ (258,443)

The accompanying notes are an integral part of these financial statements.

#### NOTE 1: Summary of Significant Accounting Policies

#### A. Financial Reporting Entity

The City of Eureka Springs was incorporated under the laws of the State of Arkansas and operates under an elected Mayor-Council form of government. The reporting entity includes all funds of the City. Under accounting principles generally accepted in the United States of America (GAAP) as established by the *Government Accounting Standards Board*, the following funds of the City would have been included in the reporting entity: Water and Waste Water and Hospital Commission. However, under Arkansas's regulatory basis described below, inclusion of these funds is not required and these funds are not included in this report.

#### B. Basis of Presentation - Regulatory

The financial statements are presented in accordance with the regulatory basis of presentation as prescribed or permitted by Ark. Code Ann. § 10-4-412. The law requires that the financial statements be presented on a fund basis with, as a minimum, the general fund and street fund presented separately with all other funds included in the financial statements presented in the aggregate. This law also stipulates that the financial statements consist of a balance sheet; a statement of revenues, expenditures, and changes in fund balances; a comparison of the final adopted budget to the actual expenditures for the general and street funds; notes to financial statements; and a supplemental schedule of capital assets.

The regulatory basis of presentation is not in accordance with generally accepted accounting principles (GAAP). GAAP require that basic financial statements present government-wide and fund financial statements. Additionally, GAAP require the following major concepts: Management's Discussion and Analysis, separate financial statements for fiduciary fund types and other requirements for fiduciary fund types, specific procedures for the identification of major governmental funds, and applicable note disclosures. The regulatory basis of presentation does not require government-wide financial statements or the previously identified concepts.

A fund is defined as a fiscal and accounting entity with a self-balancing set of accounts recording cash and other financial resources, together with related liabilities and residual balances, and changes therein, which are segregated for purposes of carrying on specific activities or attaining certain objectives in accordance with special regulations, restrictions, or limitations.

The following types of funds are recognized in the accompanying regulatory basis financial statements.

<u>General Fund</u> - The General Fund is used to account for and report all financial resources not accounted for and reported in another fund.

**Street Fund** - The Street Fund (Special Revenue Fund) is used to account for and report the proceeds of specific revenue sources that are restricted or committed to expenditure for specified purposes other than debt service or capital projects. The Street Fund accounts for and reports the proceeds of state highway turnback, property taxes, and sales taxes that are restricted or committed for maintaining and constructing highways and streets.

<u>Other Funds in the Aggregate</u> - Other Funds in the Aggregate consist of all funds included in the financial statements except for the General and Street Funds. The following types of funds are included in this column as follows:

<u>Special Revenue Funds</u> - Special Revenue Funds are used to account for and report the proceeds of specific revenue sources that are restricted or committed to expenditure for specified purposes other than debt service or capital projects. See Schedules 1 and 2 for Special Revenue Funds as reported with other funds in the aggregate.

<u>Capital Projects Funds</u> - Capital Projects Funds are used to account for and report financial resources that are restricted, committed, or assigned to expenditure for capital outlay, including the acquisition or construction of capital facilities and other capital assets (other than those financed by Enterprise Funds). See Schedules 1 and 2 for Capital Projects Funds as reported with other funds in the aggregate.

<u>Debt Service Funds</u> - Debt Service Funds are used to account for and report financial resources that are restricted, committed, or assigned to expenditure for principal and interest. See Schedules 1 and 2 for the Debt Service Fund as reported with other funds in the aggregate.

#### NOTE 1: Summary of Significant Accounting Policies (Continued)

#### B. Basis of Presentation – Regulatory (Continued)

#### Other Funds in the Aggregate (Continued)

<u>Enterprise Funds</u> – Enterprise funds are used to report activity that is financed with debt that is secured solely by a pledge of the net revenues from fees and charges of the activity; activity that is legally required to recover its costs through fees or charges; or activity that the government's policy is to establish fees or charges designed to recover the cost of providing services. See Schedules 1 and 2 for the Enterprise Fund as reported with other funds in the aggregate.

<u>Pension Trust Funds</u> – Pension Trust Funds are used to report resources that are required to be held in trust for the members and beneficiaries of pension plans. See Schedules 1 and 2 for the Pension Trust Fund as reported with other funds in the aggregate.

<u>Custodial Funds</u> - Custodial Funds are used to report resources held by the reporting government in a purely custodial capacity (assets equal liabilities). See Schedule 1 for Custodial Funds as reported with other funds in the aggregate.

#### C. Basis of Accounting - Regulatory

The financial statements are prepared on the regulatory basis of accounting as prescribed or permitted by Ark. Code Ann. § 10-4-412. This regulatory basis differs from accounting principles generally accepted in the United States of America. Revenues generally are recognized as soon as they are both measurable and available. Revenues are considered to be available when they are collectible within the current period or soon enough thereafter to pay liabilities of the current period. For this purpose, the government considers revenues to be available if they are collected within 60 days of the end of the current period. However, most state aid received from the State Treasury is by state law revenue of the year in which it was received by the government. Expenditures generally are recorded when a liability is incurred. Liabilities incurred by the government on or before the end of the current period that are paid within 60 days of the end of the current period, are considered to be expenditures of the current period. However, debt service expenditures, as well as expenditures related to compensated absences and claims and judgments, are recorded only when payment is due. As a result of the use of this regulatory basis of accounting, capital assets and long-term debt are not recorded in these financial statements. Pension trust funds are reported in a separate column as a part of supplementary information in order to provide users a better understanding of the entity as a whole.

The regulatory basis of accounting is not in accordance with generally accepted accounting principles (GAAP). GAAP require the following major concepts: Accrual basis of accounting for government-wide financial statements, including depreciation expense, modified accrual basis of accounting for fund financial statements, separate identification of special and extraordinary items, inclusion of capital assets and debt in the financial statements, inclusion of the net pension liability in the financial statements, and applicable note disclosures. The regulatory basis of accounting does not require the previously identified concepts.

In 2022, the City implemented Governmental Accounting Standards Board Statement No. 87, Leases. The significant/material effect on the Regulatory Basis of Accounting in the current period is that certain items included in debt service in the previous period are included in the expenditure/function code of the applicable opinion unit.

#### D. Assets, Liabilities, and Fund Balances

#### Cash and Cash Equivalents

For the purpose of financial reporting, "cash and cash equivalents" includes all demand, savings, money market accounts, and certificates of deposit.

#### Investments

Investments are reported at fair value.

#### NOTE 1: Summary of Significant Accounting Policies (Continued)

#### D. Assets, Liabilities, and Fund Balances (Continued)

#### Settlements Pending

Settlements pending are considered fines, forfeitures, costs, and undistributed balances that have not been transferred to the appropriate entities.

#### Fund Balance Classifications

- 1. Restricted fund balance amounts that are restricted when constraints placed on the use of resources are either (a) externally imposed by creditors (such as through debt covenants), grantors, contributors, or laws or regulations of other governments; or (b) imposed by law through constitutional provisions or enabling legislation.
- 2. Committed fund balance amounts that can only be used for specific purposes pursuant to constraints imposed by formal action of the City Council (passage of an ordinance).
- Assigned fund balance amounts that are constrained by the City Council's intent to be used for specific purposes, but are neither restricted nor committed.
- 4. Unassigned fund balance amounts that have not been assigned to other funds and that have not been restricted, committed, or assigned to specific purposes within the general fund. This classification may also include negative amounts in other governmental funds, if expenditures incurred for specific purposes exceeded the amounts restricted, committed, or assigned to those purposes.

#### E. Property Taxes

A lien attaches to the real property in January and on personal property in June of each year. Property taxes are collectible beginning the first business day of March of the subsequent year, but are not considered delinquent until after October 15. Property taxes reflected as revenues on the financial statements include the property tax relief distribution made by the State of Arkansas. The purpose of this distribution is to reimburse the municipality for property tax credits in accordance with Arkansas Code.

#### F. Budget Law

State law requires that these procedures be followed in establishing the budgetary data:

- a. Prior to December 1, the Mayor submits to the City Council a proposed operating budget for the calendar year commencing the following January 1. The operating budget includes proposed expenditures and the means of financing them.
- b. The proposed budget is discussed at a City Council meeting prior to adoption.
- c. Prior to February 1, the budget is legally enacted by ordinance or resolution of the City Council.
- d. Appropriations lapse at the end of each year.
- e. Under certain conditions, the budget may be amended subsequent to the year-end.

The budgeted revenues and expenditures represent the formal operating budget adopted by the City Council, as amended by the Council during the year.

#### **Basis of Accounting**

The City prepared an annual budget on the regulatory basis for the General Fund, Street Fund, and the other operating funds.

#### NOTE 1: Summary of Significant Accounting Policies (Continued)

#### G. Fund Balance Classification Policies and Procedures

The Municipality's highest level of decision-making authority is its City Council. The establishment of amounts classified as committed fund balances and any subsequent modifications to such balances are the result of formal action taken by the City Council through passage of an ordinance. The City Council is authorized to assign amounts to a specific purpose, although a formal policy has not been established.

The Municipality does not have a policy addressing whether it considers restricted or unrestricted amounts to have been spent when an expenditure is incurred for purposes for which both restricted and unrestricted amounts are available. For classification of fund balance amounts, restricted resources are considered spent before unrestricted. The Municipality does not have a policy addressing which resources to use within the unrestricted fund balance when committed, assigned, or unassigned fund balances are available. When expenditures are incurred for purposes for which amounts in any of the unrestricted fund balance classifications could be used, committed amounts are reduced first, followed by assigned amounts, and then unassigned amounts.

#### NOTE 2: Cash Deposits with Financial Institutions

Cash deposits are carried at cost (carrying value). A comparison of the bank balance and carrying value is as follows:

		Carrying Amount	Bank Balance		
Insured (FDIC)	\$ 1,174,642		\$	1,174,439	
Collateralized:					
Collateral held by the City's agent, pledging bank					
or pledging bank's trust department or agent in the					
City's name		7,163,497		7,741,214	
Uncollateralized		76,132		76,132	
Total Deposits	\$	8,414,271	_\$	8,991,785	

The above total deposits do not include cash on hand of \$10,870.

Custodial Credit Risk – Custodial credit risk for deposits is the risk that, in the event of the failure of depository financial institution, the City will not be able to recover deposits. A formal policy for custodial credit risk has not been adopted by the City. As of December 31, 2022, \$76,132 of the City's bank balances were exposed to custodial credit risk. The balance exposed to custodial credit risk was deposited in money market accounts which are invested exclusively in U.S. Treasury and Government Obligations and are not FDIC insured or collateralized.

#### NOTE 3: Legal or Contractual Provisions for Deposits and Investments

State law generally requires that municipal funds be deposited in federally insured banks located in the State of Arkansas. The municipal deposits may be in the form of checking accounts, savings accounts, and time deposits. Public funds may be invested in eligible investment securities having a maturity of not longer than 5 years from the date of acquisition unless, as documented at the time of acquisition, the investment is to fund or support a specific purpose and there are no expectations that the investment will be sold before maturity; an Arkansas bank certificate of deposit; an account established by a local government joint investment trust; or an Arkansas financial institution repurchase agreement for eligible investment securities in which the seller agrees to repurchase the investment at a price including interest earned during the holding period as determined by the repurchase agreement.

#### Pension Trust Funds

State law generally requires that pension funds be deposited in banks. Pension funds may be invested in interest-bearing bonds of the United States, of the State of Arkansas, or of the city in which the board is located, in a local government joint investment trust, in the Arkansas Local Police and Fire Retirement System, or in savings and loan associations duly established and authorized to do business in this state. State law also provides that if the total assets of the pension trust fund exceed \$100,000, the board may employ an investment advisor to invest the assets, subject to terms, conditions, limitations, and restrictions imposed by law upon the Arkansas Local Police and Fire Retirement System.

#### NOTE 4: Public Fund Investments

A summary of investments by fund types is as follows:

	December 31, 2022				
Fund Type	Fair Value				
_		_			
Trust:					
Firemen's Pension	\$	607,352			

Investments are reported at fair value. Governmental Accounting Standards Board Statement No. 72, Fair Value Measurement and Application establishes a hierarchy based on the valuation assumptions used to measure the fair value of the asset as follows:

- Level I quoted prices in active markets for identical assets
- Level II significant other observable assumptions (e.g., quoted prices for similar instruments in active or inactive markets, etc.)
- Level III significant unobservable assumptions (i.e., prices or valuations using unobservable techniques supported by little or no market activity.)

The City's investments are composed of the following:

Quoted Prices in Active Markets for Identical Investments			
Level I			
\$	268,548		
	338,804		
\$	607.352		
	Activ Identic		

Ark. Code Ann. § 24-11-216 authorizes the Firemen's Pension Board of Trustees to have full power to invest and reinvest monies in accordance with the rules promulgated by the Arkansas Fire and Police Pension Review Board. The code also states the Boards shall establish written investment policies to incorporate a rate of return that is at least equal to the rate of return of one-year United States Treasury notes. The 2022 asset allocation guidelines have been established as follows:

Asset Allocation	Minimum	Maximum	Allocation Target
Firemen's Pension			
Total Equity	20%	60%	50%
Fixed Income	20%	90%	45%
Real Estate	0%	0%	0%
Cash and Equivalents	0%	30%	5%

## NOTE 4: Public Fund Investments (Continued)

Interest Rate Risk – Interest rate risk is the risk that changes in interest rates will adversely affect the fair value of an investment. Investments can be highly sensitive to changes in interest rates due to their terms or characteristics. The City has not adopted a formal investment policy that limits investment maturities as a means of managing its exposure to fair value losses arising from increasing interest rates. The City had invested a total of \$338,804 (56%) in such funds at December 31, 2022. The following summary details the maturity dates in years:

			Investment Maturities (In Years)						
Investment Type	Fair Value		Less than 1			1 - 5		6 - 10	
Bond Mutual Funds	\$	338,804	\$	0	\$	214,156	\$	124,648	

Credit Risk – Credit risk is the risk that an issuer or other counterparty to an investment will not fulfill its obligation. The risk is measured by the credit quality rating of investments in debt securities as described by nationally recognized statistical rating organizations. Obligations of or guaranteed by the U.S. Government are not considered to be exposed to credit risk and are not included in this disclosure. The City's exposure to credit risk as of December 31, 2022, is as follows:

	Fair Value			
<b>Bond Mutual Funds</b>				
A+	\$	45,694		
BBB		153,947		
BBB-		78,384		
B+		60,779		
Total	\$	338,804		

# NOTE 5: Accounts Receivable

The accounts receivable balance at December 31, 2022, is composed of the following:

Description	General Fund		Street Fund		Other Funds in the Aggregate	
State aid	\$	27,419				
Federal aid					\$	127,773
Property taxes		26,956	\$	9,279		3,715
Franchise fees		75,995				
Sales taxes		81,876		44,087		173,198
Fines, forfeitures, and costs		9,863				570
Local permits and fees		38,441				
Advertising and promotion taxes						6,940
Ambulance fees		52,714				
Parking meter fees and fines		4,383				
Other		78,128		4,732		
Totals	\$	395,775	\$	58,098	\$	312,196

## NOTE 6: Accounts Payable

The accounts payable balance at December 31, 2022, is composed of the following:

Description		eral Fund	Str	eet Fund	 Other Funds in the Aggregate			
Vendor payables	\$	34,598	\$	44,073	\$ 8,279			

#### NOTE 7: Interfund Balances

Individual fund interfund receivable and payable balances are as follows:

	December 31, 2022								
	In	terfund	Interfund						
	Red	ceivables	Pa	ayables					
General Fund	\$	17,387	\$	75,017					
Other Funds in the Aggregate:									
Special Revenue Funds:									
City Advertising and Promotion Commission				379					
Parks and Recreation Commission		75,017		17,008					
Capital Projects Fund:									
Capital Outlay				2,921					
Enterprise Fund:									
Transit		2,921							
Totals	\$	95,325	\$	95,325					

Interfund receivables and payables consist of errors in depositing restricted revenues and posting errors. These balances are expected to be repaid in 2023.

#### NOTE 8: Details of Fund Balance Classifications

Fund balance classifications at December 31, 2022, are composed of the following:

		General	Street	Other Funds in				
Description		Fund	Fund	the	Aggregate			
Fund Balances:			 					
Restricted for:								
General government				\$	325,597			
Law enforcement					11,078			
Highw ays and streets			\$ 1,157,205					
Recreation and culture					2,233,840			
Cemetery					80,255			
Pension benefits					672,343			
Debt service					202,094			
Total Restricted			1,157,205		3,525,207			
Committed for:								
Cemetery					29,934			
Assigned to:								
General government	\$	280						
Law enforcement		64,660						
Public transit					881,088			
Capital outlay					1,430,275			
Total Assigned		64,940			2,311,363			
Unassigned		2,447,731						
Totals	\$	2,512,671	\$ 1,157,205	\$	5,866,504			
	_			_				

#### NOTE 9: Legal Debt Limit

#### A. Property Tax Secured Bonded Debt

The City is subject to a constitutional limitation for bonded indebtedness equal to 20% of the total assessed value for tax purposes of real and personal property as determined by the last tax assessment. At December 31, 2022, the legal debt limit for the bonded debt was \$13,367,093. There were no property tax secured bond issues.

#### B. Short-term Financing Obligations

The City is subject to a constitutional limitation for short-term financing obligations equal to 5% of the assessed value of taxable property within the City as determined by the last tax assessment. At December 31, 2022, the legal debt limit for short-term financing obligations was \$3,525,935. The amount of short-term financing obligations, was \$24,379 leaving a legal debt margin of \$3,501,556.

#### NOTE 10: Commitments

Total commitments consist of the following at December 31, 2022:

	_	Dec	ember 31, 2022
Long-term liabilities	_	\$	2,003,665

December 31.

#### NOTE 10: Commitments (Continued)

#### Long-term liabilities

Long-term liabilities at December 31, 2022, are comprised of the following:

	 2022
Bonds Sales and Use Tax Refunding Bonds, Series 2020 dated June 16, 2020, in the amount of \$1,840,566, due in annual installments of \$5,509 to \$292,615 plus interest through October 1, 2027; interest rate of 1.64%. Payments are to be made through the Debt Service Fund.	\$ 1,290,500
<u>Direct Borrowings</u> Financed purchase dated October 24, 2019, in the amount of \$34,500 due in monthly installments of \$619 through October 24, 2024; interest rate of 2.91%. Payments are made from the Parks and Recreation Fund.	13,251
Financed purchase dated October 24, 2019, in the amount of \$28,958, due in monthly installments of \$520 through October 24, 2024; interest rate of 2.91%. Payments are made from the Parks and Recreation Fund.	11,128
On September 1, 2021, the City of Eureka Springs entered into a financed purchase agreement in the amount of \$458,602, due in monthly installments of \$3,262 including interest, with Stone Bank for the purchase of energy saving improvements. Terms are set forth in the financed purchase contract dated November 6, 2020, between the City of Eureka Springs and BancLeasing, LLC. at 4.153% and due in monthly installments over 16 years. Payments will be made from annually budgeted and legally available funds (Debt Service Fund), but do	400.40.4
not constitute pledge or specific revenue.  Total Direct Borrowings	 429,424 453,803
Compensated absences consisting of accrued vacation and sick leave adjusted to current salary cost.	259,362
Total Long-term liabilities	\$ 2,003,665

Due to the City's regulatory basis of accounting, these liabilities are not recorded in the financial statements.

The City's outstanding bonds payable of \$1,290,500 contain a provision that in an event of default, the Trustee may, and upon written request of the owners of not less than 10% in principal amount of the bonds then outstanding shall, by proper suit compel the performance of the duties of the officials of the City and officials of the State to take any action or obtain any proper relief in law or equity available under the Constitution and laws of the State.

The City's outstanding direct borrowings of \$453,803 contain a provision that in an event of default, outstanding amounts, at the Lender's sole option, may be declared immediately due and payable, and the Lender may exercise any rights and remedies, including the right to immediate possession of the collateral, available to it under applicable law.

NOTE 10: Commitments (Continued)

# Long-Term Debt Issued and Outstanding

Date of Issue	Date of Final Maturity	Rate of Interest	Amount Authorized and Issued	Debt Outstanding December 31, 2022	Maturities to December 31, 2022
Bonds 6/16/20	10/1/27	1.64%	\$ 1,840,566	\$ 1,290,500	\$ 550,066
Direct Borrow	v ings				
10/24/19	10/24/24	2.91%	34,500	13,251	21,249
10/24/19	10/24/24	2.91%	28,958	11,128	17,830
9/1/21	9/1/37	4.153%	458,602	429,424	29,178
Total Direct	Borrow ings		522,060	453,803	68,257
Total Lon	g-Term Debt		\$ 2,362,626	\$ 1,744,303	\$ 618,323

# Changes in Long-Term Debt

	Janu	Balance uary 01, 2022	lss	sued	 Retired	Dece	Balance mber 31, 2022
Bonds payable	\$	1,566,917	\$	0	\$ 276,417	\$	1,290,500
<u>Direct Borrow ings</u> Financed purchases		487,377		0	 33,574		453,803
Total Long-Term Debt	\$	2,054,294	\$	0	\$ 309,991	\$	1,744,303

# **Debt Service Requirements to Maturity**

The City is obligated for the following amounts at December 31, 2022:

Years Ending		Bonds		Direct Borrow ings									
December 31,	Principal	Interest	Total	Principal	Interest	Total							
2023	\$ 278,825	\$ 21,164	\$ 299,989	\$ 34,847	\$ 17,964	\$ 52,811							
2024	285,748	16,591	302,339	33,894	16,656	50,550							
2025	286,954	11,905	298,859	23,599	15,545	39,144							
2026	292,615	7,199	299,814	24,598	14,546	39,144							
2027	146,358	2,400	148,758	25,639	13,505	39,144							
2028 through 2032				145,423	50,297	195,720							
2033 through 2037				165,803	16,870	182,673							
Totals	\$1,290,500	\$ 59,259	\$1,349,759	\$ 453,803	\$ 145,383	\$ 599,186							

#### NOTE 10: Commitments (Continued)

#### <u>Lease</u>

The City entered into a lease agreement for a parking lot with Carroll County on January 1, 2022. Terms of the lease are monthly rental payments of \$1,917 for 60 months. At the end of the lease term, the City can automatically renew the lease. The City is obligated for the following amounts for the next four years:

Year	Decem	December 31, 2022							
2023	\$	23,000							
2024		23,000							
2025		23,000							
2026		23,000							
Total	\$	92,000							

Lease expense for 2022, was \$23,004.

#### NOTE 11: Interfund Transfers

The Other Funds in the Aggregate (Debt Service Fund) transferred \$2,221,872 in excess sales taxes and franchise fees to the General Fund. The General Fund transferred the following amounts to the Other Funds in the Aggregate: \$22,000 to support Cemetery Commission operations; \$44,314 for debt service payments; \$34,917 for prior year sales tax; and \$1,259,285 for capital projects. The Street Fund transferred \$347,490 to the Other Funds in the Aggregate for capital projects.

## NOTE 12: Pledged Revenues

The City pledged future 1% sales and use taxes to repay \$1,840,566 in bonds that were issued in 2020 to refund bonds issued in 2012. Total principal and interest remaining on the bonds are \$1,290,500 and \$59,259, respectively, payable through October 1, 2027. For 2022, principal and interest paid were \$276,417 and \$25,697, respectively.

The Debt Service Fund received \$1,597,350 in sales taxes in 2022. Any sales taxes collected in excess of debt service payments on these bonds is permitted to be used for lawful purposes of the City.

#### NOTE 13: Joint Venture

The Cities of Eureka Springs, Berryville, and Green Forest and Carroll County entered into an agreement pursuant to Ark. Code Ann. §§ 14-233-101 – 14-233-121, creating the Carroll County Solid Waste Authority (CCSWA). On October 28, 2019, the Arkansas Pollution Control and Ecology Commission approved CCSWA to become a single county Regional Solid Waste Management District. On September 10, 2020, CCSWA board approved changing its name to Carroll County Solid Waste District (CCSWD). The CCSWD was established in an effort to adequately, reliably, and economically dispose of the Cities' and County's solid waste. Payment in the amount of \$15,000 was made to the CCSWD during the 2022 year. Separate financial statements of the CCSWD are available at: 3190 East Van Buren Street, Eureka Springs, AR 72632.

#### NOTE 14: Risk Management

The City is exposed to various risks of loss related to torts; theft of, damage to, and destruction of assets; errors and omissions; and natural disasters. These risks are covered by commercial insurance purchased from independent third parties and participation in a public entity risk pool. The amount of settlements, if any, has not exceeded the insurance coverage for each of the past three years. There were no significant reductions in insurance coverage in the major categories of risk from coverage in the prior year.

The City participates in the Arkansas Municipal League Program (public entity risk pools) for coverage in the following areas:

Workers' Compensation - This program provides statutory benefits for losses incurred by municipal officials, employees, and volunteer fire fighters while performing work for the municipality. Rates for municipalities participating in this program are revised by class code on an annual basis by the Arkansas Workers' Compensation Commission.

#### Municipal Vehicle Program

- A. Liability This program may pay all sums the municipality legally must pay as damages because of bodily injury, death or property damage to which this agreement applies involving a covered municipal vehicle and for which the municipality is liable. The limit of payment by the program is as follows: \$25,000 because of bodily injury to or death of one person in any one accident; \$50,000 because of bodily injury to or death of two or more persons in any one accident; and \$25,000 because of injury to or destruction of property of others in any one accident. The City shall pay into the program each year a charge established annually by the program administrator for covered municipal vehicles and self-propelled mobile equipment owned or leased by the City.
- B. Physical Damage This program covers motor vehicles and permanently attached equipment which are the property of the participating municipality. Property is valued at the full cost to repair or replace the property after deduction for depreciation. Loss amounts payable will be reduced by the deductible amount of \$1,000 per occurrence. The City agrees to pay into the program each year a service charge established annually by the program administrator for covered property.

Municipal Property Program - This program covers insurable property and equipment, exclusive of motor vehicles and water vessels, which belong to or are in the care, custody, or control of a participating municipality. Property is valued at the full cost to repair or replace the property after deduction of depreciation or as agreed to by the participating municipality and program. Loss amounts payable will be reduced by the deductible amount of \$5,000, or in the case of flood or earthquake, \$100,000. The municipality agrees to pay into the program each year a service charge established annually by the program administrator for property for which the municipality desires coverage.

Municipal Legal Defense Program - The program shall, at the sole discretion of the program administrators, provide extraordinary legal defense and extraordinary expenses in suits against municipal officials and employees and civil rights suits against the municipal government of a participating municipality and pay extraordinary judgments (for actual damages – not punitive damages) imposed on municipal officials and employees and the municipal government. The program shall never be liable to reimburse the municipal government, municipal officials, and employees because of judgment in any one lawsuit for more than 25% of the program's available funds at time the lawsuit was filed or the judgment becomes final, or \$1 million, whichever is less. The City agrees to pay into the program each year a charge established by the steering committee. Each city also agrees to pay the first \$3,000 of the aggregate cost for all expenses on each lawsuit. This cost deposit is not refundable.

The City also participates in the Self-Insured Fidelity Bond Program administered by the Governmental Bonding Board. This program covers actual losses sustained by the participating entity through any fraudulent or dishonest act or acts committed by any of the officials or employees, acting alone or in collusion with others, during the bond period to an amount not exceeding the lesser of \$300,000 or the amount of the bond. Premiums for coverage are determined by the State Risk Manager and approved by the Board. These premiums are paid by the State Treasurer from funds withheld from the Municipal Aid Fund. There is a \$2,500 deductible per occurrence.

#### NOTE 15: Firemen's Pension and Relief Plan

#### Plan Description

The Firemen's Pension and Relief Plan is a single-employer defined benefit pension plan that covers municipal firemen employed prior to January 1, 1983. The plan, administered by the City, provides retirement, disability, and survivor benefits. Benefit and contribution provisions are established by State law and can be amended only by the Arkansas General Assembly. State law does provide that upon actuarial soundness of the plan, the Board may increase retirement benefits. The plan was closed to new entrants on January 1, 1983. The plan does not issue a stand-alone financial report but is included in the City's financial report.

#### Contributions

Active participants of the plan are required to make contributions of not less than 6% of their salary to the plan. Active volunteer firemen are required to make contributions of \$12 per year. The City is required by state law to contribute an amount equal to but not less than 6% of the participant's salary and an amount equal to the contribution paid by any volunteer fireman. The plan is also funded with state insurance tax and property tax on real estate and personal property. If the funds in the plan should be insufficient to make full payment of the amount of pensions to all persons entitled, then the funds shall be prorated among those entitled by the proper authorities as may be deemed just and equitable. The City's contribution to the plan was \$44,890 for the year ended December 31, 2022. The requirements of Governmental Accounting Standards Board Statement no. 68, under the regulatory basis of accounting, are limited to disclosure of the City's net pension liability. Based on the December 31, 2022, actuarial valuation, the plan has a net pension liability of \$ 119,086.

#### NOTE 16: Local Police and Fire Retirement System (LOPFI) (A Defined Benefit Pension Plan)

#### Plan Description

The City contributes to the Local Police and Fire Retirement System (LOPFI), an agent multiple employer retirement system that acts as a common investment and administrative agent for cities and towns in Arkansas. The plan provides retirement and disability benefits, annual cost-of-living adjustments, and death benefits to plan members and beneficiaries. Benefit provisions are established by State law and can be amended only by the Arkansas General Assembly. The Arkansas Local Police and Fire Retirement System issues a publicly available financial report that includes financial statements and required supplementary information for LOPFI. That report may be obtained by writing to Arkansas Local Police and Fire Retirement System, 620 W. 3<sup>rd</sup>, Suite 200, Little Rock, Arkansas 72201, by calling 1-866-859-1745, or on their website <a href="https://www.lopfi-prb.com">www.lopfi-prb.com</a>.

#### **Funding Policy**

The employee contribution rate depends on the type of service being rendered and whether or not the service is also covered by Social Security. The different employee contribution rates required by state law are:

A. Paid service not covered by Social Security: 8.5% of gross pay

B. Paid service also covered by Social Security: 2.5% of gross pay

C. Volunteer fire service: no employee contribution

The City is required to contribute at an actuarially determined rate. The contribution requirements of plan members are established and may be amended by State law. The contribution requirements of the City are established and may be amended by the LOPFI Board of Trustees. The plan is also funded with state insurance tax. The City's contribution to the plan was \$204,125 and the amount of insurance tax paid by the state to the plan for the benefit of the City was \$129,833 for the year ended December 31, 2022.

#### Net Pension Liability

The requirements of Governmental Accounting Standards Board Statement no. 68, under the regulatory basis of accounting, are limited to disclosure of the City's share of the collective net pension liability. The City's proportionate share of the collective net pension liability at December 31, 2022, (actuarial valuation date and measurement date) was \$3,670,722.

#### NOTE 17: Arkansas Public Employees Retirement System

#### Plan Description

The City contributes to the Arkansas Public Employees Retirement System (APERS), a cost-sharing multiple-employer defined benefit pension plan that covers municipal employees whose municipalities have elected coverage under this System. APERS, administered by a Board of Trustees, provides retirement and disability benefits, annual cost-of-living adjustments, and death benefits to plan members and beneficiaries. Benefit provisions are established by State law and can be amended only by the Arkansas General Assembly. The Arkansas Public Employees Retirement System issues a publicly available financial report that includes financial statements and required supplementary information for APERS. That report may be obtained by writing to Arkansas Public Employees Retirement System, 124 W. Capitol, Suite 400, Little Rock, Arkansas 72201, by calling 1-800-682-7377, or on their website www.apers.org.

## **Funding Policy**

APERS has contributory and non-contributory plans. Contributory members are required by State law to contribute 5% of their salary. Beginning July 1, 2022, the contribution rates shall be increased in increments of .25% per fiscal year, not to exceed 7%. The contributory rate was increased to 5.25% as of July 1, 2022. Each participating employer is required by State law to contribute at a rate established by the Board of Trustees of the system, based on the annual actuarial valuation. The City's contribution to the plan for the year ended June 30, 2022, (date of APERS Employer Allocation Report) was \$10,443.

#### Net Pension Liability

The requirements of Governmental Accounting Standards Board Statement no. 68, under the regulatory basis of accounting, are limited to disclosure of the City's share of the collective net pension liability. The City's proportionate share of the collective net pension liability at June 30, 2022, (actuarial valuation date and measurement date) was \$87,928.

## NOTE 18: Corona Virus (COVID-19)

On March 11, 2020, the Governor of Arkansas issued Executive Order 20-03 declaring an emergency and ordered Arkansas Department of Health to take action to prevent the spread of coronavirus disease 2019 (COVID-19). In 2021, the City was awarded \$436,323 in federal aid from the American Rescue Plan Act of 2021, and as of the report date, \$436,323 of this amount has been received. The extent of the impact of COVID-19 on financial statements for future reporting periods remains uncertain.

#### NOTE 19: Money Purchase Pension Plan

During the year ended December 31, 1992, the City adopted a money purchase plan covering all employees who are 21 years of age, completed 12 months of service, and have been credited with 1,000 hours of services during the 12 month period beginning with date the employee was hired. Employees can contribute a minimum of 5% of compensation up to Internal Revenue Service limitations and the City matches 5%. Vesting is 20% per year over a period of two to six years.

#### NOTE 20: Recycling Facility

On January 27, 1998, the City leased its Recycled Material Recovery Facility (Facility) to the Carroll County Solid Waste Authority (CCSWA). The Facility (building only), valued at \$265,151 was leased to CCSWA for 99 years at the amount of \$1 per year. The value of the facility has been removed from the City's fixed asset records. On June 1, 2020, the City leased all equipment, valued at \$278,087, utilized in the collection of recyclable materials to the CCSWA for \$1 per year. The value of the equipment leased to the CCSWA has been removed from the City's fixed asset records.

#### NOTE 21: Contribution to Water and Waste Water Fund

For the period January 1, 2013, through December 2022, the General Fund transferred a total of \$1,453,567 to the Water and Waste Water Fund for operating purposes. As of December 31, 2022, the Water and Waste Water Fund owed the General Fund \$1,406,804. It is the City's intention that the Water and Waste Water Fund will reimburse the General Fund in the future; therefore, the transfer was recorded as an interfund receivable in the City's General Fund financial statements. In the audited financial statements, the transfer from the General Fund is presented as contribution to the water department.

## NOTE 22: Federal Fund Program Compliance

The 2022, 2021, and 2020 federal grants have not yet received a compliance audit in accordance with federal program requirements and therefore, any instance of noncompliance with federal grant requirements have not been determined. As of the report date, the City has contacted an accounting firm, but has not officially contracted for an audit of these funds for 2022, 2021, and 2020. Disbursements that are not in accordance with the federal program requirements are subject to reimbursement by the City.

Schedule 1

# CITY OF EUREKA SPRINGS, ARKANSAS COMBINING BALANCE SHEET - OTHER FUNDS IN THE AGGREGATE REGULATORY BASIS DECEMBER 31, 2022

					SI	PECIAL REV	/ENUE	FUNDS					CAPITAL ROJECTS FUND	S	DEBT ERVICE FUND
	and	Advertising Promotion mmission	Historic District Commission		District Court Automation		Parks and Recreation Commission		Cemetery Commission		American Rescue Plan Act		pital Outlay	De	bt Service_
ASSETS															
Cash and cash equivalents Investments	\$	1,681,845	\$	8,386	\$	11,737	\$	431,803	\$	110,189	\$ 325,597	\$	1,433,196	\$	76,132
Accounts receivable Interfund receivables		6,940				570		47,236 75,017							125,962
TOTAL ASSETS	\$	1,688,785	\$	8,386	\$	12,307	\$	554,056	\$	110,189	\$ 325,597	\$	1,433,196	\$	202,094
LIABILITIES AND FUND BALANCES Liabilities:															
Accounts payable					\$	1,229									
Interfund payables Settlements pending	\$	379					\$	17,008				\$	2,921		
Total Liabilities		379				1,229		17,008					2,921		
Fund Balances:															
Restricted		1,688,406	\$	8,386		11,078		537,048	\$	80,255	\$ 325,597			\$	202,094
Committed Assigned										29,934			1,430,275		
Total Fund Balances		1,688,406		8,386		11,078		537,048		110,189	325,597		1,430,275		202,094
TOTAL LIABILITIES AND FUND BALANCES	\$	1,688,785	\$	8,386	\$	12,307	\$	554,056	\$	110,189	\$ 325,597	\$	1,433,196	\$	202,094

Schedule 1

# CITY OF EUREKA SPRINGS, ARKANSAS COMBINING BALANCE SHEET - OTHER FUNDS IN THE AGGREGATE REGULATORY BASIS DECEMBER 31, 2022

	TERPRISE FUND	TR	UST FUND			CUSTODI	AL FUI	NDS		
	 Transit		iremen's ension and Relief	ice Bond nd Fine	Dis	trict Court	Di	sbursing	inistration Justice	Totals
ASSETS Cash and cash equivalents Investments Accounts receivable Interfund receivables	\$ 757,444 127,773 2,921	\$	61,276 607,352 3,715	\$ 2,629	\$	65,415	\$	96,869	\$ 10,319	\$ 5,072,837 607,352 312,196 77,938
TOTAL ASSETS	\$ 888,138	\$	672,343	\$ 2,629	\$	65,415	\$	96,869	\$ 10,319	\$ 6,070,323
LIABILITIES AND FUND BALANCES Liabilities: Accounts payable Interfund payables Settlements pending Total Liabilities	\$ 7,050			\$ 2,629 2,629	\$	65,415 65,415	\$	96,869 96,869	\$ 10,319 10,319	\$ 8,279 20,308 175,232 203,819
Fund Balances: Restricted Committed Assigned Total Fund Balances	881,088 881,088	\$	672,343							 3,525,207 29,934 2,311,363 5,866,504
TOTAL LIABILITIES AND FUND BALANCES	\$ 888,138	\$	672,343	\$ 2,629	\$	65,415	\$	96,869	\$ 10,319	\$ 6,070,323

#### CITY OF EUREKA SPRINGS, ARKANSAS

# COMBINING STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCES - OTHER FUNDS IN THE AGGREGATE - REGULATORY BASIS

FOR THE YEAR ENDED DECEMBER 31, 2022

	and	Advertising Promotion ommission		ric District	trict Court	R	arks and ecreation ommission	Cemetery Commission	ican Rescue Plan Act
REVENUES State aid Federal aid Property taxes									\$ 218,160
Sales taxes						\$	599,006		
Fines, forfeitures, and costs					\$ 11,043				
Interest and dividends	\$	32,269	\$	9	173		1,849	\$ 494	
Local permits and fees Advertising and promotion taxes		1,918,083					271,281		
Walton Family Foundation Grant		1,910,003					16,940		
Trolley passenger fares							10,040		
Promoter ticket sales		154,134							
Net increase/(decrease) in fair value of investments									
Other		36,443			 		42,620	40,401	 
TOTAL REVENUES		2,140,929		9	 11,216		931,696	40,895	 218,160
EXPENDITURES									
Current:									
General government									
Law enforcement					12,209				
Highways and streets									
Public safety		000 000		F00			005.007		
Recreation and culture Advertising and promotion		290,962 1,642,822		500			925,337		
Public transit		1,042,622							
Cemetery								95,607	
Wastewater									
Total Current		1,933,784	-	500	12,209		925,337	95,607	
Debt Service: Bond principal Bond interest and other charges Financed purchases principal							12,734		
Financed purchases interest	-				 		934		
TOTAL EXPENDITURES		1,933,784		500	 12,209		939,005	95,607	
EXCESS OF REVENUES OVER (UNDER) EXPENDITURES		207,145		(491)	(993)		(7,309)	(54,712)	218,160
		201,140		(401)	 (000)		(1,000)	(04,712)	 210,100
OTHER FINANCING SOURCES (USES) Transfers in Transfers out							34,917	22,000	
Contribution from water department									
TOTAL OTHER FINANCING SOURCES (USES)							34,917	22,000	
EXCESS OF REVENUES AND OTHER SOURCES OVER (UNDER) EXPENDITURES AND OTHER USES		207,145		(491)	(993)		27,608	(32,712)	218,160
FUND BALANCES - JANUARY 1		1,481,261		8,877	12,071		509,440	142,901	107,437
FUND BALANCES - DECEMBER 31	\$	1,688,406	\$	8,386	\$ 11,078	\$	537,048	\$ 110,189	\$ 325,597

#### CITY OF EUREKA SPRINGS, ARKANSAS

# COMBINING STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCES - OTHER FUNDS IN THE AGGREGATE - REGULATORY BASIS

FOR THE YEAR ENDED DECEMBER 31, 2022

	CAPITAL PRO	JECTS FUNDS	DEBT SERVICE FUND	ENTERPRISE FUND	TRUST FUND	
	Capital Outlay	Capital Projects	Debt Service	Transit	Firemen's Pension and Relief	Totals
REVENUES State aid Federal aid				\$ 169,752 914,254	\$ 6,138	\$ 175,890 1,132,414
Property taxes Sales taxes Fines, forfeitures, and costs			\$ 1,597,350		37,646	37,646 2,196,356 11,043
Interest and dividends Local permits and fees Advertising and promotion taxes Walton Family Foundation Grant	\$ 9,523		1,599	10,349	37,702	93,967 271,281 1,918,083 16,940
Trolley passenger fares Promoter ticket sales				461,236	(444.040)	461,236 154,134
Net increase/(decrease) in fair value of investments Other				44,299	(141,012)	(141,012) 163,763
TOTAL REVENUES	9,523		1,598,949	1,599,890	(59,526)	6,491,741
EXPENDITURES Current:						
General government Law enforcement	11,581	\$ 500				500 23,790
Highways and streets	,	347,490				347,490
Public safety	140,808				111,335	252,143
Recreation and culture Advertising and promotion		308,490				1,525,289 1,642,822
Public transit				1,334,051		1,334,051
Cemetery				, ,		95,607
Wastewater		347,490				347,490
Total Current	152,389	1,003,970		1,334,051	111,335	5,569,182
Debt Service:  Bond principal			276,417			276,417
Bond interest and other charges			28,147			28,147
Financed purchases principal			20,840			33,574
Financed purchases interest			21,973			22,907
TOTAL EXPENDITURES	152,389	1,003,970	347,377	1,334,051	111,335	5,930,227
EXCESS OF REVENUES OVER (UNDER) EXPENDITURES	(142,866)	(1,003,970)	1,251,572	265,839	(170,861)	561,514
OTHER FINANCING SOURCES (USES) Transfers in	950,295	656,480	44,314			1,708,006
Transfers out Contribution from water department		347,490	(2,221,872)			(2,221,872) 347,490
TOTAL OTHER FINANCING SOURCES (USES)	950,295	1,003,970	(2,177,558)			(166,376)
EXCESS OF REVENUES AND OTHER SOURCES OVER (UNDER) EXPENDITURES AND OTHER USES	807,429		(925,986)	265,839	(170,861)	395,138
FUND BALANCES - JANUARY 1	622,846		1,128,080	615,249	843,204	5,471,366
FUND BALANCES - DECEMBER 31	\$ 1,430,275	\$ 0	\$ 202,094	\$ 881,088	\$ 672,343	\$ 5,866,504
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# CITY OF EUREKA SPRINGS, ARKANSAS NOTES TO SCHEDULES 1 AND 2 DECEMBER 31, 2022

The following funds and descriptions represent all funds reported as other funds in the aggregate.

Fund Name	Fund Description
City Advertising and Promotion Commission	Ark. Code Ann. § 26-75-606 established fund to account for the tax levied on gross receipts of hotels, restaurants, etc. The tax shall be used for the advertising and promoting of the city and its environs; construction, maintenance, and operation of a convention center, operation of tourist promotion facilities, and payment of principal and interest in connection with bonds issued. Eureka Springs Ordinance no. 1227 (May 14, 1985) established the fund and tax levy.
Historic District Commission	Ark. Code Ann. § 14-172-206 established fund to promote the preservation and protection of buildings, sites, places, and districts of historic interest.
District Court Automation	Ark. Code Ann. § 16-13-704 established fund to receive district court installment fees of 1/2 of \$5 per month on each person to be used for court-related technology.
Parks and Recreation Commission	Ark. Code Ann. § 14-269-301 established fund for the purpose of operating and managing the parks and recreation program.
Cemetery Commission	Eureka Springs Ordinance no. 1031 (February 11, 1978) established Commission for the purpose of operating and maintaining cemetery. Funds were received from a will and testament of a citizen to be used for the cemetery.
American Rescue Plan Act	Established to receive and disburse Coronavirus State and Local Fiscal Recovery Funds (SLFR), a part of the American Rescue Plan Act (ARPA) of 2021, to support response to and recovery from the COVID-19 public health emergency.
Capital Outlay	Eureka Springs Ordinance no. 1120 (May 12, 1981) established to account for capital assets and improvements.
Capital Projects	Established to account for loan proceeds to be disbursed for energy savings equipment.
Debt Service	Eureka Springs Ordinance nos. 1467 (November 22, 1991), 1800 (October 13, 1998), 1827 (February 17, 2000), 1883 (January 10, 2002), and 2063 (September 1, 2007) established fund used to account for the accumulation of resources for, and the payment of, long-term debt principal, interest, and related costs.
Transit	Established to account for revenue and expenditures of the City Transit Department.
Firemen's Pension and Relief	Ark. Code Ann. § 24-11-801 established fund to receive property taxes, state aid, and other revenues allowed by law for support of firefighter retirement programs.

# CITY OF EUREKA SPRINGS, ARKANSAS NOTES TO SCHEDULES 1 AND 2 DECEMBER 31, 2022

The following funds and descriptions represent all funds reported as other funds in the aggregate.

Fund Name	Fund Description
Police Bond and Fine	Ark. Code Ann. § 16-10-204 established account to receive fines, forfeitures, and costs collected by the police department.
District Court	Ark. Code Ann. § 16-10-204 established account to receive fines, forfeitures, and costs collected by the district court.
Disbursing	Established to facilitate disbursements relating to payroll, payroll related costs, and the procurement of goods and services.
Administration of Justice	Ark. Code Ann. § 16-10-308 established fund to receive the city's share of uniform court costs and filing fees levied by state law to be used to defray a part of the expenses of the administration of justice in the city.

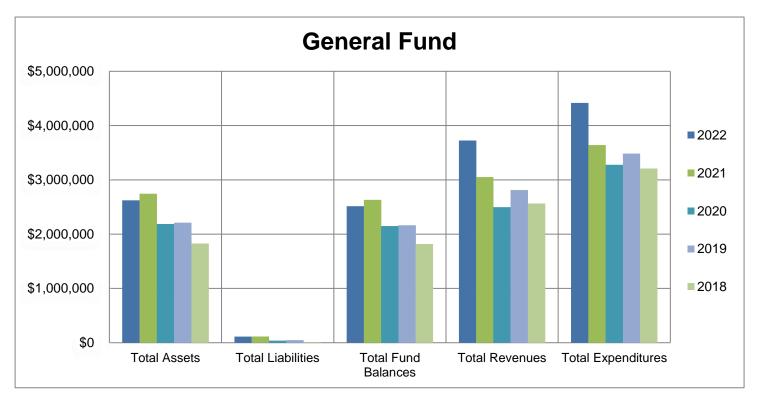
# Schedule 3

# CITY OF EUREKA SPRINGS, ARKANSAS OTHER INFORMATION SCHEDULE OF CAPITAL ASSETS DECEMBER 31, 2022 (Unaudited)

	December 31, 2022						
Land Buildings Improvements Equipment	\$ 3,219,898 1,985,328 3,414,417 8,106,912						
Total	\$ 16,726,555						

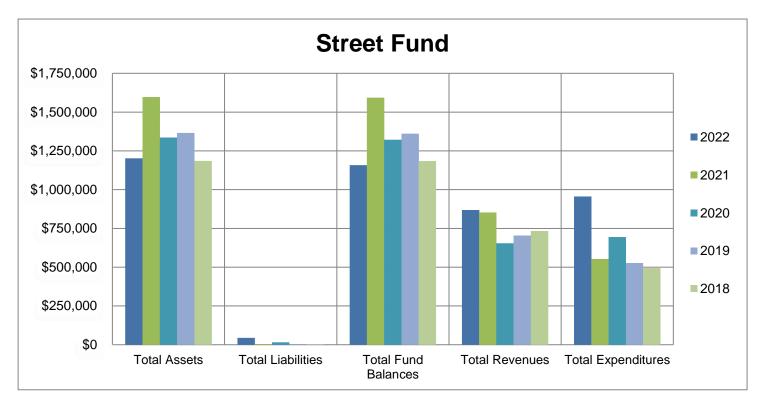
# CITY OF EUREKA SPRINGS, ARKANSAS SCHEDULE OF SELECTED INFORMATION FOR THE LAST FIVE YEARS - GENERAL FUND - REGULATORY BASIS DECEMBER 31, 2022 (Unaudited)

<u>General</u>	 2022	 2021	 2020	 2019	 2018
Total Assets	\$ 2,622,286	\$ 2,743,213	\$ 2,185,549	\$ 2,208,466	\$ 1,825,816
Total Liabilities	109,615	112,741	37,471	45,775	8,229
Total Fund Balances	2,512,671	2,630,472	2,148,078	2,162,691	1,817,587
Total Revenues	3,723,915	3,048,235	2,495,202	2,809,995	2,562,513
Total Expenditures	4,416,247	3,639,769	3,275,429	3,483,791	3,209,383
Total Other Financing Sources/Uses	574,531	1,073,928	765,614	1,018,900	990,776



# CITY OF EUREKA SPRINGS, ARKANSAS SCHEDULE OF SELECTED INFORMATION FOR THE LAST FIVE YEARS - STREET FUND - REGULATORY BASIS DECEMBER 31, 2022 (Unaudited)

Street	 2022	 2021	2020	 2019	2018
Total Assets	\$ 1,201,278	\$ 1,596,909	\$ 1,335,799	\$ 1,365,609	\$ 1,184,974
Total Liabilities	44,073	4,778	14,945	4,886	1,252
Total Fund Balances	1,157,205	1,592,131	1,320,854	1,360,723	1,183,722
Total Revenues	868,180	852,368	653,593	704,122	732,918
Total Expenditures	955,616	551,973	693,462	527,121	493,399
Total Other Financing Sources/Uses	(347,490)	(29,118)			



# CITY OF EUREKA SPRINGS, ARKANSAS SCHEDULE OF SELECTED INFORMATION FOR THE LAST FIVE YEARS - OTHER FUNDS IN THE AGGREGATE - REGULATORY BASIS DECEMBER 31, 2022 (Unaudited)

Other Funds in the Aggregate	2022	 2021	2020	 2019	2018
Total Assets	\$ 6,070,323	\$ 5,599,754	\$ 4,317,915	\$ 3,729,038	\$ 3,827,779
Total Liabilities	203,819	128,388	329,056	115,339	107,192
Total Fund Balances	5,866,504	5,471,366	3,988,859	3,613,699	3,720,587
Total Revenues	6,491,741	6,697,408	5,132,108	4,990,462	5,146,333
Total Expenditures	5,930,227	4,666,144	3,571,917	4,041,750	4,319,279
Total Other Financing Sources/Uses	(166,376)	(548,757)	(1,185,031)	(1,055,600)	(1,010,776)

