

TIOGA COUNTY
INDUSTRIAL DEVELOPMENT AGENCY

FINANCIAL STATEMENTS

DECEMBER 31, 2012

TIOGA COUNTY INDUSTRIAL DEVELOPMENT AGENCY

The Agency, a public benefit corporation of the State of New York, was established pursuant to Chapter 564 of the laws of 1970 by special act of the New York State Legislature on May 8, 1970, in accordance with the General Municipal Law of New York State.

2012 AGENCY OFFICERS AND BOARD MEMBERS

Aaron Gowan - Chairman

Martha Sauerbrey - Vice Chairman

William J. Woods, Jr. - Secretary

Ralph E. Kelsey - Treasurer

Tracy Monell - Member

Kevin Dougherty - Member

Dean Daniels - Member

COUNSEL

Thomas, Collison, Meagher and Seiden, Esqs.

TIOGA COUNTY INDUSTRIAL DEVELOPMENT AGENCY

DECEMBER 31, 2012

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INDEPENDENT AUDITORS' REPORT

Board of Directors
Tioga County Industrial Development Agency
Owego, New York

Report on the Financial Statements

We have audited the accompanying financial statements of the **TIOGA COUNTY INDUSTRIAL DEVELOPMENT AGENCY**, a component unit of Tioga County, New York as of and for the years ended December 31, 2012 and 2011, and the related notes to the financial statements, which collectively comprise the Agency's basic financial statements as listed in the table of contents.

Management's Responsibility for the Financial Statements

Management is responsible for the preparation and fair presentation of these financial statements in accordance with accounting principles generally accepted in the United States of America; this includes the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

Auditors' Responsibility

Our responsibility is to express opinions on these financial statements based on our audit. We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation and fair presentation of the financial statements 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 entity's internal control. Accordingly, we express no such opinion. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

Board of Directors
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We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinions.

Opinions

In our opinion, the financial statements referred to above present fairly, in all material respects, the respective financial position of the Tioga County Industrial Development Agency as of December 31, 2012 and 2011, and the changes in net assets and cash flows, for the years then ended in conformity with accounting principles generally accepted in the United States of America.

Other Matters

Required Supplementary Information

Accounting principles generally accepted in the United States of America require that the management's discussion and analysis on pages 4 and 5 be presented to supplement the basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board, who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic or historical context. We have applied certain limited procedures to the required supplementary information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

Other Information

Our audit was conducted for the purpose of forming opinions on the financial statements that collectively comprise Tioga County Industrial Development Agency's basic financial statements. The additional information in Schedules 1 - 3 is presented for purposes of additional analysis and is not a required part of the financial statements. The accompanying schedule of expenditures of federal awards is presented for purposes of additional analysis as required by U.S. Office of Management and Budget Circular A-133, *Audits of States, Local Governments and Non-Profit Organizations*, and is also not a required part of the financial statements.

Schedules 1 - 3 and the schedule of expenditures of federal awards are the responsibility of management and were derived from and relate directly to the underlying accounting and other records used to prepare the financial statements. Such information has been subjected to the auditing procedures applied in the audit of the financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the basic financial statements or to the basic financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, Schedules 1 - 3 and the schedule of expenditures of federal awards are fairly stated, in all material respects, in relation to the basic financial statements as a whole.

Board of Directors
Tioga County Industrial Development Agency
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Other Reporting Required by Government Auditing Standards

In accordance with *Government Auditing Standards*, we have also issued a report dated February 25, 2013 on our consideration of the Tioga County Industrial Development Agency'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 to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on the internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* considering Tioga County Industrial Development Agency's internal control over financial reporting and compliance.



PIAKER & LYONS, P.C.

Binghamton, New York
February 25, 2013

TIOGA COUNTY INDUSTRIAL DEVELOPMENT AGENCY
(A COMPONENT UNIT OF THE COUNTY OF TIOGA, NEW YORK)
Management's Discussion and Analysis
December 31, 2012

The following Management's Discussion and Analysis (MD&A) provides a comprehensive overview of the Tioga County Industrial Development Agency's financial position as of December 31, 2012 and its changes in financial position for the year then ended. The MD&A should be read in conjunction with the financial statements and related footnotes of the Tioga County Industrial Development Agency, which directly follow the MD&A. The financial statements and management's discussion and analysis present only the information for the years ended December 31, 2012 and 2011.

The financial statements of Tioga County Industrial Development Agency have been prepared in accordance with accounting principles generally accepted in the United States of America as prescribed by the Governmental Accounting Standards Board. The financial statement presentation consists of three statements; the Statements of Net Assets, the Statements of Revenues, Expenses and Changes in Net Assets, and the Statements of Cash Flows.

The Statements of Net Assets present all of Tioga County Industrial Development Agency's assets and liabilities, with the difference between the two reported as net assets. Fluctuations in net assets can be a useful indicator of Tioga County Industrial Development Agency's financial position. Net Assets are classified into five categories; restricted for marketing, restricted for the Industrial Park, restricted for the loan program, investment in capital assets, net of debt, and unrestricted. The unrestricted net assets include certain board designated funds.

The Statements of Revenues, Expenses and Changes in Net Assets present all of Tioga County Industrial Development Agency's revenues, and expenditures both operating and non-operating.

The Statements of Cash Flows present the changes in cash and cash equivalents for 2012 and 2011.

Total Assets -

The decrease in cash and cash equivalents from 2011 to 2012 is primarily the result of the final payment being made on the Best Buy bond in the amount of \$870,000. In addition to the bond payment, the Agency issued an additional \$93,750 in revolving loans from existing funds and received approximately \$135,000 in repayments.

Total Current assets, which includes cash and cash equivalents, also decreased from 2011 to 2012. During 2011 the Agency contracted with FEMA for various large and small railroad flood reconstruction projects. As of the end of the year 2012, the projects were fully completed. However, the Agency is awaiting reimbursement in the amount of \$79,101. In addition, PILOT funds of approximately \$1.3 million that were being held in trust at the beginning of the year were disbursed in 2012.

During 2011, the area suffered a major flood and was declared a Federal Disaster Area. Many local businesses were severely affected. The TCIDA contacted the USDA and was given permission to utilize a portion of the revolved monies from RBEG to offer interest free loans to qualifying businesses. Through this program the TCIDA was able to disburse an additional \$39,500 in flood disaster loans to the local business community in 2012. The disbursement of these loans had no effect on total assets.

Total Assets decreased from 2011 to 2012 reflecting the effects of the above in the amount of \$1,139,000.

No significant changes were made to property and equipment.

TIOGA COUNTY INDUSTRIAL DEVELOPMENT AGENCY
(A COMPONENT UNIT OF THE COUNTY OF TIOGA, NEW YORK)
Management's Discussion and Analysis
December 31, 2012

Total Liabilities - The decrease in current liabilities reflects the final bond principal payment made in 2012 in the amount of \$870,000, the principal payments on the four USDA loans and two HUD loans in the amount of \$58,450 and the recognition of deferred gain on the Army Corp project.

Net Assets - The decrease in net assets is the result of excess expenses over revenues for the year in the amount of approximately \$21,000.

Total Revenues - Revenues are made up of retained PILOT payments, program fees, land and railroad lease income, investment earnings, and operating grants. Program fees include amounts charged for the initial set up and monthly administration of the revolving loan program. Monthly administrative fees are calculated at .25% of the outstanding principal balance on the notes on a monthly basis. Additional program fees are charged for the initial administrative work required to secure the loan and are based upon the loan request.

Operating grants include revenues from FEMA for the Flood reconstruction work on the railroad system in the amount of \$181,606, New York State Office of Emergency Management of \$60,536, and USDA of \$81,089. As of the balance sheet date \$79,101 is recorded as a receivable.

Total Operating Revenue declined as a result of the reduced PILOT fees collected in 2012.

Non-Operating Revenue includes all interest income from restricted accounts.

Total Expenses - Operating expenses are made up of administrative expenses of the Agency, contractual expenses, payroll and benefits for the employee, interest expense on the four loan programs, project expenses, depreciation, amortization, and a provision for bad debts.

Contractual Expenses in 2012 include \$100,615, to improve the entrance to the Industrial Park. In addition, the Trust funds in the Lounsberry account were finally disbursed to the taxing authorities in the amount of \$865,900. In comparison, contractual expenses in 2011 included \$640,000 in Trust fund disbursements from the Lounsberry account.

Financial Analysis of the Agency's Fund

As noted earlier, the Agency prepares the financial statements in conformity with generally accepted accounting principles as applied to governmental units.

The focus of the Agency is to provide information on inflows, outflows, and balances of resources. Such information is useful in assessing the Agency's financing requirements. In particular, the unrestricted net assets may serve as a useful measure of the Agency's net resources available for spending at the end of the year. Due to the complex nature of the Agency some of those resources have been internally designated by the board of directors for specific purposes related to land acquisition, site development, infrastructure, marketing and contingencies.

As of December 31, 2012, the Agency reported an ending net asset balance in the amount of \$4,420,160. Of that amount \$4,601 has been restricted for marketing, \$12,010 has been restricted for the Industrial Park, and \$223,804 has been restricted for use in the revolving loan program. Investments in capital assets, net of debt total \$1,632,506. The board of directors has designated \$1,275,458 for local economic development projects. The remaining balance of \$1,271,781 is considered unrestricted.

TIOGA COUNTY INDUSTRIAL DEVELOPMENT AGENCY
STATEMENTS OF NET ASSETS
DECEMBER 31, 2012 AND 2011

	<u>2012</u>	<u>2011</u>
ASSETS		
Current Assets		
Cash	\$ 2,276,879	\$ 2,061,419
Temporarily Restricted Cash and Cash Equivalents	<u>1,876,776</u>	<u>2,976,256</u>
Total Cash and Cash Equivalents	4,153,655	5,037,675
Certificates of Deposit	1,259,313	1,251,569
Temporarily Restricted Certificates of Deposit	34,441	34,368
OHRY Receivable	21,069	14,440
NYS DOT Receivable	-	500
Accounts Receivable Army Corps Project	300,000	584,100
FEMA Funds Receivable	59,326	-
New York State OEM Funds Receivable	19,775	-
Current Portion of Loan Receivable	27,961	18,581
Current Portion of Revolving Loans Receivable, Net of Allowance for Doubtful Loans of \$35,000 in 2012 and \$0 in 2011	<u>120,760</u>	<u>126,488</u>
Total Current Assets	<u>5,996,300</u>	<u>7,067,721</u>
Property and Equipment	<u>1,632,506</u>	<u>1,655,428</u>
Other Assets		
Loan Receivable - Net of Current Portion	211,464	143,021
Revolving Loans Receivable - Net of Current Portion	668,520	738,894
Bond Issue Costs and Bond Discount - Net	<u>-</u>	<u>42,867</u>
Total Other Assets	<u>879,984</u>	<u>924,782</u>
Total Assets	<u>\$ 8,508,790</u>	<u>\$ 9,647,931</u>
LIABILITIES AND NET ASSETS		
Current Liabilities		
Accounts Payable	\$ 108,074	\$ 103,325
PILOTs Payable	2,877,224	3,008,942
Deferred Revenue - Army Corps Project	-	127,319
Current Portion of Loans Payable	63,407	53,674
Current Portion of Bonds Payable	<u>-</u>	<u>870,000</u>
Total Current Liabilities	<u>3,048,705</u>	<u>4,163,260</u>
Long-Term Liabilities		
Loans Payable - Net of Current Portion	<u>1,039,925</u>	<u>1,008,108</u>
Total Liabilities	<u>4,088,630</u>	<u>5,171,368</u>
Net Assets		
Investments in Capital Assets, Net of Debt	1,632,506	785,428
Restricted for Loans	223,804	255,042
Restricted for Marketing	4,601	4,670
Restricted for Industrial Park	12,010	99,817
Unrestricted	<u>2,547,239</u>	<u>3,331,606</u>
Total Net Assets	<u>4,420,160</u>	<u>4,476,563</u>
Total Liabilities and Net Assets	<u>\$ 8,508,790</u>	<u>\$ 9,647,931</u>

See the accompanying notes to financial statements.

**TIOGA COUNTY INDUSTRIAL DEVELOPMENT AGENCY
STATEMENTS OF REVENUES, EXPENSES AND CHANGES IN NET ASSETS
FOR THE YEARS ENDED DECEMBER 31, 2012 AND 2011**

	<u>2012</u>	<u>2011</u>
Operating Revenues		
Charges for Services	\$ 1,087,102	\$ 1,319,767
Loan Interest Earned	41,801	39,634
Grants	<u>450,050</u>	<u>456,781</u>
Total Operating Revenues	<u>1,578,953</u>	<u>1,816,182</u>
Operating Expenses		
Personal Services	64,581	61,621
Contractual Expenses	1,460,290	1,182,232
Loan Program Expenses	22,633	21,940
Interest Expense	14,959	12,658
Employee Benefits	15,803	14,192
Depreciation	24,360	35,176
Amortization	42,867	64,317
Bad Debt Expense	<u>35,000</u>	<u>-</u>
Total Operating Expenses	<u>1,645,493</u>	<u>1,392,136</u>
Operating Income	<u>(66,540)</u>	<u>424,046</u>
Non-Operating Revenue		
Investment Interest	<u>10,137</u>	<u>17,865</u>
Change in Net Assets	(56,403)	441,911
Net Assets - Beginning of Year	<u>4,476,563</u>	<u>4,034,652</u>
Net Assets - Ending	<u><u>\$ 4,420,160</u></u>	<u><u>\$ 4,476,563</u></u>

See the accompanying notes to financial statements.

**TIOGA COUNTY INDUSTRIAL DEVELOPMENT AGENCY
STATEMENTS OF CASH FLOWS
FOR THE YEARS ENDED DECEMBER 31, 2012 AND 2011**

	<u>2012</u>	<u>2011</u>
Cash Flows From Operating Activities		
Change in Net Assets	\$ (56,403)	\$ 441,911
Adjustment to Reconcile Change in Net Assets to Net Cash Provided By (Used In) Operating Activities:		
Depreciation and Amortization	67,227	99,493
Allowance for Doubtful Loans	35,000	-
Changes in Assets and Liabilities:		
OHRV Receivable	(6,629)	(2,630)
NYSDOT Receivable	500	-
Accounts Receivable - Army Corps Project	284,100	(584,100)
FEMA Funds Receivable	(59,326)	-
New York State OEM Funds Receivable	(19,775)	-
Accounts Payable	4,749	95,742
Deferred Revenue - Army Corps Project	(127,319)	127,319
PILOTs Payable	(131,718)	1,368,165
Total Adjustments	<u>46,809</u>	<u>1,103,989</u>
Net Cash Provided By (Used In) Operating Activities	<u>(9,594)</u>	<u>1,545,900</u>
Cash Flows From Investing Activities		
Property and Equipment Purchases	(1,438)	-
Loan Advances	(193,750)	(261,549)
Loan Repayments	157,029	109,109
Proceeds From Maturity of Certificates of Deposit	787,386	1,282,222
Investment in Certificates of Deposit	(795,203)	(1,293,800)
Net Cash Used In Investing Activities	<u>(45,976)</u>	<u>(164,018)</u>
Cash Flows From Financing Activities		
Proceeds From Issuance of Loan	100,000	-
Repayment of Loans Payable	(58,450)	(47,923)
Repayment of Bonds Payable	(870,000)	(825,000)
Net Cash Flows Used In Financing Activities	<u>(828,450)</u>	<u>(872,923)</u>
Net Increase (Decrease) In Cash and Cash Equivalents	<u>(884,020)</u>	<u>508,959</u>
Cash and Cash Equivalents - Beginning	<u>5,037,675</u>	<u>4,528,716</u>
Cash and Cash Equivalents - Ending	<u>\$ 4,153,655</u>	<u>\$ 5,037,675</u>
Supplemental Disclosures of Cash Flow Information:		
Interest Paid	\$ 14,959	\$ 12,658

See the accompanying notes to financial statements.

TIOGA COUNTY INDUSTRIAL DEVELOPMENT AGENCY
NOTES TO FINANCIAL STATEMENTS
DECEMBER 31, 2012

NOTE 1 - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

The Tioga County Industrial Development Agency (TCIDA) of Owego, New York is a public benefit corporation which was created under the provisions of Chapter 534 of the Laws of 1971 by the County of Tioga, in the State of New York. The purpose of the TCIDA is to advance the job opportunities, health, general prosperity and economic welfare of the people of Tioga County and improve their recreation opportunities and standard of living.

TCIDA meets this purpose by providing conduit financing through the issuance of tax exempt bonds and by use of payments in lieu of taxes (PILOT) programs which allow for the full or partial exemption from real property, sales and mortgage taxes.

TCIDA also commenced administering a loan program effective January 1, 2010. The program has revolving loan funds, which were created to provide low interest loans to start-up and expanding businesses in Tioga County. The loans must involve direct job retention or creation, which will strengthen the economic base of Tioga County. In 2011, after a disastrous flood, the Agency also provided short-term interest free loans for businesses sustaining significant damage as a result of the flood.

Measurement Focus and Basis of Accounting

The accounts of the TCIDA are maintained on the accrual basis of accounting, in conformity with the Uniform System of Accounts for Industrial Development Agencies published by the New York State Office of the State Comptroller.

Under the accrual basis, revenues and expenses are identified with specific periods of time, and are recorded as incurred, along with acquired assets and/or liabilities incurred without regard to the date of receipt or payment of cash. The measurement focus refers to what is being recognized in the financial statements. In proprietary accounting, the measurement focus is the same as in commercial enterprises, namely the flow of economic resources. This includes the capitalization of fixed assets, charging depreciation expense and recording long term debt as a fund liability.

Local public authorities are required to submit budget reports to the Authority Budget Office at least sixty (60) days prior to the start of the fiscal year. The TCIDA has submitted budget information in a timely fashion.

In June of 1999, the Governmental Accounting Standards Board (GASB) issued Statement No. 34, "*Basic Financial Statements and Management's Discussion and Analysis of State and Local Governments.*" This statement was adopted as of January 1, 2004 and is reflected in these financial statements.

Cash and Cash Equivalents – For the purpose of the statement of net assets and statement of cash flows, cash and cash equivalents include deposits, certificates of deposit and all highly liquid debt instruments with original maturities of three months or less.

Restricted Cash – These accounts are used to record cash transactions and show balances restricted for use as part of the TCIDA Board designated, outside contractual and loan program restrictions.

TIOGA COUNTY INDUSTRIAL DEVELOPMENT AGENCY
NOTES TO FINANCIAL STATEMENTS
DECEMBER 31, 2012

NOTE 1 - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)

Property and Equipment - Property and equipment is stated at the lower of cost or fair market value at the date of donation or the date of purchase, less accumulated depreciation. Routine maintenance and repairs are charged to operations as they are incurred. Expenditures which extend the useful life of an asset in excess of \$1,000 are capitalized. When assets are retired or otherwise disposed of, the cost and related accumulated depreciation are eliminated and the resulting gain or loss, if any, is included in operations.

Depreciation is computed using the straight-line method over the following estimated useful lives (see Note 4 for further details).

<u>Assets</u>	<u>Years</u>
Railroad Tracking and Facilities	10 - 50
Equipment	5

Depreciation expense amounted to \$24,360 and \$35,176 for the years ended December 31, 2012 and 2011, respectively.

Use of Estimates - The preparation of financial statements in conformity with accounting principles generally accepted in the United States of America requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities and disclosure of contingent assets and liabilities at the date of the financial statements and the reported amounts of revenues and expenses during the reporting period. Actual results could differ from those estimates.

Net Assets - The Agency reports its net assets in three components. Net assets invested in capital assets are equal to amounts reported for capital assets, net of related debt and accumulated depreciation. Restricted net assets are reported when assets (net of related debt) can only be used for a specified purpose that is established by grantors, contributors or laws and regulations governing the Agency. None of the Agency's restricted net assets arise from endowments. For this reason, all restricted net assets are considered expendable. Unrestricted net assets are all other Agency net assets that do not meet the definitions of invested in capital assets or restricted.

Subsequent Events - The Agency has evaluated events and transactions that occurred between January 1, 2013 and February 25, 2013, which is the date the financial statements were available to be issued, for possible disclosure and recognition in the financial statements.

Reclassifications - Certain reclassifications have been made in the 2011 financial statements to conform to the classifications used in the 2012 financial statements. The reclassifications have no effect on total net assets.

TIOGA COUNTY INDUSTRIAL DEVELOPMENT AGENCY
NOTES TO FINANCIAL STATEMENTS
DECEMBER 31, 2012

NOTE 2 - CUSTODIAL CREDIT, CONCENTRATION OF CREDIT, INTEREST RATE AND FOREIGN CURRENCY RISKS

State statutes govern the Agency's investment policies. Agency monies must be deposited in FDIC insured commercial banks or trust companies located within the State. Permissible investments include obligations of the U.S. Treasury, obligations of New York State or its localities, demand accounts and certificates of deposit.

Custodial risk is the risk that in the event of a bank failure, the Agency's deposits may not be returned to it. Collateral is required for demand deposits and certificate of deposits not covered by Federal Deposit Insurance. Obligations that may be pledged as collateral are obligations of the United States and its agencies and obligations of the State and its municipalities and school districts. GASB Statement No. 40 directs that deposits be disclosed as exposed to credit risk if they are not covered by depository insurance, and the deposits are either:

- A) Uncollateralized,
- B) Collateralized with securities held by the pledging financial institution, or
- C) Collateralized with the securities held by the pledging financial institution's trust department or agent but not in the Agency's name.

As of December 31, 2012 and 2011, the Agency was fully collateralized.

The Agency's investment policy for investments is governed by New York State statutes. As of December 31, 2012 and 2011, the Agency's investments were in certificates of deposit. The Agency does not typically purchase investments for long enough duration to cause it to believe that it is exposed to any material interest rate risk. The Agency does not typically purchase investments in a foreign currency and is not exposed to foreign currency risk.

TIOGA COUNTY INDUSTRIAL DEVELOPMENT AGENCY
NOTES TO FINANCIAL STATEMENTS
DECEMBER 31, 2012

NOTE 3 - CERTIFICATE OF DEPOSIT

As of December 31, 2012 and 2011, the TCIDA was invested in certificates of deposits held at individual banks as follows:

	<u>2012</u>	<u>2011</u>
A certificate of deposit at Chemung Canal Trust Company with interest at 1.09% maturing on December 21, 2013.	\$ 505,204	\$ 500,595
A certificate of deposit at Chemung Canal Trust Company with interest at 0.45% maturing on June 14, 2013.	127,276	-
A certificate of deposit at Chemung Canal Trust Company with interest at 0.45% maturing on June 13, 2013.	125,993	-
A certificate of deposit at Chemung Canal Trust Company with interest at 0.30% maturing on October 21, 2013.	250,420	-
A certificate of deposit at Chemung Canal Trust Company with interest at 0.30% maturing on October 21, 2013.	250,420	-
A certificate of deposit at Chemung Canal Trust Company with interest at 0.20% maturing on January 15, 2013.	34,441	-
A certificate of deposit at Chemung Canal Trust Company with interest at 0.30% maturing on January 15, 2012.	-	34,368
A certificate of deposit at Chemung Canal Trust Company with interest at 0.45% maturing on October 21, 2012.	-	249,436
A certificate of deposit at Chemung Canal Trust Company with interest at 0.45% maturing on October 21, 2012.	-	249,436
A certificate of deposit at Chemung Canal Trust Company with interest at 0.55% maturing on June 14, 2012.	-	126,692
A certificate of deposit at Chemung Canal Trust Company with interest at 0.55% maturing on June 13, 2012.	-	125,410
Total	<u>\$ 1,293,754</u>	<u>\$ 1,285,937</u>

**TIOGA COUNTY INDUSTRIAL DEVELOPMENT AGENCY
NOTES TO FINANCIAL STATEMENTS
DECEMBER 31, 2012**

NOTE 4 - PROPERTY AND EQUIPMENT

Property and equipment consisted of the following at December 31:

	<u>Balance</u> <u>12/31/2011</u>	<u>Additions</u>	<u>(Deletions)</u>	<u>Balance</u> <u>12/31/2012</u>
Land and Infrastructure - Lounsberry	\$ 18,805	\$ -	\$ -	\$ 18,805
Land - 434	414,701	-	-	414,701
Land - General	261,710	-	-	261,710
Railroad Tracking & Facilities	1,976,669	-	-	1,976,669
Equipment	<u>2,283</u>	<u>1,438</u>	<u>-</u>	<u>3,721</u>
Subtotal	2,674,168	1,438	-	2,675,606
Less: Accumulated Depreciation	<u>(1,018,740)</u>	<u>(24,360)</u>	<u>-</u>	<u>(1,043,100)</u>
Property and Equipment - Net	<u>\$ 1,655,428</u>	<u>\$ (22,922)</u>	<u>\$ -</u>	<u>\$ 1,632,506</u>

NOTE 5 - RISK MANAGEMENT

The Agency assumes the liability for most risk including, but not limited to, property damage and personal injury liability; however it does have insurance certificates and indemnification agreements with its lessees including the railroad operation. Judgments and claims are recorded when it is probable that an asset has been impaired or liability has been incurred and the amount of loss can be reasonably estimated.

NOTE 6 - PAYMENTS IN LIEU OF TAXES (PILOTs)

A significant inducement in TCIDA projects is exemption from real property, sales, and mortgage taxes. By law, all property titles to the TCIDA are exempt from these taxes. In practice, however, payments in lieu of taxes (PILOTs) are often negotiated with the private developer. PILOT payments may represent full or partial remuneration to one or more of the real property tax jurisdictions involved.

TCIDA collects PILOT payments for disbursement to taxing authorities, for payments of loans related to PILOT projects, for payment of bonds and for fees for the servicing of the PILOTs. The TCIDA is responsible for tracking all PILOT payments. The PILOT payments received by the IDA are either recorded as income or as a liability and are subsequently paid out. A total of 8 organizations participated in the PILOTs program and \$5,979,773 in payments were administered by the TCIDA for the year ended December 31, 2012. A total of 7 organizations participated in the PILOTs program and \$5,444,320 in payments were administered by the TCIDA for the year ended December 31, 2011.

**TIOGA COUNTY INDUSTRIAL DEVELOPMENT AGENCY
NOTES TO FINANCIAL STATEMENTS
DECEMBER 31, 2012**

NOTE 7 - GRANT ACCOUNTING

Pass-through grants are recorded as revenues or receivables when awarded, and also as offsetting liabilities or expenses. Other operating grants are recorded as receivables or deferred revenues upon award of the contracts. Grant revenues are recognized as the TCIDA meets performance requirements of the contracts. Grant expenditures are recognized upon satisfactory completion of the performance requirements specified by the grant award agreement.

Capital grants are regarded as contributions of capital, and reported in the net asset section of the TCIDA's balance sheet. The net balance of such capital invested by other sources is reduced each year by a proportional share of depreciation charges for the capital assets so acquired.

NOTE 8 - LOANS RECEIVABLE

The loans receivable consist of the following at December 31, 2012:

Loan Receivable - Double Aught Lumber	\$ 143,021
Loan Receivable - Raymond Hadley Co.	<u>96,404</u>
	<u>\$ 239,425</u>

Payments to be received on the loans are as follows:

2013	\$ 27,961
2014	28,812
2015	29,688
2016	30,591
2017	31,522
Thereafter	<u>90,851</u>
	<u>\$ 239,425</u>

The receivables above are considered by management to be fully collectible. Therefore, no allowance for doubtful loans has been established at December 31, 2012 and 2011.

NOTE 9 - BONDS PAYABLE

Best Buy Bonds were issued on September 12, 2002 as taxable variable rate demand industrial development bonds. Face value of the bonds issued was \$7,005,000. The bonds were sold at a discount of \$101,573, for a net price of \$6,903,427. The discount was amortized over the maturity period of the bonds. The average life of the bonds is 5.85 years with a final maturity date of September 2012. The interest rate on the bonds is blended, and calculated daily. The bonds were paid in full during the year ended December 31, 2012.

**TIOGA COUNTY INDUSTRIAL DEVELOPMENT AGENCY
NOTES TO FINANCIAL STATEMENTS
DECEMBER 31, 2012**

NOTE 9 - BONDS PAYABLE (Continued)

<u>Description of Issue</u>	<u>Final Maturity</u>	<u>Interest Rate</u>	<u>Balance 1/1/2012</u>	<u>Additions</u>	<u>Reductions</u>	<u>Outstanding 12/31/2012</u>
Industrial Development Bonds	2012	Variable	\$ 870,000	\$ -	\$ 870,000	\$ -

The cost of issuing the bonds has been capitalized and is included on the balance sheet as bond issuance costs. The costs were amortized over the maturity period of the bonds. The amortization of the costs, using the straight-line method, is as follows:

Bond Issuance Costs	\$ 541,568
Accumulated Amortization	<u>(541,568)</u>
Total	<u>\$ -</u>

NOTE 10 - LONG-TERM DEBT

In addition to issuing bond obligations for the benefit of commercial enterprises, the TCIDA has various outstanding loans payable as follows at December 31, 2012:

	<u>Balance 1/1/2012</u>	<u>Additions</u>	<u>Reductions</u>	<u>Change</u>	<u>Outstanding 12/31/2012</u>
Loan Payable - Tioga County	\$ 161,602	\$ -	\$ 18,581	\$ (18,581)	\$ 143,021
Loan Payable - Tioga County	-	100,000	3,596	96,404	96,404
Loan Payable - USDA	120,031	-	7,058	(7,058)	112,973
Loan Payable - USDA	208,402	-	10,255	(10,255)	198,147
Loan Payable - USDA	271,747	-	9,621	(9,621)	262,126
Loan Payable - USDA	<u>300,000</u>	<u>-</u>	<u>9,339</u>	<u>(9,339)</u>	<u>290,661</u>
	<u>\$ 1,061,782</u>	<u>\$ 100,000</u>	<u>\$ 58,450</u>	<u>\$ 41,550</u>	<u>\$ 1,103,332</u>

**TIOGA COUNTY INDUSTRIAL DEVELOPMENT AGENCY
NOTES TO FINANCIAL STATEMENTS
DECEMBER 31, 2012**

NOTE 10 - LONG-TERM DEBT (Continued)

Loan payable to Tioga County in monthly payments of \$1,931 including interest at 3.00%. Final payment is due in 2019.	\$ 143,021
Loan payable to Tioga County in monthly payments of \$966 including interest at 3.00%. Final payment is due in 2022.	96,404
Loan payable to the USDA in annual payments of \$8,259 including interest at 1.00%. Final payment is due in 2026.	112,973
Loan payable to the USDA in annual payments of \$12,339 including interest at 1.00%. Final payment is due in 2030.	198,147
Loan payable to the USDA in annual payments of \$12,339 including interest at 1.00%. Final payment is due in 2036.	262,126
Loan payable to the USDA in annual payments of \$12,339 including interest at 1.00%. Final payment is due in 2039.	<u>290,661</u>
Total	<u>\$ 1,103,332</u>

The repayment of these obligations is estimated as follows:

2013	\$ 63,407
2014	65,803
2015	67,050
2016	68,326
2017	69,634
Thereafter	<u>769,112</u>
	<u>\$ 1,103,332</u>

Interest expense was \$14,959 and \$12,658 for the years ended December 31, 2012 and 2011, respectively.

NOTE 11 - EMPLOYEE BENEFIT PLAN

The TCIDA maintains a SIMPLE IRA account for its employee. The TCIDA may contribute up to 3% of gross wages to the SIMPLE IRA account. Contributions totaled \$1,674 and \$1,615 and for the years ended December 31, 2012 and 2011, respectively.

NOTE 12 - OTHER LEASE ARRANGEMENTS

Rynone Lease - In 1994, the TCIDA entered into agreements with Rynone Waverly, Inc. for participation and assistance in site preparation and infrastructure required for construction of a manufacturing facility in Waverly, New York, and for acquisition of the facility and its related equipment. The TCIDA will hold title to the facility, and the company will lease it at a nominal rent for a period of 15 years. In 1995, the agreement was amended and restated to include an additional facility. The agreement

TIOGA COUNTY INDUSTRIAL DEVELOPMENT AGENCY
NOTES TO FINANCIAL STATEMENTS
DECEMBER 31, 2012

NOTE 12 - OTHER LEASE ARRANGEMENTS (Continued)

also includes a provision to allow for an exemption on any new construction to the facility. The TCIDA incurs no direct financial obligations under these agreements. The TCIDA did not receive a fee for this transaction, but began collecting payments in lieu of taxes in the year 1999. The Agency will be collecting payments in lieu of taxes until 2019.

Sanmina (Formerly Hadco Corporation) - In 1996, the TCIDA entered into agreements with Hadco Corporation to acquire leasehold title to land and manufacturing facilities and associated equipment and renovation and equipping of an existing building located in the Town of Owego. The TCIDA will hold title to the property and the company will lease it at a nominal rent for a period of ten years. The TCIDA incurs no direct financial obligations under the agreement. The TCIDA received a \$2,500 fee for this transaction at the time of closing and began collecting payments in lieu of taxes in the year 2001.

In 2004, the TCIDA entered into an agreement with Sanmina to acquire leasehold title to additional land and manufacturing facilities in the Town of Owego. The TCIDA will hold title to the additional property and the company will lease it at a nominal rent for the duration of the PILOT, 15 years. The TCIDA incurs no direct financial obligation under the agreement.

Nichols Distributions - In 2002, the TCIDA entered into agreements with Best Buy Stores, LP to lease a distribution facility in the Town of Nichols. The Company will make annual PILOT payments in the amount of \$1,500,000 for the first period of twelve years. In the thirteenth and fourteenth years, they will make PILOT payments in the amount of \$600,000 per year. In the fifteenth to twentieth years, they will make annual payments in the amount of \$600,000 or if the total square footage of the company improvements equals or exceeds 1,000,000 square feet, they will make annual payments in the amount of \$850,000. The PILOT payments were made to Community Bank, NA as PILOT Trustee for years through 2012. By agreement with the affected taxing jurisdictions, the payments are distributed first to the repayment of the bond debt, second to the reimbursement to entities for project costs, and the balance distributed between the taxing jurisdictions. Any residual will be disbursed at the conclusion of the bond retirement to the municipalities. As the bond was paid in full during the year ended December 31, 2012, the PILOT payments will be made to TCIDA and deposited in the Lounsberry account for 2013 and years subsequent.

231 Main, LLC - In February of 2006, the Agency entered into agreements with 231 Main, LLC to acquire leasehold title to land, renovations and equipping of a building. The Agency will hold title to the property and the company will lease it at a nominal rent for a period of fifteen years. The Agency incurs no direct financial obligations under the agreement. The Agency received an \$18,920 fee for this transaction at the time of closing and will be collecting payments in lieu of taxes until 2021.

Lockheed Martin Corporation - In February of 2006, the Agency entered into agreements with Lockheed Martin Corporation to acquire leasehold title to land, improvements to construct, equipment to be acquired and installed and equipping of a building. The Agency will hold title to the property and the company will lease it at a nominal rent for a period of twenty years. The Agency received a \$14,500 fee for this transaction at the time of closing and will continue to receive \$14,500 annually for ten years until the sum of \$145,000 has been collected. The Agency will collect special assessment taxes only until 2026.

TIOGA COUNTY INDUSTRIAL DEVELOPMENT AGENCY
NOTES TO FINANCIAL STATEMENTS
DECEMBER 31, 2012

NOTE 12 - OTHER LEASE ARRANGEMENTS (Continued)

Owego Associates, Inc. - Hampton Inn - In April of 2006, the Agency entered into agreements with Owego Associates, Inc. to acquire leasehold title to land, construction and equipping of a building. The Agency will hold title to the property and the company will lease it at a nominal rent for a period of ten years. The Agency incurs no direct financial obligations under the agreements. The Agency received a \$22,500 fee for this transaction at the time of closing and began collecting payments in lieu of taxes in 2008.

Central New York Oil and Gas Company, LLC - In October 2007, the Agency entered into agreements with Central New York Oil and Gas Company (CNYOG) to acquire leasehold title to land, construction, improvements and leasing of the building. The Agency will hold title and lease it at a nominal rent for a period of 12 years. The Agency received a \$320,200 fee for this transaction at the time of closing and began collecting payments in lieu of taxes in 2008.

In July 2010, the Agency entered into an additional agreement with CNYOG to acquire leasehold title to land, construction and equipping of a building. As of August 1, 2011, the Agency held title and began leasing it at a nominal rent for a term continuing through December 31, 2022. The Agency received a \$312,670 fee for this transaction at the time of closing.

NOTE 13 - RAILROAD OPERATING AGREEMENT

In 2006, the TCIDA entered into an operating agreement with Owego and Harford Railway, Inc. for the use of the railroad property and facilities. The agreement is for ten years with an option to renew for an additional five years. According to the agreement, the TCIDA shall receive 10% of gross operating revenues up to \$600,000 and 5% over \$600,000 until December 2010 in which the amount changes to \$700,000. The amount increases to \$900,000 starting in 2016 and ending in December 2020. The operating company is responsible for any additional equipment and facilities that may be required for the operation of the line, as well as such maintenance, repairs and insurance necessary to keep the line in good operating condition.

NOTE 14 - RELATED PARTIES

The Tioga County Legislature sponsored the formation of the TCIDA and controls appointments to its membership. Two of the legislators also serve as members of the TCIDA. For financial reporting purposes, the TCIDA is regarded as a component unit of the County government.

A nonprofit membership corporation, the Tioga County Local Development Corporation, (LDC), was created by action of the County and State in 1993 and began operations in 1994. Its directors are appointed by the County Legislature.

NOTE 15 - PILOT PAYABLE

During December 2012, the Agency received a \$1,500,000 PILOT payment from Nichols Distribution. The Agency recorded the offset as a PILOT payable until the required payment was made in 2013. The Agency also received a PILOT fee from Central New York Oil and Gas Company on December 28, 2012 in the amount of \$1,350,374. The required payment was made in January of 2013.

TIOGA COUNTY INDUSTRIAL DEVELOPMENT AGENCY
 NOTES TO FINANCIAL STATEMENTS
 DECEMBER 31, 2012

NOTE 16 - NEW YORK STATE DEPARTMENT OF TRANSPORTATION RAIL BOND PROGRAM

During 2007, the Agency received approval for a railroad rehabilitation project to be funded by the Rail Program Delivery Bureau of New York State Department of Transportation (NYS DOT). The project commenced during 2008 and was completed during 2009. A receivable related to the railroad project in the amount of \$500 appears on the Statements of Net Assets at December 31, 2011. The amount was written off in February 2012.

NOTE 17 - REVOLVING LOANS RECEIVABLE

The Agency administers the operation of the revolving loan programs.

Loan transactions, as detailed in Schedule 3, are summarized as follows:

	2012			
	<u>RBEG</u>	<u>IRP</u>		<u>2011</u>
	<u>Revolving</u>	<u>Revolving</u>		<u>Total</u>
	<u>Loan</u>	<u>Loan</u>	<u>Total</u>	<u>Total</u>
Principal Balance at January 1	\$ 132,228	\$ 733,154	\$ 865,382	\$ 718,020
Write Offs	-	-	-	(25,176)
Loan Advances	53,750	40,000	93,750	261,549
Principal Repayments	(56,092)	(78,760)	(134,852)	(89,011)
Balance at December 31	<u>129,886</u>	<u>694,394</u>	<u>824,280</u>	<u>865,382</u>
Less: Allowance for				
Doubtful Loans	-	(35,000)	(35,000)	-
Current Portion	(45,710)	(75,050)	(120,760)	(126,488)
Noncurrent Portion	<u>\$ 84,176</u>	<u>\$ 584,344</u>	<u>\$ 668,520</u>	<u>\$ 738,894</u>

In 2011, one of the loans receivable was written off against the allowance set up in 2010 in the amount of \$25,176. The bad debt was recognized in 2010. An allowance for doubtful loans receivable is not considered necessary by management as of December 31, 2011. The allowance for doubtful loans receivable is considered adequate by management at December 31, 2012.

**TIOGA COUNTY INDUSTRIAL DEVELOPMENT AGENCY
 SCHEDULES
 DECEMBER 31, 2012**

SCHEDULE 1

**TIOGA COUNTY INDUSTRIAL DEVELOPMENT AGENCY
 SCHEDULES OF CASH AND CASH EQUIVALENTS
 FOR THE YEARS ENDED DECEMBER 31, 2012 AND 2011**

SCHEDULE 1 - SCHEDULES OF CASH AND CASH EQUIVALENTS

	<u>2012</u>	<u>2011</u>
Tioga State Bank	\$ 2,602,434	\$ 2,373,879
Chemung Canal Trust Company	24,210	99,817
Community Bank, N.A.	<u>1,527,011</u>	<u>2,563,979</u>
Total	<u>\$ 4,153,655</u>	<u>\$ 5,037,675</u>

SCHEDULE 2

**TIOGA COUNTY INDUSTRIAL DEVELOPMENT AGENCY
 SCHEDULES OF INVESTMENTS
 FOR THE YEARS ENDED DECEMBER 31, 2012 AND 2011**

SCHEDULE 2 - SCHEDULES OF INVESTMENTS

	<u>2012</u>	<u>2011</u>
Certificates of Deposit	<u>\$ 1,293,754</u>	<u>\$ 1,285,937</u>

See Note 3 for further details.

See the accompanying notes to financial statements.

TIOGA COUNTY INDUSTRIAL DEVELOPMENT AGENCY
SCHEDULES
DECEMBER 31, 2012

SCHEDULE 3

TIOGA COUNTY INDUSTRIAL DEVELOPMENT AGENCY
SCHEDULE OF REVOLVING LOANS RECEIVABLE
FOR THE YEAR ENDED DECEMBER 31, 2012

SCHEDULE 3 - SCHEDULE OF REVOLVING LOANS RECEIVABLE

	Year Ended December 31, 2012				
	January 1, 2012				December 31, 2012
	<u>Principal</u>	<u>Advances</u>	<u>Write-Offs</u>	<u>Repayments</u>	<u>Principal</u>
RBEG Revolving Loan					
Beck's First Rate Auto Rental	\$ 1,107	\$ -	\$ -	\$ 1,107	\$ -
The Cellar	2,459	-	-	2,459	-
The Goat Boy	45,113	-	-	7,637	37,476
Tazco Foods	-	14,250	-	631	13,619
Harris Diner - ERP	10,000	-	-	3,056	6,944
The Community Shop - ERP	10,000	-	-	3,056	6,944
Richard E. Schwartz, Esq. - ERP	3,270	-	-	2,363	907
The Cutting Edge - ERP	2,966	-	-	906	2,060
Tri-Town Agency, Inc. - ERP	10,000	-	-	10,000	-
John's Fine Foods - ERP	10,000	-	-	2,778	7,222
Ti-Ahwaga Community Players - ERP	3,000	-	-	3,000	-
Tim Lounsbury, Inc. - ERP	10,000	-	-	2,778	7,222
Hometown Auto Sales & Service - ERP	6,543	-	-	1,636	4,907
Riverow Bookshop - ERP	7,770	-	-	2,158	5,612
Pumpelly House Estate - ERP	10,000	-	-	3,333	6,667
The Owego Elks - ERP	-	4,500	-	1,000	3,500
Shawn Fahey LLC - ERP	-	10,000	-	3,056	6,944
The Parkview - ERP	-	10,000	-	2,222	7,778
Tioga Gardens - ERP	-	10,000	-	2,222	7,778
The Goat Boy - ERP	-	5,000	-	694	4,306
Total RBEG	<u>\$ 132,228</u>	<u>\$ 53,750</u>	<u>\$ -</u>	<u>\$ 56,092</u>	<u>\$ 129,886</u>

See the accompanying notes to financial statements.

TIOGA COUNTY INDUSTRIAL DEVELOPMENT AGENCY
SCHEDULES
DECEMBER 31, 2012

SCHEDULE 3

TIOGA COUNTY INDUSTRIAL DEVELOPMENT AGENCY
SCHEDULE OF REVOLVING LOANS RECEIVABLE
FOR THE YEAR ENDED DECEMBER 31, 2012

SCHEDULE 3 - SCHEDULE OF REVOLVING LOANS RECEIVABLE (Continued)

	Year Ended December 31, 2012				
	January 1, 2012				December 31, 2012
	<u>Principal</u>	<u>Advances</u>	<u>Write-Offs</u>	<u>Repayments</u>	<u>Principal</u>
IRP Revolving Loan					
Calico Jack's	\$ 70,552	\$ -	\$ -	\$ 2,524	\$ 68,028
Beck's First Rate Auto Rental	791	-	-	791	-
Klett Enterprises	23,113	-	-	5,789	17,324
Becky's Diner	67,589	-	-	4,653	62,936
Klett Enterprises	34,670	-	-	8,684	25,986
Let's Play	1,547	-	-	1,547	-
The Cellar	9,814	-	-	5,334	4,480
Tazco Foods	80,523	-	-	5,410	75,113
Granite Works	80,335	-	-	13,245	67,090
Harold & Harry's	66,052	-	-	1,200	64,852
Palmer House B&B	92,092	-	-	7,602	84,490
Upstate Fire and Safety	35,415	-	-	6,866	28,549
The Parkview Restaurant	100,000	-	-	5,457	94,543
Tot's Learning Center	20,661	-	-	2,225	18,436
The Owego Pharmacy	50,000	-	-	7,210	42,790
Burgess Hospitality	-	40,000	-	223	39,777
Total IRP	<u>733,154</u>	<u>40,000</u>	<u>-</u>	<u>78,760</u>	<u>694,394</u>
Total All Funds		<u>\$ 93,750</u>	<u>\$ -</u>	<u>\$ 134,852</u>	<u>\$ 824,280</u>
Less: Allowance for Doubtful Loans					<u>(35,000)</u>
Revolving Loans Receivable					<u>\$ 789,280</u>

See the accompanying notes to financial statements.

Officers:

James J. Lewis, CPA*, ABV, GVA+
Alan D. Piaker, CPA
Ronald L. Simons, CPA
Roy E. Fuller, CPA
John R. May, CPA*
Angelo J. Gallo, CPA
Richard A. Lynch, CPA
Amy E. Brown, CPA**
Janeen F. Sulryk, CPA*



Philip M. Piaker, CPA
(1921-2003)
Abraham L. Piaker, CPA
(1925-2005)

Of Counsel:
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*Pennsylvania Institute of Certified Public Accountants

**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**

Board of Directors
Tioga County Industrial Development Agency
Owego, New York

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 financial statements of **TIOGA COUNTY INDUSTRIAL DEVELOPMENT AGENCY**, a component unit of Tioga County, New York, as of and for the years ended December 31, 2012 and 2011, and the related notes to the financial statements, which collectively comprise Tioga County Industrial Development Agency's basic financial statements, and have issued our report thereon dated February 25, 2013.

Internal Control Over Financial Reporting

In planning and performing our audit, we considered the Agency's internal control over financial reporting (internal control) to determine the 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 Agency's internal control. Accordingly, we do not express an opinion on the effectiveness of the Agency'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 combination of deficiencies, in internal control, such that there is a reasonable possibility that a material misstatement of the Agency'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. Given these limitations, during our audit we did not identify any deficiencies in internal control that we consider to be material weaknesses. However, material weaknesses may exist that have not been identified.

Board of Directors
Tioga County Industrial Development Agency

Compliance and Other Matters

As part of obtaining reasonable assurance about whether the Agency's financial statements are free from material misstatement, we performed test of its compliance with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a direct ad material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit, and accordingly, we do not express an opinion. The results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards*.

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 result of that testing, and not to provide an opinion on the effectiveness of the Agency'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 Agency's internal control and compliance. Accordingly, this communication is not suitable for any other purpose.


PIAKER & LYONS, P. C.

Binghamton, New York
February 25, 2013

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Roy E. Fuller, CPA
John R. May, CPA*
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INDEPENDENT AUDITORS' REPORT ON INTERNAL CONTROL

Board of Directors
Tioga County Industrial Development Agency
Owego, New York

We have audited management's assertion that Tioga County Industrial Development Agency maintained effective internal control over financial reporting as of December 31, 2012. The Agency's management is responsible for maintaining effective internal control over financial reporting, and for its assertion of the effectiveness of internal control over financial reporting. Our responsibility is to express an opinion on management's assertion based on our examination.

We conducted our audit in accordance with attestation standards established by the American Institute of Certified Public Accountants. Those standards require that we plan and perform the examination to obtain reasonable assurance about whether effective internal control over financial reporting was maintained in all material respects. Our audit included obtaining an understanding of internal control over financial reporting, assessing the risk that a material weakness exists, and testing and evaluating the design and operating effectiveness of internal control based on the assessed risk. Our audit also included performing such other procedures as we considered necessary in the circumstances. We believe that our audit provides a reasonable basis for our opinion.

An entity's internal control over financial reporting is a process affected by those charged with governance, management, and other personnel, designed to provide reasonable assurance regarding the preparation of reliable financial statements in accordance with accounting principles generally accepted in the United States of America. An entity's internal control over financial reporting includes those policies and procedures that (1) pertain to the maintenance of records that, in a reasonable detail, accurately and fairly reflect the transactions and dispositions of the assets of the entity, (2) provide reasonable assurance that transactions are recorded as necessary to permit preparation of financial statements in accordance with accounting principles generally accepted in the United States of America, and that receipts and expenditures of the entity are being made only in accordance with authorization of management and those charged with governance; and (3) provide reasonable assurance regarding prevention, or timely detection and correction of unauthorized acquisition, use, or disposition of the entity's assets that could have a material effect on the financial statements.

Because of its inherent limitations, internal control over financial reporting may not prevent, or detect and correct misstatements. Also, projections of any evaluation of effectiveness to future periods are subject to the risk that controls may become inadequate because of changes in conditions, or that the degree of compliance with the policies or procedures may deteriorate.

Piaker & Lyons

To the Board of Directors
Tioga County Industrial Development Agency

In our opinion, management's assertions that Tioga County Industrial Development Agency maintained effective internal control over financial reporting as of December 31, 2012 is fairly stated, in all material respects.

We have audited, in accordance with auditing standards generally accepted in the United States of America, the basic financial statements of the authority and our report dated February 25, 2013 expressed an unqualified opinion.

This report is intended solely for the information and use of the Board of Directors, management, Tioga County and New York State and is not intended to be and should not be used by anyone other than these specified parties.



PIAKER & LYONS, P.C.

Binghamton, New York
February 25, 2013

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REPORT ON COMPLIANCE FOR EACH MAJOR PROGRAM; REPORT ON INTERNAL CONTROL OVER COMPLIANCE; AND REPORT ON SCHEDULE OF EXPENDITURES OF FEDERAL AWARDS REQUIRED BY OMB CIRCULAR A-133

Independent Auditors' Report

Board of Directors
Tioga County Industrial Development Agency
Owego, New York

Report on Compliance for Each Major Federal Program

We have audited TIOGA COUNTY INDUSTRIAL DEVELOPMENT AGENCY'S compliance with the types of compliance requirements described in the OMB *Circular A-133 Compliance Supplement* that could have a direct and material effect on each of its major federal programs for the year ended December 31, 2012. Tioga County Industrial Development Agency's major federal programs are identified in the summary of auditor's results section of the accompanying schedule of findings and questioned costs.

Management's Responsibility

Management is responsible for compliance with the requirements of laws, regulations, contracts and grants applicable to its federal programs.

Auditors' Responsibility

Our responsibility is to express an opinion on compliance for each of Tioga County Industrial Development Agency's major federal programs based on our audit of the types of compliance requirements referred to above. We conducted our audit of compliance in accordance with auditing standards generally accepted in the United States of America; the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States, and OMB Circular A-133, *Audits of States, Local Governments, and Non-Profit Organizations*. Those standards and OMB Circular A-133 require that we plan and perform the audit to obtain reasonable assurance about whether noncompliance with the types of compliance requirements referred to above that could have a direct and material effect on a major federal program occurred. An audit includes examining, on a test basis, evidence about Tioga County Industrial Development Agency's compliance with those requirements and performing such other procedures, as we considered necessary in the circumstances.

We believe that our audit provides a reasonable basis for our opinion on compliance for each major federal program. However, our audit does not provide a legal determination on Tioga County Industrial Development Agency's compliance.

Board of Directors
Tioga County Industrial Development Agency

Opinion on Each Major Federal Program

In our opinion, Tioga County Industrial Development Agency complied, in all material respects, with the types of compliance requirements referred to above that could have a direct and material effect on each of its major federal programs for the year ended December 31, 2012.

Other Matters

The results of our auditing procedures disclosed an instance of noncompliance, which is required to be reported in accordance with OMB Circular A-133 and which is described in the accompanying schedule of findings and questioned costs as item 2012-1. Our opinion on each major federal program is not modified with respect to these matters.

Tioga County Industrial Development Agency's response to the noncompliance finding identified in our audit is described in the accompanying schedule of findings and questioned costs. Tioga County Industrial Development Agency's response was not subjected to the auditing procedures applied in the audit of compliance and, accordingly, we express no opinion on the response.

Report on Internal Control Over Compliance

Management of Tioga County Industrial Development Agency is responsible for establishing and maintaining effective internal control over compliance with the types of compliance requirements referred to above. In planning and performing our audit of compliance, we considered Tioga County Industrial Development Agency's internal control over compliance with the types of requirements that could have a direct and material effect on each major federal program to determine the auditing procedures that are appropriate in the circumstances for the purpose of expressing an opinion on compliance for each major federal program and to test and report on internal control over compliance in accordance with OMB Circular A-133, but not for the purpose of expressing an opinion on the effectiveness of internal control over compliance. Accordingly, we do not express an opinion on the effectiveness of Tioga County Industrial Development Agency's internal control over compliance.

A deficiency in internal control over compliance exists when the design or operation of a control over compliance does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, noncompliance with a type of compliance requirement of a federal program on a timely basis. *A material weakness in internal control over compliance* is a deficiency, or combination of deficiencies, in internal control over compliance, such that there is a reasonable possibility that material noncompliance with a type of compliance requirement of a federal program will not be prevented, or detected and corrected, on a timely basis. *A significant deficiency in internal control over compliance* is a deficiency, or a combination of deficiencies, in internal control over compliance with a type of compliance requirement of a federal program that is less severe than a material weakness, yet important enough to merit attention by those charged with governance.

Our consideration of internal control over compliance was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control over compliance that might be material weaknesses or significant deficiencies and therefore, material weaknesses or significant deficiencies may exist that were not identified. We did not identify any deficiencies in internal control over compliance that we consider to be material weaknesses. However, material weaknesses may exist that have not been identified.

Board of Directors
Tioga County Industrial Development Agency

The purpose of this report on internal control over compliance is solely to describe the scope of our testing of internal control over compliance and the results of that testing based on the requirements of OMB Circular A-133. Accordingly, this report is not suitable for any other purpose.

Report on Schedule of Expenditures of Federal Awards Required by OMB Circular A-133

We have audited the financial statements of Tioga County Industrial Development Agency as of and for the year ended December 31, 2012, and have issued our report thereon dated February 25, 2013, which contained an unmodified opinion on those financial statements. Our audit was conducted for the purpose of forming an opinion on the financial statements as a whole. The accompanying schedule of expenditures of federal awards is presented for purposes of additional analysis as required by OMB Circular A-133 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 financial statements. The information has been subjected to the auditing procedures applied in the audit of the financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the financial statements or to the financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, the schedule of expenditure of federal awards is fairly stated in all material respects in relation to the financial statements as a whole.



PIAKER & LYONS, P. C.

Binghamton, New York
February 25, 2013

**TIOGA COUNTY INDUSTRIAL DEVELOPMENT AGENCY
SCHEDULE OF EXPENDITURES OF FEDERAL AWARDS
FOR THE YEAR ENDED DECEMBER 31, 2012**

Federal Grantor/Pass Through Grantor/Program Title	Federal CFDA Number	Grantor's Number	Federal Expenditures
U.S. Department of Agriculture			
Direct Programs:			
Intermediary Relending Program	10.767		\$ 863,906
Rural Business Enterprise Grants	10.769		187,425
ARRA - Emergency Watershed Protection Program	10.923		<u>81,089</u>
Total U.S. Department of Agriculture			<u>1,132,420</u>
U.S. Department of Homeland Security			
Federal Emergency Management Administration			
Pass Through:			
New York State Office of Emergency Management			
Public Assistance Grants	97.036		152,683
Hazard Mitigation Grants	97.039		<u>10,067</u>
			<u>162,750</u>
Total Expenditures of Federal Awards			<u>\$ 1,295,170</u>

See the accompanying notes to financial statements.

TIOGA COUNTY INDUSTRIAL DEVELOPMENT AGENCY
SCHEDULE OF EXPENDITURES OF FEDERAL AWARDS
NOTES
FOR THE YEAR ENDED DECEMBER 31, 2012

NOTE 1 - SIGNIFICANT ACCOUNTING POLICY

The accompanying schedule of expenditures of federal awards is a summary of the reporting entity's federal award programs. All federal awards are presented on an accrual basis of accounting. The information in this schedule is presented in accordance with the requirements of OMB Circular A-133, *Audits of States, Local Governments, and Non-Profit Organizations*. Therefore, some amounts presented in this schedule may differ from amounts presented in, or used in the preparation of the financial statements.

NOTE 2 - LOANS OUTSTANDING

The reporting entity had the following loan balances outstanding at December 31, 2012. The loan balances outstanding are also included in the federal expenditures presented in this schedule.

<u>Program Title</u>	<u>Federal CFDA Number</u>	<u>Amount Outstanding</u>
Intermediary Relending Program	10.767	\$ 694,394
Rural Business Enterprise Grants	10.769	129,886

See the accompanying notes to financial statements.

**TIOGA COUNTY INDUSTRIAL DEVELOPMENT AGENCY
SCHEDULE OF FINDINGS AND QUESTIONED COSTS
FOR THE YEAR ENDED DECEMBER 31, 2012**

Section I - Summary of Auditors' Results

Financial Statements

Type of auditors' report issued: Unqualified
 Internal control over financial reporting:
 Material weakness (es) identified? _____ yes X no
 Significant deficiency (ies) identified? _____ yes X none reported
 Noncompliance material to financial statements noted? _____ yes X no

Federal Awards

Internal Control over major programs:
 Material weakness (es) identified? _____ yes X no
 Significant deficiency (ies) identified _____ yes X none reported

Type of auditors' report issued on compliance for major programs: Unqualified
 Any audit findings disclosed that are required to be reported in accordance with Section 510(a) of Circular A-133? _____ X yes _____ no

Identification of major programs:

<u>CFDA Number(s)</u>	<u>Name of Federal Program</u>
10.767	USDA Intermediary Relending Program
97.036	DHS Public Assistance Grants

Dollar threshold used to distinguish Between Type A and Type B programs: \$ 300,000
 Auditee qualified as low-risk auditee? _____ X yes _____ no

TIOGA COUNTY INDUSTRIAL DEVELOPMENT AGENCY
SCHEDULE OF FINDINGS AND QUESTIONED COSTS
FOR THE YEAR ENDED DECEMBER 31, 2012

Section II – Financial Statement Findings

Prior Year

No matters were reported

Current Year

No matters are reported

Section III – Federal Award Findings and Questioned Costs

Prior Year

No matters were reported under the U.S. Office of Management and Budget (OMB) Circular A -133 Compliance Supplement.

Current Year

U.S. Department of Agriculture

2012-1 Intermediary Relending Program – CFDA No. 10.767

Criteria and Condition: Per the USDA Revolving Loan Fund User Manual, the semi-annual reporting is to be done within 30 days following the period end.

Context: Per testwork performed during the current year audit, the semi-annual reporting for each of the four Intermediary Relending Programs was not done in a timely manner.

Cause: The internal controls present for the programs do not include a tracking methodology to ensure reporting is done in a timely manner.

Effect: The Intermediary Relending Program reporting was late for all four programs for both reporting periods.

Recommendation: The Business Administrator should set a tracking reminder in her e-mail program or accounting program to remind her of the deadlines for each reporting period.

Agency Response: The Agency’s Business Administrator was aware of the 30 day deadline. She has since set reminders of the deadlines on a calendar within her e-mail program for April 1st and October 1st of each year.