



Illinois Department of Transportation

2300 South Dirksen Parkway / Springfield, Illinois / 62764

DATE: October 30, 2013

FOIA No.: CO-13-0410

Mr. John Kraft
7060 Illinois Highway 1
Paris, IL 61944

File Reference No.: Illinois Freedom of Information Request –

Sent via e-mail to:
john@heirloomvideography.net

The Department has reviewed your request for documents under the Freedom of Information Act.

Your request is granted.

1. Please find attached a copy of the final report, as requested. A signature has been redacted pursuant to 5 ILCS 140/7(1)(c) – unique/personal identifiers.
2. A search for e-mails, memos, letters, etc. is ongoing.

- Your request is granted in-part and denied in-part for the following reason(s):
- The requested records are not in the possession of the Illinois Department of Transportation.
- Your request is overly broad and burdensome. Please narrow your request and the Department will attempt to comply, or please call Barbara Brush, Freedom of Information officer, at 217-785-2965, to discuss how your request can be reduced to manageable proportions.
- Other:

* Please remit a check to the above address in the amount of: _____
Details:

Make check payable to the Treasurer, State of Illinois, for reproduction costs. Please send all payments to: FOIA Officer, Illinois Department of Transportation, Room 300, 2300 South Dirksen Parkway, Springfield, IL, 62764.

- Your request is denied for the following reason(s):
- a. The requested records are exempt from inspection and copying pursuant to 5ILCS 140/7(1)_____.
- b. Other:

If you have any questions, please contact the Freedom of Information Act Officer, Barbara Brush, at (217) 785-2965.

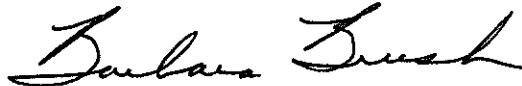
If you feel that any portion of this response is a denial of your request, you have a right to have the denial of your request reviewed by the Public Access Counselor (PAC) at the Office of the Illinois Attorney General. 5 ILCS 140/9.5(a). You can file your Request for Review with the PAC by writing to:

Public Access Counselor
Office of the Attorney General
500 South 2nd Street
Springfield, IL 62706
Fax: 217-782-1396
E-mail: publicaccess@atg.state.il.us

You also have the right to seek judicial review of your denial by filing a lawsuit in the State circuit court. 5 ILCS 140/11.

If you choose to file a Request for Review with the PAC, you must do so within 60 calendar days of the date of this denial letter. 5 ILCS 140/9.5(a). Please note that you must include a copy of your original FOIA request and this denial letter when filing a Request for Review with the PAC.

Very truly yours,

A handwritten signature in cursive script that reads "Barbara Brush". The signature is written in black ink and is positioned below the typed name.

Barbara Brush
Freedom of Information Officer
Illinois Department of Transportation



Illinois Department of Transportation

Office of Quality Compliance & Review
2300 South Dirksen Parkway / Springfield, Illinois 62764

meh
6P

TO: Omer Osman, Director
Division of Highways

FROM: William Winberg, Acting Chief Financial Review Officer
Financial Review & Investigations Section

SUBJECT: Review of West Township Motor Fuel Tax (MFT) Funds

DATE: September 17, 2013

AUDIT REPORT NO.: 14-37-001

We have completed a review of Motor Fuel Tax funds provided to the recipient West Township.

The State of Illinois provides Motor Fuel Tax funds to assist in the maintenance of public roads. Motor fuel tax funds may be used for the reimbursement of eligible operating expenses incurred to maintain County and Township roads.

Our audit included a review of West Township motor fuel tax revenues and expenses for the period July 1, 2012 to June 30, 2013.

Our review was made in accordance with the standards set forth in the Government Accountability Office's Government Auditing Standards except that consideration was not given to efficiency and economy in the use of resources or to the effectiveness in achieving program results.

Review of the internal controls in effect was not made as a specific element of the assignment.

A site audit was performed in Effingham County and West Township during May 2013.

Cost records maintained by the recipient in support of its claims were examined as we considered necessary to determine that the financial and compliance aspects of the Motor Fuel Tax fund expenses were in accordance with State rules, regulations and guidelines as applicable, including the Illinois Highway Code.

The auditors are required to exercise due professional care in performing audits. In doing so, the audit procedures were designed and the audit conducted to ensure that auditors were alert to the possibility of wrongdoing, errors and omissions, inefficiency, waste, ineffectiveness and conflict of interest. The auditors were also cognizant of conditions and activities where irregularities are most likely to occur.

Opinion

Except as noted in the Finding section of this report, it is our opinion that the costs claimed are supported in accordance with State policies and contractual provisions. The details of these findings are discussed in this report.

This report was prepared for the use of IDOT. Final determinations establishing the official position of IDOT on the matters reported herein are made by appropriate IDOT officials.

If additional information is needed, please contact me at 217/785-4593.

CPA CFE

William Winberg, CPA, CFE
Acting Chief Financial Review Officer

wdw/rn/st

Attachment

cc: Ann L. Schneider, Secretary
Roger Driskell, District Engineer Region 4
James Klein, Acting Bureau Chief, Local Roads & Streets
Maureen Kastl, Local Roads Engineer Region 4, District 7
Greg Koester, Effingham County Highway
Scott Beal, Supervisor, West Township
Jeff Heck, Director, Office of Quality Compliance & Review
Giovanni Fulgenzi, Bureau Chief, Bureau of Fiscal Integrity & Investigations

Audit Findings, Recommendations and Agency Responses

Finding No.1: West Township MFT Used to Pay for Materials and Labor Used to Repair Private Driveways

West Township motor fuel tax funds were used to pay for the expenses of chipping and sealing the privately owned driveways of certain individuals. We noted that Effingham County employees sealed three private driveways of two individuals. West Township employees applied rock to seal these driveways. These individuals had their driveways chipped and sealed in August 2012 under direction of the West Township Road Commissioner.

Once this practice was brought to the public's attention through local media, the West Township Road Commissioner billed the two individuals in March 2013 for materials involved for work performed for them.

The Effingham County Highway Engineer has stated that the County will no longer seal private driveways.

The following individuals residing in West Township had their driveways chipped and sealed:

Name	Address	Date of Driveway Repair	Amount Paid
Darrell Runge	West Township	August 6, 2012	\$ 1,158.80
Jason Runge	West Township	August 6, 2012	\$ 2,355.60

Effingham County and West Township officials have stated that they were not aware that public funds could not be used in this manner.

As stated in the Illinois Highway Code, 605 ILCS 6-701.1 through 6-701.9, motor fuel tax funds can generally used for work performed on public roads only.

West Township motor fuel tax funds were not used in accordance with the Illinois Highway Code.

Recommendation:

We recommend that West Township refrain from using government resources and funds for chipping and sealing private driveways and implement new policies, procedures and internal controls to ensure that MFT funds are used for their intended purposes in accordance with the Illinois Highway Code.

Responses from Responsible Officials:

I am the new West Township Road Commissioner and MFT Funds will be used for their intended purpose. Dennis Vaughn

Finding No.2: Personal Driveway Repairs Billed to Individuals below Cost and Fair Market Value.

Material costs were included in two invoices sent to individuals for driveway sealing performed by West Township and Effingham County Highway employees as requested by the West Township Road Commissioner. Neither labor nor equipment costs were billed to the two individuals. Reimbursement was not sought for payroll, payroll taxes, equipment usage or other overhead costs for the County and the Township.

An analysis of driveway sealing industry companies show that quotes for the chipping and sealing of these driveways range in price from \$ 4,000 to \$ 6,000.

Though the governments involved should not have been performing personal driveway repairs, all costs should have been recognized and considered when determining what should be billed in connection with these driveway-sealing projects.

Recommendation:

Effingham County and West Township officials have agreed to no longer chip and seal privately owned driveways. We would nevertheless recommend that the County bill individuals for all actual costs, including all applicable county materials, overhead and equipment costs in the event that County forces need to make repairs, for instance, on County property damaged by private individuals.

Responses from Responsible Officials:

No response given.

Finding No.3: Payments Received for Private Driveway Repairs Not Recorded as an MFT Fund Recovery

West Township received two checks totaling \$ 3,514.40 from individuals that had their driveways chipped and sealed. The Township deposited these funds into their Road and Bridge Fund instead of the Motor Fuel Tax Fund. The West Township Road Commissioner deposited the two checks into the Road and Bridge Fund. At the time, West Township was not aware that this money was to be deposited into the MFT Fund.

Generally accepted accounting principles for government units requires that any portion of income or other credits relating to allowable costs received by the governmental unit shall be credited to the governmental unit's fund in which the funds were originally expended and should be shown as a cost reduction or cash refund.

The West Township Road and Bridge Fund received \$ 3,514.40 in funds that should have been deposited to the MFT Fund of West Township.

Recommendation:

We recommend that West Township transfer \$3,514.40 from their Road and Bridge Fund to their Motor Fuel Tax Fund to account for the reimbursements for the private driveway repairs.

Responses from Responsible Officials:

Yes, I will transfer \$3,514.40 back to the Motor Fuel Tax Fund. Dennis Vaughn, Road Commissioner.