

York Township
Athens County

Regular Audit

For the Years Ended December 31, 2004 - 2003



**Auditor of State
Betty Montgomery**

Board of Trustees
York Township, Athens County
649 Walnut Street
Nelsonville, Ohio 45764

We have reviewed the *Independent Accountant's Report* of York Township, Athens County, prepared by Knox & Knox, CPA's, for the audit period January 1, 2003 to December 31, 2004. Based upon this review, we have accepted these reports in lieu of the audit required by Section 117.11, Revised Code. The Auditor of State did not audit the accompanying financial statements and, accordingly, we are unable to express, and do not express an opinion on them.

The financial statements in the attached report are presented in accordance with a regulatory basis of accounting prescribed or permitted by the Auditor of State. Due to a February 2, 2005 interpretation from the American Institute of Certified Public Accountants (AICPA), modifications were required to the *Independent Accountant's Report* on your financial statements. While the Auditor of State does not legally require your government to prepare financial statements pursuant to Generally Accepted Accounting Principles (GAAP), the AICPA interpretation requires auditors to formally acknowledge that you did not prepare your financial statements in accordance with GAAP. The attached report includes an opinion relating to GAAP presentation and measurement requirements, but does not imply the statements are misstated under the non-GAAP regulatory basis. The *Independent Accountant's Report* also includes an opinion on the financial statements using the regulatory format the Auditor of State permits.

Our review was made in reference to the applicable sections of legislative criteria, as reflected by the Ohio Constitution, and the Revised Code, policies, procedures and guidelines of the Auditor of State, regulations and grant requirements. York Township, Athens County is responsible for compliance with these laws and regulations.

A handwritten signature in black ink that reads "Betty Montgomery".

BETTY MONTGOMERY
Auditor of State

September 19, 2005

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York Township
Athens County

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Independent Accountants' Report

York Township
Athens County
649 Walnut Street
Nelsonville, OH 45764

We have audited the accompanying financial statements of the York Township, Athens County, Ohio , as of and for the years ended December 31, 2004 and 2003. These financial statements are the responsibility of the Township's management. Our responsibility is to express an opinion 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 includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements. An audit also includes assessing the accounting principles used and significant estimates, if any, made by management, as well as evaluating the overall financial statement presentation. We believe that our audit provides a reasonable basis for our opinion.

As described more fully in Note 1, the Township has prepared its financial statements using accounting practices the Auditor of State prescribes or permits. These practices differ from accounting principles generally accepted in the United States of America. Although we cannot reasonably determine the effects on the financial statements of the variances between these regulatory accounting practices and accounting principles generally accepted in the United States of America, we presume they are material.

In our opinion, because of the effects of the matter discussed in the preceding paragraph, the financial statements referred to above do not present fairly, in conformity with accounting principles generally accepted in the United States of America, the financial position of the York Township, Athens County combined funds as of December 31, 2004 and 2003, and their changes in financial position.

York Township
Athens County
Report of Independent Accountants
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Also, in our opinion, the financial statements referred to above present fairly, in all material respects, the combined fund cash balances and reserve for encumbrances of the York Township, Athens County, as of December 31, 2004 and 2003, and its combined cash receipts and disbursements for the years then ended on the basis of accounting described in Note 1.

In accordance with *Government Auditing Standards*, we have also issued a report dated July 29, 2005, on our consideration of the York Township's internal control over financial reporting and our tests of its compliance with 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 *Governmental Auditing Standards* and should be read in conjunction with this report in considering the results of our audits.

Knox & Knox

Orrville, Ohio
July 29, 2005

YORK TOWNSHIP
ATHENS COUNTY

COMBINED STATEMENT OF CASH RECEIPTS, CASH DISBURSEMENTS, AND
CHANGES IN FUND CASH BALANCES - ALL GOVERNMENTAL AND SIMILAR FIDUCIARY FUND TYPES
FOR THE YEAR ENDED DECEMBER 31, 2004

	Governmental Fund Types					Totals (Memorandum Only)
	General	Special Revenue	Debt Service	Capital Projects	Fiduciary Funds	
Cash Receipts:						
Local Taxes	\$32,762	\$251,037	\$ 28,659			\$ 312,458
Intergovernmental	23,757	112,658		\$35,845		172,260
Licenses, Permits, and Fees		29,976			\$ 200	30,176
Earnings on Investments	1,398	362			558	2,318
Miscellaneous	<u>3,212</u>	<u>49,068</u>			<u>1,200</u>	<u>53,480</u>
Total Cash Receipts	<u>61,129</u>	<u>443,101</u>	<u>28,659</u>	<u>35,845</u>	<u>1,958</u>	<u>570,692</u>
Cash Disbursements:						
Current:						
General Government	39,094	1,293				40,387
Public Safety	2,126	13,612				15,738
Public Works		209,062				209,062
Health		204,852			1,850	206,702
Debt Service						
Redemption of Principal		5,796	10,700			16,496
Interest and Fiscal						
Charges		591	222			813
Capital Outlay	<u>57,864</u>	<u>66,315</u>		<u>35,845</u>		<u>160,024</u>
Total Cash Disbursements	<u>99,084</u>	<u>501,521</u>	<u>10,922</u>	<u>35,845</u>	<u>1,850</u>	<u>649,222</u>
Total Receipts Over/(Under)						
Cash Disbursements	< <u>37,955</u> >	< <u>58,420</u> >	<u>17,737</u>		<u>108</u>	< <u>78,530</u> >
Other Financing Receipts/ (Disbursements):						
Debt Proceeds	<u>57,864</u>					<u>57,864</u>
Total Other Financing Receipts/(Disbursements)	<u>57,864</u>					<u>57,864</u>
Excess of Cash Receipts and Other Financing Receipts Over/(Under)Cash Disbursements and Other Financing Disbursements	19,909	< 58,420>	17,737		108	<20,666>
Fund Cash Balances, Jan. 1	<u>37,595</u>	<u>314,991</u>			<u>36,525</u>	<u>389,111</u>
Fund Cash Balances, Dec. 31	<u>\$57,504</u>	<u>\$256,571</u>	<u>\$ 17,737</u>		<u>\$ 36,633</u>	<u>\$368,445</u>
Reserves for Encumbrances, December 31		<u>\$ 9,184</u>				<u>\$ 9,184</u>

The notes to the financial statements are an integral part of this statement.

YORK TOWNSHIP
ATHENS COUNTY

COMBINED STATEMENT OF CASH RECEIPTS, CASH DISBURSEMENTS, AND
CHANGES IN FUND CASH BALANCES
ALL GOVERNMENTAL AND FIDUCIARY FUND TYPES
FOR THE YEAR ENDED DECEMBER 31, 2003

	Governmental Fund Types					Totals (Memorandum Only)
	General	Special Revenue	Debt Service	Capital Projects	Fiduciary Funds	
Cash Receipts:						
Local Taxes	\$32,121	\$253,234	\$ 8,072			\$293,427
Intergovernmental	19,266	143,482		\$44,630		207,378
Licenses, Permits, and Fees		26,600				26,600
Earnings on Investments	1,247	370			\$830	2,447
Miscellaneous	<u>14,016</u>	<u>82,569</u>				<u>96,585</u>
Total Cash Receipts	<u>66,650</u>	<u>506,255</u>	<u>8,072</u>	<u>44,630</u>	<u>830</u>	<u>626,437</u>
Cash Disbursements:						
Current:						
General Government	50,152	25,687				75,839
Public Safety	2,222	14,636				16,858
Public Works		210,499				210,499
Health		185,766			2000	187,766
Debt Service						
Redemption of Principal			17,580			17,580
Interest and Fiscal						
Charges			774			774
Capital Outlay	<u>384</u>	<u>165,348</u>		<u>44,630</u>	<u>565</u>	<u>210,927</u>
Total Cash Disbursements	<u>52,758</u>	<u>601,936</u>	<u>18,354</u>	<u>44,630</u>	<u>2,565</u>	<u>720,243</u>
Total Receipts Over/(Under)						
Cash Disbursements	<u>13,892</u>	<u>< 95,681 ></u>	<u>< 10,282 ></u>		<u>< 1,735 ></u>	<u>< 93,806 ></u>
Other Financing Receipts (Disbursements):						
Advances-In		500				500
Advances-Out	<u>< 500 ></u>					<u>< 500 ></u>
Debt Proceeds		<u>107,000</u>				<u>107,000</u>
Total Other Financing Receipts/(Disbursements)	<u>< 500 ></u>	<u>107,500</u>				<u>107,000</u>
Excess of Cash Receipts and Other Financing Receipts Over/(Under)Cash Disbursements and Other Financing Disbursements	13,392	11,819	<10,282>		< 1,735 >	13,194
Fund Cash Balances, Jan. 1	<u>24,203</u>	<u>303,172</u>	<u>10,282</u>		<u>38,260</u>	<u>375,917</u>
Fund Cash Balances, Dec.31	<u>\$37,595</u>	<u>\$314,991</u>	<u> </u>		<u>\$ 36,525</u>	<u>\$389,111</u>
Reserves for Encumbrances, December 31	<u> </u>	<u> </u>	<u> </u>		<u> </u>	<u> </u>

The notes to the financial statements are an integral part of this statement.

YORK TOWNSHIP
ATHENS COUNTY

NOTES TO THE FINANCIAL STATEMENTS
DECEMBER 31, 2004 and 2003

1. Summary of Significant Accounting Policies

A. Description of the Entity

York Township, Athens County, (the Township) is a body corporate and politic established to exercise the rights and privileges conveyed to it by the constitution and laws of the State of Ohio. The Township is directed by a publicly-elected three-member Board of Trustees. The Township provides road and bridge maintenance, cemetery maintenance, and fire protection.

The Township's management believes these financial statements present all activities for which the Township is financially accountable.

B. Basis of Accounting

These financial statements follow the basis of accounting prescribed or permitted by the Auditor of State, which is similar to the cash receipts and disbursements basis of accounting. Receipts are recognized when received in cash rather than when earned, and disbursements are recognized when paid rather than when a liability is incurred. Budgetary presentations report budgetary expenditures when a commitment is made (i.e., when an encumbrance is approved).

These statements include adequate disclosure of material matters, as prescribed or permitted by the Auditor of State.

C. Cash and Investments

Certificates of deposits are valued at cost. Money market mutual funds are recorded at share values reported by the mutual fund.

D. Fund Accounting

The Township uses fund accounting to segregate cash and investments that are restricted as to use. The Township classifies its funds into the following types:

1. General Fund

The General fund is the general operating fund. It is used to account for all financial resources except those required to be accounted for in another fund.

2. Special Revenue Funds

These funds are used to account for proceeds from specific sources (other than from trusts or for capital projects) that are restricted to expenditure for specific purposes. The Township had the following significant Special Revenue Funds:

Cemetery Fund - This fund receives property tax money for maintaining Township cemeteries.

Federal Emergency Management Agency (FEMA) Fund - This fund receives money from FEMA to provide flood relief to the Township.

3. Debt Service Funds

Debt service funds are used to accumulate resources for the payment of bonds and note indebtedness. The Township had the following significant Debt Service Fund:

General Note Retirement Fund (Fire Truck) - This fund is used to track resources restricted for the payment of debt related expenses the Township issued for the purchase of a fire truck.

YORK TOWNSHIP
ATHENS COUNTY

NOTES TO THE FINANCIAL STATEMENTS
DECEMBER 31, 2004 and 2003

1. Summary of Significant Accounting Policies - (Continued)

D. Fund Accounting (Continued)

4. Capital Project Funds

These funds are used to account for receipts that are restricted for the acquisition or construction of major capital projects (except those financed through enterprise or trust funds). The Township had the following significant Capital Project Fund:

Issue II Fund - The Township receives grants from the State of Ohio for public work projects.

5. Fiduciary Funds (Trust Funds)

These funds are used to account for resources restricted by legally binding trust agreements. The Township had the following significant Fiduciary Fund:

Expendable Trust Fund - This fund received interest payments for the upkeep of the Township cemeteries.

E. Budgetary Process

The Ohio Revised Code requires that each fund be budgeted annually.

1. Appropriations

Budgetary expenditures (that is, disbursements and encumbrances) may not exceed appropriations at the fund, function or object level of, and appropriations may not exceed estimated resources. The Board of Trustees must annually approve appropriation measures and subsequent amendments. The County Budget Commission must also approve the annual appropriation measure. Unencumbered appropriations lapse at year end.

2. Estimated Resources

Estimated resources include estimates of cash to be received (budgeted receipts) plus encumbered cash as of January 1. The County Budget Commission must also approve estimated resources.

3. Encumbrances

The Ohio Revised Code requires the Township to reserve (encumber) appropriations when individual commitments are made. Encumbrances outstanding at year end are carried over, and need not be reappropriated. The Township did not encumber all commitments required by Ohio Law.

A summary of 2004 and 2003 budgetary activity appears in Note 3.

YORK TOWNSHIP
ATHENS COUNTY

NOTES TO THE FINANCIAL STATEMENTS
DECEMBER 31, 2004 and 2003

1. Summary of Significant Accounting Policies (continued)

F. Property, Plant and Equipment

Acquisitions of property, plant and equipment are recorded as disbursements when paid. These items are not reflected as assets on the accompanying financial statements.

G. Accumulated Leave

In certain circumstances, such as upon leaving employment, employees are entitled to cash payments for unused leave. Unpaid leave is not reflected as a liability under the Township's basis of accounting.

2. Equity in Pooled Cash and Investments

The Township maintains a cash and investments pool used by all funds. The Ohio Revised Code prescribes allowable deposits and investments. The carrying amount of cash and investments at December 31 was as follows:

	2004	2003
Demand deposits	\$336,884	\$ 357,550
Certificates of deposits	31,561	31,561
Total deposits	\$368,445	\$389,111

Deposits: Deposits are either insured by the Federal Depository Insurance Corporation, or collateralized by the financial institution's public entity deposit pool.

3. Budgetary Activity

Budget activity for the years ended December 31, 2004 and 2003 follows:

2004 Budgeted vs. Actual Receipts			
Fund Type	Budgeted Receipts	Actual Receipts	Variance
General	\$ 54,320	\$ 118,993	\$ 64,673
Special Revenue	449,965	443,101	< 6,864>
Debt Service		28,659	28,659
Capital Projects	50,000	35,845	< 14,155>
Fiduciary	800	1,958	1,158
Total	\$ 555,085	\$ 628,556	\$ 73,471

2004 Budgeted vs. Actual Budgetary Basis Expenditures			
Fund Type	Appropriation Authority	Budgetary Expenditures	Variance
General	\$104,390	\$ 99,084	\$ 5,306
Special Revenue	589,339	510,705	78,634
Debt Service	10,922	10,922	
Capital Projects	71,690	35,845	35,845
Fiduciary	2,000	1,850	150
Total	\$ 778,341	\$ 658,406	\$ 119,935

YORK TOWNSHIP
ATHENS COUNTY

NOTES TO THE FINANCIAL STATEMENTS
DECEMBER 31, 2004 and 2003
(Continued)

3. Budgetary Activity (Continued)

2003 Budgeted vs. Actual Receipts			
Fund Type	Budgeted Receipts	Actual Receipts	Variance
General	\$ 54,508	\$ 66,650	12,142
Special Revenue	451,465	613,755	162,290
Debt Service	8,182	8,072	< 110>
Capital Projects	-0-	44,630	44,630
Fiduciary	1,500	830	<670>
Total	\$ 515,655	\$733,937	\$ 218,282

2003 Budgeted vs. Actual Budgetary Basis Expenditures			
Fund Type	Appropriation Authority	Budgetary Expenditures	Variance
General	\$ 67,488	\$ 53,258	\$ 14,230
Special Revenue	719,362	601,936	117,426
Debt Service	27,120	18,354	8,766
Capital Projects	44,630	44,630	-0-
Fiduciary	5,700	2,565	3,135
Total	\$ 864,300	\$ 720,743	\$ 143,557

4. Property Tax

Real property taxes become a lien on January 1 preceding the October 1 date for which rates are adopted by Board of Trustees. The State Board of Tax Equalization adjusts these rates for inflation. Property taxes are also reduced for applicable homestead and rollback deductions. Homestead and rollback amounts are then paid by the State, and are reflected in the accompanying financial statements as Intergovernmental Receipts. Payments are due to the County by December 31. If the property owner elects to make semiannual payment the first half is due December 31. The second half payment is due the following June 20.

Public utilities are also taxed on personal and real property located within the Township.

Tangible personal property tax is assessed by the property owners, who must file a list of such property to the County by each April 30.

The County is responsible for assessing property, and for billing, collecting, and distributing all property taxes on behalf of the Township.

5. Debt

Debt outstanding at December 31, 2004 was as follows:

	Principal	Interest Rate
General Obligation Note (A)	\$ 96,300	4.0%
General Obligation Note (B)	\$ 52,068	4.0%
Total	\$148,368	

YORK TOWNSHIP
ATHENS COUNTY

NOTES TO THE FINANCIAL STATEMENTS
DECEMBER 31, 2004 and 2003
(Continued)

5. Debt (continued)

The Township obtained a note (A) from the Citizens Bank of Logan for \$107,000 in 2003, with semi-annual payments of principal and interest. The note matures in November, 2008. The proceeds were used to purchase a fire truck.

The Township obtained a note (B) from the Peoples Bank for \$57,864 in 2004, with semi-annual payments of principal and interest. The note matures in April, 2009. The proceeds were used to purchase a truck.

Amortization of the above debt, including interest, is scheduled as follows:

	General Obligation Note A	General Obligation Note B
2005	\$ 23,845	\$12,775
2006	23,845	12,775
2007	23,845	12,775
2008	23,845	12,775
2009	<u>12,922</u>	<u>6,343</u>
Total	<u>\$ 108,302</u>	<u>\$ 57,443</u>

6. Retirement Systems

The Township's elected officials and employees belong to the Ohio Public Employees Retirement System (OPERS). OPERS is a cost-sharing, multiple-employer plan. The plan provides retirement benefits, including post-retirement healthcare, are survivor and disability benefits to participants as prescribed by the Ohio Revised Code.

Contribution rates are also prescribed by the Ohio Revised Code. For 2004 and 2003, members of OPERS contributed 8.5% of their gross salaries. The Township contributed an amount equal to 13.55% of participants' gross salaries for 2004 and 2003. The Township has paid all contributions required through December 31, 2004.

7. Risk Management

Commercial Insurance

The Township has obtained commercial insurance for the following risks:

- Comprehensive property and general liability
- Vehicles; and
- Errors and omissions.

Accountants and Consultants

**INDEPENDENT ACCOUNTANTS' REPORT ON COMPLIANCE AND ON
INTERNAL CONTROL
REQUIRED BY GOVERNMENT AUDITING STANDARDS**

York Township
Athens County
649 Walnut Street
Nelsonville, Ohio 45764

To the Board of Trustees:

We have audited the accompanying financial statements of the York Township, Athens County, Ohio (the Township), as of and for the years ended December 31, 2004 and 2003, and have issued our report thereon dated July 29, 2005. 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.

Compliance

As part of obtaining reasonable assurance about whether the York Township's financial statements are free of material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts and grants, noncompliance with which could have a direct and 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 such an opinion. The results of our tests disclosed instances of noncompliance that are required to be reported under Government Auditing Standards, which are described in the accompanying Schedule of Findings as items 2004-2001 and 2004-002.

Internal Control Over Financial Reporting

In planning and performing our audits, we considered the York Township's internal control over financial reporting in order to determine our auditing procedures for the purpose of expressing our opinion on the financial statements and not to provide an assurance on the internal control over financial reporting. Our consideration of the internal control over financial reporting would not necessarily disclose all matters in the internal control over financial reporting that might be material weaknesses. A material weakness is a condition in which the design or operation of one or more of the internal control components does not reduce to a relatively low level the risk that misstatements in amounts that would be material in relation to the financial statements being audited may occur and not be detected within a timely period by employees in the normal course of performing their assigned functions. We noted no matters involving the internal control over financial reporting and its operation that we consider to be material weaknesses. However, we noted other matters involving the internal control over financial reporting that do not require inclusion in this report, that we have reported to the management of the Township in a separate letter dated July 29, 2005.

This report is intended for the information and use of the audit committee, management, and the Board of Trustees, and is not intended to be and should not be used by anyone other than these specified parties.

Knox & Knox

Orrville, Ohio
July 29, 2005

**YORK TOWNSHIP
ATHENS COUNTY**

SCHEDULE OF FINDINGS

DECEMBER 31, 2004 AND 2003

**FINDINGS RELATED TO THE FINANCIAL STATEMENTS
REQUIRED TO BE REPORTED IN ACCORDANCE WITH GAGAS**

FINDING NUMBER 2004- 001

Noncompliance Citation

Ohio Rev. Code Section 5705.39 requires that total appropriations from each fund not exceed total estimated resources from each fund.

In 2003 and 2004, appropriations exceeded estimated resources in the Debt Service Fund and Capital Projects Fund, respectively.

FINDING NUMBER 2004-002

Noncompliance Citation

Ohio Rev. Code Section 5705.41 (D) states no orders or contracts involving the expenditure of money are to be made unless there is a certificate of the fiscal officer that the amount required for the order or contract has been lawfully appropriated and is in the treasury or in the process of collection to the credit of an appropriate fund free from any previous encumbrances.

The following exceptions to this basic requirement are provided by statute:

Then and Now Certificate: This exception provides that, if the fiscal officer can certify that both at the time that the contract or order was made and at the time that he is completing his certification, sufficient funds were available or in the process of collection, to the credit of a proper fund, properly appropriated and free from any previous encumbrance, the taxing authority can authorize the drawing of a warrant. The taxing authority has 30 days from the receipt of such certificate to approve payment by resolution or ordinance. If approval is not made within 30 days, there is no legal liability on the part of the subdivision or taxing district.

Amounts of less than \$1,000 (\$3,000 effective April 7, 2003), may be paid by the fiscal officer without such affirmation of the taxing authority upon completion of the "then and now" certificate, provided that the expenditure is otherwise lawful. This does not eliminate any otherwise applicable requirement for approval of expenditures by the taxing authority.

In both 2003 and 2004, there were expenditures that were not properly encumbered. The Township Clerk did not certify the amounts required to meet the expenditures prior to obligation and no corresponding "Then and Now" Certificate was completed. This could allow deficit spending to occur.

We recommend the Township Clerk certify the availability of funds prior to ordering goods or services.

YORK TOWNSHIP
ATHENS COUNTY

SCHEDULE OF PRIOR AUDIT FINDINGS
DECEMBER 31, 2004 AND 2003

Finding Number	Finding Summary	Fully Corrected?	Not Corrected, Partially Corrected; Significantly Different Corrective Action Taken; or Finding No Longer Valid; <i>Explain</i>
2002-40705-001	Not all supplemental appropriations approved by Trustees and certified by County Auditor.	YES	
2002 -40705-002	Failure to certify funds.	NO	Not Corrected; See finding 2004-002



**Auditor of State
Betty Montgomery**

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YORK TOWNSHIP

ATHENS COUNTY

CLERK'S CERTIFICATION

This is a true and correct copy of the report which is required to be filed in the Office of the Auditor of State pursuant to Section 117.26, Revised Code, and which is filed in Columbus, Ohio.

Susan Babbitt

CLERK OF THE BUREAU

**CERTIFIED
SEPTEMBER 29, 2005**