

CLEARCREEK FIRE DISTRICT

ASHLAND COUNTY

AUDIT REPORT

For the Years Ended December 31, 2009 and 2008

Charles E. Harris and Associates, Inc.
Certified Public Accountants and Government Consultants



Mary Taylor, CPA

Auditor of State

Board of Trustees
Clearcreek Fire District
P.O. Box 238
Savannah, Ohio 44874

We have reviewed the *Report of Independent Accountants* of the Clearcreek Fire District, Ashland County, prepared by Charles E. Harris & Associates, Inc., for the audit period January 1, 2008 through December 31, 2009. 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 *Report of Independent Accountants* 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 *Report of Independent Accountants* 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. The Clearcreek Fire District is responsible for compliance with these laws and regulations.

A handwritten signature in cursive script that reads "Mary Taylor".

Mary Taylor, CPA
Auditor of State

October 18, 2010

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CLEARCREEK FIRE DISTRICT
ASHLAND COUNTY
Audit Report
For the years ended December 31, 2009 and 2008

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REPORT OF INDEPENDENT ACCOUNTANTS

Clear Creek Fire District
Ashland County
210 U.S. Route 250 North
Greenwich, OH 44837-9501

To the Board of Trustees:

We have audited the accompanying financial statements of the Clear Creek Fire District, Ashland County, Ohio as and for the years ended December 31, 2009 and 2008. These financial statements are the responsibility of the District'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 the Comptroller General of the United States' *Government Auditing Standards*. Those standards require that we plan and perform the audit to reasonably assure whether the financial statements are free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation. We believe that our audit provides a reasonable basis for our opinion.

As described more fully in Note 1, the District has prepared these 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 (GAAP). Although, we cannot reasonably determine the effects on the financial statements of the variances between these regulatory accounting practices and GAAP, we presume they are material.

Revisions to GAAP would require the District to reformat its financial statement presentation and make other changes effective for the years ended December 31, 2009 and 2008. While the District does not follow GAAP, generally accepted auditing standards require us to include the following paragraph if the statements do not substantially conform to the new GAAP presentation requirements. The Auditor of State permits, but does not require governments to reformat their statements. The District has elected not to reformat its statements. Since the District does not use GAAP to measure its financial statement amounts, the following paragraph does not imply the amounts reported are materially misstated under the accounting basis the Auditor of State permits. Our opinion on the fair presentation of the amounts reported pursuant to its non-GAAP basis is in the second following paragraph.

In our opinion, because of the effects of the matter discussed in the preceding two paragraphs, the financial statements referred to above for the years ended December 31, 2009 and 2008, do not present fairly, in conformity with accounting principles generally accepted in the United States of America, the financial position of the District as of December 31, 2009 and 2008, or its changes in financial position for the years then ended.

Also, in our opinion, the financial statements referred to above present fairly, in all material respects, the combined fund cash balances of the Clear Creek Fire District, Ashland County as of December 31, 2009 and 2008, and its combined cash receipts and disbursements for the years then ended on the accounting basis Note 1 describes.

The aforementioned revision to generally accepted accounting principles also requires the District to include Management's Discussion and Analysis for the years ended December 31, 2009 and 2008. The District has not presented Management's Discussion and Analysis, which accounting principles generally accepted in the United States of America has determined is necessary to supplement, although not required to be part of, the financial statements.

In accordance with *Government Auditing Standards*, we have also issued our report dated July 19, 2010, on our consideration of the District's internal control over financial reporting and our tests of its compliance with certain provisions of laws, regulations, contracts, grant agreements and other matters. While we did not opine on the internal control over financial reporting or on compliance, that report describes the scope of our testing of internal control over financial reporting and compliance and results of that testing. That report is an integral part of an audit performed in accordance with *Government Auditing Standards*. You should read it in conjunction with this report in assessing the results of our audit.

Charles E. Harris & Associates, Inc.
July 19, 2010

**CLEAR CREEK FIRE DISTRICT
ASHLAND COUNTY, OHIO
COMBINED STATEMENT OF RECEIPTS, DISBURSEMENTS, AND CHANGES IN
FUND CASH BALANCES - ALL GOVERNMENTAL FUND TYPES
For the Years Ended December 31, 2009 and 2008**

	Special Revenue Fund Types	
	2009	2008
Receipts:		
Taxes	\$ 60,821	\$ 59,452
Intergovernmental	9,113	9,026
Interest	2	44
	69,936	68,522
Total Receipts		
Disbursements:		
Security of Persons & Property	66,020	75,239
	66,020	75,239
Total Disbursements		
Excess of Receipts Over/(Under) Disbursements	3,916	(6,717)
Non-Operating Receipts:		
Sale of Fixed Assets	-	6,076
	-	6,076
Total Other Financing Sources/(Uses)		
Excess of Receipts & Other Financing Sources Over/(Under) Disbursements and Other Financing Uses	3,916	(641)
Fund Balance January 1	1,561	2,202
Fund Balance December 31	\$ 5,477	\$ 1,561

See accompanying Notes to the Financial Statements.

**CLEAR CREEK FIRE DISTRICT
ASHLAND COUNTY, OHIO
Notes to the Financial Statements
For the Years Ended December 31, 2009 and 2008**

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

A. DESCRIPTION OF THE ENTITY

The Clear Creek Fire District is a body politic and corporate established for the purpose of exercising the rights and privileges conveyed to it by the constitution and laws of the State of Ohio. The District provides fire protection and EMS services. The District contracts with the Savannah Volunteer Fire Company for its fire protection and EMS services.

Management believes the financial statements included in this report represent all of the funds of the District over which the District officials have the ability to exercise direct operating control.

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 by the Auditor of State.

C. INVESTMENTS AND INACTIVE FUNDS

The District has only demand deposits. Interest earned is recognized and recorded when received.

D. FUND ACCOUNTING

The District maintains its accounting records in accordance with the principles of "fund" accounting. Fund accounting is a concept developed to meet the needs of governmental entities in which legal or other restraints require the recording of specific receipts and disbursements. The transactions of each fund are reflected in a self-balancing group of accounts, an accounting entity which stands separate from the activities reported in other funds. The restrictions associated with each class of funds are as follows:

Governmental Fund Type:

• **Special Revenue Fund:**

To account for the proceeds of specific revenue sources that are legally restricted to disbursements for specified purposes. The District's only fund receives general and tangible personal property taxes for fire protection and EMS services.

CLEAR CREEK FIRE DISTRICT
ASHLAND COUNTY, OHIO
Notes to the Financial Statements
For the Years Ended December 31, 2009 and 2008

1. **SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES** (continued)

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 control and appropriations may not exceed estimated resources. The 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 unencumbered balances as of January 1. The County Budget Commission must also approve estimated resources.

3. **Encumbrances**

The Ohio Revised Code requires the District to reserve (encumber) appropriations when commitments are made. The District does not use encumbrances.

A summary of 2009 and 2008 budgetary activity appears in Note 3.

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.

**CLEAR CREEK FIRE DISTRICT
ASHLAND COUNTY, OHIO
Notes to the Financial Statements
For the Years Ended December 31, 2009 and 2008**

2. PROPERTY TAXES

Real property becomes a lien on January 1 preceding the October 1 date for which rates are adopted by District. 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 payments, the first half is due December 31. The second half payment is due the following June 20.

Public utility property tax receipts received represent the collection of the previous year's taxes. Public utility real and tangible personal property taxes received in the current year became a lien on December 31, were levied after October 1 of the previous year, and are collected with real property taxes. Public utility real property is assessed at 35 percent of true value; public utility tangible personal property is currently assessed at varying percentages of true value.

Tangible personal property tax receipts received in the current year (other than public utility property) represent the collection of the previous year's taxes. Tangible personal property taxes received in the current year were levied after October 1 of the previous year, on the true value as of December 31 of the previous year. The tangible personal property tax is being phased out. The assessment percentage for all property, including inventory, 6.25 percent for 2008, and zero for 2009.

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

3. BUDGETARY ACTIVITY

Budgetary activity for the years ending December 31, 2009 and 2008 follows:

<u>2007 Budgeted vs. Actual Receipts</u>			
<u>Fund</u>	<u>Budgeted Receipts</u>	<u>Actual Receipts</u>	<u>Variance</u>
Special Revenue	\$ 62,803	\$ 69,936	\$ 7,133

<u>2009 Budgeted vs. Actual Budgetary Basis Expenditures</u>			
<u>Fund</u>	<u>Appropriation Authority</u>	<u>Budgetary Expenditures</u>	<u>Variance</u>
Special Revenue	\$ 66,160	\$ 66,020	\$ 140

CLEAR CREEK FIRE DISTRICT
ASHLAND COUNTY, OHIO
Notes to the Financial Statements
For the Years Ended December 31, 2009 and 2008

3. **BUDGETARY ACTIVITY** (continued)

2008 Budgeted vs. Actual Receipts			
Fund	Budgeted Receipts	Actual Receipts	Variance
Special Revenue	\$ 64,501	\$ 74,598	\$ 10,097

2008 Budgeted vs. Actual Budgetary Basis Expenditures			
Fund	Appropriation Authority	Budgetary Expenditures	Variance
Special Revenue	\$ 66,703	\$ 75,239	\$ (8,536)

4. **RISK MANAGEMENT**

The Clear Creek Fire District has obtained commercial insurance for the following risks:

- Comprehensive property and general liability
- Vehicles
- Public Officials Liability

Settled claims have not exceeded this commercial coverage in any of the last three years. There have been no significant reductions in insurance coverage from last year.

The District pays the State Worker's Compensation System a premium based on a rate per \$100 of salaries. The rate is calculated based on accident history and administrative costs. This is for volunteer fireman.

5. **CASH AND INVESTMENTS**

The District maintains a cash and investment pool. The Ohio Revised Code prescribes allowable deposits and investments. The carrying amount of cash at December 31, 2009 and 2008 follows:

	2009	2008
Demand Deposits	\$ 5,477	\$ 1,561
Total Deposits	\$ 5,477	\$ 1,561

6. **BUDGETARY NONCOMPLIANCE**

Contrary to section 5705.41(D), the District did not encumber any of its disbursements in either years.

Contrary to Ohio Revised Code Section 5705.41 (B), the District had expenditures plus encumbrances exceeding appropriations in 2008.

7. **CONTINGENT LIABILITIES/SUBSEQUENT EVENTS**

Management believes there are no pending claims or lawsuits.

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Charles E. Harris & Associates, Inc.
Certified Public Accountants

**INDEPENDENT ACCOUNTANTS' REPORT ON INTERNAL CONTROL OVER FINANCIAL
REPORTING AND ON COMPLIANCE AND OTHER MATTERS REQUIRED BY
GOVERNMENT AUDITING STANDARDS**

Clear Creek Fire District
Ashland County
210 U.S. Route 250 North
Greenwich, OH 44837-9501

To the Board of Trustees:

We have audited the financial statements of the Clear Creek Fire District, Ashland County Ohio (the District) as of and for the years ended December 31, 2009 and 2008, and have issued our report thereon dated July 19, 2010, wherein we noted the District followed accounting practices the Auditor of State prescribes rather than accounting principles generally accepted in the United States of America. 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.

Internal Controls Over Financial Reporting

In planning and performing our audit, we considered the District's internal control over financial reporting as a basis for designing our audit procedures for the purpose of expressing our opinions on the financial statements, but not for the purpose of opining on the effectiveness of the District's internal control over financial reporting. Accordingly, we have not opined on the effectiveness of the District's internal control over financial reporting.

Our consideration of internal control over financial reporting was for the limited purpose described in the preceding paragraph and was not designed to identify all deficiencies in internal control over financial reporting that might be significant deficiencies or material weaknesses. Therefore, we cannot assure that we have identified all deficiencies, significant deficiencies or material weaknesses. However, as described in the accompanying schedule of findings we identified certain deficiencies in internal control over financial reporting, that we consider to be material weaknesses.

A *deficiency in internal control* exists when the design or operation of a control does not allow management or employees, when performing their assigned functions, to prevent, or detect and timely correct misstatements. A *material weakness* is a deficiency, or a combination of deficiencies, in internal control such that there is a reasonable possibility that a material misstatement of the entity's financial statements will not be prevented, or detected and timely corrected. We consider findings 2009-CCFD-03 and 2009-CCFD-04 described in the accompanying schedule of findings to be material weaknesses.

Compliance and Other Matters

As part of reasonably assuring whether the District's financial statements are free of material misstatement, we tested its compliance with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could directly and materially affect 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 instances of noncompliance or other matters we must report under *Government Auditing Standards* which are described in the accompanying schedule of findings as items 2009-CCFD-01, 2009-CCFD-02 and 2009-CCFD-04.

The District's responses to the findings identified in our audit are described in the accompanying schedule of findings. We did not audit the District's responses and, accordingly, we express no opinion on them.

We noted certain matters that we have reported to management of the District in a separate letter dated July 19, 2010.

We intend this report solely for the information and use of management, the Board of Trustees and others within the District. We intend it for no one other than these specified parties.

Charles E. Harris and Associates, Inc.

July 19, 2010

CLEARCREEK FIRE DISTRICT
ASHLAND COUNTY

SCHEDULE OF FINDINGS
December 31, 2009 and 2008

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

FINDING NUMBER CCFD-2009-01

Non-compliance Citation

Ohio Revised Code Section 5705.41 (D), requires in part, that no subdivision or taxing unit shall make any contract or order any expenditure unless there is attached thereto a certificate of the fiscal officer of the subdivision certifying that the amount required to meet the obligation has been lawfully appropriated for such purposes and is in the treasury or in the process of collection to the credit of an appropriate fund free from any previous encumbrance. Every contract made without such a certificate shall be void and no warrant shall be issued in payment of any amount due thereon.

There are several exceptions to the standard requirement state above that a fiscal officer's certificate must be obtained prior to a subdivision or taxing authority entering into a contract or order involving the expenditure of money. The main exceptions are: "then and now" certificates, blanket certificates, and super blanket certificates, which are provided for in sections 5705.41(D)(1) and 5705.41(D)(3), respectively, of the *Ohio Revised Code*.

1. "Then and Now" Certificate – If the fiscal officer can certify that both at the time the contract or order was made ("then"), and at the time that the fiscal officer is completing the certification ("now"), that 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 District can authorize the drawing of a warrant for the payment of the amount due. The District has thirty days from the receipt of the "then and now" certificate to approve payment by resolution.

Amounts of less that \$3,000 may be paid by the fiscal officer without a resolution 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 expenditure by the District.

2. Blanket Certificate – Fiscal officers may prepare "blanket" certificates for a certain sum of money not in excess of an amount established by resolution adopted by a majority of the members of the legislative authority against any specific line item account over a period not running beyond the end of the current fiscal year. The blanket certificates may, but need not be limited to a specific vendor. Only one blanket certificate may be outstanding at one particular time for any one particular line item appropriation.
3. Super Blanket Certificate – The District may also make expenditures and contracts for any amount from a specific line-item appropriation account in a specified fund upon certification of the fiscal officer for most professional services, fuel, oil, food items, and any other specific recurring and reasonably predicable operating expense. This certification is not to extend beyond the current year. More than one super blanket certificate may be outstanding at a particular time for any line item appropriation.

The District did not properly certify the availability of funds for 100% of expenditures tested for the audit period of 2009 and 2008. Failure to certify the availability of funds and encumber appropriations could result in overspending and negative cash balances.

**CLEARCREEK FIRE DISTRICT
ASHLAND COUNTY**

**SCHEDULE OF FINDINGS - CONTINUED
December 31, 2009 and 2008**

FINDINGS RELATED TO THE FINANCIAL STATEMENTS REQUIRED TO BE REPORTED IN ACCORDANCE WITH GAGAS
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FINDING NUMBER CCFD-2009-01 (continued)

Non-compliance Citation (continued)

To improve controls over disbursements and to help reduce the possibility of the District's fund exceeding budgetary spending limitations, we recommend the Fiscal Officer certify the availability of funds prior to the commitment for the expenditure of District money. The District should consider the use of blanket purchase orders and "Then and Now" certificates to assist in complying with the above requirement.

Management's Response: Management has very few transactions during the year. They do not believe that implementing purchase orders is economically feasible.

FINDING NUMBER CCFD-2009-02

Ohio Revised Code Section 5705.41 (B) states that no subdivision or taxing authority shall make any expenditure of money unless it has been appropriated and unless it has been appropriated as provided in such chapter.

During the year ended December 31, 2008, the following fund's expenditures exceeded total appropriations:

Special Revenue Fund (\$8,536)

We recommend that the District better monitor appropriations in comparison to expenditures plus encumbrances.

Management's Response: The new management plans on better monitoring appropriations versus expenditures.

FINDING NUMBER CCFD-2009-03

Material Weakness

For the years ended December 31, 2009 and 2008, we noted that intergovernmental revenue received from the State of Ohio was included in Taxes on the District's financial records and on their financial report. The financial statements have been adjusted to present the accounting information correctly and the District has agreed with the required reclassifications and adjustments.

We recommend the District record all transactions in the proper line items and record all applicable transactions at their gross amounts rather than net.

Management's Response: Management plans on properly recording intergovernmental revenue in the future.

**CLEARCREEK FIRE DISTRICT
ASHLAND COUNTY**

**SCHEDULE OF FINDINGS - CONTINUED
December 31, 2009 and 2008**

FINDINGS RELATED TO THE FINANCIAL STATEMENTS REQUIRED TO BE REPORTED IN ACCORDANCE WITH GAGAS
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FINDING NUMBER CCFD-2009-04

Material Weakness and Non-compliance Citation

Per *Ohio Administrative Code* Section 117-2-02, all local public offices shall maintain accounting records in a manual or computerized format. The records used should be based on the nature of the operations and services the public office provides, and should consider the degree of automation and other factors. Such records should include the following:

1. Receipts ledger, which typically assembles and classifies receipts into separate accounts for each type of receipt of each fund the public office uses. The amount, date, name of the payer, purpose, receipt number, and other information required for the transactions can be recorded on this ledger.

2. Appropriation/Disbursement ledger, which may assemble and classify disbursements into separate accounts for, at a minimum, each account listed in the appropriation resolution. The amount, fund, date, check number, purchase order number, encumbrance amount, unencumbered balance, amount of disbursement, and any other information required may be entered in the appropriate columns.

We noted that the Fire District did not issue receipts for money received in 2009 and 2008, though their QuickBooks software in 2007 issued receipt numbers. We also noted that the Fire District did not issue purchase orders for any expenditures in 2009 and 2008 and that no voucher packages were used.

We recommend the Fire District issue pre-numbered receipts for all revenue, with a copy of the receipt attached to any document received pertaining to the revenue. The receipts would then be filed in numerical order.

We also recommend that a voucher package be prepared for each payment, other than county auditor deductions, including a copy of the check issued, the invoice received and the purchase order certifying the funds. This will provide complete documentation for disbursements. The county auditor deductions would be maintained with the receipts.

We also recommend the Fire District use the budget to actual function in QuickBooks to maintain budgetary records and for reports to the Board.

Management's Response: Management will continue to use QuickBooks due to the relatively inexpensive cost associated with the program.

**CLEARCREEK FIRE DISTRICT
ASHLAND COUNTY
December 31, 2009 and 2008**

SCHEDULE OF PRIOR AUDIT FINDINGS

Finding Number	Finding Summary	Fully Corrected?	Not Corrected, Partially Corrected, Significantly Different Corrective Action Taken, or Finding No Longer Valid, Explain
2007-CCFD-01	Ohio Revised Code Section 5704.41(D) requires the certification by the Fiscal Officer for expenditures.	No	Not corrected, See CCFD-2009-01
2007-CCFD-02	Erroneous postings	No	Partially corrected, see CCFD-2009-03
2007-CCFD-03	Proper maintenance of records per <i>Ohio Administrative Code</i> Section 117-2-02	No	Not corrected, See CCFD-2009-04



Mary Taylor, CPA
Auditor of State

CLEAR CREEK FIRE DISTRICT

ASHLAND 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
NOVEMBER 4, 2010**