



OHIO AUDITOR OF STATE  
**KEITH FABER**





# OHIO AUDITOR OF STATE KEITH FABER



Lausche Building, 12<sup>th</sup> Floor  
615 Superior Avenue, NW  
Cleveland, Ohio 44113-1801  
(216) 787-3665 or (800) 626-2297  
NortheastRegion@ohioauditor.gov

Fairport Harbor Port Authority  
Lake County  
220 Third Street  
Fairport Harbor, Ohio 44077

We have completed certain procedures in accordance with Ohio Rev. Code Section 117.01(G) to the accounting records and related documents of the Fairport Harbor Port Authority, Lake County, Ohio (the Port Authority) for the years ended December 31, 2019 and 2018.

Our procedures were designed solely to satisfy the audit requirements of Ohio Rev. Code Section 117.11(A). Because our procedures were not designed to opine on the Port Authority's financial statements, we did not follow *generally accepted auditing standards*. We do not provide any assurance on the Port Authority's financial statements, transactions or balances for the years ended December 31, 2019 and 2018.

The Port Authority's management is responsible for preparing and maintaining its accounting records and related documents. Our responsibility under Ohio Rev. Code Section 117.11(A) is to examine, analyze and inspect these records and documents.

Based on the results of our procedures, we found the following significant compliance or accounting issues to report.

## Current Year Observations

1. **Ohio Rev. Code § 149.43 (E)(2)** All public offices shall adopt a public records policy in compliance with this section for responding to public records requests. In adopting a public records policy under this division, a public office may obtain guidance from the model public records policy developed and provided to the public office by the attorney general under section 109.43 of the Revised Code. Except as otherwise provided in this section, the policy may not limit the number of public records that the public office will make available to a single person, may not limit the number of public records that it will make available during a fixed period of time, and may not establish a fixed period of time before it will respond to a request for inspection or copying of public records, unless that period is less than eight hours.

The public office shall distribute the public records policy adopted by the public office under this division to the employee of the public office who is the records custodian or records manager or otherwise has custody of the records of that office. The public office shall require that employee to acknowledge receipt of the copy of the public records policy. The public office shall create a poster that describes its public records policy and shall post the poster in a conspicuous place in the public office and in all locations where the public office has branch offices. The public office may post its public records policy on the internet web site of the public office if the public office maintains an internet web site. A public office that has established a manual or handbook of its general policies and procedures for all employees of the public office shall include the public records policy of the public office in the manual or handbook. The Port Authority has not adopted a public records policy in compliance with the aforementioned Ohio Rev. Code section.

The Port Authority should adopt a public records policy compliant with the aforementioned Ohio Revised Code Section.

**Current Observations – (Continued)**

2. **Ohio Rev. Code § 149.43(B)(2)** To facilitate broader access to public records, a public office or the person responsible for public records shall organize and maintain public records in a manner that they can be made available for inspection or copying in accordance with division (B) of this section. A public office also shall have available a copy of its current records retention schedule at a location readily available to the public. The Port Authority does not have a current records retention schedule readily available to the public.

The Port Authority should create a record retention schedule and have to document readily available for the public to view.

3. **Ohio Rev. Code § 5705.41(B)** No subdivision or taxing unit shall make any expenditure of money unless it has been appropriated as provided. The Port Authority had expenditures in excess of appropriations for the year ended December 30, 2019.

**Ohio Rev. Code § 5705.28(B)(2)(c)** A taxing unit that does not levy a tax shall not exceed the total estimated revenue available for expenditures from the fund, and appropriations shall be made from each fund only for the purposes for which the fund is established. The Port Authority is not required to file a Certificate of Estimated Resources with the County, but they do file a Tax Budget with the Tax Commission. The Port Authority had appropriations in excess of budgeted revenue for the year ended December 31, 2019.

We recommend the Port Authority integrate budgetary data into the accounting system and periodically review the computerized budgetary reports to ensure approved estimated receipts and appropriations are posted accurately and timely.

4. **Ohio Rev. Code § 117.38** requires cash-basis entities to file annual financial reports with the Auditor of State within 60 days of the fiscal year end. The Port Authority's original filing for the years ended December 31, 2019 and 2018 had the incorrect filing type selected. The Port Authority filed their December 31, 2018 filed annual report on March 10, 2019, which was not filed within 60 days of year end.

We recommend the Port Authority file the financial statements and notes to the financial statements within 60 days of the fiscal year end.



Keith Faber  
Auditor of State  
Columbus, Ohio

May 18, 2020

# OHIO AUDITOR OF STATE KEITH FABER



**FAIRPORT HARBOR PORT AUTHORITY**

**LAKE 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  
JUNE 4, 2020**