



OHIO AUDITOR OF STATE
KEITH FABER



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INDEPENDENT ACCOUNTANT'S REPORT ON APPLYING AGREED-UPON PROCEDURES

Banks Community Authority
Hamilton County
3825 Edwards Road, Suite 200
Cincinnati, Ohio 45209

We have performed the procedures enumerated below on the Banks Community Authority, Hamilton County, Ohio (the Authority's) receipts, disbursements and balances recorded in the cash basis accounting records for the period from September 6, 2018 through December 31, 2020 and certain compliance requirements related to those transactions and balances, included in the information provided to us by the management of the Authority. The Authority is responsible for the receipts, disbursements and balances recorded in the cash basis accounting records for the period from September 6, 2018 through December 31, 2020 and certain compliance requirements related to these transactions and balances included in the information provided to us by the Authority.

The Governing Board and the management of the Authority have agreed to and acknowledged that the procedures performed are appropriate to meet the intended purpose of providing assistance in the evaluation of the Authority's receipts, disbursements and balances recorded in their cash-basis accounting records for the for the period from September 6, 2018 through December 31, 2020, and certain compliance requirements related to these transactions and balances. No other party acknowledged the appropriateness of the procedures. This report may not be suitable for any other purpose. The procedures performed may not address all the items of interest to a user of the report and may not meet the needs of all users of the report and, as such, users are responsible for determining whether the procedures performed are appropriate for their purposes. The sufficiency of the procedures is solely the responsibility of the parties specified in the report. Consequently, we make no representation regarding the sufficiency of the procedures described below either for the purpose for which this report has been requested or for any other purpose.

For the purposes of performing these procedures, this report only describes exceptions exceeding \$10.

The procedures and the associated findings are as follows:

Cash

1. We compared the Authority's fund balances reported on its December 31, 2020 and December 31, 2019 General Ledger Reports to the balances reported in December 31, 2020 and December 31, 2019 bank reconciliations. The amounts agreed.
2. We agreed the December 31, 2019 fund balance for the General Fund recorded in the General Ledger to the December 31, 2019 financial statements filed in the HINKLE System. We also agreed the January 1, 2020 fund balance and the December 31, 2020 fund balance for the General Fund recorded in the General Ledger to the December 31, 2020 financial statements filed in the HINKLE System. We found no exceptions.

Receipts

We selected 10 other receipts from fiscal year ended December 31, 2020 and 10 other receipts from the fiscal year ended December 31, 2019 and:

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- a. Agreed the receipt amount recorded in the General Ledger to supporting documentation. The amounts agreed.
- b. Confirmed the amounts charged complied with rates in force during the period. We found no exceptions.
- c. Inspected the General Ledger to determine the receipt was posted to the proper fund, and was recorded in the proper year. We found no exceptions.

Debt

We inquired of management and inspected the General Ledger Reports for evidence of debt issued during fiscal year 2020 or fiscal year 2019 or debt payment activity during fiscal years 2020 or 2019. There were no new debt issuances, nor any debt payment activity during fiscal years 2020 or 2019.

Non-Payroll Cash Disbursements

We selected 10 disbursements from the General Ledger for the fiscal year ended December 31, 2020 and 10 from the fiscal year ended December 31, 2019 and determined whether:

- a. The disbursements were for a proper public purpose. We found no exceptions.
- b. The check number, date, payee name and amount recorded on the returned, canceled check agreed to the check number, date, payee name and amount recorded in the General ledger and to the names and amounts on the supporting invoices. We found no exceptions.
- c. The payment was posted to a fund consistent with the restricted purpose for which the fund's cash can be used. We found no exceptions.

Sunshine Law Compliance

1. We obtained and inspected the Authority's Public Records Policy to determine the policy was in accordance with Ohio Rev. Code §§ 149.43(E)(2) and 149.43(B)(7)(c) and did not limit the number of responses that may be made to a particular person, limit the number of responses during a specified period of time, or establish a fixed period of time before it will respond unless that period is less than eight hours. We found no exceptions.
2. We inquired with Authority management and determined that the Authority did not have any completed public records requests during the engagement period.
3. We inquired with Authority management and determined that the Authority did not have a records retention schedule during the engagement period and therefore could not make it readily available to the public as required by Ohio Rev. Code § 149.43(B)(2).

Ohio Rev. Code § 149.43(B)(2) states that an entity shall have available a copy of its current records retention schedule at a location readily available to the public. Failure to have a records retention schedule may result in documents being improperly destroyed and the failure to make the records retention schedule available to the public may cause the public to be unaware of the Authority's records retention schedule.

We recommend the Authority create a records retention schedule and make it readily available to the public.

4. We inspected written evidence that the Public Records Policy was provided to the records custodian/manager as required by Ohio Rev. Code § 149.43(E)(2). We found no exceptions.
5. We inquired with the Authority's management and determined that the Authority did not have any employees or a policy manual during the engagement period therefore the public records policy could not be included as required by Ohio Rev. Code § 149.43(E)(2).
6. The Authority does not have a physical building. Therefore displaying a poster describing the Authority's Public Records Policy is not required by Ohio Rev. Code § 149.43(E)(2).
7. We inquired with Authority management and determined that the Authority did not have any applications for record disposal submitted to the Records Commission during the engagement period.
8. We inquired with Authority management and determined that the Authority did not have any elected officials subject to the Public Records Training requirements during the engagement period as required by Ohio Rev. Code §§ 149.43(E)(1) and 109.43(B).
9. We inspected the public notices for the public meetings held during the engagement period and determined the Authority notified the general public and news media of when and where meetings during the engagement period were to be held as required by Ohio Rev. Code § 121.22(F). We found no exceptions.
10. We inspected the minutes of public meetings during the engagement period in accordance with Ohio Rev. Code § 121.22(C) and determined whether they were:
 - a. Prepared – a file is created following the date of the meeting;
 - b. Filed – placed with similar documents in an organized manner;
 - c. Maintained - retained, at a minimum, for the engagement period; and
 - d. Open to public inspection – available for public viewing or request.

We found no exceptions.

11. We inspected the minutes from the engagement period in accordance with Ohio Rev. Code § 121.22(G) and determined the following:
 - a. Executive sessions were only held at regular or special meetings;
 - b. The purpose for the meetings and going into an executive session (when applicable) correlated with one of the matters listed in Ohio Rev. Code § 121.22(G); and
 - c. Formal governing board actions were adopted in open meetings.

We found no exceptions.

Other Compliance

Ohio Rev. Code § 117.38 requires authorities to file their financial information in the HINKLE system within 60 days after the close of the fiscal year. This statute also permits the Auditor of State to extend the deadline for filing a financial report and establish terms and conditions for any such extension. Auditor of State established policies, regarding the filing of complete financial statements, as defined in AOS Bulletin 2015-007 in the Hinkle System. We confirmed the Authority filed their complete financial statements, as defined by AOS Bulletin 2015-007 and Auditor of State established policy within the allotted timeframe for the years ended December 31, 2020 and 2019 in the Hinkle system. The Authority filed the Alternate Hinkle System Financial Statement/Disclosure Report indicating the entity held no assets, owed no liabilities, and did not conduct any transactions (receipts or expenditures) for 2018. There were no exceptions.

Related Party Transactions

We inquired with management and identified the following Related Party Transactions:

The Banks Community Authority borrowed funds in the beginning to cover the costs of legal expenses, etc. to get the Banks Community Authority formed (prior to collections). The loan was from NIC Riverbanks One, LLC and was repaid prior to the end of 2019. NIC Riverbanks One, LLC owns a portion of the property located within the Banks Community Authority and does have two employees on the Board of Trustees. The Bylaws indicate four representatives of the developers of the Authority serve as members of the Board. We found no exceptions.

We were engaged by the Authority to perform this agreed-upon procedures engagement and conducted our engagement in accordance with the attestation standards established by the AICPA and the Comptroller General of the United States' *Government Auditing Standards*. We were not engaged to, and did not conduct an examination or review engagement, the objective of which would be the expression of an opinion or conclusion, respectively, on the Community Authority's receipts, disbursements, balances and compliance with certain laws and regulations. Accordingly, we do not express an opinion or conclusion. Had we performed additional procedures, other matters might have come to our attention that would have been reported to you.

We are required to be independent of the Authority and to meet our ethical responsibilities, in accordance with the ethical requirements established by the Comptroller General of the United States' *Government Auditing Standards* related to our agreed upon procedures engagement.



Keith Faber
Auditor of State
Columbus, Ohio
October 6, 2021

OHIO AUDITOR OF STATE KEITH FABER



BANKS COMMUNITY AUTHORITY

HAMILTON COUNTY

AUDITOR OF STATE OF OHIO CERTIFICATION

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



Certified for Release 11/4/2021

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This report is a matter of public record and is available online at
www.ohioauditor.gov