



CLARK SCHAEFER HACKETT
BUSINESS ADVISORS

CITY OF WILMINGTON SANITARY LANDFILL

CLINTON COUNTY

AGREED-UPON PROCEDURES

FOR THE YEAR ENDED DECEMBER 31, 2022

OHIO AUDITOR OF STATE
KEITH FABER



88 East Broad Street
Columbus, Ohio 43215
IPARepor@ohioauditor.gov
(800) 282-0370

Honorable Mayor and City Council
City of Wilmington Sanitary Landfill
69 North South Street
Wilmington, Ohio 45177

We have reviewed the *Independent Accountants Report on Agreed-Upon Procedures* of the City of Wilmington Sanitary Landfill, Clinton County, prepared by Clark, Schaefer, Hackett & Co., for the period January 1, 2022 through December 31, 2022. Based upon this review, we have accepted this report in lieu of the audit required by Section 117.11, Revised Code.

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 City of Wilmington Sanitary Landfill is responsible for compliance with these laws and regulations.

A handwritten signature in black ink that reads "Keith Faber".

Keith Faber
Auditor of State
Columbus, Ohio

September 15, 2023

This page intentionally left blank.

City of Wilmington
Clinton County
69 North South Street
Wilmington, Ohio 45177
and
The Director
Ohio Environmental Protection Agency

We have audited, in accordance with *Government Auditing Standards* issued by the Comptroller General of the United States, the basic financial statements of the City of Wilmington (the “City”) for the year ended December 31, 2022, and have separately issued our unmodified report thereon dated July 27, 2023.

In a letter to the Ohio Environmental Protection Agency dated July 28, 2023 (the “Letter”), the City Auditor of the City of Wilmington specified that certain amounts disclosed in that Letter were derived from the independently audited financial statements referred to in the first paragraph above.

We have performed the procedures described below on the City of Wilmington. The City’s management is responsible for the information presented in the Letter.

The City has agreed to and acknowledged that the procedures performed are appropriate to meet the intended purpose of solely providing assistance to you in determining that certain amounts reported in the Letter agreed to, or can be computed from, amounts presented in the audited basic financial statements. Additionally, the Auditor of State has agreed to and acknowledged that the procedures performed are appropriate to meet their purposes. This report may not be suitable for any other purpose. The sufficiency of the procedures is solely the responsibility of the parties specified in this 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.

As required by Ohio Administrative Code Sections 3745-27-15(L)(5)(c) and 3745-27-16(L)(5)(c) we have agreed the following amounts included in the Letter to the audited financial statements:

Alternative 2, Line No.

5	Total assured environmental costs
6	Total annual revenue

The amount on line 6 agree to the basic fund financial statements of the City, or can be computed from amounts appearing therein. We followed the definition for line 6 included in the *State Support Document for the Local Government Financial Test*, issued November 27, 1996 by the USEPA. Line 5 includes total assured environmental costs reported in the fund financial statements following Governmental Accounting Statement Number 18.

We were engaged by the City of Wilmington 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 letter. 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 City of Wilmington 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.

Clark, Schaefer, Hackett & Co.

Cincinnati, Ohio
July 31, 2023

Letter from Chief Financial Officer of a Local Government

Director
Ohio Environmental Protection Agency
c/o DMWM
P.O. Box 1049
Columbus, OH 43216-1049

I am the chief financial officer of *(name and address of local government)*

City of Wilmington, Ohio 69 North South Street, Wilmington, Ohio 45177

This letter is in support of this local government's use of the financial test to demonstrate financial assurance, as specified in Chapter 3745-27 of the Administrative Code.

Instructions: Fill out the following paragraphs regarding facilities and scrap tire transporters and the associated cost estimates in the space provided. If there are no facilities or scrap tire transporters that belong in a particular paragraph, write "none" in the space indicated. For each solid waste facility or scrap tire transporter, include its name, address, county, and current final closure, post-closure care, scrap tire transporter final closure, and/or corrective measures cost estimates, and any other environmental obligations. Identify each cost estimate as to whether it is for final closure, post-closure care, scrap tire transporter final closure, and/or corrective measures, and all other environmental obligations.

(1) This local government is the owner or operator of the following facilities or scrap tire transporters for which financial assurance for final closure, post-closure care, scrap tire transporter final closure, or corrective measures is demonstrated through the financial test specified in Chapter 3745-27 of the Administrative Code and/or this local government is the owner or operator of the following facilities for which financial assurance for any other environmental obligations are assured by a financial test. The current final closure, post-closure care, scrap tire transporter final closure, and/or corrective measures cost estimates, and any other environmental obligations provided for by a test are shown:

Name: City of Wilmington Landfill

Address: 69 N. South Street County Clinton

City: Wilmington State: OH Zip: 45177 -

Final Closure: \$ 4,944,920 Corrective Measures: \$ 0

Post Closure Care: \$ 3,066,786 Scrap Tire Transporter Final Closure: \$ 0

Other Environmental Obligation: \$ 0

(2) This local government is the owner or operator of the following facilities or scrap tire transporter for which financial assurance requirements for final closure, post-closure care, scrap tire transporter final closure, corrective measures, and/or any other environmental obligations are satisfied through a financial test other than that required by Chapter 3745-27 of the Administrative Code. The current final closure, post-closure care, scrap tire transporter final closure, and/or corrective measures cost estimates, and/or any environmental obligation covered by such financial assurance are shown for each facility or scrap tire transporter:

Name: _____
Address: _____ County _____
City: _____ State: _____ Zip: _____ - _____
Final Closure: \$ _____ Corrective Measures: \$ _____
Post Closure Care: \$ _____ Scrap Tire Transporter Final Closure: \$ _____
Other Environmental Obligation: \$ _____

The fiscal year of this local government ends on 12/31
(month, day)

The figures for the following items marked with an asterisk are derived from this local government's independently audited, year-end financial statements for the most recently completed fiscal year, ended 12 / 31 / 2022

(Comment: the figures for the following items must be contained in the audited financial statements from the most recently completed fiscal year.)

Instructions: Choose only ONE of the following alternatives.

Fill in **Alternative I** if the criteria of paragraph (L)(3)(a) of rule 3745-27-15, 3745-27-16, or and/or paragraph (M)(3)(a) of rule 3745-27-18 of the Administrative Code are used.

OR

Fill in **Alternative II** if the criteria of paragraph (L)(3)(b) of rule 3745-27-15, 3745-27-16, or and/or paragraph (M)(3)(b) of rule 3745-27-18 of the Administrative Code are used.

Alternative I

- 1) Sum of current final closure, post-closure care, scrap tire transporter final closure, and/or corrective measures cost estimates, and any other environmental obligations assured by a financial test (*total of all cost estimates shown in the two paragraphs above*): \$ _____
- *2) Sum of cash and marketable securities: \$ _____
- *3) Total expenditures: \$ _____
- *4) Annual debt service: \$ _____
- *5) Long-term debt: \$ _____
- *6) Capital expenditures: \$ _____
- *7) Total assured environmental costs: \$ _____
- *8) Total annual revenue: \$ _____

9) Is line 2 divided by line 3 greater than or equal to 0.05?	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
10) Is line 4 divided by line 3 less than or equal to 0.20?	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
11) Is line 5 divided by line 6 less than or equal to 2.00?	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
12) Is line 7 divided by line 8 less than or equal to 0.43? <i>If no, complete lines 13 and 14</i>	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No

- 13) Multiply line 8 by 0.43 = \$ _____
This is the maximum amount allowed to assure environmental costs.
- 14) Line 13 subtracted from line 7 = \$ _____
This amount must be assured by another financial assurance mechanism listed in paragraphs (F), (G), (I), and/or (J), in rules 3745-27-15, 3745-27-16, and paragraphs (G), (H), (J), and/or (K) in rule 3745-27-18 of the Administrative Code.

Alternative II

1) Sum of current final closure, post-closure care, scrap tire transporter final closure, and/or corrective measures cost estimates, and any other environmental obligations assured by a financial test (<i>total of all cost estimates shown in the two paragraphs above</i>):	\$ 8,011,706
2) Current bond rating of most recent issuance:	A1
Name of rating service: <u>Moody's Investor Service</u>	
3) Date of issuance of bond:	06 / 06 / 2017
4) Date of maturity of bond:	12 / 01 / 2032
5) Total assured environmental costs:	\$ 8,011,706
*6) Total annual revenue:	\$ 38,786,069

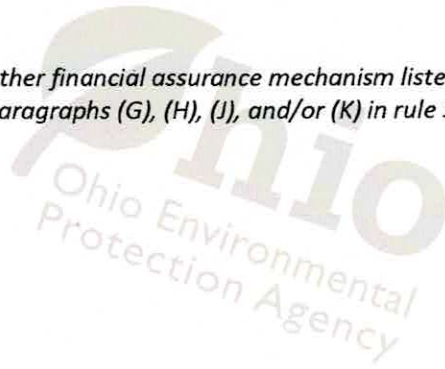
7) Is line 5 divided by line 6 less than or equal to 0.43? <i>If no, complete lines 8 and 9</i>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
---	---

8) Multiply line 6 by 0.43 = \$ _____

This is the maximum amount allowed to assure environmental costs.

9) Line 8 subtracted from line 5 = \$ _____

This amount must be assured by another financial assurance mechanism listed in paragraphs (F), (G), (I), and/or (J), in rules 3745-27-15, 3745-27-16, and paragraphs (G), (H), (J), and/or (K) in rule 3745-27-18 of the Administrative Code.



I hereby certify that the wording of this letter is identical to the wording specified in paragraph (H) of rule 3745-27-17 of the Administrative Code as such rule was constituted on the date shown immediately below. I further certify the following:

- (1) that the local government's financial statements are prepared in conformity with generally accepted accounting principles for governments;
- (2) that the local government has not operated at a deficit equal to five per cent or more of total annual revenue in either of the past two fiscal years;
- (3) that the local government is not in default on any outstanding general obligation bonds; and,
- (4) that the local government does not have outstanding general obligations rated less than BBB as issued by "Standard and Poor's" or Baa as issued by "Moody's."

Signature Mary Kay Vance Title Auditor
Name Mary Kay Vance Date 7 / 28 / 2023



This page intentionally left blank.

OHIO AUDITOR OF STATE KEITH FABER



CITY OF WILMINGTON SANITARY LANDFILL AGREED-UPON PROCEDURES REPORT

CLINTON 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 9/28/2023

88 East Broad Street, Columbus, Ohio 43215
Phone: 614-466-4514 or 800-282-0370

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