KILLBUCK TOWNSHIP HOLMES COUNTY, OHIO

AUDIT REPORT

FOR THE YEAR ENDED DECEMBER 31, 2003

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



Auditor of State Betty Montgomery

Board of Trustees Killbuck Township, Holmes County 8960 Township Road 79 Millersburg, Ohio 44654

We have reviewed the *Report of Independent Accountants* of Killbuck Township, Holmes County, prepared by Charles E. Harris & Associates, Inc., for the audit period January 1, 2003 to December 31, 2003. 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.

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. Killbuck Township, Holmes County is responsible for compliance with these laws and regulations.

Betty Montgomeny

BETTY MONTGOMERY Auditor of State

December 8, 2005

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KILLBUCK TOWNSHIP HOLMES COUNTY, OHIO Audit Report For the Year Ended December 31, 2003

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REPORT OF INDEPENDENT ACCOUNTANTS

Board of Trustees Killbuck Township 10672 State Route 520 Killbuck, Ohio 44637

We have audited the accompanying financial statements of the Killbuck Township, Holmes County, Ohio (the Township) as of and for the year ended December 31, 2003, as listed in the table of contents. These financial statements are the responsibility of the Township's management. Our responsibility is to express an opinion 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 Controller General of the United States. Those standards require that we plan and perform the audit obtain reasonable assurances 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 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 prepares its financial statements on a basis of accounting prescribed or permitted by the Auditor of State, which is a comprehensive basis of accounting other than generally accepted accounting principles.

In our opinion, the financial statements referred to above present fairly, in all material respects, the combined fund cash balances of the Killbuck Township, Holmes County, Ohio, as of December 31, 2003 and its combined cash receipts and disbursements for the year ended on the basis of accounting described in Note 1.

In accordance with *Government Auditing Standards*, we have also issued our report dated July 21, 2005, on our consideration of the Township's internal control over financial reporting and our tests of its compliance with certain provisions of laws, regulations, contracts and grant agreements and other matters. That report describes the scope of our testing of internal control over financial reporting or on compliance. 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.

This report is intended solely for the information and use of management, the Township Trustees and other officials authorized to receive this report under Section 117.26, Ohio Revised Code and is not intended to be and should not be used by anyone other than these specified parties.

Charles E. Harris & Associates, Inc. July 21, 2005

KILLBUCK TOWNSHIP HOLMES COUNTY, OHIO COMBINED STATEMENT OF CASH, INVESTMENTS AND FUND CASH BALANCES - ALL FUND TYPES As of December 31, 2003

	2003 Balance
Cash and Cash Equivalents	\$ 87,001

CASH BALANCES BY FUND CLASS

Governmental Fund Types:		2003
General Fund	\$	8,353
Special Revenue Funds		76,641
Total Governmental Fund Types	_	84,994
Fiduciary Fund Type:		
Nonexpendable Trust	_	2,007
Total All Fund Types	\$	87,001

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

KILLBUCK TOWNSHIP HOLMES COUNTY, OHIO COMBINED STATEMENT OF CASH RECEIPTS, CASH DISBURSEMENTS AND CHANGES IN FUND CASH BALANCES - ALL GOVERNMENTAL FUND TYPES FOR THE YEAR ENDED DECEMBER 31, 2003

		Governmental Fund Types			Total	
	_	General		Special Revenue	_	(Memorandum Only)
Cash Receipts:						
Taxes	\$	9,816	\$	96,741	\$	106,557
Intergovernmental	Ψ	25,690	Ψ	81,103	Ψ	106,793
Interest Earnings on Investments		407		97		504
Charges for services		-		31,150		31,150
Other		268		7,713	-	7,981
Total Cash Receipts		36,181		216,804		252,985
Cash Disbursements:						
General Government		36,077		34,388		70,465
Public Safety		-		28,739		28,739
Public Works		-		119,299		119,299
Health		7,727		-		7,727
Capital Outlay		-		30,255		30,255
Debt Service:						
Redemption of Principal		-		38,117		38,117
Interest and Other Fiscal Charges	_	-		2,803	-	2,803
Total Cash Disbursements		43,804		253,601	-	297,406
Total Cash Receipts Over (Under)						
Cash Disbursements		(7,623)		(36,797)		(44,420)
Other Financing Sources:						
Sale of Notes		-		25,012		25,012
Sale of Fixed Assets	_	-		1,748	-	1,748
Total Other Financing Receipts/(Disbursements)		-		26,760	-	26,760
Excess of Cash Receipts and Other Sources Over/(Under) Cash Disbursements		(7,623)		(10,037)		(17,660)
Fund Cash Balance, January 1, 2003		15,976		86,678	-	102,654
Fund Cash Balance, December 31, 2003	\$	8,353	\$	76,641	\$	84,994

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

KILLBUCK TOWNSHIP HOLMES COUNTY, OHIO COMBINED STATEMENT OF CASH RECEIPTS, CASH DISBURSEMENTS AND CHANGES IN FUND CASH BALANCES - ALL FIDUCIARY FUNDS FOR THE YEAR ENDED DECEMBER 31, 2003

	 2003
Operating Cash Receipts: Earnings on Investments	\$ 48
Operating Cash Disbursements: Other	 138
Operating Income/ (Loss)	(90)
Fund Cash Balances, January 1	 2,097
Fund Cash Balances, December 31	\$ 2,007

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

1. <u>SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES</u>

A. <u>DESCRIPTION OF THE ENTITY</u>

Killbuck Township, (the Township) is a body corporate and politic established for the purpose of exercising the rights and privileges conveyed to it by the constitution and laws of the State of Ohio. The Township is directed by three publicly-elected, Trustees. The Township provides general governmental services, including road and bridge maintenance, cemetery maintenance, fire protection and emergency medical services.

The Township's management believes the financial statements included in this report represent all of the funds of the Township over which the Township has the ability to exercise direct operating control.

B. BASIS OF ACCOUNTING

The Township prepares its financial statements following the basis of accounting prescribed or permitted by the Auditor of State, which is similar to the cash receipts and disbursements basis 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.)

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

C. <u>CASH AND INVESTMENTS</u>

The provisions of the Ohio Revised Code restrict investment procedures. Certificates of deposit are valued at cost. Interest earned is recognized and recorded when received.

D. <u>FUND ACCOUNTING</u>

The Township 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, and accounting entity which stands separate from the activities reported in other funds. The restrictions associated with each class of funds are as follows:

1. <u>SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES</u> – (continued)

Governmental Fund Types:

<u>General Fund</u>: The general operating fund of the Township. It is used to account for all financial resources except those required by law or contract to be accounted for in another fund.

<u>Special Revenue Funds</u>: These funds are used to account for proceeds from special sources (other than from trusts or for capital projects) that are restricted to expenditures for specific purposes. Special revenue funds follow:

- Motor Vehicle License Tax
- Gasoline Tax
- Road And Bridge Fund
- Special Levy Fund

<u>Fiduciary Fund (Trust Fund)</u>: This fund is used to account for resources restricted by legally binding trust agreements and funds for which the Township is acting in an agency capacity. The Township has Nonexpendable Trust Fund.

• Nonexpendable Trust Fund - This fund is used to account for inheritance monies for the payment of expenses related to the Shrimplin Cemetery in Killbuck Township. The income from the trust is to be used for the maintenance of the cemetery. The principal of the trust is to remain intact.

E. <u>BUDGETARY PROCESS</u>

1. <u>Budget</u>

A budget of estimated cash receipts and disbursements is prepared by the Clerk, approved by the Board of Trustees, and submitted to the county auditor, as secretary of the County Budget Commission, by July 20 of each year, for the period January 1 to December 31 of the following year.

2. <u>Estimated Resources</u>

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 the annual appropriation measure.

1. <u>SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES</u> – (continued)

3. <u>Appropriations</u>

Budgetary expenditures (that is, disbursements and encumbrances) may not exceed appropriations at the fund level of control, 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.

4. <u>Encumbrances</u>

The Ohio Revised Code requires the Township to reserve (encumber) appropriations when individual commitments are made. Encumbrances outstanding at year-end are canceled, and reappropriated in the subsequent year. The Township did not encumber all commitments required by Ohio law.

F. <u>PROPERTY, PLANT AND EQUIPMENT</u>

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

G. <u>ACCUMULATED LEAVE</u>

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 CASH EQUIVALENTS

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

2. <u>EQUITY IN POOLED CASH AND CASH EQUIVALENTS</u> – (continued)

	2003	
Demand Deposits Certificates of Deposits	\$	85,001 2,000
Total Deposits	\$	87,001

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

3. <u>BUDGETARY ACTIVITY</u>

Budgetary activity for the year ended December 31, 2003 follows:

Fund Type	Budgeted Receipts		Actual Receipts		 ariance
General	\$	34,306	\$	36,181	\$ 1,875
Special Revenue		212,838		243,564	30,726
Nonexpendable Trust		100		48	 (52)
Total	\$	247,244	\$	279,793	\$ 32,549

Fund Type	Арр	Actual Appropriations Disbursements				Variance
General	\$	46,901	\$	43,804	\$	3,097
Special Revenue		282,746		253,601		29,145
Nonexpendable Trust		197		138		59
Total	\$	329,844	\$	297,543	\$	32,301

4. <u>PROPERTY TAX</u>

Real property taxes become a lien on all non-exempt real property located in the county on January 1. Real property taxes are payable annually or semiannually. If paid annually, payment is due December 31; if paid semiannually, the first payment is due December 31 with the remainder payable by June 20 of the following year. Under certain circumstances, state statute permits later payment dates to be established.

The State Board of Tax Equalization adjusts the tax rates for inflation. Real property owners' tax bills are further reduced by homestead and rollback deductions when applicable. The amount of these homestead and rollback reductions is reimbursed to the Township by the State of Ohio. The amounts reimbursed by the State of Ohio are reflected in the accompanying financial statements as Intergovernmental Receipts.

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

The property owners, who must file a list of such property to the County by each April 30, assess tangible personal property tax.

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

5. <u>DEBT</u>

Debt outstanding at December 31, 2003 was as follows:

	Balance			Balance
	1/1/03	Issued	Retired	12/31/03
2001 General Obligation Fire Truck Note 6.25%	\$ 49,903	\$ -	\$ 27,011	\$22,892
2002 General Obligation Dump Truck Note 4.25% 2003 General Obligation	9,572	-	9,572	-
Dump Truck and Backhoe Note 4.50%		25,012	1,534	23,478
Total	\$ 59,475	\$ 25,012	\$ 38,117	\$46,370

The general obligation notes were issued to finance the purchase of a new fire truck, dump truck, and a backhoe to be used for Township fire protection and road maintenance, respectively. The fire truck note is collateralized by the truck purchased. The dump truck note was rolled into a new note that included the purchase of a backhoe, and this note is collateralized solely by the Township's taxing authority.

5. $\underline{\text{DEBT}}$ – (continued)

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

Year Ending	2001	2003	
12/31	G.O. Note	G.O. Note	Total
2004	\$ 14,682	\$ 4,764	\$ 19,446
2005	14,682	4,764	19,446
2006	14,682	4,764	19,446
2007	1,544	4,764	6,308
2008	-	4,764	4,764
2009	-	2,779	2,779
Total	\$ 45,590	\$ 26,599	\$ 72,189

6. <u>DEFINED BENEFIT PENSION PLAN</u>

The Township's employees belong to the Ohio Public Employees Retirement System (OPERS). OPERS is a cost-sharing multiple-employer defined benefit pension plan. The plan provides retirement and disability benefits, annual cost of living adjustments, and death benefits to plan members and beneficiaries. Authority to establish and amend benefits is provided by state statute per Chapter 145 of the Ohio Revised Code. OPERS issues a stand-alone financial report. Interested parties may obtain a copy by making a written request to 277 East Town Street, Columbus, Ohio 43215-4642 or by calling (614) 466-2085 or 1-800-222-PERS (7377).

The Ohio Revised Code provides statutory authority for employee and employer contributions. The employee contribution rates are 8.5% for employees other than law enforcement. For local government employer units the rate was 13.55% of covered payroll. The Township has paid all contributions required through December 31, 2004.

7. <u>RISK MANAGEMENT</u>

The Township is exposed to various risks of loss related torts, theft of, damage to, destruction of assets, errors and omissions, injuries to employees and natural disasters. During the fiscal years 2003 and 2004, the Township has obtained commercial insurance for the following risks:

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

8. <u>CONTINGENT LIABILITIES</u>

The Township may be a defendant in various lawsuits. Although the outcome of these lawsuits is not presently determinable, in the opinion of the Legal Counsel, the resolution of these matters will not have a material adverse effect on the financial condition of the Township.

REPORT ON INTERNAL CONTROL OVER FINANCIAL REPORTING AND ON COMPLIANCE AND OTHER MATTERS BASED ON AN AUDIT OF FINANCIAL STATEMENTS PERFORMED IN ACCORDANCE WITH GOVERNMENT AUDITING STANDARDS

Board of Trustees Killbuck Township 10672 State Route 520 Killbuck, Ohio 44637

We have audited the financial statements of the Killbuck Township, Homes County, Ohio (the Township) as of and for the year ended December 31, 2003, and have issued our report thereon dated July 21, 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.

INTERNAL CONTROL OVER FINANCIAL REPORTING

In planning and performing our audit, we considered the 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 opinion on the internal control over financial reporting. However, we noted certain matters involving the internal control over financial reporting and its operation that we consider to be reportable conditions. Reportable conditions involve matters coming to our attention relating to significant deficiencies in the design or operation of the internal control over financial reporting that, in our judgment, could adversely affect the Township's ability to record, process, summarize, and report financial data consistent with the assertions of management in the financial statements. A reportable condition is described in the accompanying Schedule of Findings as items 2003-Killbuck-002.

A material weakness is a reportable condition in which the design or operation of one or more of the internal control components does not reduce to a relatively low level of risk that misstatements caused by error or fraud 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. Our consideration on the internal control over financial reporting would not necessarily disclose all matters in the internal control that might be reportable conditions and, accordingly, would not necessarily disclose all reportable conditions that are also considered to be material weaknesses. However, we consider the reportable condition described above to be a material weakness.

We also noted certain additional internal control matters that we reported to management of the Township in a separate letter dated July 21, 2005.

COMPLIANCE AND OTHER MATTERS

As part of obtaining reasonable assurance about whether the Township's financial statements are free of material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements, 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 an instance of noncompliance or other matter that is required to be reported under *Government Auditing Standards*, which is described in the accompanying Schedule of Findings as item 2003 - Killbuck-001.

We also noted certain additional matters that we reported to management of the Township in a separate letter dated July 21, 2005.

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

Charles E. Harris & Associates, Inc. July 21, 2005

KILLBUCK TOWNSHIP HOLMES COUNTY, OHIO FOR THE YEAR ENDED DECEMBER 31, 2003

SCHEDULE OF FINDINGS

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

Finding Number 2003-Killbuck-001

Noncompliance Citation

Clerk's Certificate and Expenditures

Ohio Revised Code Section 5705.41(D)(1) states that no orders or contracts involving the expenditure of money are to be made unless there is a certificate of the Clerk-Treasurer attached. The Clerk-Treasurer must certify that the amount required for the order or contract has been lawfully appropriated and is in the treasury, or is in the process of collection to the credit of an appropriate fund free from any previous encumbrances.

There are several exceptions to the basic requirement stated above, one of which is provided for in section 5705.41(D)(1) of the Revised Code.

<u>"Then and Now" Certificate</u>: If the Clerk-Treasurer can certify that both at the time that the contract or order was made ("then"), and at the time that she is completing her 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 Township can authorize the drawing of a warrant for the payment of the amount due. The Township has thirty days from the receipt of such certificate to approve payment by resolution or ordinance.

Amounts less than \$3,000 (\$1,000 prior to April 7, 2003) may be paid by the Clerk-Treasurer 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.

During our test of expenditures we found instances of expenditures being made without the Clerk-Treasurer's certificate. 72% (21 out of 29) of items tested had expenditures and encumbrances made without appropriation. Failure to properly certify the availability of funds can result in overspending funds and negative cash fund balances.

Unless the exceptions noted above are used, prior certification is not only required by statute but is a key control in the disbursement process to assure that purchase commitments receive prior approval. To improve controls over disbursements and to help reduce the possibility of the Township's funds exceeding budgetary spending limitations, we recommend that the Clerk-Treasurer certify that the funds are or will be available prior to obligation by the Township. When prior certification is not possible, "then and now" certification should be used.

KILLBUCK TOWNSHIP HOLMES COUNTY, OHIO FOR THE YEAR ENDED DECEMBER 31, 2003

SCHEDULE OF FINDINGS

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

Finding Number 2003-Killbuck-001 – (continued)

We recommend the Township certify purchases to which section 5705.41(D) applies. The most convenient certification method is to use purchase orders that include the certification language 5704.41(D) requires to authorize disbursements. The Clerk-Treasurer should sign the certification at the time the Township incurs a commitment, and only when the requirements of 5705.41(D) are satisfied. The Clerk-Treasurer should post approved purchase commitments to the proper appropriation code, to reduce the available appropriation.

Finding Number 2003-Killbuck-002

Reportable Condition – Gasoline Usage

The Killbuck Township Volunteer Fire Department owns a gasoline pump which the Township uses for Township business. However, the Volunteer Fire Department did not maintain a gasoline usage log to help ensure that the Volunteer Fire Department was reimbursed for gasoline used by the Township. As a result, the Volunteer Fire Department could not determine the amount of gasoline used by the Township or verify that it has been properly reimbursed. Also, there were no policies regulating gasoline usage.

To help ensure the completeness and accuracy of the amount of gasoline used by each entity, the Township and the Volunteer Fire Department should establish a policy that includes the following:

- Establishment of the Township's rights and responsibilities with regard to the Volunteer Fire Department's gasoline pump (i.e. who has access, time of access, etc.). In addition, the gasoline pump should be used each time gasoline is placed in any vehicle operated by Township or Volunteer Fire Department officials or employees for Township or Fire Department business.
- The Township Volunteer Fire Department should maintain a gasoline usage log into which is recorded all gasoline pumped. The log should record the following: whether the gasoline is for the Volunteer Fire Department or the Township, the date on which it was pumped, gallons pumped, and the signature of the person pumping gas. From the log, an invoice can be prepared to present to the Township for the gasoline used by the Township.
- Establishment of a billing policy in order for the Volunteer Fire Department to bill the Township for the appropriate amount of gasoline used. (i.e. monthly, quarterly, etc.).

The Board of Trustees and the designated authorities from the Volunteer Fire Department should sign the policy, as evidence of their consent and approval.

KILLBUCK TOWNSHIP HOLMES COUNTY, OHIO FOR THE YEAR ENDED DECEMBER 31, 2003

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:
2002-001	Ohio Rev. Code Section 5705.41(B) no taxing unit is to expend money unless it has been appropriated.	Yes	Finding No Longer Valid
2002-002	Ohio Rev. Code Section 5705.41(D) during 2002 & 2001 53% of expenditures tested were not properly certified by the Township Clerk prior to incurring the commitment.	No	Refer to Finding 2003- Killbuck-001
2002-003	Reportable Condition EMS charges for services weaknesses.	No	Partially Corrected – Issue will be reported to Township management in the Management Letter
2002-004	Reportable Condition Volunteer Fire Department lack of written contract resulted in various weaknesses.	No	Partially Corrected – Issue will be reported to Township management in the Management Letter
2002-005	Reportable Condition – Volunteer Fire Dept gasoline pump used by Township. Usage by Township could not be determined.	No	Refer to Finding 2003- Killbuck-002



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KILLBUCK TOWNSHIP

HOLMES 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 DECEMBER 20, 2005