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# INDEPENDENT ACCOUNTANTS' REPORT

Union Township Lawrence County 1121 Third Avenue P.O. Box 757 Chesapeake, Ohio 45619

To the Board of Trustees:

We have audited the accompanying financial statements of Union Township, Lawrence County, Ohio (the Township), as of and for the years ended December 31, 2003 and 2002. These financial statements are the responsibility of the Township's management. Our responsibility is to express an opinion on these financial statements based on our audit.

Except as described in the following paragraph, 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. The Township processes its financial transactions with the Auditor of State's Uniform Accounting Network (UAN). *Government Auditing Standards* considers this service to impair the independence of the Auditor of State to audit the Township because the Auditor of State designed, developed, implemented, and as requested, operates UAN. However, *Government Auditing Standards* permits the Auditor of State to audit and opine on this entity, because Ohio Revised Code § 117.101 requires the Auditor of State to provide UAN services, and Ohio Revised Code §§ 117.11(B) and 115.56 mandate the Auditor of State to audit Ohio governments. We believe our audit provides a reasonable basis for our opinion.

We were unable to determine certain expenditures of the Township were allowable or for a proper public purpose due to a lack of supporting documentation, such as an original invoice. These expenditures represent 13% of expenditures for the Special Revenue Fund Type for the year ended December 31, 2003, and 7% and 10% of expenditures for the General Fund and Special Revenue Fund Type for the year ended December 31, 2002, respectively.

As discussed in Note 1, the Township prepares its financial statements on the 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, except for the effects of such adjustments, if any, as might have been determined to be necessary had we been able to examine evidence supporting certain expenditures made, the financial statements referred to above present fairly, in all material respects, the combined fund cash balances of Union Township, Lawrence County, as of December 31, 2003 and 2002, and its combined cash receipts and disbursements for the years then ended on the basis of accounting described in Note 1.

743 E. State St. / Athens Mall Suite B / Athens, OH 45701 Telephone: (740) 594-3300 (800) 441-1389 Fax: (740) 594-2110 www.auditor.state.oh.us Union Township Lawrence County Independent Accountants' Report Page 2

In accordance with *Government Auditing Standards*, we have also issued our report dated August 26, 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. 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 the 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.

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

Betty Montgomeny

Betty Montgomery Auditor of State

August 26, 2005

# COMBINED STATEMENT OF CASH RECEIPTS, CASH DISBURSEMENTS, AND CHANGES IN FUND CASH BALANCES ALL GOVERNMENTAL FUND TYPES FOR THE YEAR ENDED DECEMBER 31, 2003

	<u>Governmental Fund Types</u> Totals			
	General	Special <u>General Revenue</u>		
<b>Cash Receipts:</b> Local Taxes Intergovernmental Licenses, Permits, and Fees Earnings on Investments Other Revenue	\$36,540 42,865 34,661 1,834 3,653	\$114,051 85,236 633 19,344	\$150,591 128,101 34,661 2,467 22,997	
Total Cash Receipts	119,553	219,264	338,817	
Cash Disbursements: Current: General Government Public Safety Public Works Debt Service: Redemption of Principal Capital Outlay	94,096 13,122 12,100	44,442 146,410 9,321	94,096 44,442 146,410 13,122 21,421	
Total Cash Disbursements	119,318	200,173	319,491	
Total Cash Receipts Over Cash Disbursements	235	19,091	19,326	
Other Financing Receipts: Proceeds from Sale of Public Debt: Sale of Notes	11,500		11,500	
Total Other Financing Receipts	11,500	0	11,500	
Excess of Cash Receipts and Other Financing Receipts Over Cash Disbursements	11,735	19,091	30,826	
Fund Cash Balances, January 1	67,123	256,489	323,612	
Fund Cash Balances, December 31	<u>\$78.858</u>	\$275.580	\$354.438	

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

# COMBINED STATEMENT OF CASH RECEIPTS, CASH DISBURSEMENTS, AND CHANGES IN FUND CASH BALANCES ALL GOVERNMENTAL FUND TYPES FOR THE YEAR ENDED DECEMBER 31, 2002

	Governmental Fund Types		
	General	Special Revenue	Totals (Memorandum Only)
Cash Receipts: Local Taxes Intergovernmental Earnings on Investments Other Revenue	\$33,751 32,573 1,843 3,989	\$111,980 78,688 815 11,307	\$145,731 111,261 2,658 15,296
Total Cash Receipts	72,156	202,790	274,946
Cash Disbursements: Current: General Government Public Safety Public Works Debt Service: Redemption of Principal Interest and Fiscal Charges Capital Outlay	82,427 654 23,748 521 8,499	36,972 153,247	82,427 37,626 153,247 23,748 521 8,499
Total Cash Disbursements	115,849	190,219	306,068
Total Cash Receipts Over/(Under) Cash Disbursements	(43,693)	12,571	(31,122)
Fund Cash Balances, January 1	110,816	243,918	354,734
Fund Cash Balances, December 31	\$67,123	\$256,489	\$323.612

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

#### NOTES TO THE FINANCIAL STATEMENTS DECEMBER 31, 2003 AND 2002

#### 1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

#### A. Description of the Entity

The constitution and laws of the State of Ohio establish the rights and privileges of Union Township, Lawrence County, (the Township) as a body corporate and politic. A publiclyelected three-member Board of Trustees directs the Township. The Township provides road and bridge maintenance and fire protection. The Township contracts with the Union Township Fire Department and the Proctorville Fire Department to provide fire services.

The Township's management believes these financial statements present all activities for which the Township is financially accountable.

#### B. Basis of Accounting

These financial statements follow the basis of accounting the Auditor of State prescribes or permits. This basis is similar to the cash receipts and disbursements. The Township recognizes receipts when received in cash rather than when earned, and recognizes disbursements 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 the Auditor of State prescribes or permits.

#### C. Fund Accounting

The Township uses fund accounting to segregate cash that is restricted as to use. The Township classifies its funds into the following types:

#### 1. General Fund

The General Fund reports all financial resources except those required to be accounted for in another fund.

#### 2. Special Revenue Funds

These funds account for proceeds from specific sources (other than from trusts or for capital projects) that are restricted to expenditure for specific purposes. The Township had the following significant Special Revenue Funds:

<u>Gasoline Tax Fund</u> - This fund receives gasoline tax money to pay for constructing, maintaining, and repairing Township roads.

<u>Fire District Fund</u> – This fund receives tax money for the purpose of providing fire protection to the Township.

<u>Permissive Motor Vehicle License Tax Fund</u> – This fund receives tax money for maintenance of roads within the Township.

## NOTES TO THE FINANCIAL STATEMENTS DECEMBER 31, 2003 AND 2002 (Continued)

# 1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)

# D. 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 for 2003 and at the fund level for 2002, 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. Appropriations lapse at year end.

#### 2. Estimated Resources

Estimated resources include estimates of cash to be received (budgeted receipts) plus cash as of January 1. The County Budget Commission must also approve estimated resources.

# 3. Encumbrances

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.

A summary of 2003 and 2002 budgetary activity appears in Note 3.

#### E. Property, Plant, and Equipment

The Township records disbursements for acquisitions of property, plant, and equipment when paid. The accompanying financial statements do not report these items as assets.

#### F. Accumulated Leave

In certain circumstances, such as upon leaving employment, employees are entitled to cash payments for unused leave. The financial statements do not include a liability for unpaid leave.

# 2. EQUITY IN POOLED CASH

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

	2003	2002
Demand deposits	\$354,438	\$323,612

**Deposits:** Deposits are insured by the Federal Deposit Insurance Corporation; or collateralized by the financial institution's public entity deposit pool.

## NOTES TO THE FINANCIAL STATEMENTS DECEMBER 31, 2003 AND 2002 (Continued)

#### 3. BUDGETARY ACTIVITY

Budgetary activity for the years ending December 31, 2003 and 2002, follows:

2003 Budgeted vs. Actual Receipts				
Budgeted Actual				
Fund Type	Receipts	Receipts	Variance	
General	\$78,598	\$131,053	\$52,455	
Special Revenue	205,525	219,264	13,739	
Total	\$284,123	\$350,317	\$66,194	

2003 Budgeted vs. Actual Budgetary Basis Expenditures				
Appropriation Budgetary				
Fund Type	Authority	Expenditures	Variance	
General	\$145,721	\$119,318	\$26,403	
Special Revenue	460,314	200,173	260,141	
Total	\$606,035	\$319,491	\$286,544	

2002 Budgeted vs. Actual Receipts				
Budgeted Actual				
Fund Type	Receipts	Receipts	Variance	
General	\$93,959	\$72,156	(\$21,803)	
Special Revenue	226,303	202,790	(23,513)	
Total	\$320,262	\$274,946	(\$45,316)	

2002 Budgeted vs. Actual Budgetary Basis Expenditures				
Appropriation Budgetary				
Fund Type	Authority	Expenditures	Variance	
General	\$204,775	\$115,849	\$88,926	
Special Revenue	470,222	190,219	280,003	
Total	\$674,997	\$306,068	\$368,929	

#### 4. **PROPERTY TAX**

Real property taxes become a lien on January 1 preceding the October 1 date for which the Board of Trustees adopt rates. The State Board of Tax Equalization adjusts these rates for inflation. Property taxes are also reduced for applicable homestead and rollback deductions. The financial statements include homestead and rollback amounts the State pays as Intergovernmental Receipts. Payments are due to the County by December 31. If the property owner elects to pay semiannually, the first half is due December 31. The second half payment is due the following June 20.

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

Tangible personal property tax is assessed by the property owners, who must file a list of such property to the County by each April 30.

#### NOTES TO THE FINANCIAL STATEMENTS DECEMBER 31, 2003 AND 2002 (Continued)

# 4. **PROPERTY TAX (Continued)**

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

# 5. DEBT

Debt outstanding at December 31, 2003, was as follows:

Principal	Interest Rate
\$11,929	0%
11,500	4.66%
\$23,429	
	\$11,929 11,500

The Township entered into an installment sale contract in 2001 to finance the purchase of a new GMC Sierra dump truck for Township road maintenance. The installment sale contract is collateralized by the dump truck.

The Township issued a general obligation note in 2003 to finance the purchase of acquiring a vehicle to be used for Township road maintenance. The Township's taxing authority collateralized the note.

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

	GMAC	General
	Installment	Obligation
Year ending December 31:	Sale Contract	Note
2004	\$11,929	\$6,244
2005		6,018
Total	\$11,929	\$12,262

#### 6. RETIREMENT SYSTEMS

The Township's elected officials and employees belong to the Ohio Public Employees Retirement System (OPERS). OPERS is a cost-sharing, multiple-employer plan. The Ohio Revised Code prescribes this plans' benefits, which includes postretirement healthcare and survivor and disability benefits.

The Ohio Revised Code also prescribes contribution rates. OPERS members contributed 8.5 percent of their gross salaries. The Township contributed an amount equaling 13.55 percent of participants' gross salaries. The Township has paid all contributions required through December 31, 2003.

#### NOTES TO THE FINANCIAL STATEMENTS DECEMBER 31, 2003 AND 2002 (Continued)

#### 7. RISK MANAGEMENT

#### **Risk Pool Membership**

The Township belongs to the Ohio Township Association Risk Management Authority (OTARMA), a risk-sharing pool available to Ohio local governments. OTARMA provides property and casualty coverage for its members. OTARMA is a member of the American Public Entity Excess Pool (APEEP). Member governments pay annual contributions to fund OTARMA. OTARMA pays judgments, settlements and other expenses resulting from covered claims that exceed the members' deductibles.

#### Casualty Coverage

OTARMA retains casualty risks up to \$250,000 per claim, including loss adjustment expenses. OTARMA pays a percentage of its contributions to APEEP. APEEP reinsures claims exceeding \$250,000, up to \$1,750,000 per claim and \$5,000,000 in the aggregate per year. Governments can elect additional coverage, from \$2,000,000 to \$10,000,000 from the General Reinsurance Corporation.

If losses exhaust OTARMA's retained earnings, APEEP covers OTARMA losses up to \$5,000,000 per year, subject to a per-claim limit of \$2,000,000.

#### Property Coverage

OTARMA retains property risks, including automobile physical damage, up to \$100,000 on any specific loss with an annual aggregate of \$1,250,000 for 2002. There is no aggregate for 2003 and future accident years. Beginning in 2003, OTARMA retains property risks, including automobile physical damage, up to \$100,000 on any specific loss in any one occurrence. The Travelers Indemnity Company reinsures losses exceeding \$100,000. APEEP's Guarantee Fund pays losses and loss adjustment expenses exceeding operating contributions.

The aforementioned casualty and property reinsurance agreements do not discharge OTARMA's primary liability for claims payments on covered losses. Claims exceeding coverage limits are the obligation of the respective township.

#### **Financial Position**

OTARMA's financial statements (audited by other accountants) conform with generally accepted accounting principles, and reported the following assets, liabilities and retained earnings at December 31:

# NOTES TO THE FINANCIAL STATEMENTS DECEMBER 31, 2003 AND 2002 (Continued)

# 7. RISK MANAGEMENT (Continued)

Casualty Coverage	<u>2003</u>	<u>2002</u>
Assets	\$27,792,223	\$23,757,036
Liabilities	<u>(11,791,300)</u>	<u>(9,197,512)</u>
Retained earnings	<u>\$16,000,923</u>	<u>\$14,559,524</u>

Property Coverage	<u>2003</u>	2002
Assets	\$6,791,060	\$6,596,996
Liabilities	<u>(750,956)</u>	<u>(1,204,326)</u>
Retained earnings	<u>\$6,040,104</u>	<u>\$5,392,670</u>



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

Union Township Lawrence County 1121 Third Avenue P.O. Box 757 Chesapeake, Ohio 45619

To the Board of Trustees:

We have audited the financial statements of Union Township, Lawrence County, Ohio (the Township), as of and for the years ended December 31, 2003 and 2002, and have issued our report thereon dated August 26, 2005, wherein we noted that the Township uses the Auditor of State's Uniform Accounting Network (UAN) to process its financial transactions. *Government Auditing Standards* considers this service to impair the Auditor of State's independence to audit the Township because the Auditor of State designed, developed, implemented, and, as requested, operates UAN. We also noted we were unable to determine certain expenditures of the Township were allowable or for a proper public purpose due to a lack of supporting documentation, such as an original invoice. 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*.

# Internal Control Over Financial Reporting

In planning and performing our audit, we considered the Township's internal control over financial reporting to determine our auditing procedures in order to express our opinion on the financial statements and not to opine on the internal control over financial reporting. Our consideration of the internal control would not necessarily disclose all matters in the internal control over financial reporting that might be material weaknesses. 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 the risk that misstatements caused by error or fraud in amounts material to the financial statements we audited may occur and not be timely detected by employees when performing their assigned functions. We noted no matters involving the internal control over financial reporting and its operation that we consider material weaknesses. In a separate letter to the Township's management dated August 26, 2005, we reported other matters involving internal control over financial reporting we did not deem reportable conditions.

#### **Compliance and Other Matters**

As part of reasonably assuring whether the Township'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 an instance of noncompliance or other matters that we must report under *Government Auditing Standards* which is described in the accompanying Schedule of Findings as item 2003-001. In a separate letter to the Township's management dated August 26, 2005, we reported other matters related to noncompliance we deemed immaterial.

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We intend this report solely for the information and use of management and the Board of Trustees. It is not intended for anyone other than these specified parties.

Betty Montgomeny

Betty Montgomery Auditor of State

August 26, 2005

#### SCHEDULE OF FINDINGS DECEMBER 31, 2003 AND 2002

#### FINDING RELATED TO THE FINANCIAL STATEMENTS REQUIRED TO BE REPORTED IN ACCORDANCE WITH GAGAS FINDING NUMBER 2003-001

#### **Finding for Recovery**

Ohio Rev. Code Section 149.351(A) establishes guidelines against the destruction or damage of records. This Section states, in pertinent part, that all records are the property of the public office concerned and shall not be removed, destroyed, mutilated, transferred or otherwise damaged or disposed of, in whole or in part, except as provided by law.

For 24% of the nonpayroll expenditure transactions tested in 2003 and 15% of the nonpayroll expenditure transactions tested in 2002, voucher packets did not contain supporting documentation, such as an original invoice. Several attempts were made to have the Township Clerk provide supporting documentation for these expenditure transactions; however, these attempts proved futile. Since there is no supporting documentation for these expenditures we could not determine if these expenditures were allowable or for a proper public purpose. The unaccounted for expenditures amounted to \$25,150.53 in 2003 and \$28,451.00 in 2002 as indicated in the following tables:

#### 2003 Expenditures

Date	Amount	Check #	Vendor	Fund
12/31/2003	1,070.24	1064-2 A	& S Sand and Gravel	Motor Vehicle License Tax
12/6/2003	2,895.63	1023-2 A	& S Sand and Gravel	Motor Vehicle License Tax
Sub Total By Fund	3,965.87			
2/9/2003	3,060.75	5468-1 A	& S Sand and Gravel	Gasoline Tax
12/31/2003	4,549.86	1064-2 A	& & S Sand and Gravel	Road & Bridge
3/9/2003	2,650.00	5496-1 E	Eastham & Associates	Road & Bridge
9/3/2003	1,500.00	5669-1 E	David Randolph	Road & Bridge
7/25/2003	1,218.44	5623-1 L	owe's Inc.	Road & Bridge
Sub Total By Fund	9,918.30			·
3/9/2003	6,528.08	5487-1 A	& S Sand and Gravel	Permissive Motor Vehicle License Tax
10/13/2003	1,677.53	5710-1 A	& S Sand and Gravel	Permissive Motor Vehicle License Tax
Sub Total By Fund	8,205.61			
Total	\$25,150.53			

# SCHEDULE OF FINDINGS DECEMBER 31, 2003 AND 2002 (Continued)

#### FINDING RELATED TO THE FINANCIAL STATEMENTS REQUIRED TO BE REPORTED IN ACCORDANCE WITH GAGAS (Continued)

# FINDING NUMBER 2003-001 (Continued)

# Finding for Recovery (Continued)

#### 2002 Expenditures

<b>Date</b> 8/8/2002	Amount \$8,500.00	<b>Check #</b> 5267-1	Vendor Jeremy Kroll	Fund General
6/17/2002	1,400.77	5204-1	A & S Sand and Gravel	Motor Vehicle License Tax
10/14/2002	1,345.77	5360-1	A & S Sand and Gravel	Gasoline Tax
6/17/2002 7/7/2002 Sub Total By Fund	13,703.40 3,501.06 17,204.46		Marathon Ashland Petroleum Capital City Road Oil, Inc.	Permissive Motor Vehicle License Tax Permissive Motor Vehicle License Tax
Total	\$28,451.00			

The failure to maintain supporting documentation eliminates a significant control point, obscures the audit trail and provides for the opportunity for errors and/or irregularities to occur and remain undetected by management for an extended period of time. In addition, lack of adequate supporting documentation could result in the Township making inappropriate disbursements for goods or services not actually received by the Township. Furthermore, failure to retain such documentation has resulted in a finding for recovery regarding the Township's expenditures.

In accordance with the foregoing facts, and pursuant to Ohio Rev. Code Section 117.28, a Finding for Recovery is hereby issued for public monies illegally expended against Randy Wood, Township Clerk, and the Ohio Township Association Risk Management Authority, his bonding company, jointly and severally, in the total amount of \$53,601.53, in favor of the following funds and amounts:

Fund	Amount
General	\$8,500.00
Motor Vehicle License Tax	5,366.64
Gasoline Tax	4,406.52
Road & Bridge	9,918.30
Permissive Motor Vehicle License Tax	25,410.07
Total	\$ 53,601.53

# SCHEDULE OF PRIOR AUDIT FINDING DECENBER 31, 2003 AND 2002

Finding Number	Finding Summary	Fully Corrected?	Not Corrected, Partially Corrected; Significantly Different Corrective Action Taken; or Finding No Longer Valid; <i>Explain</i>
2001-40744-001	Ohio Rev. Code Section 5705.41(D), Township did not certify the availability of funds prior to incurring the obligation.	No	Partially Corrected; No longer deemed material; Reissued in the management letter.



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**UNION TOWNSHIP** 

# LAWRENCE 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 Babbett

CLERK OF THE BUREAU

CERTIFIED DECEMBER 27, 2005