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Village of Deersville Harrison County 130 East Main Street P.O. Box 34 Deersville, Ohio 44693

To the Village Council:

As you are aware, the Auditor of State's Office (AOS) must modify the *Independent Accountants' Report* we provide on your financial statements due to a February 2, 2005 interpretation from the American Institute of Certified Public Accountants (AICPA). While AOS does not legally require your government to prepare financial statements pursuant to Generally Accepted Accounting Principles (GAAP), the AICPA interpretation requires auditors to formally acknowledge that you did not prepare your financial statements in accordance with GAAP. Our Report includes an opinion relating to GAAP presentation and measurement requirements, but does not imply the amounts the statements present are misstated under the non-GAAP basis you follow. The AOS report also includes an opinion on the financial statements you prepared using the cash basis and financial statement format the AOS permits.

Betty Montgomeny

Betty Montgomery Auditor of State

October 13, 2005

Voinovich Government Center / 242 Federal Plaza W. / Suite 302 / Youngstown, OH 44503 Telephone: (330) 797-9900 (800) 443-9271 Fax: (330) 797-9949 www.auditor.state.oh.us This page intentionally left blank.



# INDEPENDENT ACCOUNTANTS' REPORT

Village of Deersville Harrison County 130 East Main Street P.O. Box 34 Deersville, Ohio 44693

To the Village Council:

We have audited the accompanying financial statements of Village of Deersville, Harrison County, (the Village) as of and for the years ended December 31, 2004 and 2003. These financial statements are the responsibility of the Village's management. Our responsibility is to express an opinion on 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 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. We believe that our audit provides a reasonable basis for our opinion.

As described more fully in Note 1, the Village has prepared these financial statements using accounting practices the Auditor of State prescribes or permits. These practices differ from accounting principles generally accepted in the United States of America (GAAP). Although we cannot reasonably determine the effects on the financial statements of the variances between these regulatory accounting practices and GAAP, we presume they are material.

Revisions to GAAP would require the Village to reformat its financial statement presentation and make other changes effective for the year ended December 31, 2004. Instead of the combined funds the accompanying financial statements present for 2004 (and 2003), the revisions require presenting entity wide statements and also to present its larger (i.e. major) funds separately for 2004. While the Village does not follow GAAP, generally accepted auditing standards requires us to include the following paragraph if the statements do not substantially conform to the new GAAP presentation requirements. The Auditor of State permits, but does not require governments to reformat their statements. The Village has elected not to reformat its statements. Since this Village does not use GAAP to measure financial statement amounts, the following paragraph does not imply the amounts reported are materially misstated under the accounting basis the Auditor of State permits. Our opinion on the fair presentation of the amounts reported pursuant to its non-GAAP basis is in the second following paragraph.

In our opinion, because of the effects of the matter discussed in the preceding two paragraphs, the financial statements referred to above for the year ended December 31, 2004 do not present fairly, in conformity with accounting principles generally accepted in the United States of America, the financial position of the Village of Deersville, Harrison County, as of December 31, 2004, or its changes in financial position or cash flows of its proprietary fund for the year then ended.

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Also, in our opinion, the financial statements referred to above present fairly, in all material respects, the combined fund cash balances of the Village of Deersville, Harrison County, as of December 31, 2004 and 2003, and its combined cash receipts and disbursements for the years then ended on the basis of accounting described in Note 1.

The aforementioned revision to generally accepted accounting principles also requires the Village to include Management's Discussion and Analysis for the year ended December 31, 2004. The Village has not presented Management's Discussion and Analysis, which accounting principles generally accepted in the United States of America has determined is necessary to supplement, although not required to be part of, the financial statements.

In accordance with *Government Auditing Standards*, we have also issued our report dated October 13, 2005, on our consideration of the Village'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.

Betty Montgomeny

Betty Montgomery Auditor of State

October 13, 2005

### COMBINED STATEMENT OF CASH RECEIPTS, CASH DISBURSEMENTS, AND CHANGES IN FUND CASH BALANCES - ALL GOVERNMENTAL FUND TYPES FOR THE YEAR ENDED DECEMBER 31, 2004

	Governmental Fund Types		
	General	Special Revenue	Totals (Memorandum Only)
Cash Receipts: Property Tax and Other Local Taxes Intergovernmental Receipts Earnings on Investments Miscellaneous	\$1,287 12,656 67	\$3,668 15 50	\$1,287 16,324 82 50
Total Cash Receipts	14,010	3,733	17,743
Cash Disbursements: Current: Security of Persons and Property Public Health Services Transportation	1,651 600	6,698	1,651 600 6,698
General Government	21,296	· · · · · · · · · · · · · · · · · · ·	21,296
Total Cash Disbursements	23,547	6,698	30,245
Total Receipts Over/(Under) Disbursements	(9,537)	(2,965)	(12,502)
Fund Cash Balances, January 1	28,459	7,046	35,505
Fund Cash Balances, December 31	\$18.922	\$4.081	\$23.003

#### STATEMENT OF CASH RECEIPTS, CASH DISBURSEMENTS, AND CHANGES IN FUND CASH BALANCES - PROPRIETARY FUND TYPE FOR THE YEAR ENDED DECEMBER 31, 2004

	Proprietary Fund Type
	Enterprise
<b>Operating Cash Receipts:</b> Charges for Services Earnings onf Investments	\$14,926 37
Total Operating Cash Receipts	14,963
<b>Operating Cash Disbursements:</b> Personal Services Contractual Services Supplies and Materials Capital Outlay	5,009 37,054 26,176 146,313
Total Operating Cash Disbursements	214,552
Operating Income/(Loss)	(199,589)
Non-Operating Cash Receipts: Intergovernmental Receipts	204,110
Total Non-Operating Cash Receipts	204,110
Net Receipts Over/(Under) Disbursements	4,521
Fund Cash Balances, January 1	14,477
Fund Cash Balances, December 31	<u>\$18,998</u>

### 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	Governmental Fund Types	
	General	Special Revenue	Totals (Memorandum Only)
<b>Cash Receipts:</b> Property Tax and Other Local Taxes Intergovernmental Receipts Earnings on Investments Miscellaneous	\$1,219 12,729 69 368	\$3,295 16	\$1,219 16,024 85 368
Total Cash Receipts	14,385	3,311	17,696
Cash Disbursements: Current: Security of Persons and Property Public Health Services Transportation General Government	909 550 8,135	2,263	909 550 2,263 8,135
Total Cash Disbursements	9,594	2,263	11,857
Total Receipts Over/(Under) Disbursements	4,791	1,048	5,839
Fund Cash Balances, January 1	23,668	5,998	29,666
Fund Cash Balances, December 31	\$28,459	\$7,046	\$35,505

#### STATEMENT OF CASH RECEIPTS, CASH DISBURSEMENTS, AND CHANGES IN FUND CASH BALANCES - PROPRIETARY FUND TYPE FOR THE YEAR ENDED DECEMBER 31, 2003

	Enterprise
Operating Cash Receipts: Charges for Services Earnings onf Investments	\$16,011 55
Total Operating Cash Receipts	16,066
Operating Cash Disbursements: Personal Services Contractual Services Supplies and Materials Capital Outlay	5,115 59,566 3,864 248,077
Total Operating Cash Disbursements	316,622
Operating Income/(Loss)	(300,556)
Non-Operating Cash Receipts: Intergovernmental Receipts Other Non-Operating Receipts	321,071 181
Total Non-Operating Cash Receipts	321,252
Non-operating Cash Disbursements:	
Debt Service	22,500
Total Non-Operating Cash Disbursements	22,500
Net Receipts Over/(Under) Disbursements	(1,804)
Fund Cash Balances, January 1	16,281
Fund Cash Balances, December 31	<u>(\$14.477</u> )

#### NOTES TO THE FINANCIAL STATEMENTS DECEMBER 31, 2004 AND 2003

#### 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 the Village of Deersville, Harrison County, (the Village) as a body corporate and politic. A publicly-elected six-member Council governs the Village. The Village provides general government services including water utilities and street repair and maintenance. The Village contracts with the Deersville Community Volunteer Fire Department to receive fire protection services and ambulance services.

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

#### B. Basis of Accounting

These financial statements follow the accounting basis the Auditor of State prescribes or permits. This basis is similar to the cash receipts and disbursements accounting basis. This basis 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 adequately disclose material matters the Auditor of State prescribes.

#### C. Fund Accounting

The Village uses fund accounting to segregate cash and investments that are restricted as to use. The Village 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 Fund

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 Village had the following significant Special Revenue Fund:

Street Construction, Maintenance, and Repair Fund - This fund receives gasoline tax and motor vehicle tax money for constructing, maintaining, and repairing Village streets.

#### 3. Enterprise Fund

These funds account for operations that are similar to private business enterprises, where management intends to recover the significant costs of providing certain goods or services through user charges. The Village had the following significant Enterprise Fund:

*Water Operating Fund* - This fund receives charges for services from residents to cover the cost of providing this utility.

#### NOTES TO THE FINANCIAL STATEMENTS DECEMBER 31, 2004 AND 2003 (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 level of control, and appropriations may not exceed estimated resources. Village Council 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 Village to reserve (encumber) appropriations when commitments are made. The Village did not use the encumbrance method of accounting.

A summary of 2004 and 2003 budgetary activity appears in Note 3.

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

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

# 2. EQUITY IN POOLED CASH

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

	2004	2003
Demand deposits	\$42,001	\$49,982

**Deposits:** Deposits are insured by the Federal Depository Insurance Corporation.

#### NOTES TO THE FINANCIAL STATEMENTS DECEMBER 31, 2004 AND 2003 (Continued)

### 3. BUDGETARY ACTIVITY

Budgetary activity for the years ending December 31, 2004 and 2003 follows:

2004 Budgeted vs. Actual Receipts				
Budgeted Actual				
Fund Type	Receipts	Receipts	Variance	
General	\$14,960	\$14,010	(\$950)	
Special Revenue	3,253	3,733	480	
Enterprise	13,424	219,073	205,649	
Total	\$31,637	\$236,816	\$205,179	
2004 Budgeted vs. A			es	
	Appropriation	Budgetary		
Fund Type	Authority	Expenditures	Variance	
General	\$14,000	\$23,547	(\$9,547)	
Special Revenue	3,200	6,698	(3,498)	
Enterprise	16,000	214,552	(198,552)	
Total	\$33,200	\$244,797	(\$211,597)	
2003 Bud	dgeted vs. Actual	Receipts		
	Budgeted	Actual		
Fund Type	Receipts	Receipts	Variance	
General	\$0	\$14,385	\$14,385	
Special Revenue	0	3,311	3,311	
Enterprise	0	337,318	337,318	
Total	\$0	\$355,014	\$355,014	
2003 Budgeted vs. Actual Budgetary Basis Expenditures				
	Appropriation	Budgetary		
Fund Type	Authority	Expenditures	Variance	
General	\$0	\$9,594	(\$9,594)	
Special Revenue	0	2,263	(2,263)	
	÷	000 100	( )	
Enterprise Total		<u>339,122</u> \$350,979	(339,122) (\$350,979)	

Contrary to Ohio Revised Code Section 5705.41(D), the Village did not certify or record the amount against the applicable appropriation accounts for all expenditures and the Village did not utilize the exceptions provided by the Ohio Revised Code. Ohio Revised Code § 5705.38 requires that on or about the first day of each fiscal year, an appropriation measure be passed. Ohio Revised Code § 5705.41(B) states that no subdivision or taxing unit is to expend money unless it has been appropriated. The Village did not adopt an appropriation resolution for 2003 expenditures and expenditures exceeded appropriations in all funds in 2004. Contrary to Ohio Revised Code Section 5705.36, the Village did not certify to the County Auditor the total amount available for expenditure for fiscal years 2003 and 2004, however, the Budget Commission issued a certificate of estimated resources to the Village for 2004. Those amounts are presented in Note 3, Budgetary Activity. The budget commission did not issue a Certificate of Estimated Resources for 2003.

#### NOTES TO THE FINANCIAL STATEMENTS DECEMBER 31, 2004 AND 2003 (Continued)

#### 4. PROPERTY TAX

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

Property owners assess tangible personal property tax. They must file a list of tangible property to the County by each April 30. The County is responsible for assessing property, and for billing, collecting, and distributing all property taxes on the Village's behalf.

#### 5. RETIREMENT SYSTEM

The Village's employees belong to the Ohio Public Employees Retirement System (OPERS). OPERS is a cost-sharing, multiple-employer plan. The Ohio Revised Code prescribes the plans' retirement benefits, including postretirement healthcare and survivor and disability benefits.

The Ohio Revised Code also prescribes contribution rates. For 2004, OPERS members contributed 8.5% of their wages. The Village contributed an amount equal to 13.55% of participants' gross salaries. The Village has paid all contributions required through December 31, 2004.

#### 6. RISK MANAGEMENT

#### **Commercial Insurance**

The Village has obtained commercial insurance for the following risks:

- Comprehensive property and general liability;
- Vehicles;
- Errors and omissions; and
- Public officials' liability.



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

Village of Deersville Harrison County 130 Main Street P.O. Box 34 Deersville, Ohio 44698

To the Village Council:

We have audited the financial statements of Village of Deersville, Harrison County, (the Village) as of and for the years ended December 31, 2004 and 2003, and have issued our report thereon dated October 13, 2005, wherein we noted the Village followed accounting practices the Auditor of State prescribes rather than accounting principles generally accepted in the United States of America. 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 Village'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 Village's management dated October 13, 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 Village'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 instances of noncompliance or other matters that we must report under *Government Auditing Standards*<sup>1</sup> which are described in the accompanying schedule of findings as items 2004-001 through 2004-003. In a separate letter to the Village's management dated October 13, 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 the audit committee, management, and Council. It is not intended for anyone other than these specified parties.

Betty Montgomery

Betty Montgomery Auditor of State

October 13, 2005

#### SCHEDULE OF FINDINGS DECEMBER 31, 2004 AND 2003

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

**Finding Number** 

2004-001

# Non Compliance Citation

**Ohio Revised Code Section 5705.41 (D)** provides that no subdivision shall make any contract or give any order involving the expenditure of money unless there is attached thereto a certificate of the fiscal officer of the subdivision certifying that the amount required to meet the obligation has been lawfully appropriated for such purpose and is in the treasury or in the process of collection to the credit of an appropriate fund free from any previous encumbrances. This certificate need be signed only by the subdivision's fiscal officer. Every contract made without such a certificate shall be void, and no warrant shall be issued in payment of any amount due thereon.

There are several exceptions to the standard requirement stated above that a fiscal officer's certificate must be obtained prior to a subdivision or taxing authority entering into a contract or order involving the expenditure of money. The main exceptions are: "then and now" certificates, blanket certificates, and super blanket certificates, which are provided for in sections 5705.41(D)(1) and 5705.41(D)(3), respectively of the Ohio Revised Code.

1. Then and Now Certificate – If no certificate is furnished as required, upon receipt of the fiscal officer's certificate that a sufficient sum was, both at the time of the contract or order and at the time of the certificate, appropriated and free of any previous encumbrances, the Village may authorize the issuance of a warrant in payment of the amount due upon such contract or order by resolution within 30 days from the receipt of such certificate, if such expenditure is otherwise valid.

If the amount involved is less than \$1,000 (\$3,000 effective April 7, 2003) the fiscal officer may authorize payment through a Then and Now Certificate without affirmation of the Village Council if such expenditure is otherwise valid.

- 2. Blanket Certificate Fiscal officers may prepare "blanket" certificates for a certain sum of money not in excess of an amount established by resolution or ordinance adopted by a majority of the members of the legislative authority against any specific line item account over a period not running beyond the end of the current fiscal year. (Prior to September 26, 2003, blanket certificates were limited to \$5,000 and three months.) The blanket certificates may, but need not be, limited to a specific vendor. Only one blanket certificate may be outstanding at one particular time for any one particular line item appropriation.
- 3. Super Blanket Certificate The Village may also make expenditures and contracts for any amount from a specific line item appropriation in a specified fund upon certification of the fiscal officer for most professional services, fuel, oil, food items, and any other specific recurring and reasonably predictable operating expense. This certification is not to extent beyond the current year. More than one super blanket may be outstanding at a particular time for any line item appropriation.

The Village did not properly certify or record the amount against the applicable appropriation accounts for 100% of tested expenditures in 2003 and 100% of tested expenditures in 2004. The Village did not utilize the certification exceptions described above for those expenditures lacking prior certification.

Village of Deersville Harrison County Schedule of Findings Page 2

Failure to certify the availability of funds and encumber appropriations could result in overspending or negative cash 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 Village's funds exceeding budgetary spending limitations, the Clerk/Treasurer should certify that the funds are or will be available prior to obligation by the Village. When prior certification is not possible, "then and now" certification should be used.

The Village should certify purchases to which section Ohio Revised Code § 5705.41(D) applies. The most convenient certification method is to use purchase orders that include the certification language which Ohio Revised Code § 5705.41(D) requires authorizing disbursements. The fiscal officer should sign the certification at the time the Village incurs a commitment, and only when the requirements of Ohio Revised Code § 5705.41(D) are satisfied. The fiscal officer should post approved purchase commitments to the proper appropriation code, to reduce the available appropriation.

Finding Number	2004-002
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#### Non Compliance Citation

Ohio Revised Code Section 5705.38 requires, in part, that on or about the first day of each fiscal year, an appropriation measure be passed. Ohio Revised Code Section 5705.41(B) states that no subdivision or taxing unit is to expend money unless it has been appropriated.

As the Village did not pass an appropriation measure for 2003 and as expenditures are limited by the appropriations established for each fund, all expenditures made by the Village in 2002 were not in compliance with the Ohio Revised Code.

For 2004, the Village passed an appropriation measure, however expenditures exceeded the amounts appropriated in the following funds:

Fund	Appropriation Authority	Expenditures	Variance
General Fund	\$14,000	\$23,547	(\$9,547)
Street Construction Maintenance and Repair	\$3,200	\$6,698	(\$3,498)
Water Operating Fund	\$16,000	\$214,552	(\$198,552)

Failure to pass an appropriation measure or failure to adhere to an approved appropriation measure, which serves as a tool by which expenditures can be monitored, could result in overspending. The Village should pass an appropriation measure as required so that expenditures can be monitored and compliance with the Ohio Revised Code provisions can be attained and expenditures should be limited to established appropriation limitations.

Finding Number	2004-003
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# Non Compliance Citation

**Ohio Revised Code Section 5705.36** states that on or about the first day of each fiscal year, the fiscal officer of each subdivision shall certify to the county auditor the total amount from all sources which are available for expenditures from each fund in the tax budget along with any balances that existed at the end of the preceding year.

The Village did not file the above certificate for fiscal years 2003 and 2004 with the County Auditor as required; however, the Budget Commission issued a certificate of estimated resources to the Village for 2004. Those amounts are presented in Note 3, Budgetary Activity. The budget commission did not issue a Certificate of Estimated Resources for 2003.

Failure to file the certificate could result in appropriations exceeding the amounts of available resources, overspending and negative cash balances. The Clerk/Treasurer should use a calendar with all applicable budgetary dates as a reminder to file required documents with the county auditor.

# SCHEDULE OF PRIOR AUDIT FINDINGS DECEMBER 31, 2004 AND 2003

Finding Number	Finding Summary	Fully Corrected?	Not Corrected, Partially Corrected; Significantly Different Corrective Action Taken; or Finding No Longer Valid; <i>Explain</i> :
2002-31234-001	ORC § 5705.41 (D) Disbursements were not properly certified.	No	Cited again as Finding number 2004-001.
2002-31234-002	ORC § 5705.38 and 5705.41(B) No appropriation measure and expenditures exceeded appropriations.	No	Cited again as Finding number 2004-002.



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# VILLAGE OF DEERSVILLE

# HARRISON 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 NOVEMBER 29, 2005