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Marion Township Henry County P.O. Box 82 Hamler, Ohio 43524-0082

To the Board of Trustees:

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 an 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 adverse 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.

Mary Taylor, CPA Auditor of State

Mary Taylor

October 3, 2007

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#### **INDEPENDENT ACCOUNTANTS' REPORT**

Marion Township Henry County P.O. Box 82 Hamler, Ohio 43524-0082

To the Board of Trustees:

We have audited the accompanying financial statements of Marion Township, Henry County, (the Township) as of and for the years ended December 31, 2006 and 2005. 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.

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.

As described more fully in Note 1, the Township 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.

Marion Township Henry County Independent Accountants' Report Page 2

Instead of the combined funds the accompanying financial statements present, GAAP require presenting entity wide statements and also presenting the Township's larger (i.e. major) funds separately. While the Township does not follow GAAP, generally accepted auditing standards requires us to include the following paragraph if the statements do not substantially conform to GAAP presentation requirements. The Auditor of State permits, but does not require townships to reformat their statements. The Township has elected not to follow GAAP statement formatting requirements. 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 years ended December 31, 2006 and 2005, do not present fairly, in conformity with accounting principles generally accepted in the United States of America, the financial position of the Township as of December 31, 2006 and 2005, or its changes in financial position for the years then ended.

Also, in our opinion, the financial statements referred to above present fairly, in all material respects, the combined fund cash balances of Marion Township, Henry County, as of December 31, 2006 and 2005, and its combined cash receipts and disbursements for the years then ended on the accounting basis Note 1 describes.

The Township 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 3, 2007, 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.

Mary Taylor, CPA Auditor of State

Mary Taylor

October 3, 2007

## COMBINED STATEMENT OF CASH RECEIPTS, CASH DISBURSEMENTS, AND CHANGES IN FUND CASH BALANCES ALL GOVERNMENTAL FUND TYPES FOR THE YEAR ENDED DECEMBER 31, 2006

	Governmental Fund Types		·
	General	Special Revenue	Totals (Memorandum Only)
Cash Receipts:			
Property and Other Local Taxes	\$61,428	\$16,646	\$78,074
Charges for Services	ψο1,120	9,844	9,844
Licenss, Permits, and Fees	386	2,2	386
Intergovernmental	26,158	104,028	130,186
Earnings on Investments	689	1,347	2,036
Miscellaneous	1,138	1,596	2,734
Total Cash Receipts	89,799	133,461	223,260
Cash Disbursements:			
Current:			
General Government	83,415		83,415
Public Safety	12,137		12,137
Public Works		101,269	101,269
Health	4,288		4,288
Capital Outlay		13,390	13,390
Total Cash Disbursements	99,840	114,659	214,499
Total Cash Receipts Over/(Under) Disbursements	(10,041)	18,802	8,761
Other Financing Receipts			
Sale of Fixed Assets	50		50
Other Financing Sources	19		19
Total Other Financing Receipts	69		69
Excess of Cash Receipts and Other Financing			
Receipts Over / (Under) Cash Disbursements	(9,972)	18,802	8,830
Fund Cash Balances, January 1	52,469	219,103	271,572
Fund Cash Balances, December 31	\$42,497	\$237,905	\$280,402

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, 2005

	Governmental Fund Types				
	General	Special Revenue	Capital Projects	Totals (Memorandum Only)	
Cash Receipts:					
Property and Other Local Taxes	\$65,942	\$18,869		\$84,811	
Charges for Services		8,613		8,613	
Licenses, Permits, and Fees	697			697	
Integovernmental	27,971	109,416	\$48,641	186,028	
Earnings on Investments	1,087	1,019		2,106	
Miscellaneous	1,956	435		2,391	
Total Cash Receipts	97,653	138,352	48,641	284,646	
Cash Disbursements:					
Current:					
General Government	107,110			107,110	
Public Safety	8,915			8,915	
Public Works	15,912	90,067		105,979	
Health	4,648			4,648	
Capital Outlay		32,913	48,641	81,554	
Total Cash Disbursements	136,585	122,980	\$48,641	308,206	
Total Cash Receipts Over/(Under) Cash Disbursements	(38,932)	15,372		(23,560)	
Other Financing Receipts					
Other Financing Sources	16			16	
Excess of Cash Receipts and Other Financing					
Receipts Over / (Under) Cash Disbursements	(38,916)	15,372		(23,544)	
Fund Cash Balances, January 1	91,385	203,731		295,116	
Fund Cash Balances, December 31	\$52,469	\$219,103		\$271,572	

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

#### NOTES TO THE FINANCIAL STATEMENTS DECEMBER 31, 2006 AND 2005

#### 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 Marion Township, Henry County, (the Township) as a body corporate and politic. A publicly-elected three-member Board of Trustees directs the Township. The Township provides road and bridge maintenance, cemetery maintenance, fire protection and emergency medical services. The Township contracts with the Village of Hamler to provide police protection services.

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

#### **B.** Accounting Basis

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. 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 and investments that are 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 private-purpose trusts or for capital projects) that are restricted to expenditure for specific purposes. The Township had the following significant Special Revenue Funds:

Road and Bridge Fund - This fund receives property tax money for constructing, maintaining, and repairing Township roads and bridges.

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

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

#### NOTES TO THE FINANCIAL STATEMENTS DECEMBER 31, 2006 AND 2005 (Continued)

#### 1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES – (CONTINUED)

#### 3. Capital Project Funds

These funds account for receipts restricted to acquiring or constructing major capital projects (except those financed through enterprise or trust funds). The Township had the following significant capital project fund.

<u>Issue II Fund</u> - The Township received a grant from the State of Ohio to resurface Township roads.

#### 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 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 2006 and 2005 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.

#### NOTES TO THE FINANCIAL STATEMENTS DECEMBER 31, 2006 AND 2005 (Continued)

#### 2. EQUITY IN POOLED CASH

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

	2005	2006
Demand deposits	\$271,572	\$280,402

Deposits are insured by the Federal Depository Insurance Corporation collateralized by securities specifically pledged by the financial institution to the Township.

#### 3. BUDGETARY ACTIVITY

Budgetary activity for the years ending December 31, 2006 and 2005 follows:

2006 Budgeted vs. Actual Receipts

	Budgeted	Actual	
Fund Type	Receipts	Receipts	Variance
General	\$100,800	\$89,868	(\$10,932)
Special Revenue	140,725	133,461	(7,264)
Capital Projects	71,500		(71,500)
Total	\$313,025	\$223,329	(\$89,696)

2006 Budgeted vs. Actual Budgetary Basis Expenditures

	Appropriation	Budgetary	
Fund Type	Authority	Expenditures	Variance
General	\$153,269	\$99,840	\$53,429
Special Revenue	359,825	114,659	245,166
Capital Projects	71,500		71,500
Total	\$584,594	\$214,499	\$370,095

2005 Budgeted vs. Actual Receipts

	Budgeted	Actual	
Fund Type	Receipts	Receipts	Variance
General	\$113,400	\$97,669	(\$15,731)
Special Revenue	120,650	138,352	17,702
Capital Projects	48,000	48,641	641
Total	\$282,050	\$284,662	\$2,612

#### NOTES TO THE FINANCIAL STATEMENTS DECEMBER 31, 2006 AND 2005 (Continued)

#### 3. BUDGETARY ACTIVITY – (CONTINUED)

2005 Budgeted vs. Actual Budgetary Basis Expenditures

Appropriation	Budgetary	
Authority	Expenditures	Variance
\$217,725	\$136,585	\$81,140
310,451	122,980	187,471
48,000	48,641	(641)
\$576,176	\$308,206	\$267,970
	Authority \$217,725 310,451 48,000	Authority         Expenditures           \$217,725         \$136,585           310,451         122,980           48,000         48,641

In 2005, the Township was the beneficiary of \$32,729 of Ohio Public Work Commission (OPWC) money sent directly to the vendor by OPWC. These funds were neither posted, nor appropriated causing expenditures to exceed appropriations in the Issue II fund by \$641.

#### 4. PROPERTY TAX

Real property taxes become a lien on January 1 preceding the October 1 date for which the Trustees adopted 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 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.

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

#### 5. RETIREMENT SYSTEM

The Township's 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 include postretirement healthcare and survivor and disability benefits.

The Ohio Revised Code also prescribes contribution rates. For 2006 and 2005, OPERS members contributed 9 and 8.5%, respectively, of their gross salaries and the Township contributed an amount equaling 13.7 and 13.55%, respectively, of participants' gross salaries. The Township has paid all contributions required through December 31, 2006.

#### NOTES TO THE FINANCIAL STATEMENTS DECEMBER 31, 2006 AND 2005 (Continued)

#### 6. RISK MANAGEMENT

Risk Pool Membership

The Township belongs to the Ohio Government Risk Management Plan (the "Plan"), an unincorporated non-profit association providing a formalized, jointly administered self-insurance risk management program and other administrative services to approximately 460 Ohio governments ("Members").

Pursuant to Section 2744.081 of the Ohio Revised Code, the Plan is a separate legal entity. The Plan provides property, liability, errors and omissions, law enforcement, automobile, excess liability, crime, surety and bond, inland marine and other coverage's, modified for each Member's needs. The Plan pays judgments, settlements and other expenses resulting from covered claims that exceed the Member's deductible.

The Plan issues its own policies and reinsures the Plan with A- VII or better rated carriers, except for the 15% casualty and the 10% property portions the Plan retains. The Plan pays the lesser of 15% or \$37,500 of casualty losses and the lesser of 10% or \$100,000 of property losses. Individual Members are only responsible for their self-retention (deductible) amounts, which vary from member to member.

Settlement amounts did not exceed insurance coverage for the past three fiscal years.

Plan members are responsible to notify the Plan of their intent to renew coverage by their renewal date. If a member chooses not to renew with the Plan, they have no other obligation to the Plan. The former member's covered claims, which occurred during their membership period, remain the responsibility of the Plan.

The Pool's audited financial statements conform with generally accepted accounting principles, and reported the following assets, liabilities and retained earnings at December 31: 2005 and 2004 (the latest information available).

	<u>2005</u>	<u>2004</u>
Assets	\$8,219,430	\$6,685,522
Liabilities	<u>(2,748,639)</u>	(2,227,808)
Members' Equity	\$5,470,791	\$4,457,714

You can read the complete audited financial statements for The Ohio Government Risk Management Plan at the Plan's website, <a href="www.ohioplan.org">www.ohioplan.org</a>.

accountability for any related organization and any related party transactions.

#### 7. SUBSEQUENT EVENTS

The Township contracted with Ward construction on March 13, 2007 for road work that amounted to \$168,009.

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

Marion Township Henry County P.O. Box 82 Hamler, Ohio 43524-0082

To the Township Board of Trustees:

We have audited the financial statements of Marion Township, Henry County, (the Township) as of and for the years ended December 31, 2006 and 2005, and have issued our report thereon dated October 3, 2007, wherein we noted the Township prepared its financial statements using accounting practices the Auditor of State prescribes or permits rather than accounting principles generally accepted in the United States of America. We also noted 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. 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 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 as a basis for designing our audit procedures for expressing our opinion on the financial statements, but not to opine on the effectiveness of the Township's internal control over financial reporting. Accordingly, we have not opined on the effectiveness of the Township's internal control over financial reporting.

Our consideration of internal control over financial reporting was for limited purpose described in the preceding paragraph and would not necessarily identify all deficiencies in internal control over financial reporting that might be significant deficiencies or material weaknesses. However, as discussed below, we identified certain deficiencies in internal control over financial control over financial reporting that we consider significant deficiencies.

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A control deficiency exists when the design or operation of a control does not allow management or employees, in performing their assigned functions, to prevent or detect misstatements on a timely basis. A significant deficiency is a control deficiency, or combination of control deficiencies, that adversely affects the Township's ability to initiate, authorize, record, process, or report financial data reliably in accordance with its applicable accounting basis, such that there is more than a remote likelihood that the Township's internal control will not prevent or detect a more-than-inconsequential financial statement misstatement.

We consider the following deficiencies described in the accompanying schedule of findings to be significant deficiencies in internal control over financial reporting: 2006-001 and 2006-002.

A material weakness is a significant deficiency, or combination of significant deficiencies resulting in more than a remote likelihood that the Township's internal control will not prevent or detect a material financial statement misstatement.

Our consideration of the internal control over financial reporting was for the limited purpose described in the first paragraph of this section and would not necessarily identify all deficiencies in the internal control that might be significant deficiencies and accordingly, would not necessarily disclose all significant deficiencies that are also material weaknesses. However, we believe the significant deficiencies described above are also material weaknesses.

We noted a certain matter that we reported to the Township's management in a separate letter dated October 3, 2007.

#### **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 2006-001.

We also noted certain noncompliance or other matters not requiring inclusion in the report that we reported to the Township's management in a separate letter dated October 3, 2007.

We intend this report solely for the information and use of the audit committee, management, and Township Trustees. We intend it for no one other than these specified parties.

Mary Taylor, CPA Auditor of State

Mary Taylor

October 3, 2007

#### SCHEDULE OF FINDINGS DECEMBER 31, 2006 AND 2005

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

#### **FINDING NUMBER 2006-001**

#### **Noncompliance Citation/Material Weakness**

Chapter 5075 of the Revised Code sets forth a scheme that provides for a uniform budget and appropriation process in order to assure that a government entity expends no more that it expects to receive in revenue. In order to accomplish this end, all appropriations must be accounted to and from each appropriation fund. While federal and state loans and grants are deemed appropriated and in the process of collection so as to be available for expenditure, they must still be recorded, per § 5075.42, Revised Code. Thus, a mechanism is still required to account for receipt and expenditure. That mechanism is an amendment of, or a supplement to, the entity's estimated resources, or its appropriation measure, which shall comply with all provisions of law governing the taxing authority in making an original appropriation, per § 5705.40, Revised Code. An original appropriation measure must be passed by the taxing authority, and any amendment of, or supplement to, that measure also requires legislative action, per § 5705.38, Revised Code.

In 2005, the Township was the beneficiary of \$32,729 of Ohio Public Work Commission (OPWC) money sent directly to the vendor by OPWC. This activity was not recorded on the ledgers of the Township. Since OPWC paid the invoices, the Township did not receive this cash. However, Auditor of State Bulletin 2000-008 and 2002-004 prescribe recording these transactions as receipts and disbursements when the Township applies for a project and has administrative responsibilities. The accompanying financial statements were adjusted to reflect these amounts in a Capital Project Fund. These funds were not all appropriated causing expenditures to exceed appropriations in the Capital Projects fund by \$641 in 2005, contrary to Revised Code § 5705.41(B) which requires all expenditures to be appropriated.

We recommend the Township record all benefits received from state or federal grants as a memo receipt and expenditure on the Township's records and appropriate funds for the expenditures. In addition, Township management should review Auditor of State Bulletins 2000-008 and 2002-004.

#### Official's Response

We did not receive a response from Officials to this finding.

#### **FINDING NUMBER 2006-002**

#### **Material Weakness**

#### **Monitoring of Financial Activity**

Inaccurate posting of transactions impedes the ability of the Trustees to accurately assess the financial status of the Township. We noted examples such as the following in our testing:

• Undivided auto license receipts in the amount \$14,133, from the county auditor were recorded as property tax revenue rather than intergovernmental revenue.

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### FINDING NUMBER 2006-002 (Continued)

- In 2005, the Township was the beneficiary of \$32,729 of Ohio Public Work Commission (OPWC) money sent directly to the vendor by OPWC. This activity was not recorded on the ledgers of the Township.
- IRP money, in the amount of \$529, from the county auditor was posted as miscellaneous revenue in the general fund rather than intergovernmental revenue in the motor vehicle license fund.
- Two motor vehicle license receipts, in the amounts of \$1,391, were posted to the motor vehicle license fund rather than the permissive motor vehicle license fund.

As a result, the Township's financial statements did not correctly reflect the financial activity of the Township. The accompanying financial statements have been adjusted so these transactions reflect their intended purpose.

We recommend the Fiscal Officer follow the Ohio Township Handbook issued by the Auditor of State when posting all transactions. Further, the Township should adopt policies and procedures including a final review of the financial statements by the Fiscal Officer and the Board of Trustees to ensure that errors and omissions are detected and corrected.

#### Official's Response

We did not receive a response from Officials to this finding.



#### **MARION TOWNSHIP**

#### **HENRY 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.

**CLERK OF THE BUREAU** 

Susan Babbitt

**CERTIFIED NOVEMBER 8, 2007**