

Mary Taylor, CPA Auditor of State

Board of Trustees Darby Township 15190 Robinson Road Plain City, Ohio 43064

We have reviewed the *Independent Auditors' Report* of Darby Township, Union County, prepared by Holbrook & Manter, for the audit period January 1, 2006 through December 31, 2007. 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.

The financial statements in the attached report are presented in accordance with a regulatory basis of accounting prescribed or permitted by the Auditor of State. Due to a February 2, 2005 interpretation from the American Institute of Certified Public Accountants (AICPA), modifications were required to the *Independent Auditors' Report* on your financial statements. While the Auditor of State 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. The attached report includes an opinion relating to GAAP presentation and measurement requirements, but does not imply the statements are misstated under the non-GAAP regulatory basis. The *Independent Auditors' Report* also includes an opinion on the financial statements using the regulatory format the Auditor of State permits.

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. Darby Township is responsible for compliance with these laws and regulations.

Mary Jaylor

Mary Taylor, CPA Auditor of State

October 28, 2008

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# **INDEPENDENT AUDITORS' REPORT**

Board of Trustees Darby Township Union County

We have audited the accompanying financial statements of Darby Township, Union County, Ohio, (the Township) as of and for the years ended December 31, 2007 and 2006. 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 audits.

We conducted our audits 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. Those standards require that we plan and perform the audits to obtain reasonable assurance 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 audits provide a reasonable basis for our opinion.

As discussed in Note 1, the Township has prepared these financial statements using accounting practices the Auditor of State of Ohio 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.

Instead of the combined funds the accompanying financial statements present for 2007 and 2006, GAAP requires 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 the new GAAP presentation requirements. The Auditor of State of Ohio permits, but does not require, governments to reformat their statements. The Township has elected not to reformat its statements. Since this Township 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 of Ohio 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, 2007 and 2006 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, 2007 and 2006, 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 Darby Township, Union County, as of December 31, 2007 and 2006, and its combined cash receipts and disbursements for the years then ended on the basis of accounting described in Note 1.

-3-MEMBERS AMERICAN INSTITUTE OF CERTIFIED PUBLIC ACCOUNTANTS OHIO SOCIETY OF CERTIFIED PUBLIC ACCOUNTANTS 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 September 28, 2008 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.

Sullrook & Master

Certified Public Accountants

September 28, 2008

## DARBY TOWNSHIP UNION COUNTY COMBINED STATEMENT OF CASH RECEIPTS, CASH DISBURSEMENTS, AND CHANGES IN FUND CASH BALANCES-ALL GOVERNMENTAL FUND TYPES FOR THE YEAR ENDED DECEMBER 31, 2007

	_	General	_	Special Revenue	_	Capital Projects	N	Total Aemorandum Only
CASH RECEIPTS:-								
Local taxes	\$	74,957	\$	94,149	\$	0	\$	169,106
Charges for Services		4,359		0		0		4,359
Intergovernmental		11,182		88,436		20,000		119,618
Interest		35,704		17,812		0		53,516
Fines, fees, forfeitures		5,773		0		0		5,773
Licenses, permits, and fees		6,164		0		0		6,164
Miscellaneous	_	4,250	_	2,780	-	0		7,030
Total cash receipts		142,389		203,177		20,000		365,566
CASH DISBURSEMENTS:-								
Current:								
General government		69,594		0		0		69,594
Public health services		20,032		0		0		20,032
Public safety		58,519		41,760		0		100,279
Public works		183		102,880		0		103,063
Capital outlay	_	0	_	0	-	0	_	0
Total cash disbursements	_	148,328	_	144,640	_	0		292,968
Total receipts over (under) cash disbursements	(	5,939)		58,537		20,000		72,598
Fund cash balances, January 1, 2007	_	313,029	_	556,999	_	220,000	_	1,090,028
Fund cash balances, December 31, 2007	\$	307,090	\$_	615,536	\$	240,000	\$_	1,162,626

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

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

	_	General	_	Special Revenue	_	Capital Projects	-	Total Memorandum Only
CASH RECEIPTS:-								
Local taxes	\$	29,199	\$	82,974	\$	0	\$	112,173
Intergovernmental		57,100		96,900		60,000		214,000
Interest		28,736		14,690		0		43,426
Fines, fees, forfeitures		5,469		0		0		5,469
Licenses, permits, and fees		19,749		0		0		19,749
Miscellaneous	_	1,561	-	3,000	_	0	-	4,561
Total cash receipts		141,814		197,564		60,000		399,378
CASH DISBURSEMENTS:-								
Current:								
General government		72,608		0		0		72,608
Public health services		18,856		0		0		18,856
Public safety		49,811		41,142		0		90,953
Public works		199		123,459		0		123,658
Capital outlay	-	5,012	-	5,043	-	0	-	10,055
Total cash disbursements	_	146,486	-	169,644	_	0	-	316,130
Total receipts over (under) cash disbursements		( 4,672)		27,920		60,000		83,248
Fund cash balances, January 1, 2006	_	317,701	-	529,079	_	160,000		1,006,780
Fund cash balances, December 31, 2006	\$	313,029	\$	556,999	\$_	220,000	\$	1,090,028

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

# NOTE 1 - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES:-

**Description of the Entity** - Darby Township, Union County, (the Township) is a body corporate and politic established to exercise 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 road and bridge maintenance, cemetery maintenance, fire protection, and emergency medical services. The Township contracts with the City of Marysville and Union Township to provide fire/EMS services.

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

**Basis of Accounting** - These financial statements follow the basis of accounting prescribed or permitted by the Auditor of State of Ohio, which is similar to the cash receipts and disbursements basis of 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).

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

<u>Cash and Investments</u>- Investments are reported as assets. Accordingly, purchases of investments are not recorded as disbursements, and sales of investments are not recorded as receipts. Gains or losses at the time of sale are recorded as receipts or disbursements, respectively.

Certificates of deposit are valued at cost and interest earned on the certificate of deposit is recorded monthly into the general checking account.

**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:

### General Fund

The General Fund is the general operating fund. It is used to account for all financial resources except those required by law or contract to be restricted.

### Special Revenue Funds

These funds are used to 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:

### Gasoline Tax Fund

This fund receives gasoline tax money for constructing, maintaining, and repairing township roads.

### Road and Bridge Fund

This Fund received property tax money for constructing, maintaining and repairing Township roads and bridges.

*Fire Levy Fund* This fund receives taxes levied to provide fire protection services.

## **<u>NOTE 1 - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES:-</u> (continued)**

### Capital Project Fund

This fund is used to account for receipts that are restricted for the acquisition or construction of major capital projects (except for those financed through enterprise or trust funds).

**Budgetary Process** - The Ohio Revised Code requires that each fund be budgeted annually.

### **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 Union County Budget Commission must also approve the annual appropriation measure. Appropriations lapse at year-end.

### Estimated Resources

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

### **Encumbrances**

The Ohio Revised Code requires the Township to reserve (encumber) appropriations when commitments are made. Encumbrances outstanding at year-end are canceled, and reappropriated in the subsequent year.

A summary of 2007 and 2006 budgetary activity appears in Note 3.

<u>**Property, Plant and Equipment**</u> - Acquisitions of property, plant, and equipment are recorded as disbursements when paid. These items are not reflected as assets on the accompanying financial statements.

## NOTE 2 - EQUITY IN POOLED CASH:-

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 investments at December 31 was as follows:

	2007	2006
Demand deposits	\$ 1,112,626	\$1,040,028
Certificates of deposit	50,000	50,000
Total deposits	\$ 1,162,626	\$1,090,028

**Deposits** - The Township's deposits are either (1) insured by the Federal Deposit Insurance Corporation or (2) collateralized by securities specifically pledged by the financial institution to the Township, or (3) collateralized by the financial institution's public entity deposit pool.

# NOTE 3 - BUDGETARY ACTIVITY:-

Budgetary activity for the year ending December 31, 2007 was as follows;-

## 2007 Budgeted vs. Actual Receipts

Fund Type		Bu	dgeted Receipts	_	Actual Receipts	-	Variance
General		\$	110,000	\$	142,389	\$	32,389
Special Revenue			161,291		203,177		41,886
Capital Projects			20,000	_	20,000	-	0
	Total	\$	291,291	\$	365,566	\$	74,275

# 2007 Budgeted vs. Actual Budgetary Basis Expenditures

Fund Type		 Appropriation Authority	_	Budgetary Expenditures	_	Variance
General		\$ 419,000	\$	148,328	\$	270,672
Special Revenue		675,835		144,640		531,195
Capital Projects		 240,000	_	0	_	240,000
	Total	\$ 1,334,835	\$	292,968	\$	1,041,867

# NOTE 3 - BUDGETARY ACTIVITY:- (continued)

Budgetary activity for the year ending December 31, 2006 was as follows;-

# 2006 Budgeted vs. Actual Receipts

Fund Type		B	Budgeted Receipts	_	Actual Receipts	-	Variance
General		\$	90,000	\$	141,814	\$	51,814
Special Revenue			151,234		197,564		46,330
Capital Projects		_	20,000	_	60,000	_	40,000
	Total	\$	261,234	\$	399,378	\$	138,144

# 2006 Budgeted vs. Actual Budgetary Basis Expenditures

Fund Type		Appropriation Authority		Budgetary Expenditures	 Variance
General	\$	403,000	\$	146,486	\$ 256,514
Special Revenue		617,835		169,644	448,191
Capital Projects		180,000	· _	0	 180,000
Te	otal \$	1,200,835	\$	316,130	\$ 884,705

# NOTE 4 - PROPERTY TAX:-

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

Tangible personal property tax is assessed by the property owners, who must file a list of such property to Union 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.

## NOTE 5 - RETIREMENT SYSTEMS:-

The Township's employees belong to the Public Employees Retirement System (PERS) of Ohio. PERS is a cost–sharing, multiple–employer plan. This plan provides retirement benefits, including post-retirement healthcare, and survivor and disability benefits to participants, as prescribed by the Ohio Revised Code.

Contribution rates are also prescribed by the Ohio Revised Code. For 2007 and 2006, PERS members contributed 9.5% and 9.0% of their gross salaries, respectively. The Township contributed an amount equal to 13.85% and 13.70% of participants' gross salaries for 2007 and 2006, respectively. The Township has paid all contributions required through December 31, 2007.

# NOTE 6 - RISK POOL MANAGEMENT:-

The Township belongs to the Ohio Township Association Risk Management Authority (OTARMA), a risk-sharing pool available to Ohio townships. 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. Townships 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 in any one occurrence. The Travelers Indemnity Company reinsures losses exceeding \$100,000 up to \$500,000,000 per occurrence. APEEP's Guarantee Fund pays losses and loss adjustment expenses exceeding operating contributions.

## NOTE 6 - RISK POOL MANAGEMENT:- (continued)

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) are represented to conform with generally accepted accounting principles, and reported the following assets, liabilities and retained earnings at December 31 2006 and 2005 (the latest information available):

2006	2005
\$ 32,031,312 \$	30,485,638
( 11,443,952)	( 12,344,576)
\$ 20,587,360 \$	18,141,062
2006	2005
\$ 10,010,963 \$	9,177,796
( 676,709)	( 1,406,031)
\$ 9,334,254 \$	7,771,765
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At December 31, 2006 and 2005, respectively, casualty coverage liabilities noted above include approximately \$10.8 million and \$11.6 million of estimated incurred claims payable. The Casualty Coverage assets and retained earnings above also include approximately \$10.8 million and \$11.6 million of unpaid claims to be billed to approximately 958 member governments in the future, as of December 31, 2006 and 2005, respectively. These amounts will be included in future contributions from members when the related claims are due for payment. The Township's share of these unpaid claims collectible in future years is approximately \$4,482. This payable includes the subsequent year's contribution due if the Township terminates participation, as described in the last paragraph below.

Based on discussions with OTARMA, the expected rates OTARMA charges to compute member contributions, which are used to pay claims as they become due, are not expected to change significantly from those used to determine the historical contributions detailed below. By contract, the annual liability of each member is limited to the amount of financial contributions required to be made to OTARMA for each year of membership.

Contributions to	OTARMA
2006	1,843
2007	1,494

After completing one year of membership, members may withdraw on each anniversary of the date they joined OTARMA provided they give written notice to OTARMA 60 days in advance of the anniversary date. Upon withdrawal, members are eligible for a full or partial refund of their capital contributions, minus the subsequent year's budgetary contribution. Withdrawing members have no other future obligation to the pool. Also upon withdrawal, payments for all casualty claims and claim expenses become the sole responsibility of the withdrawing member, regardless of whether a claim occurred or was reported prior to the withdrawal.



## Independent Auditors' Report on Internal Control Over Financial Reporting and on Compliance and Other Matters Required by *Government Auditing Standards*

Board of Trustees Darby Township Union County

We have audited the accompanying financial statements of Darby Township, Union County, Ohio (the Township), as of and for the years ended December 31, 2007 and 2006, and have issued our report thereon dated September 28, 2008, wherein we noted the Township had followed accounting practices the Auditor of State of Ohio 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 *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 Darby Township's internal control over financial reporting as a basis for designing our auditing procedures for expressing our opinions on the financial statements, but not to opine on the effectiveness of the Township's internal control over financial reporting. Accordingly, we do not express an opinion on the effectiveness of the Darby Township's internal control over financial reporting.

A control deficiency exists when the design or operation of a control does not allow management or employees, in the normal course of 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 deficiencies described in the accompanying schedule of findings as item 2007-001 to be significant deficiencies in internal control over financial reporting.

A material weakness is a significant deficiency, or combination of significant deficiencies, that results in more than a remote likelihood that a material misstatement of the financial statements will not be prevented or detected by the Township's internal control.

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 considered to be material weaknesses. We did not identify any deficiencies in internal control over financial reporting as described above that we consider material weaknesses.

We also noted certain internal control matters that we reported to the Township's management in a separate letter dated September 28, 2008

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### Compliance

As part of obtaining reasonable assurance about whether the Township's financial statements are free of material misstatement, we performed tests of compliance with certain provisions of laws, regulations, contracts and grants, noncompliance with which could have a direct and material effect on 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 no instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards*.

We also noted certain noncompliance or other matters that we reported to the Township's management in a separate letter dated September 28, 2008.

Darby Township's response to the findings identified in our audit is described in the accompanying schedule of findings and questioned costs. We did not audit Darby Township's response and, accordingly, we express no opinion on it.

This report is intended solely for the information and use of management, Board of Trustees, and the Auditor of State of Ohio and is not intended to be and should not be used by anyone other than these specified parties.

Sallrook & Marter

Certified Public Accountants

September 28, 2008

## DARBY TOWNSHIP UNION COUNTY SCHEDULE OF FINDINGS DECEMBER 31, 2007 AND 2006

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

Finding Number

2007-001

## Significant Deficiency – Internal Control and Review Procedures

Although the Trustees receive and review a select number of reports from the Fiscal Officer of the Township for approval on a monthly basis, the Township has not established formal procedures to reasonably assure completeness, and accuracy of the monthly reporting. During our testing and analysis, we noted that the Township is not reviewing the numerical check sequence prior to signing the checks. In addition, they are not reviewing the bank statement for proper inclusion of authorized expenditures within the cancelled checks or electronic fund withdraws.

The Township should carefully review this information and make appropriate inquires to help determine the integrity of the financial information. When performing such review, the trustees' signatures or initials and the date should be affixed to the documents examined and it should be noted in the monthly minutes that the trustees' thoroughly reviewed and approved those documents. In addition, we also recommend that the numerical check sequence be noted in the minutes and signed off of by the Trustees each month.

## **Officials' Response**

The Clerk will continue to provide the bank reconciliations and bank statements to the Trustees for their review and approval at each months meeting. The Township will also document and approve the review of those reports and the numerical sequence of the checks within the monthly minutes.





DARBY TOWNSHIP

UNION 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 13, 2008