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Village of Gilboa Putnam County 206 Main Street Gilboa, Ohio 45875-9757

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 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 Saylor

May 3, 2010

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INDEPENDENT ACCOUNTANTS' REPORT

Village of Gilboa Putnam County 206 Main Street Gilboa, Ohio 45875-9757

To the Village Council:

We have audited the accompanying financial statements of the Village of Gilboa, Putnam County, (the Village) as of and for the years ended December 31, 2009 and 2008. 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. The Village 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 Village 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 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.

One Government Center / Suite 1420 / Toledo, OH 43604-2246 Telephone: (419) 245-2811 (800) 443-9276 Fax: (419) 245-2484 www.auditor.state.oh.us Village of Gilboa Putnam 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 Village's larger (i.e. major) funds separately. 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 GAAP presentation requirements. The Auditor of State permits, but does not require villages to reformat their statements. The Village 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, 2009 and 2008 do not present fairly, in conformity with accounting principles generally accepted in the United States of America, the financial position of the Village as of December 31, 2009 and 2008, 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 the Village of Gilboa, Putnam County, as of December 31, 2009 and 2008, and its combined cash receipts and disbursements for the years then ended on the accounting basis Note 1 describes.

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 May 3, 2010, 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.

Mary Taylor, CPA Auditor of State

Mary Taylor

May 3, 2010

COMBINED STATEMENT OF CASH RECEIPTS, CASH DISBURSEMENTS, AND CHANGES IN FUND CASH BALANCES ALL GOVERNMENTAL FUND TYPES FOR THE YEAR ENDED DECEMBER 31, 2009

	Governmental Fund Types			<u>-</u>
	General	Special Revenue	Capital Projects	Totals (Memorandum Only)
Cash Receipts:				
Property and Local Taxes	\$7,514	\$1,349		\$8,863
Intergovernmental	51,348	11,689	\$94,907	157,944
Special Assessments	407			407
Charges for Services	15			15
Fines, Licenses and Permits	1,525			1,525
Earnings on Investments	5,753	640		6,393
Miscellaneous	15			15
Total Cash Receipts	66,577	13,678	94,907	175,162
Cash Disbursements:				
Current:				
Security of Persons and Property	15,115	901		16,016
Leisure Time Activities	5,412			5,412
Community Environment	23			23
Basic Utility Service	7,559			7,559
Transportation		9,581		9,581
General Government	44,446			44,446
Capital Outlay			94,907	94,907
Total Cash Disbursements	72,555	10,482	\$94,907	177,944
Total Cash Receipts Over/(Under) Cash Disbursements	(5,978)	3,196		(2,782)
Fund Cash Balances, January 1	149,576	49,753		199,329
Fund Cash Balances, December 31	\$143,598	\$52,949		\$196,547

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, 2008

	Governmental Fund Types		_	
	General	Special Revenue	Totals (Memorandum Only)	
Cash Receipts:				
Property and Local Taxes	\$7,334	\$1,280	\$8,614	
Intergovernmental	44,585	11,629	56,214	
Special Assessments	7,035		7,035	
Charges for Services	913		913	
Fines, Licenses and Permits	1,518		1,518	
Earnings on Investments	3,272	364	3,636	
Miscellaneous	176		176	
Total Cash Receipts	64,833	13,273	78,106	
Cash Disbursements:				
Current:				
Security of Persons and Property	12,491	1,423	13,914	
Leisure Time Activities	9,905		9,905	
Basic Utility Service	8,053		8,053	
Transportation		13,402	13,402	
General Government	25,031		25,031	
Total Cash Disbursements	55,480	14,825	70,305	
Total Cash Receipts Over/(Under) Cash Disbursements	9,353	(1,552)	7,801	
Fund Cash Balances, January 1	140,223	51,305	191,528	
Fund Cash Balances, December 31	\$149,576	\$49,753	\$199,329	

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

NOTES TO THE FINANCIAL STATEMENTS DECEMBER 31, 2009 AND 2008

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 Village of Gilboa, Putnam County, (the Village) as a body corporate and politic. A publicly-elected six-member Council directs the Village. The Village provides general governmental services, park operations (leisure time activities) and police services.

The Village's management believes these financial statements present all activities for which the Village 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 Village 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. Deposits and Investments

The Village's accounting basis includes investments as assets. This basis does not record disbursements for investment purchases or receipts for investment sales. This basis records gains or losses at the time of sale as receipts or disbursements, respectively.

The Village values certificates of deposit at cost.

D. 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 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 Village had the following significant Special Revenue Fund:

NOTES TO THE FINANCIAL STATEMENTS DECEMBER 31, 2009 AND 2008 (Continued)

1. Summary of Significant Accounting Policies (Continued)

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

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 Village had the following significant Capital Project Fund:

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

E. 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-object level of control, and appropriations may not exceed estimated resources. The 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 individual commitments are made. Encumbrances outstanding at year end are canceled, and reappropriated in the subsequent year. The Village did not encumber all commitments required by Ohio law.

A summary of 2009 and 2008 budgetary activity appears in Note 3.

F. 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.

NOTES TO THE FINANCIAL STATEMENTS DECEMBER 31, 2009 AND 2008 (Continued)

1. Summary of Significant Accounting Policies (Continued)

G. 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 Deposits

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

	 2009		2008
Demand deposits	\$ 185,347	\$	179,010
Certificates of deposit	 11,200		20,319
Total deposits	\$ 196,547	\$	199,329

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

3. Budgetary Activity

Budgetary activity for the years ending December 31, 2009 and 2008 follows:

2009 Budge	ted vs. /	Actual	Receipts
	Rudget	-bd	Δctu

	Budgeted	Actual	
Fund Type	Receipts	Receipts	Variance
General	\$75,050	\$66,577	(\$8,473)
Special Revenue	12,300	13,678	1,378
Capital Project	94,907	94,907	
Total	\$182,257	\$175,162	(\$7,095)

2009 Budgeted vs. Actual Budgetary Basis Expenditures

	Appropriation	Budgetary	_
Fund Type	Authority	Expenditures	Variance
General	\$223,249	\$72,555	\$150,694
Special Revenue	56,430	10,482	45,948
Capital Projects	94,907	94,907	
Total	\$374,586	\$177,944	\$196,642

NOTES TO THE FINANCIAL STATEMENTS DECEMBER 31, 2009 AND 2008 (Continued)

3. Budgetary Activity (Continued)

2008 Budgeted vs. Actual Receipts

	Budgeted	Actual	
Fund Type	Receipts	Receipts	Variance
General	\$69,050	\$64,833	(\$4,217)
Special Revenue	12,200	13,273	1,073
Total	\$81,250	\$78,106	(\$3,144)

2008 Budgeted vs. Actual Budgetary Basis Expenditures

Appropriation	Budgetary	_
Authority	Expenditures	Variance
\$207,458	\$55,480	\$151,978
59,319	14,825	44,494
\$266,777	\$70,305	\$196,472
	Authority \$207,458 59,319	Authority Expenditures \$207,458 \$55,480 59,319 14,825

4. Property Tax

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

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 Village.

5. Retirement Systems

A. Ohio Public Employees 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 this plans' benefits, which include postretirement healthcare and survivor and disability benefits.

NOTES TO THE FINANCIAL STATEMENTS DECEMBER 31, 2009 AND 2008 (Continued)

5. Retirement Systems (Continued)

The Ohio Revised Code also prescribes contribution rates. For 2009 and 2008, OPERS members contributed 10% of their gross salaries and the Village contributed an amount equaling 14% of participants' gross salaries. The Village has paid all contributions required through December 31, 2009.

B. Social Security

Some of the Village's officials contribute to Social Security. This plan provides retirement benefits, including survivor and disability benefits to participants. For 2009 and 2008 officials contributes 6.2 percent of their gross salaries. The Village contributed an amount equal to 6.2 percent of participant's gross salaries through December 31, 2009.

6. Risk Management

The Village has obtained commercial insurance for the following risks:

- Comprehensive property and general liability;
- Vehicles: and
- Errors and omissions.

7. Related Party Transactions

Christine Durst, Clerk/Treasurer, is the daughter of David Mansfield, owner of Mansfield Excavating. In addition, Richard McCullough, Mayor, is also the brother-in-law of David Mansfield. The Village did business with Mansfield Excavating which amounted to \$2,403 and \$5,261, during 2009 and 2008 respectively.

Christine Durst, Clerk/Treasurer, is the daughter of Debbie Mansfield. In addition, Richard McCullough, Mayor, is also the brother of Debbie Mansfield. The Village did business with Debbie Mansfield which amounted to \$1,631 and \$2,019 in 2009 and 2008, respectively.

Mayor Richard McCullough, owns Gilboa Garage. The Village did business with Gilboa Garage which amounted to \$329 and \$2,071, during 2009 and 2008, respectively.

Council Member Faye Macke is the wife of Joseph Macke, owner of Macke Painting. The Village did business with Macke Painting and Joseph Macke which amounted to \$4,782 in 2008.

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

Village of Gilboa Putnam County 206 Main Street Gilboa, Ohio 45875-9757

To the Village Council:

We have audited the financial statements of the Village of Gilboa, Putnam County, (the Village) as of and for the years ended December 31, 2009 and 2008, and have issued our report thereon dated May 3, 2010 wherein we noted the Village 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 Village 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 Village. 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 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 Village's internal control over financial reporting as a basis for designing our audit procedures for the purpose of expressing our opinion on the financial statements, but not for the purpose of opining on the effectiveness of the Village's internal control over financial reporting. Accordingly, we have not opined on the effectiveness of the Village's internal control over financial reporting.

Our consideration of internal control over financial reporting was for the limited purpose described in the preceding paragraph and was not designed to identify all deficiencies in internal control over financial reporting that might be significant deficiencies or material weaknesses. Therefore, we cannot assure that we have identified all deficiencies, significant deficiencies or material weaknesses. However, as described in the accompanying schedule of findings we identified a certain deficiency in internal control

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A deficiency in internal control exists when the design or operation of a control does not allow management or employees, when performing their assigned functions, to prevent, or detect and timely correct misstatements. A material weakness is a deficiency, or a combination of deficiencies, in internal control such that there is a reasonable possibility that a material misstatement of the entity's financial statements will not be prevented, or detected and timely corrected. We consider finding 2009-001 described in the accompanying schedule of findings to be a material weakness.

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 an instance of noncompliance we must report under *Government Auditing Standards* which is described in the accompanying schedule of findings as item 2009-002.

We also noted certain matters not requiring inclusion in this report that we reported to the Village's management in a separate letter dated May 3, 2010.

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

Mary Taylor, CPA Auditor of State

Mary Taylor

May 3, 2010

SCHEDULE OF FINDINGS DECEMBER 31, 2009 AND 2008

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

FINDING NUMBER 2009-001

Material Weakness

Monitoring of Financial Activity

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

- \$94,907 of Ohio Public Works Commission monies spent on behalf of the Village in 2009 was not posted as corresponding revenues and expenditures in the Issue II Fund,
- Intergovernmental revenue in the amount of \$4,367 was misclassified as taxes in the General Fund in 2009.

In addition, eight other errors were found ranging in amounts from \$186 to \$650.

As a result the Village's financial statements did not correctly reflect the financial activity of the Village. Adjustments were posted to the financial statements and accounting records to correct these errors.

We recommend Council adopt policies and procedures including a final review of the financial statements by Council and the Clerk/Treasurer to ensure errors and omissions are detected and corrected.

FINDING NUMBER 2009-002

Noncompliance Citation

Ohio Revised Code Section 5705.41(D)(1) prohibits a subdivision or taxing unit from making any contract or ordering any expenditure of money unless a certificate signed by the fiscal officer is attached thereto. The fiscal officer must certify that the amount required to meet any such contract or expenditure has been lawfully appropriated and is in the treasury, or is in the process of collection to the credit of an appropriate fund free from any previous encumbrance. Further, contracts and order for expenditures lacking prior certification shall be void.

There are several exceptions to the 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 <u>main</u> exceptions are: "then and now" certificates, blanket certificates, and super blanket certificates, each of 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 the fiscal officer can certify that both at the time that the contract or order was made ("then"), and at the time that the fiscal officer is completing the certification ("now"), that sufficient funds were available or in the process of collection, to the credit of an appropriate fund, free from any previous encumbrance, the Council can authorize the drawing of a warrant for the payment of the amount due. The Council has thirty days from the receipt of the "then and now" certificate to approve payment by ordinance or resolution.

Village of Gilboa Putnam County Schedule of Findings Page 2

Amounts of less than \$3,000 may be paid by the fiscal officer without a resolution or ordinance upon completion of the "then and now" certificate, provided that the expenditure is otherwise lawful. This does not eliminate any otherwise applicable requirement for approval of expenditures by the Council.

- **2. Blanket Certificate** The fiscal officer 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. 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 Council may also make expenditures and contracts for any amount from a specific line-item appropriation account 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 extend beyond the current year. More than one super blanket certificate may be outstanding at a particular time for any line item appropriation.

Forty percent of the expenditures were not certified by the Clerk-Treasurer of the Village at the time the commitments were incurred and there was no evidence the Council followed the aforementioned exceptions. Failure to properly certify the availability of funds can result in overspending funds and negative cash fund balances.

Certification is not only required by Ohio law, but it is a key control in the disbursements process to help assure purchase commitments receive prior approval, and to help reduce the possibility of Village funds being over expended or exceeding budgetary spending limitations as set by the Council.

To improve controls over disbursements, we recommend all Village disbursements receive prior certification of the Clerk-Treasurer and the Council periodically review the expenditures made to ensure they are within the appropriations adopted by the Council, certified by the Clerk-Treasurer, and recorded against appropriations.

Officials' Response:

We did not receive a response from Officials to the findings reported above.

SCHEDULE OF PRIOR AUDIT FINDINGS DECEMBER 31, 2009

Finding Number	Finding Summary	Fully Corrected?	Not Corrected, Partially Corrected; Significantly Different Corrective Action Taken; or Finding No Longer Valid; <i>Explain</i>
2007-001	ORC § 5704.41(D) – lack of prior certification	No	Not corrected and repeated as Finding Number 2009-002 in this report.
2007-002	Failure to post grant monies.	No	Not corrected and repeated as Finding Number 2009-001 in this report.
2007-003	Financial Reporting- inaccurate posting of transactions.	No	Not corrected and repeated as Finding Number 2009-001 in this report.



VILLAGE OF GILBOA

PUTNAM 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 MAY 20, 2010