

**CLAYTON TOWNSHIP  
PERRY COUNTY**

**AUDIT REPORT**

**JANUARY 1, 2009 – DECEMBER 31, 2010**

**Wolfe, Wilson, & Phillips, Inc.  
37 South Seventh Street  
Zanesville, Ohio 43701**





# Dave Yost • Auditor of State

Board of Trustees  
Clayton Township  
6065 Township Road 162  
New Lexington, Ohio 43764

We have reviewed the *Independent Auditors' Report* of Clayton Township, Perry County, prepared by Wolfe, Wilson & Phillips, Inc., for the audit period January 1, 2009 through December 31, 2010. 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. Clayton Township is responsible for compliance with these laws and regulations.

A handwritten signature in black ink that reads "Dave Yost".

Dave Yost  
Auditor of State

November 15, 2011

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**CLAYTON TOWNSHIP  
PERRY COUNTY**

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**WOLFE, WILSON, & PHILLIPS, INC.**  
**37 SOUTH SEVENTH STREET**  
**ZANESVILLE, OHIO 43701**

**INDEPENDENT AUDITORS' REPORT**

Clayton Township  
Perry County  
6065 Township Road 162  
New Lexington, Ohio 43764

We have audited the accompanying financial statements of Clayton Township, Perry County as of and for the years ended December 31, 2010 and 2009. 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 *Government Auditing Standards* issued by the Comptroller General of the United States. Those standards require that we plan and perform the audit 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 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. Although we cannot reasonably determine the effects on the financial statements of the variances between these regulatory accounting practices and accounting principles generally accepted in the United States of America, we presume they are material.

Instead of the combined funds the accompanying financial statements present for 2010 and 2009, the revisions require presenting entity wide statements and also to present its larger (i.e. major) funds separately for 2010 and 2009. 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 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 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 paragraph, the financial statements referred to above for the years ending December 31, 2010 and 2009 do not present fairly, in conformity with accounting principles generally accepted in the United States of America, the financial position of Clayton Township as of December 31, 2010 and 2009, 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 and reserve for encumbrances of Clayton Township, Perry County, as of December 31, 2010 and 2009, and its combined cash receipts and disbursements for the years then ended on the basis of accounting described in Note 1.

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 a report dated September 14, 2011, on our consideration of Clayton Township's internal control structure over financial reporting and our tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements and other matters. The purpose of that report is to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on the internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* and should be read in conjunction with this report in considering the results of our audit.

***Wolfe, Wilson, & Phillips, Inc.***  
Zanesville, Ohio  
September 14, 2011

**CLAYTON TOWNSHIP  
PERRY COUNTY**

**COMBINED STATEMENT OF CASH RECEIPTS, CASH DISBURSEMENTS, AND  
CHANGES IN FUND CASH BALANCES  
ALL GOVERNMENTAL FUND TYPES  
FOR THE YEAR ENDED DECEMBER 31, 2010**

	<u>Governmental Fund Types</u>			<b>Totals (Memorandum Only)</b>
	<u>General</u>	<u>Special Revenue</u>	<u>Permanent</u>	
<b>Cash Receipts:</b>				
Property and Other Local Taxes	\$ 27,953	\$ 28,169	\$ -	\$ 56,122
Licenses, Permits, and Fees	1,229	3,425	-	4,654
Intergovernmental	24,932	103,833	-	128,765
Earnings on Investments	62	125	93	280
Miscellaneous	1,462	1,577	-	3,039
<b>Total Cash Receipts</b>	<u>55,638</u>	<u>137,129</u>	<u>93</u>	<u>192,860</u>
<b>Cash Disbursements:</b>				
Current:				
General Government	61,353	-	-	61,353
Public Safety	-	22,510	-	22,510
Public Works	-	77,015	-	77,015
Health	5,980	4,140	-	10,120
Capital Outlay	-	-	-	-
Debt Service:				
Redemption of Principal	-	7,146	-	7,146
Interest and Other Fiscal Charges	-	785	-	785
<b>Total Cash Disbursements</b>	<u>67,333</u>	<u>111,596</u>	<u>-</u>	<u>178,929</u>
<b>Total Cash Receipts Over/(Under) Cash Disbursements</b>	(11,695)	25,533	93	13,931
<b>Other Financing Receipts/(Disbursements)</b>				
Advances In	1,100	1,100	-	2,200
Advances Out	(1,100)	(1,100)	-	(2,200)
Other Financing Uses	(676)	-	-	(676)
<b>Total Other Financing Receipts/(Disbursements)</b>	<u>(676)</u>	<u>-</u>	<u>-</u>	<u>(676)</u>
<b>Excess of Cash Receipts and Other Financing Receipts Over/(Under) Cash Disbursements And Other Financing Disbursements</b>	(12,371)	25,533	93	13,255
<b>Fund Cash Balances, January 1</b>	<u>25,508</u>	<u>33,371</u>	<u>10,173</u>	<u>69,052</u>
<b>Fund Cash Balances, December 31</b>	<u>\$ 13,137</u>	<u>\$ 58,904</u>	<u>\$ 10,266</u>	<u>\$ 82,307</u>
<b>Reserve For Encumbrances, December 31</b>	<u>\$ 840</u>	<u>\$ 23,075</u>	<u>\$ -</u>	<u>\$ 23,915</u>

See notes to financial statements.

**CLAYTON TOWNSHIP  
PERRY COUNTY**

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

	<u>Governmental Fund Types</u>			<b>Totals (Memorandum Only)</b>
	<u>General</u>	<u>Special Revenue</u>	<u>Permanent</u>	
<b>Cash Receipts:</b>				
Property and Other Local Taxes	\$ 25,508	\$ 24,709	\$ -	\$ 50,217
Licenses, Permits, and Fees	464	1,425	-	1,889
Intergovernmental	34,587	108,159	-	142,746
Earnings on Investments	435	185	107	727
Miscellaneous	13,278	-	-	13,278
<b>Total Cash Receipts</b>	<u>74,272</u>	<u>134,478</u>	<u>107</u>	<u>208,857</u>
<b>Cash Disbursements:</b>				
Current:				
General Government	61,364	2,997	-	64,361
Public Safety	-	30,576	-	30,576
Public Works	1,652	104,798	-	106,450
Health	4,620	1,930	-	6,550
Capital Outlay	-	-	-	-
Debt Service:				
Redemption of Principal	1,443	7,235	-	8,678
Interest and Other Fiscal Charges	102	1,627	-	1,729
<b>Total Cash Disbursements</b>	<u>69,181</u>	<u>149,163</u>	<u>-</u>	<u>218,344</u>
<b>Total Cash Receipts Over/(Under) Cash Disbursements</b>	5,091	(14,685)	107	(9,487)
<b>Fund Cash Balances, January 1</b>	<u>20,417</u>	<u>48,056</u>	<u>10,066</u>	<u>78,539</u>
<b>Fund Cash Balances, December 31</b>	<u>\$ 25,508</u>	<u>\$ 33,371</u>	<u>\$ 10,173</u>	<u>\$ 69,052</u>
<b>Reserve For Encumbrances, December 31</b>	<u>\$ 416</u>	<u>\$ 13,503</u>	<u>\$ -</u>	<u>\$ 13,919</u>

See notes to financial statements.

**CLAYTON TOWNSHIP  
PERRY COUNTY, OHIO**

**NOTES TO THE FINANCIAL STATEMENTS**

**1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES**

**A. Description of the Entity**

The Township of Clayton, Perry County, is a body politic and corporate 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 a publicly-elected three member Board of Trustees and a publicly elected Fiscal Officer. The Township provides general governmental services including road and bridge maintenance and cemetery maintenance. The Township contracts with the Village of Crooksville, City of New Lexington and Reading Township to provide fire protection and emergency medical services.

The Township participates in the Ohio Township Association Risk Management Authority public entity risk pool. Note 6 to the financial statements provide additional information for this entity. This organizations is:

Public Entity Risk Pool:

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

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

**B. Basis of Accounting**

These financial statements follow the basis of accounting prescribed or permitted by the Auditor of State, which is similar to the cash receipts and cash 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 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.

**C. Cash and Investments**

All funds are maintained in an interest-bearing checking account.

**D. Fund Accounting**

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

**CLAYTON TOWNSHIP  
PERRY COUNTY, OHIO**

**NOTES TO THE FINANCIAL STATEMENTS**

**1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)**

**D. Fund Accounting (Continued)**

**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 Fund:

**Gasoline Tax Fund** – This fund receives gasoline tax receipts for constructing, maintaining and repairing Township roads and bridges.

**Fire Levy Fund** – This fund receives monies from tax levies and other sources that is used to provide fire protection and emergency medical services for Township residents.

**Permanent Funds**

These funds are used to account for resources restricted by legally binding trust agreements. The Township had the following significant Permanent Fund:

**Beard/Rockwell Cemetery Bequest Fund** – This fund receives interest earned on the nonexpendable corpus from a trust agreement. These earnings are used for the general maintenance and upkeep of the Township cemetery.

**E. Budgetary Process**

The Ohio Revised Code requires that each fund (except certain agency funds) 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 County Budget Commission must also approve the annual appropriation measure. Unencumbered appropriations lapse at year-end.

**Estimated Resources**

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

**CLAYTON TOWNSHIP  
PERRY COUNTY, OHIO**

**NOTES TO THE FINANCIAL STATEMENTS**

**1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)**

**Encumbrances**

The Ohio Revised Code requires the Township to reserve (encumber) appropriations when commitments are made. Encumbrances outstanding at year-end are carried over, and need not be reappropriated in the subsequent year.

A Summary of 2010 and 2009 budgetary activity appears in Note 3.

**E. Property, Plant and Equipment**

Acquisitions of property, plant and equipment are recorded as disbursements when paid. These items are not reflected as assets in the accompanying financial statements.

**F. Accumulated Leave**

In certain circumstances, such as upon leaving employment, employees are entitled to cash payments for unused leave. Unpaid leave is not reflected as a liability under the Township's basis of accounting

**2. EQUITY IN POOLED CASH**

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

	2010	2009	
Demand Deposits	\$ 58,995	\$ 45,740	
Certificates of Deposit	23,312	23,312	
	\$ 82,307	\$ 69,052	

**Deposits:**

Deposits are either 1) insured by the Federal Depository Insurance Corporation or 2) collateralized by the financial institution's public entity deposit pool.

**3. BUDGETARY ACTIVITY**

Budgetary activity for the years ended December 31, 2010 and 2009 was as follows:

**2010 Budgeted vs. Actual Receipts**

<u>Fund Type</u>	<u>Budgeted Receipts</u>	<u>Actual Receipts</u>	<u>Variance</u>
General	\$ 66,338	\$ 55,638	\$ (10,700)
Special Revenue	142,896	137,129	(5,767)
Permanent	4	93	89
Total	\$ 209,238	\$ 192,860	\$ (16,378)

**CLAYTON TOWNSHIP  
PERRY COUNTY, OHIO**

**NOTES TO THE FINANCIAL STATEMENTS**

**3. BUDGETARY ACTIVITY (CONTINUED)**

**2010 Budgeted vs. Actual Budgetary Expenditures**

<u>Fund Type</u>	<u>Appropriation Authority</u>	<u>Actual Expenditures</u>	<u>Variance</u>
General	\$ -	\$ 68,849	\$ (68,849)
Special Revenue	-	134,671	(134,671)
Permanent	-	-	-
Total	<u>\$ -</u>	<u>\$ 203,520</u>	<u>\$ (203,520)</u>

**2009 Budgeted vs. Actual Receipts**

<u>Fund Type</u>	<u>Budgeted Receipts</u>	<u>Actual Receipts</u>	<u>Variance</u>
General	\$ 62,661	\$ 74,272	\$ 11,611
Special Revenue	139,623	134,478	(5,145)
Permanent	-	107	107
Total	<u>\$ 202,284</u>	<u>\$ 208,857</u>	<u>\$ 6,573</u>

**2009 Budgeted vs. Actual Budgetary Expenditures**

<u>Fund Type</u>	<u>Appropriation Authority</u>	<u>Actual Expenditures</u>	<u>Variance</u>
General	\$ -	\$ 69,597	\$ (69,597)
Special Revenue	-	163,116	(163,116)
Permanent	-	-	-
Total	<u>\$ -</u>	<u>\$ 232,713</u>	<u>\$ (232,713)</u>

Contrary to ORC Section 5705.36, in 2010 and 2009 the Township had several funds in which appropriations were greater than unencumbered balance plus actual receipts which should have resulted in getting a new certificate of estimated resources.

Contrary to Ohio Revised Code Section 5705.38, the legislative authority of the Township did not formally approve or file appropriations for 2010 and 2009.

Contrary to Ohio Revised Code Section 5705.41 (B), all funds had expenditures exceeding appropriations in 2010 and 2009.

Contrary to Ohio Revised Code Section 5705.41(D), in 2010 and 2009 the Township had fiscal certificates that were dated after invoices.

**CLAYTON TOWNSHIP  
PERRY COUNTY, OHIO**

**NOTES TO THE FINANCIAL STATEMENTS**

**4. PROPERTY TAX**

Real property taxes become a lien on January 1 proceeding the October 1 date for which rates are adopted by 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 the county by December 31. If the property owner elects to make semiannual payments, 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 June 30.

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

**5. RETIREMENT SYSTEMS**

The Township's Trustees, Clerk and other employees of the Township 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 health care, 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 2010 and 2009, members of PERS contributed 10.0% and 10.0% of their gross salaries, respectively. The Township contributed an amount equal to 14.00% and 14.00% of participants' gross salaries, respectively. The Township has paid all contributions required through December 31, 2010.

**6. RISK MANAGEMENT**

The Township is exposed to various risks of property and casualty losses, and injuries to employees.

The Township insures against injuries to employees through the Ohio Bureau of Worker's Compensation.

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. American Risk Pool Consultants, Inc. (ARPCO), a division of York Insurance Services Group, Inc. (York), functions as the administrator of OTARMA and provides underwriting, claims, loss control, risk management, and reinsurance services for OTARMA. OTARMA is a member of the American Public Entity Excess Pool (APEEP), which is also administered by ARPCO. 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 and Property Coverage

APEEP provides OTARMA with an excess risk-sharing program. Under this arrangement, OTARMA retains insured risks up to an amount specified in the contracts. At December 31, 2009, OTARMA retained \$350,000 for casualty claims and \$150,000 for property claims.

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

**CLAYTON TOWNSHIP  
PERRY COUNTY, OHIO**

**NOTES TO THE FINANCIAL STATEMENTS**

**6. RISK MANAGEMENT (CONTINUED)**

Financial Position

OTARMA's financial statements (audited by other accountants) conform with generally accepted accounting principles, and reported the following assets, liabilities and retained earnings at December 31, 2009 and 2008:

	2009	2008
Assets	\$ 38,982,088	\$ 40,737,740
Liabilities	(12,880,766)	(12,981,818)
Retained Earnings	\$ 26,101,322	\$ 27,755,922

At December 31, 2009 and 2008, respectively, the liabilities above include approximately \$12.0 and \$12.1 million of estimated incurred claims payable. The assets above also include approximately \$11.5 and \$10.9 million of unpaid claims to be billed to approximately 950 member governments in the future, as of December 31, 2009 and 2008, respectively. These amounts will be included in future contributions from members when the related claims are due for payment. As of December 31, 2009, the Township's share of these unpaid claims collectible in future years is approximately \$7,466.

Based on discussion 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	
2008	\$3,695
2009	3,269
2010	3,733

After one year of membership, a member may withdraw on the anniversary of the date of joining OTARMA, if the member notifies OTARMA in writing 60 days prior to the anniversary date. Upon withdrawal, members are eligible for a full or partial refund of their capital contributions, minus the subsequent year's 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.

**CLAYTON TOWNSHIP  
PERRY COUNTY, OHIO**

**NOTES TO THE FINANCIAL STATEMENTS**

**7. DEBT**

Debt outstanding at December 31, 2010 was as follows:

	<u>Principal</u>	<u>Interest rate</u>
Promissory Note – Backhoe	<u>\$ 10,035</u>	<u>5.500%</u>

A promissory note was issued in 2008 to finance the purchase of a new backhoe to be used for Township maintenance. The lender maintains a security interest in the backhoe as collateral.

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

<u>Year Ended December 31</u>	<u>Backhoe Note</u>
2011	\$ 4,696
2012	4,696
2013	<u>4,696</u>
Total	<u>\$ 14,088</u>

**WOLFE, WILSON, & PHILLIPS, INC.  
37 SOUTH SEVENTH STREET  
ZANESVILLE, OHIO 43701**

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

Clayton Township  
Perry County  
6065 Township Road 162  
New Lexington, Ohio 43764

We have audited the financial statements of Clayton Township, Perry County, Ohio, as of and for the years ended December 31, 2010 and 2009, and have issued our report thereon dated September 14, 2011, wherein we noted the Township 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 *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 Clayton Township'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 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 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 over financial reporting, that we consider a material weakness.

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 combination of deficiencies, in internal control such that there is a reasonable possibility that a material misstatement of the Township's financial statements will not be prevented, or detected and timely corrected. We consider Findings 2010-001 and 2010-002 described in the accompanying schedule of findings to be material weaknesses.

We noted other matters involving internal control over financial reporting, which we have reported to management of the Clayton Township in a separate letter dated Separate 14, 2011.

### **Compliance and Other Matters**

As part of obtaining reasonable assurance about whether Clayton Township's financial statements are free of material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts and grant agreements, noncompliance with which could have a direct and material effect on 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 such an opinion. The results of our tests disclosed two instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards* and which are described in the accompanying schedule of findings and responses as items 2010-001 and 2010-002.

We noted certain immaterial instances of noncompliance that we have reported to the management of Clayton Township in a separate letter dated September 14, 2011.

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

This report is intended for the information of the Township's management, fiscal officer, and Auditor of State, and is not intended to be and should not be used by anyone other than these specified parties.

***Wolfe, Wilson, & Phillips, Inc.***  
Zanesville, Ohio  
September 14, 2011

**CLAYTON TOWNSHIP  
PERRY COUNTY**

**SCHEDULE OF FINDINGS  
DECEMBER 31, 2010**

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

**FINDING NUMBER 2010-001**

**Noncompliance Citation/Material Weakness**

**Ohio Rev. Code Section 5705.38 (A)** states, in part, that on or about the first day of each fiscal year, an appropriation measure is to be passed. If the taxing authority wants to postpone the passage of the annual appropriation measure until an amended certificate is received from the county budget commission based upon the actual year end balances, it may pass a temporary appropriation measure for meeting the ordinary expenses until no later than April 1<sup>st</sup>.

The Township did not formally certify the appropriations with the county auditor for 2010 and 2009. Expenditures in 2010 and 2009, in the amounts of \$203,520 and \$232,713, respectively, were made without any formal approval.

We recommend the Board of Trustees approve and certify to the County Auditor, the annual appropriation measure on or near January 1<sup>st</sup> of each year. If the Board of Trustees chooses to postpone passage of this measure until receipt of an Official Certificate of Estimated Resources, temporary appropriations should be approved by the Board of Trustees.

**Client Response:** We did not receive a response from Officials to this finding.

**FINDING NUMBER 2010-002**

**Noncompliance Citation/Material Weakness**

**Ohio Revised Code Section 5705.41(B)** states that no subdivision or taxing unit shall expend any money unless it has been properly appropriated.

All expenditures made during 2010 and 2009 were made without properly being appropriated. This amounted to \$203,520 and \$232,713, respectively, being expended each year without any budgetary expenditure amount being passed to restrict expenditures.

We recommend the Township Trustees approve, and state in the minutes as evidence of approval, an appropriation measure on or about the first day of the year. This appropriation measure should be submitted to the County Auditor by the same date. The Fiscal Officer should deny any payment that would cause expenditures to exceed appropriations.

**Client Response:** We did not receive a response from Officials to this finding.

**CLAYTON TOWNSHIP  
PERRY COUNTY**

**SCHEDULE OF PRIOR AUDIT FINDINGS  
DECEMBER 31, 2010**

Finding Number	Finding Summary	Fully Corrected	Not Corrected, Partially Corrected Significantly Different Corrective Action Taken; or Finding No Longer Valid; <b>Explain:</b>
2008-001	ORC 5705.38 - appropriation measure is to be passed	No	Not Corrected - Refer to Finding 2010-001
2008-002	ORC 5705.41(B) - expenditures exceed appropriations	No	Not Corrected - Refer to Finding 2010-002
2008-003	Restatement of Funds	Yes	Finding No Longer Valid

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# Dave Yost • Auditor of State

CLAYTON TOWNSHIP

PERRY 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 Babbitt*

CLERK OF THE BUREAU

CERTIFIED  
NOVEMBER 29, 2011