



Dave Yost • Auditor of State

**Village of Morral
Marion County**

**Fiscal Emergency Analysis
As of December 31, 2012 and January 31, 2013**

Local Government Services

Village of Morral, Marion County

Fiscal Emergency Analysis

Table of Contents

Declaration of Fiscal Emergency 1

Introduction..... 2

Condition 1: Default on Any Debt Obligation..... 2

Condition 2: Payment of All Payroll..... 3

Condition 3: Increase in Minimum Levy 3

Condition 4: Past Due Accounts Payable from the General Fund and All Funds 4

Condition 5: Deficit Fund Balances..... 4

Condition 6: Treasury Deficiency 6

Summary 7



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Declaration of Fiscal Emergency

The Auditor of State performed a fiscal analysis of the Village of Morral pursuant to Section 118.03 of the Ohio Revised Code. This analysis indicates and it is hereby declared that a fiscal emergency exists at the Village of Morral as defined in Sections 118.03(A)(5) and 118.03(B) of the Ohio Revised Code.

Accordingly, this report is hereby submitted and filed with Phyllis Burns, Fiscal Officer of the Village of Morral; Greg Stephens, Mayor of the Village of Morral; Deb Thomas, President Pro Tempore of Council of the Village of Morral; John Kasich, Governor; Timothy S. Keen, Director of the Office of Budget and Management; Jon Husted, Secretary of State; Josh Mandel, Treasurer of State; and Joan M. Kasotis, Secretary of the Marion County Budget Commission.

A handwritten signature in black ink that reads "Dave Yost". The signature is written in a cursive style.

Dave Yost
Auditor of State

May 14, 2013

Village of Morral, Marion County

Fiscal Emergency Analysis

Introduction

As provided by Sections 118.021 and 118.04(A) of the Ohio Revised Code, Mayor Greg Stephens requested that a fiscal analysis be performed by the Auditor of State for the Village of Morral, Marion County (the Village). The purpose of the analysis was to determine if the financial condition of the Village justifies the declaration of a fiscal watch or fiscal emergency.

A village is placed in fiscal emergency if any one of six conditions described in Section 118.03 of the Ohio Revised Code exists. The six conditions are: 1) default on any debt obligation; 2) failure to make payment of all payroll; 3) an increase in the minimum levy of the village which results in the reduction in the minimum levy of another subdivision; 4) significant past due accounts payable; 5) substantial deficit balances in village funds; and 6) a sizeable deficiency in the village’s treasury when the balance is compared to the positive cash balances of the village’s funds.

The existence of the conditions described under Conditions four, five, and six of this report at year end do not constitute a basis for the declaration of fiscal emergency if the Village clearly demonstrates to the satisfaction of the Auditor of State that the conditions no longer exist at the time of the determination. The Village has not requested that the determination be delayed nor made a substantial showing that it has taken steps to remove the conditions.

This report identifies the procedures performed and the conclusions reached with respect to each condition as of December 31, 2012 and January 31, 2013.

Condition One - Default on Any Debt Obligation

Section 118.03(A)(1) of the Ohio Revised Code defines a fiscal emergency condition as:

The existence, at the time of the determination by the Auditor of State under Section 118.04 of the Revised Code, of a default on any debt obligation for more than thirty days.

A summary of the Village’s outstanding debt is as follows:

<u>Debt Issue</u>	<u>Interest Rate</u>	<u>Issued Date</u>	<u>Issued Amount</u>
<u>Loans Payable</u>			
OWDA New Wastewater Treatment System Planning	0.00%	7/30/2009	\$18,000

We obtained a list of outstanding debt from the 2011 audited financial statements and the authorizing legislation. We reviewed council minutes to determine if any additional debt had been issued. This debt is to be repaid by a one-time payment due on January 1, 2020, for the full amount.

Conclusion: A fiscal emergency condition does not exist under Ohio Revised Code Section 118.03(A)(1). No loan payment is due until January 1, 2020.

Condition Two - Payment of All Payroll

Section 118.03(A)(2) of the Ohio Revised Code defines a fiscal emergency condition as:

The existence, at the time of the determination by the Auditor of State under Section 118.04 of the Revised Code, of a failure for lack of cash in the funds to make payment of all payroll to employees of the municipal corporation, county, or township in the amounts and at the times required by laws, ordinances, resolutions, or agreements, which failure of payment has continued:

- a. For more than thirty days after such time for payment, or
- b. Beyond a period of extension, or beyond the expiration of ninety days from the original time for payment, whichever first occurs, if the time for payment has been extended for more than thirty days by the written consent of at least two-thirds of the employees affected by such failure to pay, acting individually or by their duly authorized representatives.

We reviewed the payroll records of the Village as of January 31, 2013, and we had a discussion with the Fiscal Officer to determine the employees of the Village, pay rates, frequency of payroll, and whether any extensions for the payment of payroll existed. We reviewed the cash journal and cancelled checks to determine whether Village employees had been paid within the time specified by Section 118.03(A)(2) of the Ohio Revised Code. We determined there was cash in the bank and sufficient fund balances to cover payroll.

Conclusion: A fiscal emergency condition does not exist under Section 118.03(A)(2) of the Ohio Revised Code as of January 31, 2013. All employees have been paid in amounts and at the times required by Village ordinance.

Condition Three - Increase in Minimum Levy

Section 118.03(A)(3) of the Ohio Revised Code defines a fiscal emergency condition as:

An increase, by action of the county budget commission pursuant to division (D) of Section 5705.31 of the Revised Code, in the minimum levy of the municipal corporation, county, or township for the current or next fiscal year which results in a reduction in the minimum levies for one or more other subdivisions or taxing districts.

We confirmed with the Marion County Budget Commission whether there had been an increase, pursuant to division (D) of Section 5705.31 of the Ohio Revised Code, in the minimum levy of the Village for 2013 which resulted in a reduction in the minimum levies for one or more other subdivisions or taxing districts. The confirmation received from the Marion County Budget Commission indicated that the Budget Commission had not taken any action to increase the inside millage of the Village for 2012 or 2013.

Conclusion: A fiscal emergency condition does not exist under Section 118.03(A)(3) of the Ohio Revised Code as of January 31, 2013. The Marion County Budget Commission has not taken any action to increase the inside millage of the Village by reducing another subdivision's inside millage.

Condition Four - Past Due Accounts Payable from the General Fund and All Funds

Section 118.03(A)(4) of the Ohio Revised Code defines a fiscal emergency condition as:

The existence of a condition in which all accounts that, at the end of its preceding fiscal year, were due and payable from the general fund and that had either had been due and payable at least thirty days at the end of the fiscal year or to which a penalty has been added for failure to pay by the end of the fiscal year, including, but not limited to, final judgments, fringe benefits payments due and payable, and amounts due and payable to persons and other governmental entities and including any interest and penalties thereon, less the year-end balance in the general fund, exceeded one-sixth of the general fund budget for that year, or in which all accounts that, at the end of its preceding fiscal year, were due and payable from all funds of the municipal corporation, county, or township and that either had been due and payable for at least thirty days at the end of the fiscal year or to which a penalty has been added for failure to pay by the end of the fiscal year less the year-end balance in the general fund and in the respective special funds lawfully available to pay such accounts exceeded one-sixth of the available revenues during the preceding fiscal year, excluding nonrecurring receipts, of the general fund and of all special funds from which such accounts lawfully are payable. Accounts due and payable shall not include any account, or portion thereof, that is being contested in good faith.

We reviewed the accounts payable as of December 31, 2012, that were due from the general fund and from all funds that were due and payable for at least thirty days, or to which a penalty had been added for failure to pay as of December 31, 2012, including, but not limited to, final judgments, fringe benefits payments due and payable, and amounts due and payable to persons and other governmental entities, including any interest and penalties. There were no payables over thirty days past due in any fund.

Conclusion: A fiscal emergency condition does not exist under Section 118.03(A)(4) of the Ohio Revised Code. There were no accounts payable due from the general fund and from all funds that were at least thirty days past due as of December 31, 2012.

Condition Five - Deficit Fund Balances

Section 118.03(A)(5) of the Ohio Revised Code defines a fiscal emergency condition as:

The existence of a condition in which the aggregate of deficit amounts of all deficit funds at the end of its preceding fiscal year, less the total of any year-end balance in the general fund and in any special fund that may be transferred as provided in Section 5705.14 of the Revised Code to meet such deficit, exceeded one-sixth of the total of the general fund budget for that year and the receipts to those deficit funds during that year other than from transfers from the general fund.

Village of Morral, Marion County

Fiscal Emergency Analysis

We computed the adjusted aggregate sum of all deficit funds as of December 31, 2012, by subtracting all accounts payable and encumbrances from the year-end cash fund balance of each fund. We then determined if the aggregate deficit fund balance exceeded one-sixth of the general fund budget and the receipts to those deficit funds. We then identified funds that may be transferred, as provided in Section 5705.14 of the Ohio Revised Code, to meet such deficits to arrive at the unprovided portion of the aggregate deficit.

Schedule I

Deficit Fund Balances
Ohio Revised Code Section 118.03(A)(5)
As of December 31, 2012

Funds	Cash Fund Balances	Less Accounts Payable and Encumbrances	Adjusted Aggregate Sum of Funds with Deficit Balances	One-Sixth Fund Budget/ Receipts	Unprovided Portion of Aggregate Deficit
General	(\$6,433)	(\$4,599)	(\$11,032)	\$3,571	(\$7,461)
Park Levy	(100)	(36)	(136)	477	341
Total	<u>(\$6,533)</u>	<u>(\$4,635)</u>	<u>(\$11,168)</u>	<u>\$4,048</u>	<u>(\$7,120)</u>
Funds Available for Transfer					<u>0</u>
Total Unprovided Portion of Aggregate Deficit Funds					<u>(\$7,120)</u>

Section 118.03(B) of the Ohio Revised Code provides in part:

Any year-end condition described in division (A)(5) of this section shall not constitute a fiscal emergency condition if the municipal corporation, county, or township clearly demonstrates to the satisfaction of the Auditor of State prior to the time of the Auditor of State's determination that such condition no longer exists at the time of the determination pursuant to Section 118.04 of the Revised Code. For the purpose of such demonstration, there shall be taken into account the positive balances at the time of such demonstration, rather than at the end of the fiscal year, and there shall be taken into account the moneys and marketable securities in the treasury of the municipal corporation, county, or township at the time of such demonstration that are, in the case of division (A)(5) of this section, held for the general fund or any special fund that may be transferred as provided in section 5705.14 of the Revised Code to meet such deficit, provided that changes from the year-end condition resulting from transfers not authorized pursuant to Chapter 5705 of the Revised Code. Borrowings or advances between funds shall not be taken into account to demonstrate improvement in any fiscal emergency condition.

We computed the adjusted aggregate sum of all deficit funds as of January 31, 2013, by subtracting all accounts payable and encumbrances from the month-end cash fund balance of each fund. We then determined if the aggregate deficit fund balance exceeded one-sixth of the general fund budget and the receipts to those deficit funds. We then identified funds that may be transferred, as provided in Section 5705.14 of the Ohio Revised Code, to meet such deficits to arrive at the unprovided portion of the aggregate deficit.

Village of Morral, Marion County

Fiscal Emergency Analysis

Schedule II

Deficit Fund Balances
Ohio Revised Code Section 118.03(B)
As of January 31, 2013

Funds	Cash Funds Balances	Less Accounts Payable and Encumbrances	Adjusted Aggregate Sum of Funds with Deficit Balances	One-Sixth Fund Budget/ Receipts	Unprovided Portion of Aggregate Deficit
General	(\$11,399)	\$0	(\$11,399)	2,863	(\$8,536)
Park Levy	(216)	0	(216)	382	166
Total	(\$11,615)	\$0	(\$11,615)	3,246	(\$8,370)
Funds Available for Transfer					0
Total Unprovided Portion of Aggregate Deficit Funds					(\$8,370)

Conclusion: Schedules I and II indicate that a fiscal emergency condition exists under Section 118.03(A)(5) and 118.03(B) of the Ohio Revised Code as of December 31, 2012 and January 31, 2013, respectively. The total unprovided portion of the aggregate deficit funds as of December 31, 2012 and January 31, 2013, is (\$7,120) and (\$8,370), respectively.

Condition Six - Treasury Deficiency

Section 118.03(A)(6) of the Ohio Revised Code defines a fiscal emergency condition as:

The existence of a condition in which, at the end of the preceding fiscal year, moneys and marketable investments in or held for the unsegregated treasury of the municipal corporation, county, or township minus outstanding checks and warrants were less in amount than the aggregate of the positive balances of the general fund and those special funds the purposes of which the unsegregated treasury is held to meet and such deficiency exceeded one-sixth of the total amount received into the unsegregated treasury during the preceding fiscal year.

We verified the Village's reconciled bank balance to its statement of cash position for all funds as of December 31, 2012, which included subtracting reconciling factors to arrive at a treasury balance. We then determined the aggregate sum of all positive fund cash balances, the purpose of which the unsegregated treasury is held to meet, to determine the treasury deficit. We then subtracted from the treasury deficit one-sixth of the amount received into the treasury during 2012 to determine if a treasury deficiency exists.

Village of Morral, Marion County

Fiscal Emergency Analysis

Schedule III

Treasury Balances
Ohio Revised Section 118.03(A)(6)
As of December 31, 2012

	<u>Amounts at December 31, 2012</u>
Bank Cash Balance	
Commercial Savings Bank - General Checking	\$48,297
Less Reconciling Factors for Outstanding Checks	<u>(3,857)</u>
Total Treasury Balance	<u>44,440</u>
Positive Fund Balances	
Street Maintenance	33,256
State Highway	8,247
State Permissive	1,217
Sewer	8,253
Total Positive Fund Balances	<u>50,973</u>
Treasury Deficit	(6,533)
One-Sixth of Treasury Receipts	<u>10,923</u>
Treasury Deficiency in Excess of One-Sixth of Treasury Receipts	<u>\$4,390</u>

Conclusion: Schedule III indicates that a fiscal emergency condition does not exist under Section 118.03(A)(6) of the Ohio Revised Code as of December 31, 2012.

Summary

A fiscal emergency is the existence of at least one of the conditions defined above. This analysis indicates that a fiscal emergency exists at the Village of Morral as defined in Section 118.03(A)(5) and 118.03(B) of the Ohio Revised Code as presented in Schedules I and II above as of December 31, 2012 and January 31, 2013.

Because the above procedures were not sufficient to constitute an audit made in accordance with generally accepted auditing standards, we do not express an opinion on any of the specific accounts and fund balances referred to above. Had we performed additional procedures or had we made an audit of the financial statements in accordance with generally accepted auditing standards, other matters might have come to our attention that would have been reported.

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VILLAGE OF MORRAL

MARION 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
MAY 14, 2013**