



Dave Yost • Auditor of State

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Dave Yost • Auditor of State

INDEPENDENT AUDITOR'S REPORT

Port Authority of Eastlake Ohio Lake County 35150 Lakeshore Boulevard Eastlake, Ohio 44095

To the Board of Directors:

Report on the Financial Statements

We have audited the accompanying financial statements of the cash balances, receipts and disbursements by fund type, and related notes of the Port Authority of Eastlake Ohio, Lake County, (the Port Authority) as of and for the years ended December 31, 2017 and 2016.

Management's Responsibility for the Financial Statements

Management is responsible for preparing and fairly presenting these financial statements in accordance with the financial reporting provisions Ohio Revised Code Section 117.38 and Ohio Administrative Code Section 117-2-03(D) permit; this responsibility includes designing, implementing and maintaining internal control relevant to preparing and fairly presenting financial statements free from material misstatement, whether due to fraud or error.

Auditor's Responsibility

Our responsibility is to opine on these financial statements based on our audit. We audited in accordance with auditing standards generally accepted in the United States of America and the financial audit standards in the Comptroller General of the United States' *Government Auditing Standards*. Those standards require us to plan and perform the audit to reasonably assure the financial statements are free from material misstatement.

An audit requires obtaining evidence about financial statement amounts and disclosures. The procedures selected depend on our judgment, including assessing the risks of material financial statement misstatement, whether due to fraud or error. In assessing those risks, we consider internal control relevant to the Port Authority's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not to the extent needed to opine on the effectiveness of the Port Authority's internal control. Accordingly, we express no such opinion. An audit also includes evaluating the appropriateness of management's accounting policies and the reasonableness of their significant accounting estimates, as well as our evaluation of the overall financial statement presentation.

We believe the audit evidence we obtained is sufficient and appropriate to support our audit opinions.

Port Authority of Eastlake Ohio Lake County Independent Auditor's Report Page 2

Basis for Adverse Opinion on U.S. Generally Accepted Accounting Principles

As described in Note 1 of the financial statements, the Port Authority prepared these financial statements using the accounting basis permitted by the financial reporting provisions of Ohio Revised Code Section 117.38 and Ohio Administrative Code Section 117-2-03(D), which is an accounting basis other than accounting principles generally accepted in the United States of America (GAAP), to satisfy these requirements.

Although the effects on the financial statements of the variances between the regulatory accounting basis and GAAP are not reasonably determinable, we presume they are material.

Though the Port Authority does not intend these statements to conform to GAAP, auditing standards generally accepted in the United States of America require us to include an adverse opinion on GAAP. However, the adverse opinion does not imply the amounts reported are materially misstated under the accounting basis Ohio Revised Code Section 117.38 and Ohio Administrative Code Section 117-2-03(D) permit. Our opinion on this accounting basis is in the *Opinion on Regulatory Basis of Accounting* paragraph below.

Adverse Opinion on U.S. Generally Accepted Accounting Principles

In our opinion, because of the significance of the matter discussed in the *Basis for Adverse Opinion on U.S. Generally Accepted Accounting Principles* paragraph, the financial statements referred to above do not present fairly, in accordance with accounting principles generally accepted in the United States of America, the financial position of the Port Authority as of December 31, 2017 and 2016, and the respective changes in financial position thereof for the year then ended.

Opinion on Regulatory Basis of Accounting

In our opinion, the financial statements referred to above present fairly, in all material respects, the cash balances, receipts and disbursements by fund type, and related notes of the Port Authority of Eastlake Ohio, Lake County, Ohio as of December 31, 2017 and 2016, for the years then ended in accordance with the financial reporting provisions Ohio Revised Code Section 117.38 and Ohio Administrative Code Section 117-2-03(D) permit, described in Note 1.

Port Authority of Eastlake Ohio Lake County Independent Auditor's Report Page 3

Other Reporting Required by Government Auditing Standards

In accordance with *Government Auditing Standards*, we have also issued our report dated June 1, 2018, on our consideration of the Port Authority'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. That report describes the scope of our internal control testing over financial reporting and compliance, and the results of that testing, and does not opine on internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the Port Authority's internal control over financial reporting and compliance.

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Dave Yost Auditor of State Columbus, Ohio

June 1, 2018

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STATEMENT OF RECEIPTS, DISBURSEMENTS, AND CHANGES IN FUND BALANCE (CASH BASIS) GOVERNMENTAL FUND TYPE FOR THE YEAR ENDED DECEMBER 31, 2017

	General Fund
Cash Receipts	
Concession Revenue	\$10,829
Contributions & Support Grants	3,718
Intergovernmental - City of Eastlake Interest	6,000 7
Reimbursed Expenses	1,031
River Stickers & Fines	50,505
Total Cash Receipts	72,090
Cash Disbursements	
Current:	
Advertising	361
Audit	5,496
Concession Expenses	10,129
Insurance	2,362
Meetings, Convention & Dues	45
Professional Services	4,671
River Maintenance & Dredging	36,478
Salaries & Taxes	10,435
Supplies	1,500
Utilities	1,506
Total Cash Disbursements	72,983
Net Change in Fund Cash Balance	(893)
Fund Cash Balance, January 1	87,715
Fund Cash Balance, December 31 Unassigned	\$86,822

See accompanying notes to the basic financial statements

STATEMENT OF RECEIPTS, DISBURSEMENTS, AND CHANGES IN FUND BALANCE (CASH BASIS) GOVERNMENTAL FUND TYPE FOR THE YEAR ENDED DECEMBER 31, 2016

	General Fund
Cash Receipts	
Concession Revenue	\$1,046
Boat Show	1,100
Contributions & Support Grants	1
Intergovernmental - City of Eastlake	6,000
Intergovernmental - ODNR Dredging Grant	73,900
Interest	4
River Stickers & Fines	52,105
Total Cash Receipts	134,156
Cash Disbursements	
Current:	
Advertising	131
Audit	185
Concession Expenses	1,455
Insurance	3,098
Meetings, Convention & Dues	1,104
Professional Services	2,517
River Maintenance & Dredging	73,900
Salaries & Taxes	11,263
Supplies	949
Utilities	1,445
Miscellaneous	457
Total Cash Disbursements	96,504
Net Change in Fund Cash Balance	37,652
Fund Cash Balance, January 1	50,063
Fund Cash Balance, December 31	
Assigned	5,538
Unassigned	82,177
Total Cash Fund Balance, December 31	\$87,715

See accompanying notes to the basic financial statements

NOTES TO THE FINANCIAL STATEMENTS DECEMBER 31, 2017 AND 2016

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

A. Description of the Authority

The constitution and laws of the State of Ohio establish the rights and privileges of the Port Authority of Eastlake Ohio, Lake County, Ohio, (the Port Authority) as a body corporate and politic. The Port Authority operates under the direction of a seven member Board of Directors, five of which the Mayor with the consent of the Council of the City of Eastlake appoints. The Port Authority's operations involve the authorizations to purchase, construct, sell, lease, and operate docks, wharfs, piers, warehouses, and other port terminal or transportation facilities within its jurisdiction as enumerated in Ohio revised Code Chapter 4582. The Port Authority operations also involve straightening, deepening, and improving any canal, channel, river, stream, or other water course or way that may be necessary or proper in the development of the facilities of the Port Authority as enumerated in the Ohio Revised Code Chapter 4582.

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

B. Accounting Basis

These financial statements follow the accounting basis permitted by the financial reporting provisions of Ohio Revised Code Section 117.38 and Ohio Administrative Code Section 117-2-03(D). This basis is similar to the cash receipts and disbursements accounting basis. The Port Authority 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 financial reporting provisions of Ohio Revised Code Section 117.38 and Ohio Administrative Code Section 117-2-03(D) permit.

C. Deposits and Investments

The Port Authority's accounting basis does not include 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. During 2017 and 2016, the Port Authority had only a checking and savings account.

D. Fund Accounting

The Port Authority uses fund accounting to segregate cash and investments that are restricted as to use. The Port Authority classifies its fund into the following type:

General Fund

The general fund reports all financial resources except those required to be accounted for in another fund.

NOTES TO THE FINANCIAL STATEMENTS DECEMBER 31, 2017 AND 2016 (Continued)

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)

E. Fund Balance

Fund balance is divided into five classifications based primarily on the extent to which the Port Authority must observe constraints imposed upon the use of its governmental-fund resources. The classifications are as follows:

1. Nonspendable

The Port Authority classifies assets as *nonspendable* when legally or contractually required to maintain the amounts intact.

2. Restricted

Fund balance is *restricted* when constraints placed on the use of resources are either externally imposed by creditors (such as through debt covenants), grantors, contributors, or laws or regulations of other governments; or is imposed by law through constitutional provisions.

3. Committed

The Board can *commit* amounts via formal action (resolution). The Port Authority must adhere to these commitments unless the Board amends the resolution. Committed fund balance also incorporates contractual obligations to the extent that existing resources in the fund have been specifically committed to satisfy contractual requirements.

4. Assigned

Assigned fund balances are intended for specific purposes but do not meet the criteria to be classified as *restricted* or *committed*. Governmental funds other than the general fund report all fund balances as *assigned* unless they are restricted or committed. In the general fund, *assigned* amounts represent intended uses established by the Board or a Port Authority official delegated that authority by resolution, or by State Statute.

5. Unassigned

Unassigned fund balance is the residual classification for the general fund and includes amounts not included in the other classifications. In other governmental funds, the unassigned classification is used only to report a deficit balance.

The Port Authority applies restricted resources first when expenditures are incurred for purposes for which either restricted or unrestricted (committed, assigned, and unassigned) amounts are available. Similarly, within unrestricted fund balance, committed amounts are reduced first followed by assigned, and then unassigned amounts when expenditures are incurred for purposes for which amounts in any of the unrestricted fund balance classifications could be used.

NOTES TO THE FINANCIAL STATEMENTS DECEMBER 31, 2017 AND 2016 (Continued)

2. CASH AND DEPOSITS

The Port Authority 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:

	2017	2016
Demand Deposits	\$20,541	\$8,441
Other time deposits (savings and NOW accounts)	<u>66,281</u>	<u>79,274</u>
Total deposits	<u>\$86,822</u>	<u>\$87,715</u>

Deposits: Deposits are insured by the Federal Depository Insurance Corporation.

3. BUDGETARY ACTIVITY

Budgetary activity for the years ended 2017 and 2016 follows:

2017 Budgeted vs Actual Receipts			
	Budgeted	Actual	
Fund Type	Receipts	Receipts	Variance
General	\$62,002	\$72,090	\$10,088
2017 Budgeted vs A	ctual Budgetary	Basis Expenditu	ires
	Appropriation	Budgetary	
Fund Type	Authority	Expenditures	Variance
General	\$74,000	\$72,983	\$1,017
2016 Budgeted vs Actual Receipts			
	Budgeted	Actual	
Fund Type	Receipts	Receipts	Variance
General	\$137,700 \$134,156		(\$3,544)
2016 Budgeted vs Actual Budgetary Basis Expenditures			
	Appropriation	Budgetary	
Fund Type	Appropriation Authority	Budgetary Expenditures	Variance
Fund Type General	••••	• •	Variance \$5,501

Noncompliance:

During 2017 and 2016 the Port Authority did not follow any budgetary requirements as required by the Ohio Revised Code.

NOTES TO THE FINANCIAL STATEMENTS DECEMBER 31, 2017 AND 2016 (Continued)

4. RETIREMENT SYSTEM

The Port Authority's full-time employees belong to the Ohio Public Employees Retirement System (OPERS). OPERS is a cost-sharing, multiple-employer plan. The Ohio Revised Code prescribes the Plan's retirement benefits, including postretirement healthcare and survivor and disability benefits to participants.

The Ohio Revised Code also prescribes contribution rates. For 2017 and 2016, OPERS members contributed 10% of their gross salaries and the Port Authority contributed an amount equaling 14% of participants' gross salaries. The Port Authority has paid all contributions required through December 31, 2017.

5. POSTEMPLOYMENT BENEFITS

Both OPERS and OP&F offer cost-sharing, multiple-employer defined benefit postemployment plans, which include multiple health care plans including medical coverage, prescription drug coverage, deposits to a Health Reimbursement Arrangement and Medicare Part B premium reimbursements, to qualifying benefit recipients. The portion of employer contributions allocated to health care for OPERS members in the Traditional Pension Plan and Combined Plan was 2.0 percent during calendar year 2016, and 1.0 percent during calendar year 2017. OP&F contributes 0.5 percent to fund these benefits.

6. RISK MANAGEMENT

Commercial Insurance

The Port Authority has obtained commercial insurance for the following risks:

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



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

Port Authority of Eastlake Ohio Lake County 35150 Lakeshore Boulevard Eastlake, Ohio 44095

To the Board of Directors:

We have audited in accordance with auditing standards generally accepted in the United States and the Comptroller General of the United States' *Government Auditing Standards*, the financial statements of the cash balances, receipts, and disbursements by fund type of the Port Authority of Eastlake Ohio, Lake County, (the Port Authority) as of and for the years ended December 31, 2017 and 2016, and the related notes to the financial statements and have issued our report thereon dated June 1, 2018 wherein we noted the Port Authority followed financial reporting provisions Ohio Revised Code Section 117.38 and Ohio Administrative Code Section 117-2-03(D) permit.

Internal Control Over Financial Reporting

As part of our financial statement audit, we considered the Port Authority's internal control over financial reporting (internal control) to determine the audit procedures appropriate in the circumstances to the extent necessary to support our opinions on the financial statements, but not to the extent necessary to opine on the effectiveness of the Port Authority's internal control. Accordingly, we have not opined on it.

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 internal control deficiencies resulting in a reasonable possibility that internal control will not prevent or detect and timely correct a material misstatement of the Port Authority's financial statements. A *significant deficiency* is a deficiency, or a combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance.

Our consideration of internal control was for the limited purpose described in the first paragraph of this section and was not designed to identify all internal control deficiencies that might be material weaknesses or significant deficiencies. Therefore, unidentified material weaknesses or significant deficiencies may exist. Given these limitations, we did not identify any deficiencies in internal control that we consider material weaknesses. We did identify certain deficiencies in internal control, described in the accompanying schedule of findings that we consider significant deficiencies. We consider findings 2017-001 and 2017-002 to be significant deficiencies.

Port Authority of Eastlake Ohio Lake County Independent Auditor's Report on Internal Control Over Financial Reporting and on Compliance and Other Matters Required by *Government Auditing Standards* Page 2

Compliance and Other Matters

As part of reasonably assuring whether the Port Authority'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, opining 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 instances of noncompliance or other matters we must report under *Government Auditing Standards* which are described in the accompanying schedule of findings as items 2017-001 and 2017-002.

Port Authority's Response to Findings

The Port Authority's responses to the findings identified in our audit are described in the accompanying schedule of findings. We did not audit the Port Authority's responses and, accordingly, we express no opinion on them.

Purpose of this Report

This report only describes the scope of our internal control and compliance testing and our testing results, and does not opine on the effectiveness of the Port Authority's internal control or on compliance. This report is an integral part of an audit performed under *Government Auditing Standards* in considering the Port Authority's internal control and compliance. Accordingly, this report is not suitable for any other purpose.

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Dave Yost Auditor of State Columbus, Ohio

June 1, 2018

SCHEDULE OF FINDINGS

FINDING NUMBER 2017-001

Noncompliance / Significant Deficiency – Purchase Certification

Ohio Rev. Code § 5705.41(D)(1) prohibits a subdivision or taxing entity 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 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.

There are several exceptions to the standard 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 main exceptions are: "then and now" certificates, blanket certificates, and super blanket certificates, which are provided for in sections 5705.41(D)(1) and 5705.41(D)(3) of the Ohio Revised Code.

- 1. "Then and Now" certificate If the fiscal officer can certify that both at the time the contract or order was made ("then"), and at the time the fiscal officer is completing the certification ("now"), that sufficient funds were available or in the process of collection, to the credit of a proper fund, properly appropriated and free from any previous encumbrance, the Port Authority can authorize the drawing of a warrant for the payment of the amount due. The Port Authority has thirty days from the receipt of the "then and now" certificate to approve payment by ordinance or resolution. 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 the expenditure is otherwise lawful. This does not eliminate any otherwise applicable requirement for approval of expenditures by the Port Authority.
- 2. Blanket Certificate Fiscal officers 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 Port Authority 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.

The Port Authority has not developed the use of purchase orders (expenditure certifications). Failure to properly certify the availability of funds can result in overspending funds and negative cash fund balances. Unless the exceptions noted above are used, prior certification is not only required by statute but is a key control in the disbursement process to assure that purchase commitments receive prior approval.

Port Authority of Eastlake Ohio Lake County Schedule of Findings Page 2

FINDING NUMBER 2017-001 – (Continued)

The Port Authority should implement a purchase order process to help ensure disbursements are properly approved by management and to ensure compliance with the aforementioned Ohio Revised Code requirements.

Officials' Response: In attempting to comply with purchase certification requirements we have this past year stamped incoming invoices with a rubber stamp stating "Fiscal Officer Certification" and "Funding appropriated: budget or minutes". We know now this will not suffice. Apparently this certification should be applied prior to a purchase and on a purchase order. We must however repeat that our transactions are so few that it is always apparent to me that sufficient funds are available for our commitments and there is no danger of the PAEO defaulting on any purchases. Improvements will be made to our purchasing procedures.

FINDING NUMBER 2017-002

Noncompliance Finding / Significant Deficiency – Fee Receipts

Management is responsible for implementing and maintaining an internal control system designed to enable management to determine the accuracy of the Port Authority's financial statement transactions. Also, management is responsible for developing and maintaining complete and accurate financial records. For cash receipts, common internal controls include, but are not limited to, board approved policies for the collection, safeguarding and deposit of funds; documentation of receipt dates; and use and retention of duplicate pre-numbered receipts.

Ohio Rev. Code § 9.38 requires public monies to be deposited with the treasurer or designated depository on the next business day following the day of receipt, if the total amount of such moneys received exceeds one thousand dollars. If the total amount of the public moneys received does not exceed one thousand dollars, the person shall deposit the moneys on the next business day following the day of receipt, unless the public office of which that person is a public official adopts a policy permitting a different time period, not to exceed three business days next following the day of receipt, for making such deposits, and the person is able to safeguard the moneys until such time as the moneys are deposited. The policy shall include provisions and procedures to safeguard the public moneys until they are deposited.

Various marinas along with the Harbor Master collect sticker fees, boat ramp fees and fishing pier fees for the Port Authority. However, the following key internal controls were not implemented for the safeguarding of these receipts:

- Procedures for the safeguarding and depositing of money.
- Procedures to properly document receipt collection dates.
- Procedures to use duplicate receipt book for fishing pier fee collections.

In 2017 and 2016, 11 of 19 boat sticker fee receipts were not deposited within one business day of collection as required by Ohio Rev. Code § 9.38 and the remaining 8 receipts did not have a receipt date documented to verify if they were timely deposited or not. Additionally, 8 of 8 concession receipts tested (collected by a contracted vendor) did not have documented receipt dates to help ensure compliance with the aforementioned requirements.

Port Authority of Eastlake Ohio Lake County Schedule of Findings Page 3

FINDING NUMBER 2017-002 – (Continued)

Failure to document receipt dates makes it difficult for management to ensure all receipts collected are recorded in the financial statements and deposited with the Port Authority's financial institution in accordance with the requirements specified in Ohio Rev. Code § 9.38. Additionally, failure to implement key internal controls over receipts increases the risk of lost or stolen receipts and financial statement errors.

The Port Authority should implement key internal controls for the collection of receipts.

Officials' Response: During the past year the concessionaire of our kayak rental business was given a schedule to make timely bank deposits. Our procedure was improved and we have not been found deficient in that area. Some improvements have been made. Now we acknowledge that our procedure for boat sticker fees must also be improved. We will insure that deposits are made as required and install better control of the ticket distribution.

SUMMARY SCHEDULE OF PRIOR AUDIT FINDINGS DECEMBER 31, 2017 AND 2016

Finding Number	Finding Summary	Status	Additional Information
2015-001	Noncompliance Finding / Significant Deficiency – Purchase Certification – Ohio Rev. Code § 5705.41(D): Purchases orders (fiscal officer certifications) were not used for any tested disbursements.	Not Corrected	See Finding 2017-001
2015-002	Noncompliance Finding / Significant Deficiency – Public Records Ohio Rev. Code § 149.351 (A): Certain disbursement records and meeting minutes could not be located.	Corrected	Finding no longer valid
2015-003	Noncompliance Finding / Significant Deficiency – Accounting Records Ohio Admin. Code § 117-2-02 (A): Use of incomplete manual accounting records during 2014 and a portion of 2015 inhibited management's ability to prepare accurate and timely financial statements.	Corrected	Finding no longer valid
2015-004	Significant Deficiency – Fee Receipts: Detailed Supporting documentation for sticker and fine receipts was not maintained.	Not Corrected	See Finding 2017-002



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PORT AUTHORITY EASTLAKE OHIO

LAKE 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 Babbrtt

CLERK OF THE BUREAU

CERTIFIED JUNE 26, 2018

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