



OHIO AUDITOR OF STATE
KEITH FABER



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BASIC AUDIT REPORT

Hillsboro Area Economic Development Corporation
Highland County
Hillsboro, Ohio 45133

We have completed certain procedures in accordance with Ohio Rev. Code Section 117.01(G) to the accounting records and related documents of the Hillsboro Area Economic Development Corporation, Highland County, (the Corporation) for the years ended December 31, 2021 and 2020.

Our procedures were designed solely to satisfy the audit requirements of Ohio Rev. Code Section 117.11(A). Because our procedures were not designed to opine on the Corporation's financial statements, we did not follow *generally accepted auditing standards*. We do not provide any assurance on the Corporation's financial statements, transactions or balances for the years ended December 31, 2021 and 2020.

The Corporation's management is responsible for preparing and maintaining its accounting records and related documents. Our responsibility under Ohio Rev. Code Section 117.11(A) is to examine, analyze and inspect these records and documents.

Based on the results of our procedures, we found the following significant compliance or accounting issues to report.

Current Year Observations

1. **Ohio Rev. Code § 149.43(E)(2)** provides that every public office must have a policy in place for responding to public records requests. Accordingly, a public records policy cannot: (1) limit the number of public records the office will make available to a single person; (2) limit the number of public records the office will make available during a fixed period of time; and (3) establish a fixed period of time before the office will respond to a request for inspection/copying of public records unless that period is less than eight hours. However, pursuant to **Ohio Rev. Code § 149.43(B)(7)(c)**, the policy may limit the number of public records the public office will physically deliver by U.S. Mail or other delivery service to ten per month unless the person certifies to the office in writing that the person does not intend to use or forward the requested records, or the information contained in them, for commercial purposes. For purposes of this division, "commercial" shall be narrowly construed and does not include reporting or gathering news, reporting or gathering information to assist citizen oversight or understanding of the operation or activities of government, or nonprofit educational research. Additionally, all public offices are required by **Ohio Rev. Code § 149.43(E)(2)** to distribute their Public Records Policy to the employee who is the records custodian/manager of otherwise has custody of the records of that office.

Due to deficiencies in public record request procedures and monitoring, the Corporation does not have a public records policy. This could result in records requests not being fulfilled in accordance with Ohio law.

The Corporation should establish a public records policy to address the Corporation's available records, the times when public records may be inspected, and the costs associated with records

requests. The policy should be included in policy manuals and the Public Records Act requires that the policy be displayed conspicuously in all branches of the Corporation. In addition, the Corporation should have written evidence that the Public Records Policy was provided to the records custodian/manager.

Furthermore, pursuant to **Ohio Rev. Code § 109.43(E)**, the Ohio Attorney General has developed and provided to all public offices a model public records policy for responding to public records requests. The policy, which is available at <https://www.ohioattorneygeneral.gov/Files/Government-Entities/Model-Public-Records-Policy.aspx>, provides guidance to public offices in developing their own policies for responding to public records requests in compliance with the Public Records Act.

2. **Ohio Rev. Code § 149.43(B)(2)** provides that every public office to facilitate broader access to public records, a public office or the person responsible for public records shall organize and maintain public records in a manner that they can be made available for inspection or copying in accordance with division (B) of this section. A public office also shall have available a copy of its current records retention schedule at a location readily available to the public.

Due to deficiencies in public record procedures and monitoring, the Corporation does not have a records retention schedule. Failure to establish a records retention schedule could result in the destruction of important Corporation documents.

The Corporation should establish a Board approved records retention schedule.

Current Status of Matters Reported in our Prior Engagement

1. In addition to the public records matters reported in items 1 and 2 above, our prior audit for the years ended December 31, 2019 and 2018 included an issue for the Corporation being on a “held” status with the Secretary of State. The Corporation is now in “active” status.



Keith Faber
Auditor of State
Columbus, Ohio

June 15, 2023

OHIO AUDITOR OF STATE KEITH FABER



HILLSBORO AREA ECONOMIC DEVELOPMENT CORPORATION

HIGHLAND COUNTY

AUDITOR OF STATE OF OHIO CERTIFICATION

This is a true and correct copy of the report, which is required to be filed pursuant to Section 117.26, Revised Code, and which is filed in the Office of the Ohio Auditor of State in Columbus, Ohio.



Certified for Release 6/27/2023

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This report is a matter of public record and is available online at
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