



**Auditor of State
Betty Montgomery**

**BLACKCREEK TOWNSHIP
MERCER COUNTY**

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**Auditor of State
Betty Montgomery**

INDEPENDENT ACCOUNTANTS' REPORT

Blackcreek Township
Mercer County
10789 Gruberger Road
Rockford, OH 45882

To the Board of Trustees:

We have audited the accompanying financial statements of Blackcreek Township, Mercer County, (the Township), as of and for the years ended December 31, 2003 and 2002. 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 the township, as well as evaluating the overall financial statement presentation.

The Township's financial transactions were processed using 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 conduct the audit of the Township 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 that our audit provides a reasonable basis for our opinion.

As described in Note 1, the Township prepares its financial statements on the basis of accounting prescribed or permitted by the Auditor of State, which is a comprehensive basis of accounting other than generally accepted accounting principles.

In our opinion, the financial statements referred to above present fairly, in all material respects, the combined fund cash balances and reserves for encumbrances of the Township as of December 31, 2003 and 2002, and its combined cash receipts and disbursements for the years then ended on the basis of accounting described in Note 1.

In accordance with *Government Auditing Standards*, we have also issued our report dated May 11, 2004 on our consideration of the Township's internal control over financial reporting and our tests of its compliance with certain provisions of laws, regulations, contracts and grants. 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.

This report is intended solely for the information and use of the audit committee, management, Board of Trustees, and other officials authorized to receive this report under Section 117.26, Ohio Revised Code, and is not intended to be and should not be used by anyone other than these specified parties.

A handwritten signature in black ink that reads "Betty Montgomery". The signature is written in a cursive, flowing style.

Betty Montgomery
Auditor of State

May 11, 2004

**BLACKCREEK TOWNSHIP
MERCER COUNTY**

**COMBINED STATEMENT OF CASH RECEIPTS, CASH DISBURSEMENTS, AND
CHANGES IN FUND CASH BALANCES
ALL GOVERNMENTAL FUND TYPES
FOR THE YEAR ENDED DECEMBER 31, 2003**

	<u>Governmental Fund Types</u>		Totals (Memorandum Only)
	<u>General</u>	<u>Special Revenue</u>	
Cash Receipts:			
Local Taxes	\$8,487	\$15,677	\$24,164
Intergovernmental	12,642	69,148	81,790
Licenses, Permits, and Fees		315	315
Earnings on Investments	42	208	250
Other Revenue	290		290
	<hr/>	<hr/>	<hr/>
Total Cash Receipts	21,461	85,348	106,809
	<hr/>	<hr/>	<hr/>
Cash Disbursements:			
Current:			
General Government	14,547	9,348	23,895
Public Safety	10,423		10,423
Public Works		56,640	56,640
Health	2,415		2,415
	<hr/>	<hr/>	<hr/>
Total Cash Disbursements	27,385	65,988	93,373
	<hr/>	<hr/>	<hr/>
Total Receipts Over/(Under) Disbursements	(5,924)	19,360	13,436
Fund Cash Balances, January 1	2,180	20,870	23,050
	<hr/>	<hr/>	<hr/>
Fund Cash Balances, December 31	<u>(\$3,744)</u>	<u>\$40,230</u>	<u>\$36,486</u>

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

**BLACKCREEK TOWNSHIP
MERCER COUNTY**

**COMBINED STATEMENT OF CASH RECEIPTS, CASH DISBURSEMENTS, AND
CHANGES IN FUND CASH BALANCES
ALL GOVERNMENTAL FUND TYPES
FOR THE YEAR ENDED DECEMBER 31, 2002**

	<u>Governmental Fund Types</u>			Totals (Memorandum Only)
	<u>General</u>	<u>Special Revenue</u>	<u>Capital Projects</u>	
Cash Receipts:				
Local Taxes	\$10,047	\$17,978		\$28,025
Intergovernmental	13,809	68,810	9,223	91,842
Licenses, Permits, and Fees		255		255
Earnings on Investments	130	343		473
Other Revenue	231	6		237
	<u>24,217</u>	<u>87,392</u>	<u>9,223</u>	<u>120,832</u>
Total Cash Receipts				
	<u>24,217</u>	<u>87,392</u>	<u>9,223</u>	<u>120,832</u>
Cash Disbursements:				
Current:				
General Government	19,967	7,685		27,652
Public Safety	10,000			10,000
Public Works		86,976		86,976
Health	1,873			1,873
Capital Outlay			9,223	9,223
	<u>31,840</u>	<u>94,661</u>	<u>9,223</u>	<u>135,724</u>
Total Cash Disbursements				
	<u>31,840</u>	<u>94,661</u>	<u>9,223</u>	<u>135,724</u>
Total Receipts (Under) Disbursements	(7,623)	(7,269)	0	(14,892)
Fund Cash Balances, January 1	<u>9,803</u>	<u>28,139</u>	<u>0</u>	<u>37,942</u>
Fund Cash Balances, December 31	<u><u>\$2,180</u></u>	<u><u>\$20,870</u></u>	<u><u>\$0</u></u>	<u><u>\$23,050</u></u>

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

**BLACKCREEK TOWNSHIP
MERCER COUNTY**

**NOTES TO THE FINANCIAL STATEMENTS
DECEMBER 31, 2003 AND 2002**

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

A. Description of the Entity

Blackcreek Township, Mercer County, (the Township), is a body corporate and politic 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. The Township provides road and bridge maintenance, cemetery maintenance, fire protection and emergency medical services. The Township contracts with the Village of Willshire, the Rockford Community Fire Department, and the Chatt Fire Department to provide fire services and Mercer County Emergency Medical Services, to provide ambulance services.

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 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 budgetary 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

The Township does not hold any interest in investments.

D. Fund Accounting

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

1. General Fund

The General Fund is the general operating fund. It is used to account for all financial resources except those required to be accounted for in another fund.

2. 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 Funds:

Road and Bridge Fund - This fund receives property tax money for constructing, maintaining and repairing Township roads and bridges.

Gasoline Tax Fund - This fund receives gasoline tax money to construct, maintain and repair Township roads.

**BLACKCREEK TOWNSHIP
MERCER COUNTY**

**NOTES TO THE FINANCIAL STATEMENTS
DECEMBER 31, 2003 AND 2002
(Continued)**

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)

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 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. 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.

A summary of 2003 and 2002 budgetary activity appears in Note 3.

F. Property, Plant and Equipment

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

2. EQUITY IN POOLED CASH AND INVESTMENTS

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

	2003	2002
Demand deposits	\$36,486	\$23,050

Deposits: Deposits are either (1) insured by the Federal Depository Insurance Corporation, or (2) collateralized by securities specifically pledged by the financial institution to the Township.

3. BUDGETARY ACTIVITY

Budgetary activity for the years ending December 31, 2003 and 2002 follows:

2003 Budgeted vs. Actual Receipts			
Fund Type	Budgeted Receipts	Actual Receipts	Variance
General	\$21,917	\$21,461	(\$456)
Special Revenue	85,643	85,348	(295)
Total	\$107,560	\$106,809	(\$751)

**BLACKCREEK TOWNSHIP
MERCER COUNTY**

**NOTES TO THE FINANCIAL STATEMENTS
DECEMBER 31, 2003 AND 2002
(Continued)**

3. BUDGETARY ACTIVITY (Continued)

2003 Budgeted vs. Actual Budgetary Basis Expenditures			
Fund Type	Appropriation Authority	Budgetary Expenditures	Variance
General	\$0	\$27,385	(\$27,385)
Special Revenue	0	65,988	(65,988)
Total	\$0	\$93,373	(\$93,373)

2002 Budgeted vs. Actual Receipts			
Fund Type	Budgeted Receipts	Actual Receipts	Variance
General	\$23,451	\$24,217	\$766
Special Revenue	86,041	87,392	1,351
Capital Projects	0	9,223	9,223
Total	\$109,492	\$120,832	\$11,340

2002 Budgeted vs. Actual Budgetary Basis Expenditures			
Fund Type	Appropriation Authority	Budgetary Expenditures	Variance
General	\$0	\$31,840	(\$31,840)
Special Revenue	0	94,661	(94,661)
Capital Projects	0	9,223	(9,223)
Total	\$0	\$135,724	(\$135,724)

Contrary to Ohio law, for the years ended December 31, 2003 and 2002, appropriation were not adopted by the Board of Trustees, therefore expenditures exceeded appropriation for all funds.

4. PROPERTY TAX

Real property taxes become a lien on January 1 preceding 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 payment, the first half is due December 31. The second half payment is due the following June 20.

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 Township.

**BLACKCREEK TOWNSHIP
MERCER COUNTY**

**NOTES TO THE FINANCIAL STATEMENTS
DECEMBER 31, 2003 AND 2002
(Continued)**

5. RETIREMENT SYSTEMS

The Township employees and elected officials belong to the Public Employees Retirement system of Ohio (PERS). PERS is a state operated, cost-sharing, multiple employer public employee retirement system. PERS provides retirement benefits to vested employees who are eligible to retire based upon years of service. PERS also provides survivor and disability benefits to vested employees.

Contribution rates are prescribed by the Ohio Revised Code. The Township's PERS members contributed 8.5% of their gross salaries. The Township contributed an amount equal to 13.55% of participants' gross salaries for 2003 and 2002. The Township has paid all contributions required through December 31, 2003.

6. RISK MANAGEMENT

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. 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 that exceed the members' deductibles.

Casualty Coverage

OTARMA retains casualty risks up to \$250,000 per occurrence. Claims exceeding \$250,000 are reinsured with APEEP up to \$1,750,000 per claim and \$5,000,000 in the aggregate per year.

Governments can elect additional coverage, from \$2,000,000 to \$10,000,000, which the General Reinsurance Corporation will reinsure.

If losses exhaust OTARMA's retained earnings, APEEP covers OTARMA losses up to \$5,000,000 per year, subject to a per-claim limit of \$2,000,000.

Property Coverage

OTARMA retains property risks, including automobile physical damage, up to \$10,000 on any specific loss with an annual aggregate of \$700,000 for 2001 and \$1,250,000 for 2002. The Travelers Indemnity Company reinsures losses exceeding \$10,000 if the annual aggregate is reached and all specific losses exceeding \$100,000. APEEP's Operating Fund and Guarantee Fund pay for losses and loss adjustment expenses should they exceed operating contributions.

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

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 2002 and 2001 (the latest information available):

BLACKCREEK TOWNSHIP
MERCER COUNTY

NOTES TO THE FINANCIAL STATEMENTS
DECEMBER 31, 2003 AND 2002
(Continued)

6. RISK MANAGEMENT (Continued)

<u>Casualty Coverage</u>	<u>2002</u>	<u>2001</u>
Assets	\$23,757,036	\$23,703,776
Liabilities	<u>(9,197,512)</u>	<u>(9,379,003)</u>
Retained earnings	<u>\$14,559,524</u>	<u>\$14,324,773</u>

<u>Property Coverage</u>	<u>2002</u>	<u>2001</u>
Assets	\$6,596,996	\$5,011,131
Liabilities	<u>(1,204,326)</u>	<u>(647,667)</u>
Retained earnings	<u>\$5,392,670</u>	<u>\$4,363,464</u>

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Auditor of State Betty Montgomery

INDEPENDENT ACCOUNTANTS' REPORT ON COMPLIANCE AND ON INTERNAL CONTROL REQUIRED BY GOVERNMENT AUDITING STANDARDS

Blackcreek Township
Mercer County
10789 Gruberger Road
Rockford, OH 45882

To the Board of Trustees:

We have audited the accompanying financial statements of Blackcreek Township (the Township) as of and for the years ended December 31, 2003 and 2002, and have issued our report thereon dated May 11, 2004, wherein we noted that the Township's financial transactions were processed using the Auditor of State's Uniform Accounting Network (UAN). *Government Auditing Standards* consider this service to impair the independence of the Auditor of State to conduct the audit of the Township because the Auditor of State designed, developed, implemented, and as requested operates UAN. 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.

Compliance

As part of obtaining reasonable assurance about whether the Township's financial statements are free of material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts and grants, 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 instances of noncompliance that are required to be reported under *Government Auditing Standards* which are described in the accompanying schedule of findings as items 2003-001 to 2003-003. We also noted certain immaterial instances of noncompliance that we have reported to management of the Township in a separate letter dated May 11, 2004.

Internal Control Over Financial Reporting

In planning and performing our audit, we considered Township's internal control over financial reporting in order to determine our auditing procedures for the purpose of expressing our opinion on the financial statements and not to provide assurance on the internal control over financial reporting. However, we noted certain matters involving the internal control over financial reporting and its operation that we consider to be reportable conditions. Reportable conditions involve matters coming to our attention relating to significant deficiencies in the design or operation of the internal control over financial reporting that, in our judgment, could adversely affect Township's ability to record, process, summarize and report financial data consistent with the assertions of management in the financial statements. A reportable condition is described in the accompanying schedule of findings as item 2003-004.

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A material weakness is a condition in which the design or operation of one or more of the internal control components does not reduce to a relatively low level the risk that misstatements in amounts that would be material in relation to the financial statements being audited may occur and not be detected within a timely period by employees in the normal course of performing their assigned functions. Our consideration of the internal control over financial reporting would not necessarily disclose all matters in the internal control that might be reportable conditions and, accordingly, would not necessarily disclose all reportable conditions that are also considered to be material weaknesses. We consider item 2003-004 to be a material weakness. We also noted other matters involving the internal control over financial reporting that do not require inclusion in this report, that we have reported to management of Township in a separate letter dated May 11, 2004.

This report is intended solely for the information and use of the audit committee, management, and the Board of Trustees, and is not intended to be and should not be used by anyone other than these specified parties.



Betty Montgomery
Auditor of State

May 11, 2004

**BLACKCREEK TOWNSHIP
MERCER COUNTY**

**SCHEDULE OF FINDINGS
DECEMBER 31, 2003 AND 2002**

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

FINDING NUMBER 2003-001

Ohio Rev. Code Section 5705.10 states that all revenue derived from a source other than the general property tax and which the law prescribes shall be used for a particular purpose is to be paid into a special fund for such purpose. Money paid into any fund shall be used only for the purposes for which such fund is established. The following restricts the use of the Motor Vehicle License Tax Fund and Gasoline Tax Fund:

Ohio Rev. Code Section 4503.02 states no part of the Motor Vehicle License tax funds shall be used for any purpose except planning, constructing, maintaining, and repairing public roads and highways, maintaining bridges and viaducts.

Ohio Rev. Code Section 5735.27 (5)(c) indicates gasoline tax monies shall be expended by each township for the sole purpose of planning, constructing, maintaining, widening, and reconstructing the public roads and highways within such township. No part of the funds shall be used for any purpose except to pay in whole or part the contract price of any such work done by contract, or to pay the cost of labor in planning, constructing, widening, and reconstructing such roads and highways, and the cost of materials forming a part of the improvement; provided, that such funds may be used for the purchase of road machinery and equipment and for the planning, construction, and maintenance of suitable buildings for housing road machinery and equipment.

During 2003, the Township posted the fire contract expenditures of \$4,270 to the Gasoline Tax Fund and expenditures of \$3,991 to the Motor Vehicle License Tax fund instead of the General Fund. The Township has agreed to and posted the adjustment and the adjustment is reflected in the accompanying financial statements.

The Township should implement review and monitoring procedures to help assure that expenditures are charged to the correct funds.

FINDING NUMBER 2003-002

Ohio Rev. Code Section 5705.38 states 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 April 1.

During 2002, the annual appropriations were not certified to the county auditor. Also, the passing of the annual appropriations for both 2002 and 2003 was not documented in the minutes.

The Township should approve the annual appropriations and document the approval in the minutes and certify a copy of the appropriations to the county auditor.

FINDING NUMBER 2003-003

Ohio Rev. Code Section 5705.41 (B) states that no subdivision or taxing unit is to expend money unless it has been appropriated.

For Fiscal Year 2003 and 2002, the Board of Trustee did not approve the annual appropriations. Therefore, expenditures exceeded appropriations for 100% of expenditures during the audit period.

Not approving appropriations could allow for unapproved spending, expending money that is not available, and negative fund balances.

The Township should adopt the annual appropriations at the beginning of the fiscal year, note the Trustees' approval in the minutes, and submit the approved appropriations to the County Auditor.

FINDING NUMBER 2003-004

Material Weakness

Allocation and Proper Posting of Expenditures

The Township should only post expenditures that relate to a particular fund to that fund. The following instances were noted in relation to posting and allocation of expenditures:

During 2003, the Township posted the fire contract expenditures of \$4,270 to the Gasoline Tax Fund and expenditures of \$3,991 to the Motor Vehicle License Tax fund instead of the General Fund.

The Trustees' salaries were paid entirely from the Gasoline Tax Fund for the years ended December 31, 2003 and 2002. The Trustees passed resolutions to indicate the Township Trustees' salaries for each fiscal year and the fund(s) from which the salaries would be paid. However, evidence was not provided to indicate 100% of the Trustees' time was devoted to the activities supported by the Gasoline Tax Fund. By reading the township's meeting minutes, it was determined that the Trustees spent a majority of their time dealing with road projects. However, since the Township Trustees regularly attend meetings, attend to Township finances (ie. contract bids, approving payments, etc) a minimal portion of the Trustee salaries should have been borne by the General Fund of the Township.

The Township procured insurance coverage from the Ohio Township Association Risk Management Authority for legal liability, automobile liability, wrongful acts, auto physical damage, property coverage for buildings and content and inland marine. The Gasoline Tax Fund paid the premium and costs for this coverage. While one of the Township's main duties is the maintenance and repair of roads, and the Gasoline Tax Fund receives some benefit from the expenditure it is not appropriate that the Gasoline Tax Fund bears the total costs of the insurance coverage.

By misposting and not properly allocating the expenditures, the Township could present inaccurate financial statements, causing a false image of the Township's financial position.

The Township should implement review and monitoring procedures to help assure that expenditures are charged and/or allocated to the correct funds. The Township should review the relationship between the expenditure, the purpose of the fund and the benefit derived from the expenditure when allocating costs to various funds.

**BLCKCREEK TOWNSHIP
MERCER COUNTY**

**SCHEDULE OF PRIOR AUDIT FINDINGS
FISCAL YEAR ENDED 2001**

Finding Number	Finding Summary	Fully Corrected?	Not Corrected, Partially Corrected; Significantly Different Corrective Action Taken; or Finding No Longer Valid; <i>Explain:</i>
2001-001	ORC Sec. 5705.41 (D) – Expenditures not properly certified	Yes	

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**Auditor of State
Betty Montgomery**

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BLACKCREEK TOWNSHIP

MERCER 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
JUNE 15, 2004**