



#### **TABLE OF CONTENTS**

TITLE	PAGE
Cover Letter	1
Independent Accountants' Report	3
Combined Statement of Cash Receipts, Cash Disbursements, and Changes in Fund Cash Balances – All Governmental Fund Types - For the Year Ended December 31, 2008	5
Combined Statement of Cash Receipts, Cash Disbursements, and Changes in Fund Cash Balances – All Proprietary and Similar Fiduciary Fund Types - For the Year Ended December 31, 2008	6
Combined Statement of Cash Receipts, Cash Disbursements, and Changes in Fund Cash Balances – All Governmental Fund Types - For the Year Ended December 31, 2007	7
Combined Statement of Cash Receipts, Cash Disbursements, and Changes in Fund Cash Balances – All Proprietary and Similar Fiduciary Fund Types - For the Year Ended December 31, 2007	8
Notes to the Financial Statements	9
Independent Accountants' Report on Internal Control Over Financial Reporting and on Compliance and Other Matters Required by Government Auditing Standards	15
Schedule of Prior Audit Findings	17





Village of Timberlake Lake County 11 East Shore Boulevard Timberlake, Ohio 44095

#### To the Village Council:

As you are aware, the Auditor of State's Office (AOS) must modify the *Independent Accountants' Report* we provide on your financial statements due to an interpretation from the American Institute of Certified Public Accountants (AICPA). While AOS 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. Our Report includes an adverse opinion relating to GAAP presentation and measurement requirements, but does not imply the amounts the statements present are misstated under the non-GAAP basis you follow. The AOS report also includes an opinion on the financial statements you prepared using the cash basis and financial statement format the AOS permits.

Mary Taylor, CPA Auditor of State

Mary Taylor

October 27, 2009

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#### **INDEPENDENT ACCOUNTANTS' REPORT**

Village of Timberlake Lake County 11 East Shore Boulevard Timberlake, Ohio 44095

#### To the Village Council:

We have audited the accompanying financial statements of the Village of Timberlake, Lake County, Ohio, (the Village) as of and for the years ended December 31, 2008 and 2007. These financial statements are the responsibility of the Village'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 the Comptroller General of the United States' *Government Auditing Standards*. Those standards require that we plan and perform the audit to reasonably assure 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 our audit provides a reasonable basis for our opinion.

As described more fully in Note 1, the Village 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 (GAAP). Although we cannot reasonably determine the effects on the financial statements of the variances between these regulatory accounting practices and GAAP, we presume they are material.

Instead of the combined funds the accompanying financial statements present, GAAP require presenting entity wide statements and also presenting the Village's larger (i.e. major) funds separately. While the Village does not follow GAAP, generally accepted auditing standards requires us to include the following paragraph if the statements do not substantially conform to GAAP presentation requirements. The Auditor of State permits, but does not require Villages to reformat their statements. The Village has elected not to follow GAAP statement formatting requirements. 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 two paragraphs, the financial statements referred to above for the years ended December 31, 2008 and 2007 do not present fairly, in conformity with accounting principles generally accepted in the United States of America, the financial position of the Village as of December 31, 2008 and 2007, or its changes in financial position for the years then ended.

Village of Timberlake Lake County Independent Accountants' Report Page 2

Also, in our opinion, the financial statements referred to above present fairly, in all material respects, the combined fund cash balances of the Village of Timberlake, Lake County, Ohio, as of December 31, 2008 and 2007, and its combined cash receipts and disbursements for the years then ended on the accounting basis Note 1 describes.

The Village 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 our report dated October 27, 2009, on our consideration of the Village'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. While we did not opine on the internal control over financial reporting or on compliance, that report describes the scope of our testing of internal control over financial reporting and compliance, and the results of that testing. That report is an integral part of an audit performed in accordance with *Government Auditing Standards*. You should read it in conjunction with this report in assessing the results of our audit.

Mary Taylor, CPA Auditor of State

Mary Taylor

October 27, 2009

## COMBINED STATEMENT OF CASH RECEIPTS, CASH DISBURSEMENTS, AND CHANGES IN FUND CASH BALANCES - ALL GOVERNMENTAL FUND TYPES FOR THE YEAR ENDED DECEMBER 31, 2008

	Governmental Fund Types		
	General	Special Revenue	Totals (Memorandum Only)
Cash Receipts: Property Tax and Other Local Taxes Income Tax Intergovernmental Receipts Fines, Licenses, and Permits Earnings on Investments Other Revenue	\$237,510 85,270 111,526 29,456 13,206 8,105	\$0 32,742 0 2,293 631 0	\$237,510 118,012 111,526 31,749 13,837 8,105
Total Cash Receipts	485,073	35,666	520,739
Cash Disbursements: Current: Security of Persons and Property Public Health Services Leisure Time Activities Transportation General Government Utilities  Total Cash Disbursements	239,087 6,731 37,813 0 120,639 73,512	2,194 0 0 62,651 0 0	241,281 6,731 37,813 62,651 120,639 73,512
Total Receipts Over/(Under) Disbursements	7,291	(29,179)	(21,888)
Other Financing Receipts and (Disbursements): Transfers-In Transfers-Out	(80,000)	80,000	80,000 (80,000)
Total Other Financing Receipts/(Disbursements)	(80,000)	80,000	0
Excess of Cash Receipts and Other Financing Receipts Over/(Under) Cash Disbursements and Other Financing Disbursements	(72,709)	50,821	(97,756)
Fund Cash Balances, January 1, 2008	516,446	13,527	529,973
Fund Cash Balances, December 31, 2008	<u>\$443,737</u>	\$64,348	\$508,085

## COMBINED STATEMENT OF CASH RECEIPTS, CASH DISBURSEMENTS, AND CHANGES IN FUND CASH BALANCES - ALL PROPRIETARY AND SIMILAR FIDUCIARY FUND TYPES FOR THE YEAR ENDED DECEMBER 31, 2008

	Proprietary Fund Type	Fiduciary Fund Type	
	Enterprise	Agency	Totals (Memorandum Only)
Operating Cash Receipts: Charges for Services Investment Earnings	\$46,846 819	\$5,650 0	\$52,496 819
Total Operating Cash Receipts	47,665	5,650	53,315
Operating Cash Disbursements: Contractual Services General Government	83,632 0	0 <u>5,425</u>	83,632 5,425
Total Operating Cash Disbursements	83,632	5,425	89,057
Operating Income/(Loss)	(35,967)	225	(35,742)
Fund Cash Balances, January 1, 2008	57,995	1,258	59,253
Fund Cash Balances, December 31, 2008	\$22,028	<u>\$1,483</u>	\$23,511

## COMBINED STATEMENT OF CASH RECEIPTS, CASH DISBURSEMENTS, AND CHANGES IN FUND CASH BALANCES - ALL GOVERNMENTAL FUND TYPES FOR THE YEAR ENDED DECEMBER 31, 2007

	Governmental Fund Types		
	General	Special Revenue	Totals (Memorandum Only)
Cash Receipts:			
Property Tax and Other Local Taxes	\$242,527	\$0	\$242,527
Income Tax	74,008	32,893	106,901
Intergovernmental Receipts	183,690	0	183,690
Fines, Licenses, and Permits	17,715	135	17,850
Earnings on Investments	26,148	489	26,637
Other Revenue	16,753	0	16,753
Total Cash Receipts	560,841	33,517	594,358
Cash Disbursements: Current:			
Security of Persons and Property	232,671	598	233,269
Public Health Services	5,704	0	5,704
Leisure Time Activities	60,016	0	60,016
Transportation	0	34,080	34,080
General Government	110,424	0	110,424
Utilities	98,368	0	98,368
Total Cash Disbursements	507,183	34,678	541,861
Total Receipts Over/(Under) Disbursements	53,658	(1,161)	52,497
Fund Cash Balances, January 1, 2007	462,788	14,688	477,476
Fund Cash Balances, December 31, 2007	\$516,446	\$13,527	\$529,973

## COMBINED STATEMENT OF CASH RECEIPTS, CASH DISBURSEMENTS, AND CHANGES IN FUND CASH BALANCES - ALL PROPRIETARY AND SIMILAR FIDUCIARY FUND TYPES FOR THE YEAR ENDED DECEMBER 31, 2007

	Proprietary Fund Type	Fiduciary Fund Type	
	Enterprise	Agency	Totals (Memorandum Only)
Operating Cash Receipts: Charges for Services Interest Earned	\$48,274 1,357	\$6,080 0	\$54,354 1,357
Total Operating Cash Receipts	49,631	6,080	55,711
Operating Cash Disbursements: Contractual Services General Government	1,276 0	0 5,920	1,276 5,920
Total Operating Cash Disbursements	1,276	5,920	7,196
Operating Income/(Loss)	48,355	160	48,515
Fund Cash Balances, January 1, 2007	9,640	1,098	10,738
Fund Cash Balances, December 31, 2007	\$57,995	\$1,258	\$59,253

#### NOTES TO THE FINANCIAL STATEMENTS DECEMBER 31, 2008 AND 2007

#### 1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

#### A. Description of the Entity

The constitution and laws of the State of Ohio establish the rights and privileges of the Village of Timberlake, Lake County, Ohio, (the Village) as a body corporate and politic. A publicly-elected six-member Council governs the Village. The Village provides general governmental services, sewer utilities and police services. The Village contracts with the City of Eastlake to provide fire protection services.

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

#### **B.** Accounting Basis

These financial statements follow the accounting basis the Auditor of State prescribes or permits. This basis is similar to the cash receipts and disbursements accounting basis. The Village 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 Auditor of State prescribes or permits.

#### C. Cash and Investments

The Village's accounting basis includes 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.

The investment in STAR Ohio (the State Treasurer's investment pool) is recorded at share values the mutual fund reports.

#### D. Fund Accounting

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

#### 1. General Fund

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

#### 2. Special Revenue Fund

These funds account for proceeds from specific sources (other than from private-purpose trusts or for capital projects) that are restricted to expenditure for specific purposes. The Village had the following significant Special Revenue Fund:

Street Construction, Maintenance and Repair Fund - This fund receives gasoline tax and motor vehicle tax money for constructing, maintaining and repairing Village streets.

#### NOTES TO THE FINANCIAL STATEMENTS DECEMBER 31, 2008 AND 2007 (Continued)

#### 1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)

#### D. Fund Accounting (Continued)

#### 3. Enterprise Funds

These funds account for operations that are similar to private business enterprises, where management intends to recover the significant costs of providing certain goods or services through user charges. The Village had the following significant Enterprise Fund:

Sanitary Sewer Fund - This fund receives charges for services from residents to cover the cost of providing this utility.

#### 4. Fiduciary Funds (Agency Funds)

Agency funds are purely custodial in nature and are used to hold resources for individuals, organizations or other governments. The Village disburses these funds as directed by the individual, organization or other government. The Village's agency fund accounts for security deposits for the rental of Village Hall. The Village had the following significant Fiduciary Fund:

Hall Deposit Fund – The fund receives fees from the rental of the Village hall.

#### E. Budgetary Process

The Ohio Revised Code requires that each fund, except certain agency funds, be budgeted annually.

#### 1. Appropriations

Budgetary expenditures (that is, disbursements and encumbrances) may not exceed appropriations at the fund / function level of control and appropriations may not exceed estimated resources. The Council 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 unencumbered cash as of January 1. The County Budget Commission must also approve estimated resources.

#### NOTES TO THE FINANCIAL STATEMENTS DECEMBER 31, 2008 AND 2007 (Continued)

#### 1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)

#### E. Budgetary Process (Continued)

#### 3. Encumbrances

The Ohio Revised Code requires the Village to reserve (encumber) appropriations when commitments are made. Encumbrances outstanding at year end are canceled, and reappropriated in the subsequent year.

A summary of 2008 and 2007 budgetary activity appears in Note 3.

#### F. Property, Plant, and Equipment

The Village records disbursements for acquisitions of property, plant, and equipment when paid. The accompanying financial statements do not report these items as assets.

#### 2. EQUITY IN POOLED CASH AND INVESTMENTS

The Village 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:

	2008	2007
Demand deposits	\$45,650	\$10,610
STAR Ohio		
Total investments	485,946	578,616
Total deposits and investments	\$531,596	\$589,226

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

**Investments:** Investments in STAR Ohio are not evidenced by securities that exist in physical or book-entry form.

#### NOTES TO THE FINANCIAL STATEMENTS DECEMBER 31, 2008 AND 2007 (Continued)

#### 3. BUDGETARY ACTIVITY

Budgetary activity for the years ending 2008 and 2007 follows:

2008 Budgeted vs. Actual Receipts

	Budgeted	Actual	
Fund Type	Receipts	Receipts	Variance
General	\$456,775	\$485,073	\$28,298
Special Revenue	33,896	115,666	81,770
Enterprise	37,359	47,665	10,306
Total	\$528,030	\$648,404	\$120,374

2008 Budgeted vs. Actual Budgetary Basis Expenditures

Appropriation	Budgetary	
Authority	Expenditures	Variance
\$794,683	\$557,782	\$236,901
120,437	64,845	55,592
91,500	83,632	7,868
\$1,006,620	\$706,259	\$300,361
	Authority \$794,683 120,437 91,500	Authority         Expenditures           \$794,683         \$557,782           120,437         64,845           91,500         83,632

2007 Budgeted vs. Actual Receipts

	0		
	Budgeted	Actual	
Fund Type	Receipts	Receipts	Variance
General	\$460,775	\$560,841	\$100,066
Special Revenue	27,700	33,517	5,817
Enterprise	37,359	49,631	12,272
Total	\$525,834	\$643,989	\$118,155

2007 Budgeted vs. Actual Budgetary Basis Expenditures

	Appropriation	Budgetary	_
Fund Type	Authority	Expenditures	Variance
General	\$755,873	\$507,183	\$248,690
Special Revenue	38,200	34,678	3,522
Enterprise	47,000	1,276	45,724
Total	\$841,073	\$543,137	\$297,936

#### NOTES TO THE FINANCIAL STATEMENTS DECEMBER 31, 2008 AND 2007 (Continued)

#### 4. PROPERTY TAX

Real property taxes become a lien on January 1 preceding the October 1 date for which rates are adopted by Village Council. 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 Village.

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 Village.

#### 5. LOCAL INCOME TAX

The Village levies a municipal income tax of 1.0 percent on substantially all earned income arising from employment, residency, or business activities within the Village as well as certain income of residents earned outside of the Village. In the latter case, the Village allows a 100 percent credit on the income earned outside the Village and paid to another municipality.

Employers within the Village withhold income tax on employee compensation and remit the tax to the Central Collection Agency (CCA) at least quarterly. Corporations and other individual taxpayers pay estimated taxes quarterly and file a declaration annually. The taxes are collected by CCA and remitted to the Village monthly.

#### 6. RETIREMENT SYSTEMS

The Village's part-time employees belong to the Ohio Public Employees Retirement System (OPERS). OPERS is a cost-sharing, multiple-employer plan. This plan provides retirement benefits, including postretirement healthcare, and survivor and disability benefits to participants as prescribed by the Ohio Revised Code.

The Ohio Revised Code also prescribes contribution rates. For 2008 and 2007, OPERS members contributed 10% and 9.5%, respectively of their gross salaries. The Village contributed an amount equal to 14% and 13.85%, respectively of participants' gross salaries for 2008 and 2007. The Village has paid all contributions required through December 31, 2008.

#### NOTES TO THE FINANCIAL STATEMENTS DECEMBER 31, 2008 AND 2007 (Continued)

#### 7. RISK POOL MEMBERSHIP

The Village belongs to the Ohio Government Risk Management Plan (the "Plan"), an unincorporated non-profit association providing a formalized, jointly administered self-insurance risk management program and other administrative services to over 550 Ohio governments ("Members").

Pursuant to Section 2744.081 of the Ohio Revised Code, the Plan is a separate legal entity. The Plan provides property, liability, errors and omissions, law enforcement, automobile, excess liability, crime, surety and bond, inland marine and other coverage's, modified for each Member's needs. The Plan pays judgments, settlements and other expenses resulting from covered claims that exceed the Member's deductible.

The Plan issues its own policies and reinsures the Plan with A- VII or better rated carriers, except for the 15% casualty and the 10% property portions the Plan retains. The Plan pays the lesser of 15% or \$37,500 of casualty losses and the lesser of 10% or \$100,000 of property losses. Individual Members are only responsible for their self-retention (deductible) amounts, which vary from member to member.

Plan members are responsible to notify the Plan of their intent to renew coverage by their renewal date. If a member chooses not to renew with the Plan, they have no other obligation to the Plan. The former member's covered claims, which occurred during their membership period, remain the responsibility of the Plan.

Settlement amounts did not exceed insurance coverage for the past three years.

The Pool's audited financial statements conform with generally accepted accounting principles, and reported the following assets, liabilities and retained earnings at December 31: 2008 and 2007:

	2008	<u>2007</u>
Assets	\$10,471,114	\$11,136,455
Liabilities	(5,286,781)	(4,273,553)
Members' Equity	\$5,184,333	\$6,862,902

You can read the complete audited financial statements for The Ohio Government Risk Management Plan at the Plan's website, <a href="https://www.ohioplan.org">www.ohioplan.org</a>.



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

Village of Timberlake Lake County 11 East Shore Boulevard Timberlake, Ohio 44095

#### To the Village Council:

We have audited the financial statements of the Village of Timberlake, Lake County, Ohio, (the Village) as of and for the years ended December 31, 2008 and 2007, and have issued our report thereon dated October 27, 2009, wherein we noted the Village 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 the Comptroller General of the United States' *Government Auditing Standards*.

#### **Internal Control Over Financial Reporting**

In planning and performing our audit, we considered the Village's internal control over financial reporting as a basis for designing our audit procedures for expressing our opinion on the financial statements, but not to opine on the effectiveness of the Village's internal control over financial reporting. Accordingly, we have not opined on the effectiveness of the Village's internal control over financial reporting.

A control deficiency exists when the design or operation of a control does not allow management or employees, in performing their assigned functions, to prevent or detect misstatements on a timely basis. A significant deficiency is a control deficiency, or combination of control deficiencies, that adversely affects the Village's ability to initiate, authorize, record, process, or report financial data reliably in accordance with its applicable accounting basis, such that there is more than a remote likelihood that the Village's internal control will not prevent or detect a more-than-inconsequential financial statement misstatement.

A material weakness is a significant deficiency, or combination of significant deficiencies resulting in more than a remote likelihood that the Village's internal control will not prevent or detect a material financial statement misstatement.

Our consideration of internal control over financial reporting was for the limited purpose described in the first paragraph of this section and would not necessarily identify all internal control deficiencies that might be significant deficiencies or material weaknesses. We did not identify any deficiencies in internal control over financial reporting that we consider material weaknesses, as defined above.

We noted certain matters that we reported to the Village's management in a separate letter dated October 27, 2009.

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Lake County
Independent Accountants' 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 Village'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, providing an opinion 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 no instances of noncompliance or other matters we must report under *Government Auditing Standards*.

We did note certain noncompliance or other matters that we reported to the Village's management in a separate letter dated October 27, 2009.

We intend this report solely for the information and use of the management and Village Council. We intend it for no one other than these specified parties.

Mary Taylor, CPA Auditor of State

Mary Taylor

October 27, 2009

#### SCHEDULE OF PRIOR AUDIT FINDINGS DECEMBER 31, 2008 AND 2007

Finding Number	Finding Summary	Fully Corrected ?	Not Corrected, Partially Corrected; Significantly Different Corrective Action Taken; or Finding No Longer Valid; <b>Explain</b> :
2006-001	From 2002 through 2006, the Village did not receive any sewer monies from the City of Eastlake due to the fact there is no contract between the respective parties and the City's contention that they are losing money on the services provided.	Yes	
2006-002	ORC Section 5705.41(D), Expenditures were not properly encumbered.	No	Partially corrected, repeated in the 2008-2007 management letter



#### **VILLAGE OF TIMBERLAKE**

#### **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.

**CLERK OF THE BUREAU** 

Susan Babbitt

CERTIFIED NOVEMBER 12, 2009