VILLAGE OF WILLSHIRE VAN WERT COUNTY REGULAR AUDIT JANUARY 1, 2007 THROUGH DECEMBER 31, 2008 YEARS AUDITED UNDER GAGAS: 2008 AND 2007

# CAUDILL & ASSOCIATES CPA's

725 5<sup>th</sup> Street Portsmouth, Ohio 45662



Mary Taylor, CPA Auditor of State

Members of Council Village of Willshire 323 State Street P.O. Box 110 Willshire, Ohio 45898

We have reviewed the *Independent Auditor's Report* of the Village of Willshire, Van Wert County, prepared by Caudill & Associates, CPA's, for the audit period January 1, 2007 through December 31, 2008. Based upon this review, we have accepted these reports in lieu of the audit required by Section 117.11, Revised Code. The Auditor of State did not audit the accompanying financial statements and, accordingly, we are unable to express, and do not express an opinion on them.

# Finding for Recovery (Repaid While Under Audit):

During the period 1/1/08 thru 12/31/08, Karen Hunziker, Clerk/Treasurer, was paid total compensation in the amount of \$16,789.57. Since the Village Council's approved salary for the Clerk/Treasurer was \$16,487.40, Karen Hunziker received an overpayment in the amount of \$302.17.

In accordance with the foregoing facts, and pursuant to Ohio Rev. Code Section 117.28, a Finding for Recovery for public money illegally expended is hereby issued against Karen Hunziker in the amount of \$302.17 in favor of the following funds:

General Fund	\$151.09
Water Fund	75.54
Sewer Fund	75.54
	\$302.17

Karen Hunziker, reimbursed the Village on 5/4/09 as evidenced by personal check number 8170, and the funds were deposited into the Village's account on 5/5/09.

The financial statements in the attached report are presented in accordance with a regulatory basis of accounting prescribed or permitted by the Auditor of State. Due to a February 2, 2005 interpretation from the American Institute of Certified Public Accountants (AICPA), modifications were required to the *Independent Auditor's Report* on your financial statements. While the Auditor of State 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. The attached report includes an opinion relating to GAAP presentation and measurement requirements, but does not imply the statements are misstated under the non-GAAP regulatory basis. The *Independent Auditor's Report* also includes an opinion on the financial statements using the regulatory format the Auditor of State permits.

Our review was made in reference to the applicable sections of legislative criteria, as reflected by the Ohio Constitution, and the Revised Code, policies, procedures and guidelines of the Auditor of State, regulations and grant requirements. The Village of Willshire is responsible for compliance with these laws and regulations.

Mary Jaylor

Mary Taylor, CPA Auditor of State

May 21, 2009

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# Caudill & Associates, CPA's

Portsmouth, OH 45662

Member American Institute of Certified Public Accountants

Ohio Society of Certified Public Accountants Kentucky Society of Certified Public Accountants

#### **Independent Auditor's Report**

Village of Willshire Van Wert County 323 State Street P.O. Box 110 Willshire, Ohio 45898

To the Village Council:

We have audited the accompanying financial statements of the Village of Willshire (the Village), Van Wert County, Ohio, 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 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 management, as well as evaluating the overall financial statement presentation. We believe that 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.

Revisions to GAAP would require the Village to reformat its financial statement presentation and make other changes effective for the years ended December 31, 2008 and 2007. Instead of the combined funds the accompanying financial statements present for 2008 and 2007, the revisions require presenting entity wide statements and also presenting its larger (i.e. major) funds separately for 2008 and 2007. 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 the new GAAP presentation requirements. The Auditor of State permits, but does not require governments to reformat their statements. The Village has elected not to reformat its statements. Since this Village does not use GAAP to measure financial statement amounts, 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 or cash flows of its proprietary funds for the years then ended.

Village of Willshire Van Wert County

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

The accompanying financial statements have been prepared assuming the Village will continue as a going concern. As discussed in Note 9 to the financial statements, the Village has incurred deficit spending in several funds and maintains deficit fund balances in the Water Funds that raise substantial doubt about its ability to continue as a going concern. Management's plans in regards to these matters are also described in Note 9. The financial statements do not include any adjustments that might result from the outcome of this uncertainty.

The aforementioned revision to generally accepted accounting principles also requires the Village to include Management's Discussion and Analysis for the years ended December 31, 2008 and 2007. The Village has not presented Management's Discussion and Analysis, which accounting principles generally accepted in the United States of America has determined 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 April 3, 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. The purpose of that report is to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on the internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* and should be considered in assessing the results of our audit.

Consell & Associater, CPA's

Caudill & Associates, CPA's April 3, 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				
	Special General Revenue		Permanent Fund	Totals (Memorandum Only)	
<u>Cash Receipts</u> Property and Other Local Taxes Charges for Services	\$ 20,406	\$ 7,795 29,650	\$ -	\$ 28,201 29,650	
Municipal Income Tax	57,471	-	-	57,471	
Fines, Licenses & Permits	1,455	-	-	1,455	
Intergovernmental	33,104	23,433	-	56,537	
Earnings on Investment	66	787	-	853	
Miscellaneous	2,945	2,410	-	5,355	
Total Cash Receipts	115,447	64,075	-	179,522	
Disbursements					
General Government	54,702	-	-	54,702	
Security of Persons and Property	27,316	21,748	-	49,064	
Transportation	-	10,445	-	10,445	
Public Health	2,686	6,418	-	9,104	
Community Environment	-	-	-	-	
Leisure Time Activities	-	1,994	-	1,994	
Capital Outlay	-	-	-	-	
Other		<u> </u>		-	
Total Cash Disbursements	84,704	40,605		125,309	
Total Receipts Over (Under) Disbursements	30,743	23,470		54,213	
Other Financing Receipts/(Disbursements)					
Transfers-In Transfers-Out	-	-	4	4	
Sale of Fixed Assets	-	-	-	-	
Total Other Financing Receipts/(Disbursements)	-	-	4	4	
Fund Cash Balance, January 1	12,203	125,055	997	138,255	
Fund Cash Balance December 31	\$ 42,946	\$ 148,525	\$ 1,001	\$ 192,472	
Reserve for Encumbrances	\$ 807	\$ 176	\$-	\$ 983	

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

#### Proprietary Fund Type

	<u>E</u>	nterprise
Operating Cash Receipts Charges for Services	\$	250,712
Total Operating Cash Receipts	_Ψ	250,712
		200,112
Operating Cash Disbursements		
Personal Services		45,891
Contractual Services		74,105
Supplies and Materials		41,873
Employee Fringe Benefits		26,361
Capital Outlay		8,759
Other Total Oceanting Cook Dishurger and		200
Total Operating Cash Disbursements		197,189
Operating Income		53,523
Non Operating Cook Persints		
Non-Operating Cash Receipts Earnings on Investments		135
Miscellaneous		594
Total Non-Operating Cash Receipts		729
<u>Non-Operating Cash Disbursements</u> Debt Service:		
Principal Payments		(59,843)
Interest and Fiscal Charges		(20,435)
Total Non-Operating Cash Disbursements		(80,278)
		(00.000)
Income (Loss) Before Transfers		(26,026)
Transfers In		1,206
Transfers Out		(1,206)
Total Transfers		-
Pagainta Over (Under) Disburgemente		(26,026)
Receipts Over (Under) Disbursements		(26,026)
Fund Cash Balance, January 1		(53,990)
Fund Cash Balance December 31	\$	(80,016)
Reserve for Encumbrances	\$	2,106

#### 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	Permanent Fund	Totals (Memorandum Only)
<u>Cash Receipts</u> Property and Other Local Taxes	\$ 26,554	\$-	\$-	\$ 26.554
Charges for Services	\$ 20,554 -	- 24,570	φ - -	\$ 26,554 24,570
Municipal Income Tax	60,203	,	-	60,203
Fines, Licenses & Permits	1,501	-	-	1,501
Intergovernmental	84,948	105,530	-	190,478
Earnings on Investment	1,105	74	-	1,179
Miscellaneous	6,431	3,111	-	9,542
Total Cash Receipts	180,742	133,285		314,027
Disbursements				
General Government	123,138	-	-	123,138
Security of Persons and Property	10,601	28,594	-	39,195
Transportation	-	61,138	-	61,138
Public Health	1,328	6,606	-	7,934
Community Environment	50	-	-	50
Leisure Time Activities	-	10	-	10
Capital Outlay	-	26,302	-	26,302
Other	-	-	-	-
Total Cash Disbursements	135,117	122,650	<u> </u>	257,767
Total Receipts Over (Under) Disbursements	45,625	10,635		56,260
Other Financing Receipts/(Disbursements)				
Transfers-In	-	21,153	-	21,153
Transfers-Out Sale of Fixed Assets	-	(21,153)	-	(21,153)
Sale of Fixed Assets	250	2,125	-	2,375
Total Other Financing Receipts/(Disbursements)	250	2,125		2,375
Fund Cash Balance, January 1	(33,672)	112,295	997	79,620
Fund Cash Balance December 31	\$ 12,203	\$ 125,055	\$ 997	\$ 138,255
Reserve for Encumbrances	\$ 5,595	\$ 154	\$-	\$ 5,749

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

#### Proprietary Fund Type

Our of the Out Device	E	nterprise
Operating Cash Receipts Charges for Services	\$	211,444
Total Operating Cash Receipts		211,444
Operating Cash Disbursements		
Personal Services		45,074
Contractual Services		83,604
Supplies and Materials		25,630
Employee Fringe Benefits		20,867
Other		597
Total Operating Cash Disbursements		175,772
Operating Income		35,672
Non-Operating Cash Receipts		
Miscellaneous		3,547
Total Non-Operating Cash Receipts		3,547
Non-Operating Cash Disbursements		
Debt Service:		(50.040)
Principal Payments Interest and Fiscal Charges		(59,218) (21,684)
Total Non-Operating Cash Disbursements		(80,902)
		(
Income (Loss) Before Transfers		(41,683)
Transfers In		1,206
Transfers Out		(1,206)
Total Transfers		-
Receipts Over (Under) Disbursements	. <u> </u>	(41,683)
Fund Cash Balance, January 1		(12,307)
Fund Cash Balance December 31	\$	(53,990)
Reserve for Encumbrances	\$	1,493

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

#### 1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

#### A. Description of the Entity

The Village of Willshire, Van Wert County, (the Village), is a body corporate and political established to exercise the rights and privileges conveyed to it by the constitution and laws of the State of Ohio. The Village is directed by a publicly-elected six-member Council governs the Village. The Village provides general governmental services, street maintenance and repair, water and sewer utilities, park operations, and fire protection services. The Village contracts with the Van Wert County Sheriff's Department to provide security of persons and property. The Village appropriates general fund money to support a volunteer fire department.

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

#### B. Basis of Accounting

These financial statements follow the basis of accounting 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 adequately disclose material matters the Auditor of State prescribes.

#### C. Cash and Investments

The Village's accounting basis includes investments as assets. This basis does not report disbursements for investment purchases or receipts for investment sales. The Village reports gains or losses at the time of sale as receipts or disbursements, respectively.

The Village values certificates of deposit at cost.

#### **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 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 Fund

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

<u>Street Construction, Maintenance and Repair Fund</u> – This fund receives gasoline tax and motor vehicle tax money for constructing, maintaining and repairing Village streets.

<u>Fire Special Fund</u> – This fund receives donations from outside private sources for defraying the cost of unique and special equipment for the Fire Department.

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

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

#### 3. Permanent Fund

These funds report resources legally restricted so that earnings only, not principal, may be expended to support the government's programs. The Village had the following significant Permanent Fund:

<u>Cemetery Bequests</u> – This fund should receive interest from fund investments. Proceeds are used to maintain grave sites.

#### 4. Enterprise Funds

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

<u>Water Fund</u> – This fund receives charges for services from residents to cover the cost of providing this utility.

<u>Sewer Fund</u> – This fund receives charges for services from residents to cover the cost of providing this utility.

#### 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. Village 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.

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

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

#### 2. Estimated Resources

Estimated resources include estimates of cash to be received plus unencumbered cash as of January 1. The County Budget Commission must also approve estimated resources.

#### 3. Encumbrances

The Ohio Revised Code requires the Village to reserve (encumber) appropriations when commitments are made.

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.

#### G. Accumulated Leave

In certain circumstances, such as upon leaving employment, employees are entitled to cash payments for unused leave. The financial statements do not include a liability for unpaid leave.

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

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

2008	2007
\$89,248	\$60,952
\$23,208	\$23,313
\$112,456	\$84,265
	\$89,248 \$23,208

**Deposits:** Deposits are insured by the Federal Depository Insurance Corporation, or collateralized by the financial institution's public entity deposit pool.

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

#### 3. BUDGETARY ACTIVITY

Budgetary activity for the years ending December 31, 2008 and 2007 follows:

# 2008 Budgeted vs. Actual Receipts

Fund Type	Budgeted Receipts	Actual Receipts	Variance
General	\$116,800	\$115,447	(\$1,353)
Special Revenue	61,066	64,075	3,009
Enterprise	249,386	252,647	3,261
Total	\$427,252	\$432,169	\$4,917

#### 2008 Budgeted vs. Actual Budgetary Basis Expenditures

Fund Type	Appropriation Authority	Budgetary Expenditures	Variance
General	\$92,110	\$85,511	\$6,599
Special Revenue	58,420	40,781	17,639
Enterprise	331,351	280,779	50,572
Total	\$481,881	\$407,071	\$74,810

# 2007 Budgeted vs. Actual Receipts

Fund Type	Budgeted Receipts	Actual Receipts	Variance
General	\$98,730	\$180,992	\$82,262
Special Revenue	491,576	156,563	(335,013)
Enterprise	246,721	216,197	(30,524)
Total	\$837,027	\$553,752	(\$283,275)

#### 2007 Budgeted vs. Actual Budgetary Basis Expenditures

Fund Type	Appropriation Authority	Budgetary Expenditures	Variance
General	\$162,130	\$140,712	\$21,418
Special Revenue	1,044,638	143,957	900,681
Enterprise	324,431	259,373	65,058
Total	\$1,531,199	\$544,042	\$987,157

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

#### 4. PROPERTY TAX

Real property taxes become a lien on January 1 preceding the October 1 date for which the Village Council adopts tax rates. The State Board of Tax Equalization adjusts these rates for inflation. Property taxes are also reduced for applicable homestead and rollback deductions. The State pays the Village amounts equaling these deductions. The Village includes these with Intergovernmental Receipts. Payments are due to the County by December 31. If the property owner elects to pay semiannually, the first half payment 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.

Property owners assess tangible personal property tax. They must file a list of tangible 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 the Village's behalf.

#### 5. DEBT

Debt outstanding at December 31, 2008 was as follows:

	P	Principal	Interest Rate
Ohio Water Development Authority Loan #1	\$	308,713	2.00%
Ohio Water Development Authority Loan #2	\$	158,211	2.00%
Ohio Public Works Commission	\$	124,761	0.00%
USDA/RD Loan	\$	192,403	4.75%
First Financial Bank Loan	\$	12,372	5.70%
Total	\$	796,460	

Ohio Water Development Authority loan #1 is for the updating of Village's sewer facilities. The loan was authorized May 25, 1990, with the first payment due June 1, 1992 and payable in semi-annual installments of \$19,932 which includes interest, with revenues generated from sewer billings over a period of 25 years. The Village does not have any plans to retire this debt at a date earlier than its scheduled maturity date.

The Ohio Water Development Authority loan #2 is for the construction of a new water plant facility. The loan was authorized January 29, 1998 with the first payment due June 1, 1999 and payable in semi-annual installments of \$5,897 which includes interest, with revenues generated from water billings over a period of 25 years. The Village does not have any plans to retire this debt earlier than its scheduled maturity date.

The Ohio Public Works Commission loan is for the construction of a new water plant facility. The loan was authorized July 1, 1996, with the first payment due July 1, 1999 and payable in semi-annual installments of \$5,491, with revenues generated from water billings over a period of 20 years. The Village does not have any plans to retire this debt earlier than its scheduled maturity date.

The USDA/RD loan is for the construction of a new water plant facility and is considered as mortgage revenue bonds. The loan was authorized March 8, 1999, with the first payment due March 1, 2000 and payable in annual installments of \$9,302 with revenues generated from water billings over a forty year period. The Village does not have any plans to retire this debt earlier than its scheduled maturity date.

The First Financial Bank loan is for cash flow purposes. The Village is under fiscal emergency and was in need of adequate cash flow. The loan was authorized January 10, 2005 and payable in monthly installments of \$400 which includes interest, with revenues generated from water billings over a one year period. The Village does not have any plans to retire this debt earlier than its scheduled maturity date.

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

#### 5. **DEBT** (Continued)

Amortization of the above debt, including interest, follows:

	OWDA Loan		OWDA Loan		USDA/RD		OPWC		First Financial	
	#1		#2		Loan		Loan		Loan	
Year ending December 31:										
2009	\$	39,864	\$	11,973	\$	11,766	\$	11,882	\$	12,372
2010		39,864		11,973		11,766		11,882		
2011		39,864		11,973		11,766		11,882		
2012		39,864		11,973		11,766		11,882		
2013		39,864		11,973		11,766		11,882		
2014 - 2018		139,526		59,867		58,830		59,410		
2019 - 2023				59,867		58,830				
2024 - 2028				5,987		58,830				
2029 - 2033						58,830				
2034 - 2038						58,830				
2039						18,684				
Total	\$	338,848	\$	185,587	\$	371,664	\$	118,820	\$	12,372

#### 6. **RETIREMENT SYSTEMS**

The Village's employees and officials belong to the Ohio Public Employees Retirement Systems (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.

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

Effective July 1, 1991, all employees not otherwise covered by a State Retirement System have an option to choose Social Security or the appropriate State Retirement System. As of December 31, 2008, three Village Council members and the Mayor had elected Social Security. The Village's liability is 6.2 percent of wages paid.

#### 7. RISK MANAGEMENT

The Village has obtained commercial insurance for the following risks:

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

#### 8. **RELATED PARTIES**

In 2007 and 2008 the Village paid Sheets' and Sons to repair water leaks for the Village's water plant. The Village paid Sheets' and Sons \$4,700 in 2007 and \$7,727 in 2008. Sheets' and Sons is owned by Village Fire Chief, Dwight Sheets.

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

#### 9. MANAGEMENT'S PLAN REGARDING DEFICIT

The Village operated with significant deficit spending (disbursements over receipts) in the following funds:

Fund	2008	<u>2007</u>		
Water Operating	(\$89,833)	(\$14,354)		
Waste Water Operating	(\$7,026)	(\$27,232)		
Fire	-	(\$667)		
Cemetery	(\$18)	-		
Tree	(\$59)	-		
Guaranteed Deposit	-	(\$97)		

At December 31, 2008, the Village's Water Operating deficit was \$89,833. The Village also maintained a deficit balance in the Waste Water Operating Fund of \$7,026. The Village passed an income tax ordinance on September 6, 2005 to levy a 1% income tax on salaries, wages, commissions and other compensation and on net profits to provide funds for the purposes of general municipal operations, maintenance, new equipment, extension an enlargement of municipal services and capital improvements. The tax was imposed on and after January 1, 2006. The Village also passed ordinances to increase water and sewer rates by 20% and 15%, respectively. The water and sewer rate increases will provide funds for the purpose of water and sewer treatment, maintenance and new equipment needed by the water plant facility. Rate increases are effective on and after January 1, 2009.

#### **10. COMPLIANCE**

Contrary to Ohio Rev. Code Section 5705.41 (D), the Village did not properly certify funds prior to a commitment being paid during 2008 and 2007. 48% of the expenditures in 2008 and 57% in 2007 tested were not properly certified.

Contrary to Ohio Rev. Code Section 5705.10 which states money that is paid into a fund must be used only for the purposes for which such fund has been established. As a result, negative fund balances indicate that money from one fund was used to cover the expenses of another fund. The Village had negative fund cash balances as of December 31, 2008 in the Water Operating Fund and Waste Water Operating Fund and a negative fund cash balance as of December 31, 2007 in the Water Operating Fund.

Contrary to Ohio Rev. Code Section 5705.34 the Village did not document the authorization of the necessary tax levies. Each taxing authority is to pass an ordinance or resolution to authorize the necessary tax levies. Each such authority is to certify the levies to the County Auditor before October 1<sup>st</sup> unless a later date is approved by the Tax Commissioner.

Ohio Rev. Code Section 5705.36 (A) (2) allows all subdivisions to request increased certificates of estimated resources and reduced amended certificates upon determination by the fiscal officer that revenue to be collected will be greater or less than the amount in the official certificate of estimated resources. Ohio Rev. Code Section 5705.36 requires the Village to obtain a increased amended certificate of estimated resources from the budget commission if the legislative authority intends to appropriate and expend excess revenue. The Ohio Revised Code Section 5705.36 (A) (4) requires the Village to obtain a reduced amended certificate if the amount of the deficiency will reduce available resources below the current level of appropriation.

The Village did not secure an amended certificate of estimated resources for 2007 and 2008.

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

#### **10.** COMPLIANCE (CONTINUED)

Ohio Rev. Code Section 5705.39 states that the total appropriations from each fund shall not exceed the total estimated revenue.

The Village had several funds in 2008 (Tree, Water Operating and Waste Water Operating) and in 2007 (General, Mausoleum Repair and Water Operating) that had amended and final appropriations which exceeded its original and final certificates of estimated resources.

Ohio Rev. Code Section 5705.41(B) prohibits a subdivision or taxing unit from making an expenditure unless it has been appropriated.

There were several instances noted throughout audit period in which expenditures exceeded appropriations at both the fund level and legal level of control. In 2008, the Water Operating Fund was non-compliant. In 2007, the General and Water Operating Funds were non-compliant.

Ohio Rev. Code Section 733.28 states, in part, that the Village Clerk shall keep the books of the Village, exhibit accurate statements of all monies received and expended, of all property owned by the Village and the income derived there-from, and of all taxes and assessments.

During our test of receipts, it was noted the Village Clerk posted several receipts to the incorrect line item and/or fund. This resulted in many reclassifications.

#### 11. TRANSFERS

Transfers are used to move revenues from funds that statute or budget requires to collect them to the funds that statute or budget requires to expend them; to segregate money for anticipated capital projects; to provide additional resources for current operations or debt service; to return money to the fund from which it was originally provided once a project is completed; and to transfer capital assets. In 2007, the Village transferred \$21,153 from the Fire Truck Fund to the Fire Fund in order close out the fund. A transfer was made from the Water Operating Fund to the Water Improvement Fund in the amount of \$1,206 in order to increase the fund balance for future improvement fund in order to increase the fund balance for future improvement fund in order to increase the fund balance for future improvement fund in order to increase the fund balance for future improvement fund in order to increase the fund balance for future improvement fund in order to increase the fund balance for future improvement fund in order to increase the fund balance for future improvement costs.

#### **12. LOCAL INCOME TAX**

The Village passed an income tax ordinance on September 6, 2005 to levy a 1% income tax on salaries, wages, commissions and other compensation and on net profits to provide funds for the purpose of general municipal operations, maintenance, new equipment, extension and enlargement of municipal services and capital improvements. The tax was imposed on and after January 1, 2006.

The Village levies a municipal income tax of 1% on substantially all earned income arising from employment, residency, or business activities within the Village as well as certain income of residents earned outside the Village. Employers within the Village withhold income tax on employee compensation and remit the tax to the Village either monthly or quarterly as required. Corporations and other individual taxpayers pay estimated taxes quarterly and file a declaration annually. This income is credited to the General Fund.

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

#### **13. CONTINGENT LIABILITIES**

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As of December 31, 2008, there was pending litigation against the Village. In the opinion of management and legal counsel, the ultimate liabilities, if any, resulting from such litigation, will not materially affect the financial position of the Village.

# Caudill & Associates, CPA's

725 5<sup>th</sup> Street Portsmouth, OH 45662

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Ohio Society of Certified Public Accountants Kentucky Society of Certified Public Accountants

# Report on Internal Control Over Financial Reporting and on Compliance and Other Matters Based on an Audit of Financial Statements Performed in Accordance with *Government Auditing Standards*

Village of Willshire 323 State Street P.O. Box 110 Willshire, Ohio 45898

To the Village Council:

We have audited the financial statements of the Village of Willshire, Van Wert County, (the Village) as of and for the years ended December 31, 2008 and 2007, and have issued our report thereon dated April 3, 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 noted that there was substantial doubt about its ability to continue as a going concern. 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 auditing procedures for the purpose of expressing our opinions on the financial statements, but not for the purpose of expressing an opinion on the effectiveness on the Village's internal control over financial reporting. Accordingly, we do not express an opinion on the effectiveness of the Village's internal control over financial reporting.

Our consideration of internal control over financial reporting was for the limited purpose described in the preceding paragraph and would not necessarily identify all deficiencies in internal control over financial reporting that might be significant deficiencies or material weaknesses. However, as discussed below, we identified certain deficiencies in internal control over financial reporting that we consider significant deficiencies.

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 a misstatement of the Village's financial statements that is more than inconsequential will not be prevented or detected by the Village's internal control. We consider the following deficiencies described in the accompanying Schedule of Findings and Responses to be significant deficiencies in internal control over financial reporting as items 2008-002, 2008-003, 2008-008, 2008-009, 2008-010 and 2008-011.

A material weakness is a significant deficiency, or combination of significant deficiencies, that results in more than a remote likelihood that a material misstatement of the financial statements will not be prevented or detected by the Village's internal control. Village of Willshire Van Wert County Report on Internal Control Over Financial Reporting and on Compliance and Other Matters Based on an Audit of Financial Statements Performed in Accordance with *Government Auditing Standards* Page 2

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 deficiencies in internal control that might be significant deficiencies and, accordingly, would not necessarily disclose all significant deficiencies that are also considered to be material weaknesses. We consider the following deficiencies described in the accompanying Schedule of Findings and Responses to be material weaknesses in internal control over financial reporting as items 2008-003, 2008-009, 2008-010 and 2008-011.

#### **Compliance and Other Matters**

As part of obtaining reasonable assurance about whether the Village's financial statements are free of material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements, 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 seven instances of noncompliance that are required to be reported under *Government Auditing Standards* which are described in the accompanying Schedule of Findings and Reponses as items 2008-001, 2008-003, 2008-004, 2008-005, 2008-006, 2008-007 and 2008-009.

We noted certain noncompliance or other matters that we reported to the Village's management in a separate letter dated April 3, 2009.

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

This report is intended for the information and use of management, Village Council, and is not intended to be and should not be used by anyone other than these specified parties.

Contill & Associater, CPA'S

Caudill & Associates, CPA's

April 3, 2009

#### SCHEDULE OF FINDINGS AND RESPONSES DECEMBER 31, 2008 AND 2007

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

#### FINDING NUMBER 2008-001

#### Non-compliance Citation - Certification of Fund

Ohio Rev. Code Section 5705.41 (D) (1) states no orders or contracts involving the expenditure of money are to be made unless there is a certificate of the fiscal officer attached that the amount required for the order or contract has been lawfully appropriated and is in the treasury or in the process of collection to the credit of an appropriate fund free from any previous encumbrances.

The following exceptions to this basic requirement are provided by the Ohio Rev. Code Section 5705.41 (D) (1):

<u>Then and Now Certificate:</u> If the fiscal officer can certify that both at the time the contract or order was made and at the time that he is completing his certification, 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 taxing authority can authorize the drawing of a warrant for the payment of the amount due. The taxing authority has 30 days from the receipt of the "then and now" certificate to approve payment by resolution or ordinance. If approval is not made within 30 days, there is no legal liability on the part of the subdivision or taxing district.

Amounts of less than \$100 for counties, or less than \$3,000 for other political subdivisions, may be paid by the fiscal officer without such affirmation of the taxing authority upon completion of the "then and now" certificate, provided that the expenditure is otherwise lawful. This does not eliminate any otherwise applicable requirement for approval of expenditures by the taxing authority.

The Village did not properly certify the availability of funds prior to obligation for 48.3% or \$78,831 of purchases tested in 2008 and 56.7% or \$202,072 of purchases tested in 2007.

We recommend the Village implement policies to ensure that all purchases first have monies certified by the fiscal officer before purchasing or ordering an item. We also recommend the use of a "then and now" certificate in instances of emergency or absence of proper authority.

#### Village Response:

#### SCHEDULE OF FINDINGS AND RESPONSES DECEMBER 31, 2008 AND 2007

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

#### FINDING NUMBER 2008-002

#### **Significant Deficiency – Time Sheet Supervision**

In 2008 and 2007, time sheets for non-salary employees were not signed by a supervisor. Failure to review and authorize time sheets could lead to errors and discrepancies in hours compensated.

We recommend the Village Council develop and implement appropriate procedures to ensure that all time sheets are properly reviewed and authorized.

#### Village Response:

No response from Village officials.

#### FINDING NUMBER 2008-003

#### Significant Deficiency/Material Weakness/Non-compliance Citation – Negative Fund Balances

Ohio Rev. Code Section 5705.10 state money that is paid into a fund must be used only for the purposes for which such fund has been established. As a result, negative fund balances indicate that money from one fund was used to cover the expenses of another fund.

The Village had negative fund cash balances as of December 31, 2008 in the Water Operating Fund and Waste Water Operating Fund and a negative fund cash balance as of December 31, 2007 in the Water Operating Fund.

We recommend the Village monitor fund balances closely, decrease expenses and increase such rates as water and sewer. Furthermore, we recommend the Village limit spending in funds experiencing cash flow problems to essential purchases only.

#### Village Response:

#### SCHEDULE OF FINDINGS AND RESPONSES DECEMBER 31, 2008 AND 2007

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

#### FINDING NUMBER 2008-004

#### Non-compliance Citation – Certifying Tax Levies

Ohio Rev. Code Section 5705.34 states that each taxing authority is to pass an ordinance or resolution to authorize the necessary tax levies. Each such authority is to certify the levies to the County Auditor before October 1<sup>st</sup> unless a later date is approved by the Tax Commissioner.

Due to the lack of documentation in the minutes, we were unable to determine if the taxing authority authorized the necessary rates and certified them to the County Auditor on or before the required date.

We recommend the Village certify all tax levies before October  $1^{st}$  as required by Ohio Rev. Code Section 5705.34 and document the certification in the Village minutes.

#### Village Response:

No response from Village officials.

#### FINDING NUMBER 2008-005

#### Non-compliance Citation – Amended Certificate of Estimated Resources

Ohio Rev. Code Section 5705.36 (A) (2) allows all subdivisions to request increased certificates of estimated resources and reduced amended certificates upon determination by the fiscal officer that revenue to be collected will be greater or less than the amount in the official certificate of estimated resources. Ohio Rev. Code Section 5705.36 provides that an increased amended certificate must be obtained from the budget commission if the legislative authority intends to appropriate and expend the excess revenue. Ohio Rev. Code Section 5705.36 (A) (4) provides that a reduced amended certificate must be obtained if the amount of the deficiency will reduce available resources below the current level of appropriation.

Estimated receipts exceeded actual receipts in several funds at December 31, 2008 and December 31, 2007 causing actual resources to fall below the level of appropriation.

We recommend the Village Clerk obtain a reduced certificate of estimated resources when it is determined that estimated receipts will be less than actual receipts causing resources to fall below the level of appropriation.

#### Village Response:

#### SCHEDULE OF FINDINGS AND RESPONSES DECEMBER 31, 2008 AND 2007

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

#### FINDING NUMBER 2008-006

#### Non-compliance Citation – Appropriations Exceeding Estimated Resources

Ohio Rev. Code Section 5705.39 states that the total appropriations from each fund shall not exceed the total estimated revenue.

The Village had several funds in 2008 (Tree, Water Operating and Waste Water Operating) and in 2007 (General, Mausoleum Repair and Water Operating) that had amended and final appropriations which exceeded its original and final certificates of estimated resources.

We recommend the Village Clerk monitor the Village's estimated resources versus appropriations. This should be monitored on a regular basis to determine if an amendment is necessary.

#### Village Response:

No response from Village officials.

#### FINDING NUMBER 2008-007

#### **Non-compliance Citation – Expenditures Exceeding Appropriations**

Ohio Rev. Code Section 5705.41(B) prohibits a subdivision or taxing unit from making an expenditure unless it has been appropriated.

There were several instances noted throughout audit period in which expenditures exceeded appropriations at both the fund level and legal level of control. In 2008, the Water Operating Fund was non-compliant. In 2007, the General and Water Operating Funds were non-compliant.

We recommend the Village Clerk deny payment requests and not certify the availability of funds exceeding appropriations. The Village Clerk may request Council to approve increased expenditure levels by increasing appropriations and amending estimated resources, if necessary.

#### Village Response:

#### SCHEDULE OF FINDINGS AND RESPONSES DECEMBER 31, 2008 AND 2007

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

#### FINDING NUMBER 2008-008

#### Significant Deficiency/Material Weakness – Income Tax Reconciliation

In 2008 and 2007, the Village did not monitor the activities of the 3<sup>rd</sup> party income tax administrator. Village officials did not reconcile income tax payments to the bank statements.

Internal control standards indicate that activity of a 3<sup>rd</sup> party administrator should be monitored regularly. Failure to do so results in an internal control weakness.

We recommend the Village officials monitor monthly activity of the 3<sup>rd</sup> party administrator and reconcile the total payments received to the bank deposits in order to assure accuracy.

#### Village Response:

No response from Village officials.

#### FINDING NUMBER 2008-009

#### Significant Deficiency/Material Weakness/Non-compliance Citation – Ohio Rev. Code Section 733.28

Ohio Rev. Code Section 733.28 states, in part, that the Village Clerk shall keep the books of the Village, exhibit accurate statements of all monies received and expended, of all property owned by the Village and the income derived there-from, and of all taxes and assessments.

During our test of receipts, it was noted the Village Clerk posted several receipts to the incorrect line item and/or fund. This resulted in many reclassifications.

We recommend the Village Clerk review the UAN manual chart of accounts to determine the correct coding of receipts.

#### Village Response:

#### SCHEDULE OF FINDINGS AND RESPONSES DECEMBER 31, 2008 AND 2007

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

#### FINDING NUMBER 2008-010

#### Significant Deficiency/Material Weakness – Payroll Reconciliations

In 2008, payroll reports were not reviewed for accuracy by Village Council which resulted in the Village Clerk being overpaid by \$302.17.

Failure by the Village Council to regularly review monthly payroll reports provide by the Village Clerk for accuracy compromises the internal control environment of the Village.

We recommend Village Council review monthly payroll reports provided by the Village Clerk for accuracy to ensure employees of the Village are properly compensated.

#### Village Response:

No response from Village officials.

#### FINDING NUMBER 2008-011

#### Material Weakness – Segregation of Duties

In an entity the size of the Village of Willshire, it is usually not cost effective to employ the basic internal controls necessary to provide management with reasonable assurance that all related procedures are functioning properly. The Village Clerk is responsible for all functions relating to the financial accounting records.

Without a proper separation of duties, there is the possibility that errors or irregularities could occur and not be detected in the normal course of business.

In order to reduce the risk of errors and/or irregularities, the Village Council should develop internal control procedures that make, to the best extent possible, the segregation of duties for receipting, expenditure, and cycles, and for the reconciliation of records. In addition, to further reduce the risk, the Village Council should appoint a financial review committee, whose members are independent of the Village Clerk and have some financial expertise, to periodically review the financial records and re-perform some of the procedures done by the Village Clerk. To achieve this, the following may be performed:

#### SCHEDULE OF FINDINGS AND RESPONSES DECEMBER 31, 2008 AND 2007

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

#### FINDING NUMBER 2008-011 (CONTINUED)

- a. Reconciliation of the bank statement and investments with the cashbook balance to ensure that the amounts correspond. Also, that the balance of the cashbook includes all active and invested money under the control of the Village.
- b. Review the following month's bank statement to verify that the prior month's reconciling items, such as deposits-in-transit and outstanding checks were accurately stated.
- c. Verify that the monthly and year-to-date totals are being maintained in the cashbook, receipt and appropriations ledgers and that they are in agreement.
- d. Billings from payroll withholdings, retirement systems, insurances and utilities be reviewed to ensure that the obligations of the Village are being paid in a timely manner.
- e. Verify that the sum of the duplicate receipts agrees to the bank deposits.
- f. Verify that invoices paid agree to authorized vouchers and checks.
- g. Review the budget versus actual data for receipts and expenditures.
- h. Verify that the financial amounts presented n the monthly financial report agree to the supporting records the financial report should be formally approved by the audit committee (finance committee) or the Council as a whole.

In addition to performing such review, the reviewers' signatures or initials should be affixed to the documents, or other evidence should be retained documenting such reviews were performed. It may also be part of the minutes. Further, the finance committee should review the various reports available through the accounting system and determine which reports would be beneficial to review to help assure that the transactions are being completely and accurately recorded.

#### Village Response:

# 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; <i>Explain</i>			
2006-001	Bank Reconciliations	Yes	Corrected			
2006-002	ORC 5705.41 (D) (1)	No	Repeated as Finding 2008-001			
2006-003	Issue II Receipts	Yes	Corrected			
2006-004	Time Sheet Review	No	Repeated as Finding 2008-002			
2006-005	Form 1099	Yes	Corrected			
2006-006	CDBG Projects Fund	Yes	Corrected			
2006-007	Water/Sewage Rates	Yes	Corrected			
2006-008	ORC 5705.10	No	Repeated as Finding 2008-003			
2006-009	ORC 5705.34	No	Repeated as Finding 2008-004			
2006-010	ORC 5705.36	No	Repeated as Finding 2008-005			
2006-011	ORC 5705.39	No	Repeated as Finding 2008-006			
2006-012	ORC 5705.41 (B)	No	Repeated as Finding 2008-007			
2006-013	Income Tax Reconciliation	No	Repeated as Finding 2008-008			
2006-014	ORC 733.28	No	Repeated as Finding 2008-009			
2006-015	ORC 5705.10	Yes	Corrected			
2006-016	Village Ordinance 166-99	Yes	Corrected			
2006-017	Increased Utility Rates	Yes	Corrected			
2006-018	ORC 4123.25	Yes	Corrected			
2006-019	Segregation of Duties	No	Repeated as Finding 2008-011			
2006-020	ORC 5705.40	Yes	Corrected			





# VILLAGE OF WILLSHIRE

VAN WERT 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 Babbett

CLERK OF THE BUREAU

CERTIFIED JUNE 4, 2009

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