



OHIO AUDITOR OF STATE  
**KEITH FABER**





# OHIO AUDITOR OF STATE KEITH FABER



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City of Defiance, Ohio Energy Special Improvement District, Inc.  
Defiance County  
1300 East Second Street, Suite 201  
Defiance, Ohio 43512

We have completed certain procedures in accordance with Ohio Rev. Code Section 117.01(G) to the accounting records and related documents of the City of Defiance, Ohio Energy Special Improvement District, Inc., Defiance County, Ohio (the District) for the years ended December 31, 2019 and 2018.

Our procedures were designed solely to satisfy the audit requirements of Ohio Rev. Code Section 117.11(A). Because our procedures were not designed to opine on the District's financial statements, we did not follow *generally accepted auditing standards*. We do not provide any assurance on the District's financial statements, transactions or balances for the years ended December 31, 2019 and 2018.

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

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

## Current Year Observations

1. We noted that the District has not adopted a public records policy. Ohio Rev. Code § 149.43 (E)(2) requires all public offices to adopt a public records policy. In adopting a public records policy under this division, a public office may obtain guidance from the model public records policy developed and provided to the public office by the Attorney General under Ohio Rev. Code § 109.43. Failure to adopt a public records policy could lead to noncompliance with the Open Records Laws when handling public records requests. The District should adopt a public records policy that is modeled after the example published by the Ohio Attorney General.
2. We noted the District does not have an adopted records retention schedule policy. It therefore cannot have a copy of said policy available to the public. Ohio Rev. Code § 149.43 (B)(2) states, in part, a public office also "shall have available a copy of its current records retention schedule at a location readily available to the public." Failure to have and follow a records retention schedule could result in public records being disposed of prematurely. The District should implement procedures to provide the appropriate policy is approved to help avoid issues with public records requests.

**Current Status of Matters Reported in our Prior Engagement**

3. Our prior audit for the years ended December 31, 2017 and 2016 included a noncompliance comment for the District not filing a financial report within one hundred fifty days after the close of fiscal year 2016 as required by Ohio Rev. Code § 117.38. We noted the 2019 annual report included a similar error. Ohio Rev. Code § 117.38 provides that each public office, other than a state agency, shall file a financial report for each fiscal year. The report shall be certified by the proper officer or board and filed with the auditor of state within one hundred fifty days after the close of the fiscal year. At the time the report is filed with the auditor of state, the chief fiscal officer shall publish notice in a newspaper published in the taxing district. The notice shall state the financial report has been completed by the public office and is available for public inspection at the office of the chief fiscal officer. The 2019 financial report was not filed until August 31, 2020, which is not within one hundred fifty days after the close of the fiscal year. Failure to file by the required date could result in penalties of \$25 per day up to a maximum of \$750. The District should file the financial report within one hundred fifty days after the close of the fiscal year.



Keith Faber  
Auditor of State

Columbus, Ohio

September 8, 2020

# OHIO AUDITOR OF STATE KEITH FABER



**CITY OF DEFIANCE, OHIO ENERGY SPECIAL IMPROVEMENT DISTRICT, INC.**

**DEFIANCE COUNTY**

**AUDITOR OF STATE OF OHIO CERTIFICATION**

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



**Certified for Release 9/22/2020**

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This report is a matter of public record and is available online at  
[www.ohioauditor.gov](http://www.ohioauditor.gov)