

**VILLAGE OF NEWCOMERSTOWN  
TUSCARAWAS COUNTY, OHIO**

**AGREED-UPON PROCEDURES**

**FOR YEARS ENDED DECEMBER 31, 2021 AND 2020**





OHIO AUDITOR OF STATE  
KEITH FABER



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Village Council  
Village of Newcomerstown  
124 West Church Street  
Newcomerstown, Ohio 43832

We have reviewed the *Independent Accountant's Report on Applying Agreed-Upon Procedures* of the Village of Newcomerstown, Tuscarawas County, prepared by Charles E. Harris & Associates, Inc., for the period January 1, 2020 through December 31, 2021. Based upon this review, we have accepted this report in lieu of the audit required by Section 117.11, Revised Code.

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 Newcomerstown is responsible for compliance with these laws and regulations.

A handwritten signature in cursive script that reads "Keith Faber".

Keith Faber  
Auditor of State  
Columbus, Ohio

August 18, 2022

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VILLAGE OF NEWCOMERSTOWN  
TUSCARAWAS COUNTY

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**INDEPENDENT ACCOUNTANT'S REPORT ON APPLYING AGREED-UPON PROCEDURES**

Village of Newcomerstown  
Tuscarawas County  
124 West Church Street  
Newcomerstown, Ohio 43832

We have performed the procedures enumerated below on the Village of Newcomerstown's (the Village) receipts, disbursements and balances recorded in the cash basis accounting records for the years ended December 31, 2021 and 2020 and certain compliance requirements related to those transactions and balances, included in the information provided to us by the management of the Village. The Village is responsible for the receipts, disbursements and balances recorded in the cash basis accounting records for the years ended December 31, 2021 and 2020 and certain compliance requirements related to these transactions and balances included in the information provided to us by the Village.

The Village Council, Mayor and the management of the Village have agreed to and acknowledged that the procedures performed are appropriate to meet the intended purpose of providing assistance in the evaluation of the Village's receipts, disbursements and balances recorded in their cash-basis accounting records for the years ended December 31, 2021 and 2020, and certain compliance requirements related to these transactions and balances. Additionally, the Auditor of State has agreed to and acknowledged that the procedures performed are appropriate to meet their purposes. No other party acknowledged the appropriateness of the procedures. This report may not be suitable for any other purpose. The procedures performed may not address all the items of interest to a user of the report and may not meet the needs of all users of the report and, as such, users are responsible for determining whether the procedures performed are appropriate for their purposes. The sufficiency of the procedures is solely the responsibility of the parties specified in the report. Consequently, we make no representation regarding the sufficiency of the procedures described below either for the purpose for which this report has been requested or for any other purpose.

For the purposes of performing these procedures, this report only describes exceptions exceeding \$10.

The procedures and the associated findings are as follows:

**Cash and Investments**

1. We recalculated the December 31, 2021 and December 31, 2020 bank reconciliations. We found no exceptions.
2. We agreed the January 1, 2020 beginning fund balances for each fund recorded in the YTD Fund Report to the December 31, 2019 balances documentation in the prior year Agreed-Upon Procedures working papers. We found no exceptions. We also agreed the January 1, 2021 beginning fund balances for each fund recorded in the YTD Fund Report to the December 31, 2020 balances in the Cash Summary by Fund. We found no exceptions.
3. We agreed the 2021 and 2020 bank reconciliations as of December 31, 2021 and 2020 to the total fund cash balances reported in the YTD Fund Report and the financial statements filed by the Village in the Hinkle System. The amounts agreed.
4. We confirmed the December 31, 2021 bank account balances with the Village's financial institutions. We found no exceptions. We also agreed the confirmed balances to the amounts appearing in the December 31, 2021 bank reconciliation without exception.

5. We selected five reconciling debits (such as outstanding checks) from the December 31, 2021 bank reconciliation:
  - a. We traced each debit to the subsequent January bank statement. There was one instance in which a transaction hadn't cleared the bank as of the date of this report.
  - b. We traced the amounts and dates to the check register and determined the debits were dated prior to December 31. We found no exceptions.
6. We selected all reconciling credits (such as deposits in transit) from the December 31, 2021 bank reconciliation:
  - a. We traced each credit to the subsequent January bank statements. We found no exceptions.
  - b. We agreed the credit amount to the Detailed Revenue Transactions by Fund Report and determined it was dated prior to December 31. We found no exceptions.
7. We traced interbank account transfers occurring in December of 2021 and 2020 to the accounting records and bank statements to determine if they were properly recorded. We found no exceptions.
8. We inspected investments held at December 31, 2021 and December 31, 2020 to determine that they:
  - a. Were of a type authorized by Ohio Rev. Code §§ 135.13, 135.14 or 135.144. We found no exceptions.
  - b. Mature within the prescribed time limits noted in Ohio Rev. Code § 135.13 or 135.14. We found no exceptions.

#### **Property Taxes and Intergovernmental Receipts**

1. We selected a total of five receipts from the *Statement of Semiannual Apportionment of Taxes*, State Distribution Transaction Listing (DTL), and the County Auditor's AP Disbursements with Description Report for 2021 and a total of five from 2020:
  - a. We compared the amount from the above named reports to the amount recorded in the Detail Revenue Transactions by Fund Report. The amounts agreed.
  - b. We inspected the Detail Revenue Transaction Report to determine these receipts were allocated to the proper funds as required by Ohio Rev. Code §§ 5705.05-.06 and 5705.10. We found no exceptions,
  - c. We inspected the Detail Revenue Transactions by Fund Report to determine whether the receipt was recorded in the proper year. The receipt was recorded in the proper year. We found no exceptions.
2. We inspected the Detail Revenue Transactions by Fund Report to determine whether it included two real estate tax receipts for 2021 and 2020. The Detail Revenue Transaction by Fund Report included the proper number of tax receipts for each year. We found no exceptions.

#### **Income Tax Receipts**

1. We obtained the December 31, 2021 and 2020 Monthly Distribution Summary reports submitted by the Regional Income Tax Agency (RITA) the agency responsible for collecting income taxes on behalf of the Village. We agreed the total gross income taxes per year to the Village's Detail Revenue Transaction by Fund Report. The amounts agreed.
2. We compared the allocation of income tax receipts for the years ended December 31, 2021 and 2020 to the Village's funds according to the allocation requirements of Ordinance No. 18-2000, Ordinance No. 09-2016, and the Village of Newcomerstown Admin. Code § 181.02. The allocation agreed with the percentages the Ordinance and Admin Code require.



### **Other Receipts**

We selected 10 other receipts from the year ended December 31, 2020 and:

- a. Agreed the receipt amount recorded in the Detail Revenue Transactions by Fund Report to supporting documentation. The amounts agreed.
- b. Confirmed the amounts charged complied with rates in force during the period. We found no exceptions.
- c. Inspected the Detail Revenue Transactions by Fund Report to determine the receipt was posted to the proper fund, and was recorded in the proper year. We found no exceptions.

### **Water and Sewer Fund**

1. We selected 10 Water and Sewage Fund collection cash receipts from the year ended December 31, 2021 and 10 Water and Sewage Fund collection cash receipts from the year ended 2020 recorded in the Daily Cash Receipts Journal and determined whether the:
  - a. Receipt amount per the Daily Cash Receipts Journal agreed to the amount recorded to the credit of the customer's account in the Customer History Report. The amounts agreed.
  - b. Amount charged for the related billing period:
    - i. Agreed with the debit to accounts receivable in the Customer History Report for the billing period. We found no exceptions.
    - ii. Complied with rates in force during the engagement period multiplied by the consumption amount recorded for the billing period, plus any applicable late penalties, plus unpaid prior billings. We found no exceptions.
  - c. Receipt was posted to the proper funds, and was recorded in the year received. We found no exceptions.
2. We observed the Aged Customer Delinquent Report.
  - a. This report listed \$9,640 and \$14,466 of accounts receivable as of December 31, 2021 and 2020, respectively.
  - b. Of the total receivables reported in the preceding procedure, \$475 and \$1,506 were recorded as more than 90 days delinquent.
3. We observed the Daily Cash Receipts Journal Adjustment Report.
  - a. This report listed a total of \$58,661 and \$67,910 non-cash receipts adjustments for the years ended December 31, 2021 and 2020, respectively.
  - b. We selected five non-cash adjustments from 2021 and five non-cash adjustments from 2020, and observed that the President of the Board of Public Affairs approved each adjustment.

### **Debt**

1. From the prior agreed-upon procedures documentation, we observed the following bonds, loans and leases were outstanding as of December 31, 2019. These amounts agreed to the Village's January 1, 2020 balances on the summary we used in procedure 3.

| Issue   | Principal outstanding as<br>of December 31, 2019 |
|---|--|
| General Obligation Bond - Series 2017 Truck Acquisition | \$ 11,828  |
| OPWC - CT52H - Canal Street Improvements                | 11,672   |
| OPWC - CN31U - 2017 Street Improvements                 | 66,265   |
| OPWC - CT61J - County Road 15 Pump Station Improvement  | 16,875   |
| OPWC - CN28Q - Sewage Collection System Improvements    | 166,077  |
| OWDA - 2829 - Water Treatment Plant                     | 112,738  |
| OWDA - 3529 - Wastewater Treatment Plant Improvements   | 387,096  |
| OWDA - 3978 - Wastewater Treatment Plant Improvements   | 744,211  |
| OWDA - 4671 - County Road 15 Pump Station Improvements  | 359,077  |
| Capital Lease - Sewage Jet Truck                        | 49,067   |

2. We inquired of management, and inspected the Detail Revenue Transactions Report by Fund and Detail Expense Transaction Report by Fund for evidence of debt issued during 2021 or 2020 or debt payment activity during 2021 or 2020. All debt agreed to the summary we used in procedure 3.
3. We obtained a summary of bonds, loans and leases debt activity for 2021 and 2020 and agreed principal and interest payments from the related debt amortization schedules to the Permissive Motor Vehicle Fund, Street Levy Fund, Water R&I Fund and Sewage R&I Fund payments reported in the Detail Expense Transactions Report by Fund. We also compared the date the debt service payments were due to the date the Village made the payments. We found no exceptions.
4. We agreed the amount of debt proceeds received for 2021 and 2020 from the debt documents to amounts recorded in the General Fund and Water R&I fund per the Detail Revenue Transactions Report by Fund. The amounts agreed. The Village did not record the proceeds in a bond fund (i.e. capital projects fund) as required by Ohio Rev. Code § 5705.09(E), instead was placed into the General Fund.
5. For new debt issued during 2020 and 2021, we inspected the debt legislation, which stated the Village must use the proceeds to complete the West Street Area Project and purchase of a building. We inspected the Detail Expense Transaction Report by Fund and observed the Village paid for the completion of the West Street Area Project in July 2020 and the purchase of a building in August 2021.

### Payroll Cash Disbursements

1. We selected one payroll check for five employees from 2021 and one payroll check for five employees from 2020 from the Payroll Detail Check Register Report and:
  - a. We compared the hours and pay rate, or salary recorded in the Payroll Detail Check Register Report to supporting documentation (timecard, legislatively or statutorily-approved rate or salary).
    - i. We inspected the employees' personnel files for the Retirement system, Federal, State & Local income tax withholding authorization.
    - ii. We agreed these items to the information used to compute gross and net pay related to this check.

We found no exceptions.

- b. We inspected the fund and account codes to which the check was posted to determine the posting was allowable based on the employees' duties as documented in the employees' personnel files. We found no exceptions.
  - c. We confirmed the payment was posted to the proper year. We found no exceptions.
2. We inspected the last remittance of tax and retirement withholdings for the year ended December 31, 2021 to confirm remittances were timely paid, and if the amounts paid agreed to the amounts withheld, plus the employer's share where applicable, during the final withholding period during 2021. We observed the following:

| <b>Withholding<br/>(plus employer share, where<br/>applicable)</b>  | <b>Date<br/>Due</b> | <b>Date<br/>Paid</b> | <b>Amount<br/>Due</b> | <b>Amount<br/>Paid</b> |
|---|---------------------|----------------------|-----------------------|------------------------|
| Federal income taxes & Medicare<br>(and social security, for employees<br>not enrolled in pension system) | January 31, 2022    | December 31, 2021    | \$5,149               | \$5,149                |
| State income taxes  | January 15, 2022    | January 13, 2022     | \$3,313               | \$3,313                |
| Village of Newcomerstown income<br>tax  | January 15, 2022    | January 13, 2022     | \$2,856               | \$2,856                |
| OPERS retirement  | January 30, 2022    | January 31, 2022     | \$6,662               | \$6,662                |
| OP&F retirement   | January 31, 2022    | January 31, 2022     | \$3,068               | \$3,068                |

We found no exceptions.

#### **Non-Payroll Cash Disbursements**

1. We selected 10 disbursements from the Detail Expense Transaction Report by Fund for the year ended December 31, 2021 and 10 from the year ended December 31, 2020 and determined whether:
  - a. The disbursements were for a proper public purpose. We found no exceptions.
  - b. The check number, date, payee name and amount recorded on the returned, canceled check agreed to the check number, date, payee name and amount recorded in the Detail Expense Transaction Report by Fund and to the names and amounts on the supporting invoices. We found no exceptions.
  - c. The payment was posted to a fund consistent with the restricted purpose for which the fund's cash can be used. We found no exceptions.
  - d. The fiscal officer certified disbursements requiring certification or issued a *Then and Now Certificate*, as required by Ohio Rev. Code § 5705.41(D). We found no exceptions.

#### **Compliance – Budgetary**

1. Ohio Rev. Code § 5705.41(B) prohibits expenditures (disbursements plus certified commitments) from exceeding appropriations. We compared total expenditures to total approved appropriations (Ohio Rev. Code §§ 5705.38 and 5705.40) plus any carryover appropriations for the years ended December 31, 2021 and 2020 for the General, Street Levy, and Police Funds as recorded in the YTD Fund Report. Expenditures did not exceed appropriations.
2. We inspected the YTD Fund Report for the Cemetery Expendable Trust Fund. Not more than 5% of non-spendable monies were released, spent, or otherwise modified during the engagement period.

3. We inspected interfund transfers from 2021 and 2020 Detail Revenue Transaction by Fund and Detail Expense Transaction by Fund for compliance with Ohio Rev. Code §§ 5705.14 - .16. We found no evidence of transfers these Sections prohibit, or for which Section 5705.16 would require approval by the Tax Commissioner.
4. We inspected the YTD Fund Report for the years ended December 31, 2021 and 2020 for negative cash fund balance. Ohio Rev. Code § 5705.10(l) provides that money paid into a fund must be used for the purposes for which such fund is established. As a result, a negative fund cash balance indicates that money from one fund was used to cover the expenses of another. There were no funds having negative cash fund balances.

### **Sunshine Law Compliance**

1. We obtained and inspected the Village's Public Records Policy to determine the policy was in accordance with Ohio Rev. Code §§ 149.43(E)(2) and 149.43(B)(7)(c) and did not limit the number of responses that may be made to a particular person, limit the number of responses during a specified period of time, or establish a fixed period of time before it will respond unless that period is less than eight hours. We found no exceptions.
2. We selected five public records requests from the engagement period and inspected each request to determine the following:
  - a. The Village was compliant and responded to the request in accordance with their adopted policy as required by Ohio Rev. Code § 149.43(B)(1). We found no exceptions.
  - b. The Village did not have any denied public records requests during the engagement period.
  - c. The Village did not have any public records requests with redactions during the engagement period.
3. We inquired whether the Village had a records retention schedule, and observed that it was readily available to the public as required by Ohio Rev. Code § 149.43(B)(2). We found no exceptions.
4. We inspected written evidence that the Public Records Policy was provided to the records custodian/manager as required by Ohio Rev. Code § 149.43(E)(2). We found no exceptions.
5. We inspected the Village's policy manual and determined the public records policy was included as required by Ohio Rev. Code § 149.43(E)(2). We found no exceptions.
6. We observed that the Village's poster describing their Public Records Policy was displayed conspicuously in all branches of the Village as required by Ohio Rev. Code § 149.43(E)(2). We found no exceptions.
7. We inquired with Village management and determined that the Village did not have any applications for record disposal submitted to the Records Commission during the engagement period.
8. We inspected individual proof of attendance and determined whether each elected official in accordance with Ohio Rev. Code § 149.43(E)(1) (or his/her designee) successfully attended a certified three-hour Public Records Training for each term of office as required by Ohio Rev. Code § 109.43(B). We found no exceptions.

9. We inspected the public notices for the public meetings held during the engagement period and determined the Village notified the general public and news media of when and where meetings during the engagement period were to be held as required by Ohio Rev. Code § 121.22(F). We found no exceptions.
10. We inspected the minutes of public meetings during the engagement period in accordance with Ohio Rev. Code § 121.22(C) and determined whether they were:
  - a. Prepared – a file is created following the date of the meeting
  - b. Filed – placed with similar documents in an organized manner
  - c. Maintained - retained, at a minimum, for the engagement period
  - d. Open to public inspection – available for public viewing or request.We found no exceptions.
11. We inspected the minutes from the engagement period in accordance with Ohio Rev. Code § 121.22(G) and determined the following:
  - a. Executive sessions were only held at regular or special meetings.
  - b. The purpose for the meetings and going into an executive session (when applicable) correlated with one of the matters listed in Ohio Rev. Code § 121.22(G).
  - c. Formal governing board actions were adopted in open meetings.We found no exceptions.

#### **HB 481 / HB 614 Coronavirus Relief Fund (CRF) Compliance**

1. We inquired of management and those charged with governance and documented how the Village decided to spend their CRF allocations and how the Village documented their compliance with the CARES Act three-prong test. We then selected five transactions including payroll, non-payroll, and subgrant/subloan transactions and determined the Village:
  - a. Spent the CRF money (including additional distributions or redistributions) in accordance with use of funds requirements and
  - b. Maintained appropriate supporting documentation.We found no exceptions.
2. We inquired with management and inspected the Detailed Expense by Transaction by Fund report to determine the Village did not have an unencumbered balance of money to pay back to the county treasurer. We found no exceptions.

#### **Contract Compliance:**

1. We inspected the minutes and identified the Village had expenditures subject to competitive bidding. We found no exceptions.
2. We selected one contract over \$50,000 for 2021 and one for 2020 and
  - a. We inspected the contract and other bids for the contracted expenditure and determined:
    - i. The Village accepted the lowest bid and met the requirements of Ohio Rev. Code § 735.05.
    - ii. No bid splitting occurred.
    - iii. No deliberate attempts to evade bid limitations occurred, such as successive contracts just under the bid amount, occurred.
    - iv. No apparent interest in the contract by a public official occurred.We found no exceptions.
  - b. We inspected the advertisements of the proposals for bids in the newspaper and determined they were made as required by Ohio Rev. Code §§ 731.14 and 7.16. We found no exceptions.

3. We inspected the modified contract documents for the contracts in procedure 1 and determined it contained:
  - a. Signatures of the contractor
  - b. Signatures of the appropriate officials including the village administrator.We found no exceptions.

#### **Other Compliance**

1. Ohio Rev. Code § 117.38 requires villages to file their financial information in the HINKLE system within 60 days after the close of the fiscal year. This statute also permits the Auditor of State to extend the deadline for filing a financial report and establish terms and conditions for any such extension. The Auditor of State established policies, regarding the filing of complete financial statements, as defined in AOS Bulletin 2015-007 in the Hinkle System. We confirmed the Village filed their complete financial statements, as defined by AOS Bulletin 2015-007 and the Auditor of State established policy within the allotted timeframe for the years ended December 31, 2021 and 2020 in the Hinkle system. We found no exceptions.
2. We inquired of the fiscal officer and inspected the Fiscal Integrity Act Portal (<http://www.ohioauditor.gov/fiscalintegrity/default.html>) to determine whether the fiscal officer or clerk treasurer obtained the training required by Ohio Rev. Code §§ 507.12 and 733.81. The Fiscal Officer obtained the required training.

We were engaged by the Village to perform this agreed-upon procedures engagement and conducted our engagement in accordance with the attestation standards established by the AICPA and the Comptroller General of the United States' *Government Auditing Standards*. We were not engaged to, and did not conduct an examination or review engagement, the objective of which would be the expression of an opinion or conclusion, respectively, on the Village's receipts, disbursements, balances and compliance with certain laws and regulations. Accordingly, we do not express an opinion or conclusion. Had we performed additional procedures, other matters might have come to our attention that would have been reported to you.

We are required to be independent of the Village and to meet our ethical responsibilities, in accordance with the ethical requirements established by the Comptroller General of the United States' *Government Auditing Standards* related to our agreed upon procedures engagement.



*Charles E. Harris & Associates, Inc.*  
June 28, 2022

# OHIO AUDITOR OF STATE KEITH FABER



**VILLAGE OF NEWCOMERSTOWN**

**TUSCARAWAS 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 8/30/2022**

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Phone: 614-466-4514 or 800-282-0370

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