Financial Statements (Audited)

For the Year Ended December 31, 2017



Members of Council and Mayor Village of Trimble P. O. Box 121 Trimble, Ohio 45782-0112

We have reviewed the *Independent Auditor's Report* of the Village of Trimble, Athens County, prepared by Julian & Grube, Inc., for the audit period January 1, 2017 through December 31, 2017. 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.

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 Trimble is responsible for compliance with these laws and regulations.

Dave Yost Auditor of State

October 2, 2018



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### Julian & Grube, Inc.

Serving Ohio Local Governments

333 County Line Rd. West, Westerville, OH 43082 Phone: 614.846.1899 Fax: 614.846.2799

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

Village of Trimble Athens County P.O. Box 121 Trimble, Ohio 45782

To the Members of Council and Mayor:

#### Report on the Financial Statements

We have audited the accompanying financial statements of the cash balances, receipts and disbursements by fund type and related notes of the Village of Trimble, Athens County, Ohio, as of and for the year ended December 31, 2017.

#### Management's Responsibility for the Financial Statements

Management is responsible for preparing and fairly presenting these financial statements in accordance with the financial reporting provisions Ohio Revised Code Section 117.38 and Ohio Administrative Code Section 117-2-03(D) permit; this responsibility includes designing, implementing and maintaining internal control relevant to preparing and fairly presenting financial statements free from material misstatement, whether due to fraud or error.

#### Auditor's Responsibility

Our responsibility is to opine on these financial statements based on our audit. We audited in accordance with auditing standards generally accepted in the United States of America and the financial audit standards in the Comptroller General of the United States' *Government Auditing Standards*. Those standards require us to plan and perform the audit to reasonably assure the financial statements are free from material misstatement.

An audit requires obtaining evidence about financial statement amounts and disclosures. The procedures selected depend on our judgment, including assessing the risks of material financial statement misstatement, whether due to fraud or error. In assessing those risks, we consider internal control relevant to the Village of Trimble's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not to the extent needed to opine on the effectiveness of the Village of Trimble's internal control. Accordingly, we express no opinion. An audit also includes evaluating the appropriateness of management's accounting policies and the reasonableness of their significant accounting estimates, as well as our evaluation of the overall financial statement presentation.

We believe the audit evidence we obtained is sufficient and appropriate to support our audit opinions.

#### Basis for Adverse Opinion on U.S. Generally Accepted Accounting Principles

As described in Note 2 of the financial statements, the Village of Trimble prepared these financial statements using the accounting basis permitted by the financial reporting provisions of Ohio Revised Code Section 117.38 and Ohio Administrative Code Section 117-2-03(D), which is an accounting basis other than accounting principles generally accepted in the United States of America (GAAP), to satisfy these requirements.

Independent Auditor's Report Page Two

Although the effects on the financial statements of the variances between the regulatory accounting basis and GAAP are not reasonably determinable, we presume they are material.

Though the Village of Trimble does not intend these statements to conform to GAAP, auditing standards generally accepted in the United States of America require us to include an adverse opinion on GAAP. However, the adverse opinion does not imply the amounts reported are materially misstated under the accounting basis Ohio Revised Code Section 117.38 and Ohio Administrative Code Section 117-2-03(D) permit. Our opinion on this accounting basis is in the *Opinion on Regulatory Basis of Accounting* paragraph below.

#### Adverse Opinion on U.S. Generally Accepted Accounting Principles

In our opinion, because of the significance of the matter discussed in the *Basis for Adverse Opinion on U.S. Generally Accepted Accounting Principles* paragraph, the financial statements referred to above do not present fairly, in accordance with accounting principles generally accepted in the United States of America, the financial position of the Village of Trimble as of December 31, 2017, or changes in financial position or cash flows thereof for the year then ended.

#### Opinion on Regulatory Basis of Accounting

In our opinion, the financial statements referred to above present fairly, in all material respects, the cash balances, receipts and disbursements by fund type, and related notes of the Village of Trimble, Athens County as of December 31, 2017, for the year then ended in accordance with the financial reporting provisions Ohio Revised Code Section 117.38 and Ohio Administrative Code Section 117-2-03(D) permit, described in Note 2.

#### **Emphasis of Matter**

As disclosed in Note 12, on May 13, 2014, the Auditor of State declared the Village of Trimble to be in a state of fiscal emergency, in accordance with Section 118.04 of the Ohio Revised Code. We did not modify our opinion regarding this matter.

#### Other Reporting Required by Government Auditing Standards

In accordance with *Government Auditing Standards*, we have also issued our report dated July 27, 2018, on our consideration of the Village of Trimble'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. That report describes the scope of our internal control testing over financial reporting and compliance, and the results of that testing, and does not opine on internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the Village of Trimble's internal control over financial reporting and compliance.

Julian & Grube, Inc.

Julian & Sube, the.

July 27, 2018

# COMBINED STATEMENT OF RECEIPTS, DISBURSEMENTS AND CHANGES IN FUND BALANCES (REGULATORY CASH BASIS) ALL GOVERNMENTAL FUND TYPES FOR THE YEAR ENDED DECEMBER 31, 2017

	Government Fund Types					
	G	eneral		Special Revenue	(Me	Totals morandum Only)
Cash Receipts						
Property and Other Local Taxes	\$	18,047	\$	17,316	\$	35,363
Municipal Income Tax		30,629		-		30,629
Intergovernmental		12,632		20,931		33,563
Earnings on Investments		11		-		11
Miscellaneous		4,408		1,865		6,273
Total Cash Receipts		65,727		40,112		105,839
Cash Disbursements						
Current:						
Security of Persons and Property		-		18,554		18,554
Transportation		=		2,877		2,877
General Government		44,030		15,595		59,625
Capital Outlay		18,600		12,400		31,000
Debt Service:						
Principal Retirement		977		652		1,629
Interest and Fiscal Charges		223		148		371
Total Cash Disbursements		63,830		50,226		114,056
Excess of Receipts Over (Under) Disbursements		1,897		(10,114)		(8,217)
Other Financing Receipts (Disbursements)						
Other Debt Proceeds		18,600		12,400		31,000
Total Other Financing Receipts (Disbursements)	-	18,600		12,400		31,000
Net Change in Fund Cash Balances		20,497		2,286		22,783
Fund Cash Balances, January 1		(41,325)		50,295		8,970
Fund Cash Balances, December 31						
Nonspendable		=		-		-
Restricted		-		52,581		52,581
Committed		-		-		-
Assigned		-		-		-
Unassigned (Deficit)	-	(20,828)		-		(20,828)
Fund Cash Balances, December 31	\$	(20,828)	\$	52,581	\$	31,753

See accompanying notes to the financial statements

# COMBINED STATEMENT OF RECEIPTS, DISBURSEMENTS AND CHANGES IN FUND BALANCES (REGULATORY CASH BASIS) PROPRIETARY FUND TYPE FOR THE YEAR ENDED DECEMBER 31, 2017

		oprietary nd Types
	En	terprise
Operating Cash Receipts		
Charges for Services	\$	83,583
Miscellaneous		1,052
Total Operating Cash Receipts		84,635
Operating Cash Disbursements		
Personal Services		10,945
Supplies and Materials		34,582
Other		15,096
Total Operating Cash Disbursements		60,623
Operating Income/(Loss)		24,012
Non-Operating Receipts (Disbursements)		
Principal Retirement		(17,282)
Interest and Other Fiscal Charges		(1,536)
Total Non-Operating Receipts (Disbursements)		(18,818)
Income (Loss) before Capital Contributions, Special		
Item, Extraordinary Item, Transfers and Advances		5,194
Net Change in Fund Cash Balances		5,194
Fund Cash Balances, January 1		85,489
Fund Cash Balances, December 31	\$	90,683

See accompanying notes to the basic financial statements

Athens County Notes to the Financial Statements for the Year Ended December 31, 2017

#### **Note 1 - Reporting Entity**

The Village of Trimble (the Village), Athens County, is a body politic and corporate established to exercise the rights and privileges conveyed to it by the constitution and laws of the State of Ohio. A publicly-elected six-member Council directs the Village. The Village provides general government services, street construction, repair and maintenance, as well as water utilities and street light services. The Village contracts with the Village of Jacksonville for fire protection services.

The Village participates in a jointly governed organization, the Trimble Township Wastewater Treatment District. Note 11 to the financial statements provides additional information for this entity. The District provides billing services for the Village's water utility services

On May 13, 2014, based on a request by the Village and, in accordance with the provisions of Ohio Rev. Code § 118.04, the Auditor of State's Office declared the Village to be in Fiscal Emergency. At the 2010 census, the Village of Trimble's population was 390. For a Village or Township with a population of less than 1,000, the Auditor of State serves as the financial supervisor and has all the powers and responsibilities of a financial planning and supervision commission. As such, the Auditor of State's office has helped develop a financial recovery plan for the Village and is monitoring its execution. Note 12 to the financial statements provides additional information

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

#### **Note 2 - Summary of Significant Accounting Policies**

#### A. Basis of Presentation

The Village's financial statements consist of a combined statement of receipts, disbursements and changes in fund balances (regulatory cash basis) for all governmental fund types, and a combined statement of receipts, disbursements and changes in fund balances (regulatory cash basis) for all proprietary fund types which are organized on a fund type basis.

#### B. Fund Accounting

The Village uses funds to maintain its financial records during the year. A fund is defined as a fiscal and accounting entity with a self-balancing set of accounts. The funds of the Village are presented below:

- 1. *General Fund* The general fund accounts for and reports all financial resources not accounted for and reported in another fund. The general fund balance is available to the Village for any purpose provided it is expended or transferred according to the general laws of Ohio.
- 2. **Special Revenue Funds** These funds account for and report the proceeds of specific revenue sources that are restricted or committed to expenditure for specified purposes other than debt service or capital projects. The Village had the following significant Special Revenue Funds:

Athens County Notes to the Financial Statements for the Year Ended December 31, 2017

<u>Street Construction Maintenance and Repair</u> - The street construction maintenance and repair fund accounts for and reports that portion of the State gasoline tax and motor vehicle license registration fees restricted for construction, maintenance, and repair of streets within the Village.

<u>Street Levy Fund</u> - The street levy fund accounts for monies received from property taxes for the upkeep of Village streets.

**<u>Permanent Improvement Fund</u>** - The permanent improvement fund receives fees for the upkeep of street lights.

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 Funds:

<u>Water Operating Fund</u> - The water operating fund receives charges for services from residents to cover water service costs for water provided to the Village.

<u>Water Project Fund</u> - The water project fund receives loan proceeds from the Ohio Water Development Authority and the Ohio Public Works Commission to finance water line replacements.

#### C. Basis of Accounting

These financial statements follow the accounting basis permitted by the financial reporting provisions of Ohio Revised Code Section 117.38 and Ohio Administrative Code Section 117-2-03 (D). 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 financial reporting provisions of the Ohio Revised Code Section 117.38 and the Ohio Administrative Code § 117-2-03(D) permit.

#### D. 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, object level of control and appropriations may not exceed estimated resources. The Village Council must annually approve appropriation measures and subsequent amendments. The County Budget Commission must also approve the annual appropriation measure. Unencumbered 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 approve estimated resources.

Athens County Notes to the Financial Statements for the Year Ended December 31, 2017

3. *Encumbrances* The Ohio Revised Code requires the Village to reserve (encumber) appropriations when individual commitments are made. Encumbrances outstanding at year end are carried over and need not be reappropriated.

A summary of 2017 budgetary activity appears in Note 4.

#### E. Deposits and Investments

The Village had one primary, interest bearing checking account and certificates of deposit during the audit period.

#### F. Capital Assets

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. Fund Balance

Fund balance is divided into five classifications based primarily on the extent to which the Village must observe constraints imposed upon the use of its governmental-fund resources. The classifications are as follows:

*Nonspendable* - The Village classifies assets as *nonspendable* when legally or contractually required to maintain the amounts intact.

**Restricted** - Fund balance is *restricted* when constraints placed on the use of resources are either externally imposed by creditors (such as through debt covenants), grantors, contributors, or laws or regulations of other governments; or is imposed by law through constitutional provisions.

**Committed** - Council can *commit* amounts via formal action (resolution). The Village must adhere to these commitments unless the Council amends the resolution. Committed fund balance also incorporates contractual obligations to the extent that existing resources in the fund have been specifically committed to satisfy contractual requirements.

Assigned - Assigned fund balances are intended for specific purposes but do not meet the criteria to be classified as restricted or committed. Governmental funds other than the general fund report all fund balances as assigned unless they are restricted or committed. In the general fund, assigned amounts represent intended uses established by Village Council or a Village official delegated that authority by resolution, or by State Statute.

**Unassigned** - Unassigned fund balance is the residual classification for the general fund and includes amounts not included in the other classifications. In other governmental funds, the unassigned classification is used only to report a deficit balance.

Athens County Notes to the Financial Statements for the Year Ended December 31, 2017

The Village applies restricted resources first when expenditures are incurred for purposes for which either restricted or unrestricted (committed, assigned, and unassigned) amounts are available. Similarly, within unrestricted fund balance, committed amounts are reduced first followed by assigned, and then unassigned amounts when expenditures are incurred for purposes for which amounts in any of the unrestricted fund balance classifications could be used.

#### **Note 3 - Compliance**

Contrary to Ohio Revised Code (ORC) Section 5705.41(D), the Village did not certify expenditures in a timely manner.

Contrary to ORC Sections 5705.38, 5705.40, and 5705.41(B), the Village did not timely pass an appropriation resolution, timely pass appropriation modifications, and had expenditures exceeding appropriations in various funds.

Contrary to ORC sections 5705.38(C), the Village did not follow the minimum level of budgetary control when passing appropriations.

Contrary to ORC Sections 5705.36 and 5705.39, the Village did not certify appropriations with the county auditor and did not certify the proper beginning unencumbered balances.

Contrary to Internal Revenue Service Publication 15, Circular E, Employer's Tax Guide and Publication 15-A, Employer's Supplemental Tax Guide, the Village did not properly distinguish independent contractors from employees.

Contrary to ORC Section 149.43, the Village did not approve a records retention schedule and did not have officials, or their designees, attend public records training.

Contrary to ORC Section 135.22, the Village did not attend continuing education sessions or obtain a notice of exemption from the Treasurer of State.

#### **Note 4 - Budgetary Activity**

Budgetary activity as approved by Council for the year ending December 31, 2017 follows:

2017 Budgeted vs. Actual Receipts

		<u> </u>	
	Budgeted	Actual	
Fund Type	Receipts	Receipts	Variance
General	\$64,000	\$84,327	\$20,327
Special Revenue	38,200	52,512	14,312
Enterprise	94,000	84,635	(9,365)
Total	\$196,200	\$221,474	\$25,274

Athens County Notes to the Financial Statements for the Year Ended December 31, 2017

2017 Budgeted vs. Actual Budgetary Basis Expenditures					
	Appropriation Budgetary				
Fund Type	Authority	Expenditures	Variance		
General	\$48,000	\$63,830	\$(15,830)		
Special Revenue	34,500	50,226	(15,726)		
Enterprise	75,000	79,441	(4,441)		
Total	\$157,500	\$193,497	(\$35,997)		

#### **Note 5 - Deposits and Investments**

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

	2017
Demand deposits	<u>\$122,436</u>

#### **Deposits**

Deposits are insured by the Federal Depository Insurance and collateralized by the financial institution's public entity deposit pool.

#### Note 6 - Taxes

#### A. Property Taxes

Real property taxes become a lien on January 1 preceding the October 1 date for which the Council adopted 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 financial statements include homestead and rollback amounts the State pays as Intergovernmental Receipts. Payments are due to the County by December 31. If the property owner elects to pay semiannually, 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.

The County is responsible for assessing property, and for billing, collecting, and distributing all property taxes on behalf of the Village.

#### B. Income Taxes

The Village levies a municipal income tax of one 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.

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.

Athens County Notes to the Financial Statements for the Year Ended December 31, 2017

#### Note 7 - Risk Management

Workers' Compensation coverage is provided by the State of Ohio. The Village pays the State Workers' Compensation System a premium based on a rate per \$100 of salaries. This rate is calculated based on accident history and administrative costs.

#### Risk Pool Membership

The Village belongs to the Ohio Plan Risk Management, Inc. (OPRM) (the "Plan"), a non-assessable, unincorporated non-profit association providing a formalized, jointly administered self-insurance risk management program and other administrative services to Ohio governments ("Members"). The Plan is legally separate from its member governments.

Pursuant to Section 2744.081 of the Ohio Revised Code, the plan provides property, liability, errors and omissions, law enforcement, automobile, excess liability, crime, surety and bond, inland marine and other coverages to its members sold through fourteen appointed independent agents in the State of Ohio.

OPRM coverage programs are developed specific to each member's risk management needs and the related premiums for coverage are determined through the application of uniform underwriting criteria addressing the member's exposure to loss. Until November 1, 2016, the OPRM retained 47% of the premium and losses on the first \$250,000 casualty treaty and 10% of the first \$1,000,000 property treaty. Effective November 1, 2016, the OPRM retained 50% of the premium and losses on the first \$250,000 casualty treaty and 30% of the first \$1,000,000 property treaty. Members are only responsible for their self-retention (deductible) amounts, which vary from member to member. OPRM had 762 members as of December 31, 2016 (the latest information available).

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 financial obligation to the Plan, but still need to promptly notify the Plan of any potential claims occurring during their membership period. 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 fiscal years. Also, there has been no significant decrease in coverage from the prior year.

The Pool's audited financial statements conform with generally accepted accounting principles, and reported the following assets, liabilities and equity at December 31, 2016 (the latest information available).

Assets \$\frac{2016}{\$14,765,712}\$ Liabilities \$\frac{(9,531,506)}{\$5,234,206}\$

You can read the complete audited financial statements for OPRM at the Plan's website, www.ohioplan.org.

Athens County Notes to the Financial Statements for the Year Ended December 31, 2017

#### **Note 8 - Defined Benefit Pension Plans**

#### Ohio Public Employees Retirement System

The Village's elected officials and employees belong to the Ohio Public Employees Retirement System (OPERS). OPERS is a cost-sharing, multiple-employer plan. The Ohio Revised Code prescribes this plan's benefits, which include postemployment healthcare and survivor and disability benefits.

The Ohio Revised Code also prescribes contribution rates. OPERS members contributed 10% of their gross salaries and the Village contributed an amount equaling 14% of participants' gross salaries. The Village has paid all contributions required through December 31, 2017.

Retirement Rates	Year	Member Rate	Employer
			Rate
OPERS – Local	2017	10%	14%

#### **Note 9 - Postemployment Benefits**

OPERS offers cost-sharing, multiple-employer defined benefit postemployment plans, which include multiple health care plans including medical coverage, prescription drug coverage, deposits to a Health Reimbursement Arrangement and Medicare Part B premium reimbursements, to qualifying benefit recipients. The portion of employer contributions allocated to health care for members in the Traditional Pension Plan and Combined Plan was 2.0 percent during calendar year 2016, and 1.0 percent during calendar year 2017.

#### Note 10 – Debt

Debt outstanding at December 31, 2017 was as follows:

	Principal	Interest Rate
Ohio Water Development Authority (OWDA) Loan #6918	\$187,074	0.78%
Ohio Public Works Commission (OPWC) #CR25R	326,580	0.0%
Unified Bank - Kubota Tractor Loan	29,371	3.214%
Total	\$543,025	

The Ohio Water Development Authority (OWDA) loan relates to a water line replacement project. The OWDA approved \$201,500 in loans to the Village for this project. The Village will repay the loans including 0.78% interest, over 30 years. The full amount of this loan is not yet finalized and the amortization schedule is not complete. The OWDA will adjust scheduled payment to reflect any revisions in amounts the Village actually borrows. Water receipts collateralize the loan. The Village has agreed to set utility rates sufficient to cover OWDA debt service requirements.

The Ohio Public Works Commission (OPWC) loan relates to a water distribution system replacement project. The OPWC approved \$337,841 in loans to the Village for this project. The Village will repay the loans in semiannual installments of \$5,631, over 30 years. Water and sewer receipts collateralize the loan. The Village has agreed to set utility rates sufficient to cover OPWC debt service requirements. This loan matures in July 2046.

Athens County Notes to the Financial Statements for the Year Ended December 31, 2017

Amortization of the above debt, including interest, is scheduled as follows:

Year ending	OPWC
December 31:	#CR25R
2018	\$11,262
2019	11,262
2020	11,262
2021	11,262
2022	11,262
2023-2027	56,306
2028-2032	56,306
2033-2037	56,306
2038-2042	56,306
2043-2046	45,046
Total	\$326,580

A loan was obtained to provide financing for the purchase of a Kubota Tractor during 2017. The loan was for \$31,000 to be paid over 52 months with an interest rate of 3.214 percent. This loan is backed by the full faith and credit of the Village. The loan payments of \$640 per month, which include principal and interest, are made from the general fund and the street construction maintenance and repair and street levy special revenue funds. Due to the nature of this loan maturing and renewing July of each year, there is no amortization schedule available which presents the remaining balances of the loan. Final maturity is expected to be July 20, 2022.

#### **Note 11 - Jointly Governed Organizations**

Trimble Township Wastewater Treatment District – The Trimble Township Wastewater Treatment District is a regional sewer district organized under Chapter 6119 of the Ohio Revised Code. The district operates under the direction of an eight-member Board of Council Members whose membership is composed of two appointments from each of the participating subdivisions which includes: Village of Trimble, Village of Jacksonville, Village of Glouster and Trimble Township. The membership elects a President, Vice President and a Secretary-Treasurer who are responsible for the fiscal control of the financial resources of the district. To obtain financial information, write to the Trimble Township Wastewater Treatment District, Teri Brooks, Secretary-Treasurer, at 18551 Jacksonville Road, P.O. Box 278, Jacksonville, Ohio 45740.

Athens County Notes to the Financial Statements for the Year Ended December 31, 2017

#### **Note 12 - Deficit Fund Balance**

The Village had a deficit fund balance of \$20,828 in the General Fund as of December 31, 2017. Currently, management is taking steps to reduce spending and to implement a system of accounting that will facilitate in the monitoring of the Village's finances.

On May 13, 2014, based on a request by the Village and, in accordance with the provisions of Ohio Rev. Code § 118.04, the Auditor of State's Office declared the Village to be in Fiscal Emergency. As such, the Auditor of State's office has helped develop a financial recovery plan for the village and is monitoring its execution.

As part of this recovery plan, the Village has instituted a local income tax and reviewed prior period activity for any expenditures which could be allocated to funds other than the General Fund.



### Julian & Grube, Inc.

Serving Ohio Local Governments

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### Independent Auditor's Report on Internal Control Over Financial Reporting and on Compliance and Other Matters Required by *Government Auditing Standards*

Village of Trimble Athens County P.O. Box 121 Trimble, Ohio 45782

To the Members of Council and Mayor:

We have audited in accordance with auditing standards generally accepted in the United States and the Comptroller General of the United States' *Government Auditing Standards*, the financial statements of the cash balances, receipts and disbursements by fund type of the Village of Trimble, Athens County, Ohio, as of and for the year ended December 31, 2017 and the related notes to the financial statements and have issued our report thereon dated July 27, 2018, wherein we noted the Village of Trimble followed financial reporting provisions Ohio Revised Code Section 117.38 and Ohio Administrative Code Section 117-2-03(D) permit. We also noted the Village of Trimble was declared by the Auditor of State to be in a state of fiscal emergency on May 13, 2014, as further discussed in Note 12.

#### Internal Control Over Financial Reporting

As part of our financial statement audit, we considered the Village of Trimble's internal control over financial reporting (internal control) to determine the audit procedures appropriate in the circumstances to the extent necessary to support our opinions on the financial statements, but not to the extent necessary to opine on the effectiveness of the Village of Trimble's internal control. Accordingly, we have not opined on it.

Our consideration of internal control was for the limited purpose described in the preceding paragraph and was not designed to identify all deficiencies in internal control that might be material weaknesses or significant deficiencies. Therefore, unidentified material weaknesses or significant deficiencies may exist. However, as described in the accompanying schedule of findings and responses we identified certain deficiencies in internal control over financial reporting, that we consider material weaknesses and a significant deficiency.

A deficiency in internal control exists when the design or operation of a control does not allow management or employees, when performing their assigned functions, to prevent, or detect and timely correct misstatements. A material weakness is a deficiency, or a combination of internal control deficiencies resulting in a reasonable possibility that internal control will not prevent or detect and timely correct a material misstatement of the Village of Trimble's financial statements. We consider findings 2017-001, 2017-005, 2017-007 and 2017-011 described in the accompanying schedule of findings and responses to be material weaknesses.

Members of Council and Mayor Village of Trimble

A significant deficiency is a deficiency, or a combination of internal control deficiencies less severe than a material weakness, yet important enough to merit attention by those charged with governance. We consider finding 2017-010 described in the accompanying schedule of findings and responses to be a significant deficiency.

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

As part of reasonably assuring whether the Village of Trimble's financial statement 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, opining 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 instances of noncompliance or other matters we must report under *Government Auditing Standards* which are described in the accompanying schedule of findings and responses as items 2017-002 through 2017-006, 2017-008, 2017-009 and 2017-012.

#### Village of Trimble's Responses to Findings

The Village of Trimble's responses to the findings identified in our audit are described in the accompanying schedule of findings and responses. We did not subject the Village of Trimble's responses to the auditing procedures applied in the audit of the financial statements and, accordingly, we express no opinion on them.

#### Purpose of this Report

This report only describes the scope of our internal control and compliance testing and our testing results and does not opine on the effectiveness of the Village of Trimble's internal control or on compliance. This report is an integral part of an audit performed under *Government Auditing Standards* in considering the Village of Trimble's internal control and compliance. Accordingly, this report is not suitable for any other purpose.

Julian & Grube, Inc.

Julian & Sube, the.

July 27, 2018

#### SCHEDULE OF FINDINGS AND RESPONSES DECEMBER 31, 2017

FINDINGS RELATED TO THE FINANCIAL STATEMENTS REQUIRED TO BE REPORTED IN ACCORDANCE WITH GAGAS		
Finding Number	2017-001	

#### Material Weakness - Pre-Numbered Duplicate Receipts

Maintaining bound, pre-numbered duplicate receipts books provides management with a record of all receipts flowing into the Village and assures that all monies collected are actually deposited and credited to the proper accounts of the Village.

The Village did not utilize bound, pre-numbered receipts to account for monies received either through the mail or at the Village Hall for the year ended December 31, 2017.

Failure to provide duplicate receipts or other support can result in receipts being incorrectly posted or omitted altogether. It can also result in questions as to the completeness of cash actually collected and deposited with the bank.

We recommend the Fiscal Officer maintain bound, pre-numbered duplicate receipt books to record revenues immediately upon receipt. The duplicate receipt should indicate the payee, amount, form of payment (cash or check), the purpose and the fund and account to credit. The Fiscal Officer should also retain copies of checks received as donations to provide additional supporting documentation.

<u>Client Response</u>: The Village will start using duplicate receipt books.

Finding Number	2017-002
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#### Noncompliance

Ohio Revised Code Section 5705.41(D) requires that no orders or contracts involving the expenditure of money are to be made unless there is a certificate of the fiscal officer 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 Village did not certify expenditures for the year ended December 31, 2017.

Without timely certification, the Village may expend more funds than available in the Treasury, in the process of collection or in the funds appropriated. It may also result in unnecessary purchases.

We recommend that all orders or contracts involving the expenditure of money be timely certified to ensure all monies expended are lawfully appropriated and available in the treasury or in the process of collection. A policy and procedure statement adopted by the Council and distributed at least annually may be beneficial. The Village should consider using "Then" and "Now" certificates where applicable.

#### SCHEDULE OF FINDINGS AND RESPONSES DECEMBER 31, 2017

# Finding Number Finding Number

<u>Client Response</u>: The Fiscal Officer will discuss with auditors to gain a better understanding of this requirement.

Finding Number	2017-003
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#### **Noncompliance**

Ohio Revised Code Section 5705.40 outlines the requirements for amending and supplementing appropriations. This section requires that any amendments to an appropriation measure must be made by Council resolution and comply with the same provisions of the law as used in developing the original appropriations.

The Village did not properly modify its appropriations throughout the fiscal year ended December 31, 2017.

By not timely and properly modifying the appropriations, the potential to overspend in certain funds exists.

We recommend the Village comply with the Ohio Revised Code and monitor appropriations and certified resources to ensure proper budgeting and to prevent excess spending. In addition, the Village should monitor its budgetary process on a regular basis and make amendments as necessary.

Client Response: Appropriations are now being monitored.

Finding Number	2017-004

#### Noncompliance

Ohio Rev. Code § 5705.38 provides that, on or about the first day of each fiscal year, an appropriation measure is to be passed. If the taxing authority wants to postpone the passage of the annual appropriation measure until an amended certificate is received from the county budget commission based upon the actual year end balances, it may pass a temporary appropriation measure for meeting the ordinary expenses until no later than April 1.

The Village passed the appropriation resolution for the year ended December 31, 2017 on April 10, 2017 without previously passing temporary appropriation measures.

#### SCHEDULE OF FINDINGS AND RESPONSES DECEMBER 31, 2017

FINDINGS RELATED TO THE REQUIRED TO BE REPORTED IN ACCO	
Finding Number	2017-004 - (Continued)

Further, Ohio Revised Code Section 5705.41(B) requires in part that no subdivision is to expend monies unless it has been appropriated.

For the fiscal year ended December 31, 2017, the following funds had expenditures plus outstanding encumbrances in excess of appropriations at the legal level of control:

			EX	penaitures	
	App	ropriations	Plus E	ncumbrances	Excess
General Fund	\$	48,000	\$	63,830	\$ 15,830
Street Construction, Maintenance and Repair Fund		12,000		19,561	7,561
Permissive Tax Fund		2,000		10,450	8,450
Water Holdback Fund		10,000		18,818	8,818
Street Levy Fund		7,000		11,966	4,966

With expenditures exceeding appropriations, the Village is spending monies that have not lawfully been appropriated by the Village Council. This may result in unnecessary spending.

We recommend the Village comply with the Ohio Revised Code and the Auditor of State Bulletin 97-010 by monitoring their expenditures so they do not exceed lawful appropriations and amending the budget as needed throughout the fiscal year. This may be achieved by monitoring the budget more closely on a continual basis.

<u>Client Response</u>: The Village is now aware of these requirements and has implemented them.

Finding Number	2017-005
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#### Noncompliance/Material Weakness

Ohio Revised Code Section 5705.38(C) requires the following minimum level of budgetary control for Villages: "Appropriation measures shall be classified so as to set forth separately the amounts appropriated for each office, department, and division, and, within each, the amount appropriated for personal services".

The Village's appropriations for the year ended December 31, 2017 were passed at the fund level.

#### SCHEDULE OF FINDINGS AND RESPONSES DECEMBER 31, 2017

# Finding Number Finding Number

By not appropriating at the level of control required by the Ohio Revised Code, the Village risks insufficient oversight over expenditures since Village Council will not have sufficiently detailed budget vs. actual information available to them.

We recommend the Village pass appropriations in accordance with the Ohio Revised Code.

<u>Client Response</u>: The Fiscal Officer has discussed with the auditors to better understand what is needed.

#### Noncompliance

Ohio Revised Code Section 5705.39 provides that no appropriation measure shall become effective until the county auditor files with the appropriating authority a certificate that the total appropriations from each fund, taken together with all other outstanding appropriations, do not exceed such official estimate or amended official estimate.

Ohio Revised Code Section 5705.36 provides that on or about the first day of each fiscal year, the fiscal officer of each subdivision and other taxing unit shall certify to the county auditor the total amount from all sources available for expenditures from each fund. The amount certified shall include any unencumbered balances that existed at the end of the preceding year.

The Village did not certify appropriations with the county auditor for the year ended December 31, 2017. Furthermore, the Village certified incorrect beginning unencumbered balances to the county auditor.

By not certifying appropriations with the county auditor, the potential to have total appropriations exceed total estimated resources exists. By certifying incorrect beginning unencumbered balances with the county auditor, the Village does not have proper estimated resources in which to appropriate against. Also, the county auditor will have inaccurate information when comparing appropriations against estimated resources.

We recommend the Village comply with the Ohio Revised Code and file appropriations with the county auditor to certify that appropriations do not exceed estimated resources. We also recommend the Village compare the beginning unencumbered balances per it's system to what is submitted to the county auditor. The Village can amend this certificate if it determines the beginning unencumbered balances have changed.

<u>Client Response</u>: The Village is now aware of these requirements and has implemented them.

#### SCHEDULE OF FINDINGS AND RESPONSES DECEMBER 31, 2017

# Finding Number Finding Number

#### Material Weakness - Financial Statement Presentation

Accurate financial reporting is required in order to provide management and other stakeholders with objective and timely information to enable well-informed decisions.

Numerous adjustments were made to the financial statements for the year ended December 31, 2017 to properly state financial statement amounts.

The audited financial statements, note disclosures and Village records have been adjusted for the misstatements identified during the audit.

Presentation of materially correct financial statements and the related footnotes is the responsibility of management. This responsibility remains intact even if management decides to outsource this function for efficiency purposes or any other reason. In either case, it is important that control procedures are developed related to the financial statements that enable management to identify, prevent, detect and correct potential misstatements in the financial statements and footnotes. In general, an accounting and information system should be designed to provide management with accurate and timely information to enable well-informed business decisions to be made.

We recommend the Village of Trimble implement additional control procedures that enable management to more timely prevent or detect and correct potential misstatements in the basic financial statements prior to presenting them to the auditors.

Client Response: No response provided by client.

Finding Number	2017-008
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#### **Noncompliance**

Internal Revenue Service Publication 15, Circular E, Employer's Tax Guide and Publication 15-A, Employer's Supplemental Tax Guide, defines employees versus independent contractors.

Generally, a worker who performs services for you is your employee if you have the right to control what will be done and how it will be done. This is so even when you give the employee freedom of action. What matters is that you have the right to control the details of how the services are performed. See Publication 15-A, Employer's Supplemental Tax Guide, for more information on how to determine whether an individual providing services is an independent contractor or an employee.

#### SCHEDULE OF FINDINGS AND RESPONSES DECEMBER 31, 2017

FINDINGS RELATED TO THE REQUIRED TO BE REPORTED IN ACCO	
Finding Number	2017-008 - (Continued)

Generally, people in business for themselves are not employees. Independent contractors are people such as lawyers, contractors, subcontractors, public stenographers and auctioneers who follow an independent trade, business, or profession in which they offer. However, whether such people are employees or independent contractors depends on the facts in each case. The general rule is that an individual is an independent contractor if you, the person for whom the services are performed, have the right to control or direct only the result of the work and not the means and methods of accomplishing the result.

The Village Solicitor, Frank Lavelle, was identified by the Village as an employee and received a W-2 from the Village for the year ended December 31, 2017. Failure to properly classify an individual as an employee or independent contractor could result in the Village being held liable for employment taxes for that worker or paying unnecessary employer taxes.

The Village should review the Publications referred to above to determine whether their Solicitor is an employee or an independent contractor. The IRS can determine whether the services are performed as an employee or independent contractor for the Commission by submitting Form SS-8, Determination of Worker Status for Purposes of Federal Employment Taxes and Income Tax Withholding. The Village should also submit the proper tax forms relating to employees and independent contractors.

*Client Response:* The Fiscal Officer will review the publication.

Finding Number 2017-009	Finding Number	2017-009
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#### Noncompliance

Ohio Rev. Code § 149.43 provides that all public records shall be promptly prepared and made available to any member of the general public at all reasonable times during regular business hours for inspection. Upon request, a person responsible for public records shall make copies available at cost, within a reasonable period of time. In order to facilitate broader access to public records, public offices shall maintain public records in such a manner that they are available for inspection.

### SCHEDULE OF FINDINGS AND RESPONSES DECEMBER 31, 2017

FINDINGS RELATED TO THE REQUIRED TO BE REPORTED IN ACCO	
Finding Number	2017-009 - (Continued)

Pursuant to Ohio Rev. Code § 149.43(B)(2), the entity shall have available a copy of its current records retention schedule at a location readily available to the public.

All state and local elected officials, or their designees, must attend at least 3 hours of training on Ohio's public records laws during each term of office [Ohio Rev. Code §§ 109.43(B) & 149.43(E)(1)]. The training received must be certified by the Ohio Attorney General. Proof that training has been completed must include documentation that either the Attorney General's Office or another entity certified by the Attorney General provided the training to the elected official, or his/her designee. Attendees who successfully complete the training will receive a certificate to serve as proof of training.

The Village did not have a records retention schedule in place for the year ended December 31, 2017. Further, the Village officials or their designees did not attend public records training for the year ended December 31, 2017.

The Village Council should approve a public records policy and records retention schedule based on guidance in Ohio Rev. Code § 149.43 and Auditor of State Bulletin 2007- 014. Officials, or their designees, should attend public records training. Officials, or their designees, should attend public records training.

<u>Client Response</u>: The Fiscal Officer had thought this was corrected. The Village will ask that the solicitor assist with implementation.

Einding Number	2017-010
Finding Number	2017-010

#### Significant Deficiency - Personnel Files

The Village management should maintain personnel files on hand for all employees and elected officials. Personnel files should include:

- Hiring authorization
- Position & Authorized Salary Rate
- Department/Fund to which salary will be charged
- Deduction authorizations
- OPERS Authorization
- Federal Withholding Form W-4
- State Withholding Form IT-4

#### SCHEDULE OF FINDINGS AND RESPONSES DECEMBER 31, 2017

## FINDINGS RELATED TO THE FINANCIAL STATEMENTS REQUIRED TO BE REPORTED IN ACCORDANCE WITH GAGAS - (Continued) Finding Number 2017-010 - (Continued)

The Village failed to maintain hiring authorizations, position and salary rate, and department forms for one employee for the year ended December 31, 2017. Failure to maintain proper and complete personnel records could result in incorrect computation of employee paychecks.

Further, the Village failed to obtain Federal Identification Form W-9 for one independent contractor for the year ended December 31, 2017. Also, the Village provided this contractor with a W-2 for the year ended December 31, 2017 instead of a 1099. Failure to obtain and submit the required reports for all vendors could result in unexpected tax liabilities, fines, and penalties for the Village and the employees of the Village.

The Fiscal Officer should maintain complete personnel files for all employees and elected officials. The Fiscal Officer may not withhold amounts unless the documentation authorizing him/her to do so is on file.

<u>Client Response:</u> The Village will update files and issue all proper forms when applicable.

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#### <u>Material Weakness – Water Department:</u>

Water billing reports should be presented to Council for review and approval each month. The reports should be reviewed to determine that the number of customers being billed monthly is consistent, that there are no unusual amounts charged or unusual usages noted, and that the appropriate rates are charged. Further, billing adjustments posted to the billing reports should be approved prior to posting.

A Village Employee is tasked with billing water customers on behalf of the Village. For the year ended December 31, 2017, Council only reviewed and approved five monthly reports maintained by the employee, while seven monthly reports were not approved. Also, billing adjustments were not reviewed by anyone other than the individual posting the adjustment. This lack of oversight by the Village and Council could result in undetected errors or significant variances.

Further, the Village Employee is tasked by the Village to:

- ensure automatic meter readings are recorded in the Village's system
- send water bills to customers
- receive customer payments
- deposit customer payments
- enter billing adjustments
- gather monthly billing reports,

#### SCHEDULE OF FINDINGS AND RESPONSES DECEMBER 31, 2017

# Finding Number Finding Number

By relying on one employee for all responsibilities of the Water Department, the Village could expose itself to higher risks of fraud and the inability to timely identify, prevent, and correct potential misstatements.

The Village should distribute responsibilities of the Water Department to more than one employee of the Village, present monthly billing reports to the Council for review and approval, and approve all billing adjustments.

<u>Client Response:</u> The water reports will be presented to Council beginning with the August 2018 meeting. Distributing responsibilities will be discussed with Council at that time.

#### **Noncompliance**

Ohio Rev. Code § 135.22 provides that subdivision Treasurers must complete annual continuing education programs provided by the Treasurer of State. The Treasurer of State issues a certificate indicating that the treasurer has successfully completed the continuing education program. The continuing education requirement does not apply to a subdivision treasurer who annually provides a notice of exemption to the Auditor of State, certified by the Treasurer of State, that the treasurer is not subject to the continuing education requirements because the Treasurer invests or deposits public funds in the following investments only:

- 1. Interim deposits pursuant to § 135.14(B)(3)
- 2. STAR Ohio pursuant to § 135.14(B)(6)
- 3. No-load money market mutual funds pursuant to § 135.14(B)(5)

The Fiscal Officer did not obtain a certificate of exemption certified by the Treasurer of State. Failure to file the required exemption could lead to the Fiscal Officer improperly investing due to lack of education and lack of verification by the Treasurer of State that no training was required for investments held.

The Fiscal Officer should file an Annual Notice of Exemption from continuing education requirements with the Ohio Treasurer's Office Center for Public Investment Management. The form can be obtained at www.tos.ohio.gov.

The Fiscal Officer should attend continuing education sessions or obtain a notice of exemption from the Treasurer of State.

*Client Response:* No response provided by client.

## SUMMARY SCHEDULE OF PRIOR AUDIT FINDINGS DECEMBER 31, 2017

Finding Number	Finding Summary	Status	Additional Information
2016-001	An internal control deficiency citation for failure to maintain bound, pre-numbered duplicate receipts for all receipts flowing into the Village.	Not Corrected	Repeated as finding 2017- 001 for failure to maintain prenumbered receipts for all receipts flowing into the Village.
2016-002	A noncompliance citation of Ohio Rev. Code § 5705.41(D)(1) for not certifying the availability of funds.	Not Corrected	Repeated as finding 2017-002 for failure to certify the availability of funds.
2016-003	A noncompliance citation of Ohio Rev. Code § 5705.40 for failure to properly modify its appropriations throughout the fiscal year.	Not Corrected	Repeated as finding 2017-003 for failure to properly modify appropriations.
2016-004	A noncompliance citation of Ohio Rev. Code § 5705.38 and 5705.41(B) for failure to adopt appropriations timely and for having expenditures in excess of appropriations.	Not Corrected	Repeated as finding 2017- 004 for failure to adopt appropriations timely and for having expenditures in excess of appropriations.
2016-005	A noncompliance and material weakness citation of Ohio Rev. Code § 5705.38(c) for failure to follow minimum level of budgetary control when approving appropriations.	Not Corrected	Repeated as finding 2017- 005 for failure to appropriate at minimum legal level.
2016-006	A noncompliance citation of Ohio Rev. Code § 5705.39 and 5705.36 for failure to certify appropriations with the county auditor and for certifying incorrect beginning unencumbered balances.	Not Corrected	Repeated as finding 2017- 006 for failure to certify appropriations and for certifying incorrect beginning balances.
2016-007	A material weakness control deficiency citation of Auditor of State Bulletins 2000-008 and 2002-004 for failure to record on-behalf transactions	Finding no longer valid	No on-behalf payments during the audit period.

## SUMMARY SCHEDULE OF PRIOR AUDIT FINDINGS DECEMBER 31, 2017

Finding Number	Finding Summary	Status	Additional Information
2016-008	A material weakness for posting revenue and expenditure transactions incorrectly.	Not Corrected	Repeated as finding 2017- 007 for failure to accurately report the Village's financial information.
2016-009	A noncompliance citation of Internal Revenue Service Publication 15, Circular E, Employer's Tax Guide and Publication 15-A, Employer's Supplemental Tax Guide for failure to properly distinguish Village employees from independent contractors.	Not Corrected	Repeated as finding 2017- 008 for failure to properly distinguish Village employees from independent contractors.
2016-010	A noncompliance citation of Ohio Rev. Code § 149.43 for not attending public records training or adopting a public records policy or records retention schedule.	Not Corrected	Finding repeated as 2017-009 as the Village did not adopt the aforementioned policies or attend the required training.
2016-011	A significant deficiency citation for failure to maintain all personnel files on hand for all employees and elected officials.	Not Corrected	Repeated as finding 2017- 010 for failure to maintain all personnel files
2016-012	A material weakness citation for failure to segregate duties and obtain formal approval of monthly water reports and billing adjustments.	Not Corrected	Repeated as finding 2017-011
2016-013	A noncompliance citation of Ohio Rev. Code § 135.22 for not attending continuing education programs or obtaining a certificate of exemption.	Not Corrected	Finding repeated as 2017-012 as the Village did not attend programs or obtain exemption certificate.



#### **VILLAGE OF TRIMBLE**

#### **ATHENS 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 OCTOBER 16, 2018