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Ohio Auditor of State  
**Dave Yost**

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## Basic Accounting for Townships

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### Course Objective

- To give an overview of the different transactions, processes, forms, and requirements relating to your job as fiscal officer



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### Budgetary

The budgetary process is prescribed by provisions of the Ohio Revised Code

The budgetary process involves planning the goals of the Township and the actions that need to be taken to achieve the goals

The fiscal officer monitors compliance with Ohio budgetary law



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## Budgetary Process

- Tax Budget or Alternative Method
- Official Certificate of Estimated Resources
- Certificate of Total Amount From All Sources Available for Expenditures, and Balances
- Amended Official Certificate of Estimated Resources
- Appropriation Resolution



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## The Tax Budget

### Overview

- Purpose of the tax budget
- The tax budget sets limitations
- The tax budget is a planning tool
- Financial needs are included in the tax budget
- Available resources/revenues are included
- Section 5705.29 of the O.R.C. lists specific information to be included in the tax budget



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## The Tax Budget

### Overview (continued)

- The tax budget provides detailed information on revenues and expenditures for the general fund
- The tax budget provides summary information on revenues and expenditures for all other funds receiving property taxes
- Funds not receiving property taxes are reported in a summary format with revenues, expenditures, and estimated beginning balances
- Schedules are presented for permanent improvements, judgments and tax levies/debt



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## The Tax Budget

### Alternative Method

- Section 5705.281 of the O.R.C. allows the County Budget Commission to waive filing a tax budget
- The County Budget Commission must adopt an alternative method or formula basis
- All information required by the County Budget Commission must be provided by the date specified



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## The Tax Budget

### Estimated Tax Rates

- After submission, the tax budget or alternative is reviewed by the County Budget Commission
- On or before September 1<sup>st</sup>, the County Budget Commission returns an Official Certificate of estimated Resources and estimated tax rates
- If dissatisfied, the fiscal officer, on behalf of the trustees, can appeal to the board of tax appeals within 30 days
- If satisfied, a resolution authorizing the tax levies should be certified to the county auditor by October 1<sup>st</sup>.



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## The Tax Budget

### Important Dates

- The tax budget should be adopted by July 15<sup>th</sup>.
- A hearing must be given with a 10 day notice
- After being adopted, the tax budget must be submitted to the County Auditor by July 20<sup>th</sup>



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## Official Certificate of Estimated Resources

- The September 1<sup>st</sup> date may be extended by the tax commissioner for a good cause
- Prior to December 31<sup>st</sup>, the Township must revise the tax budget so that expenditures do not exceed estimated revenue
- The official certificate of estimated resources is based on information in the tax budget
- It includes estimated unencumbered fund balances and estimated revenues for each fund



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## Certificate of Total Amount From All Sources Available for Expenditures, and Balances

- The certificate of total amount from all sources available for expenditures, and balances must be filed with the county auditor on or about January 1<sup>st</sup>
- It certifies the actual unencumbered fund balances and estimated revenues for each fund (not including any reserve accounts)
- The first page is a summary of all funds by fund type and the remaining pages identify the individual funds
- The form shows cash balances at December 31<sup>st</sup>, encumbrances, advances not repaid, carryover balances available for appropriations, total estimated revenues from all sources and total carryover balances plus estimated revenues



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## Amended Official Certificate of Estimated Resources

- The amended official certificate of estimated resources will be returned after filing the certificate of total amount from all sources available for expenditures, and balances
- Remember to post estimated revenues to the system
- Section 5705.36 of the O.R.C. requires that this form will be revised to include actual fund balances at December 31<sup>st</sup> and any revisions to estimated revenues



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## Amended Official Certificate of Estimated Resources

### 3 Primary Reasons to Request an Amended Certificate

- It is determined that revenues to be collected will be greater or less than the amount included in the previous amended certificate of estimated resources
- It is determined that revenues to be collected will be greater than previously estimated and it is intended to appropriate and expend the excess revenue
- It is determined that revenues to be collected will be less than previously estimated and this deficiency will reduce available resources below the current level of appropriations



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## Appropriation Resolution

- Section 5705.38 of the O.R.C. states that the Township must adopt an appropriation measure on or about the first day of the year
- A temporary appropriation measure may be passed for the period of January 1<sup>st</sup> through March 31<sup>st</sup>
- The permanent annual appropriation measure must be passed by April 1<sup>st</sup> for the period January 1<sup>st</sup> through December 31<sup>st</sup>.



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## Appropriation Resolution

The appropriation process is a function of the legislative authority of the local government and cannot be delegated

- The Township must have appropriations adopted to legally spend money
- The appropriations are not legal until the resources are certified by the County Auditor
- The appropriation resolution may be amended during the year only by a resolution approved by the Trustees
- Remember to post appropriations to the system



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## Legal Level of Control

- Statutory appropriation level
  - Section 5705.38(C), Revised Code
    - This implies “personal services” and “other” as the minimum level to be appropriated for each office, department, and division
- Do not change appropriations in the system (at or above your legal level of control) unless approved by Trustees



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## Lapsing of Appropriations

- The unencumbered balance of each appropriation reverts to its respective fund and is available for future appropriations
- The encumbered appropriation balance (carry over purchase orders) is carried forward and is not reappropriated



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## Encumbrances

- Commitments for the expenditure of monies are recorded as the equivalent of expenditures on the budgetary basis
- This reserves the portion of the applicable appropriation and maintains legal compliance



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## Other Budgetary Issues

- When short-term notes mature, a new note is often used to pay off the old note
- When this occurs, the payment of the principal on the old note and the proceeds of the new note is required to be budgeted
- The transaction should not be recorded "net"



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## Other Budgetary Issues

- Property taxes should be posted gross....not net
- The property tax revenue (before the county auditor deductions) should be recorded in total
- The county auditor deductions should be posted separately as expenditures



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## Budgets and Appropriations

Questions and Answers



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## Receipts

- Receiving money



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## Receipts

- All money received by the local entity is to be receipted in by the use of a receipt or a “pay-in”
- Money from another department is given to the fiscal officer with a receipt
- The fiscal officer posts the receipt to the system which generates a system receipt



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## Receipts

- The receipt or pay-in should include:
  - Receipt number
  - Total amount received
  - Date money was received
  - Payer
  - Reason for receipt
  - Fund to which revenue is to be credited
  - Receipt code
  - Fiscal Officer's signature



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## Receipts

- The original receipt should be given to the person making the payment (if in person)
- Any source documents should be kept with the system receipts on file



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## Receipts

- Depositing receipts
  - Receipts should be deposited daily
    - Trustees may approve a policy to allow up to three days between receipt of money to deposit (see ORC 9.38)
  - Deposit tickets should include the receipt numbers included in the deposit



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## Receipts

- Enter receipt information into the system
  - Date of the pay-in
  - Source of funds
  - Purpose
  - Amount received for this specific code
- Update amount yet to be received for this code
- Print receipt report at the end of each month from the system



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How does the township buy something???



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### Birth of a Purchase Order

- An employee who needs to make a purchase fills out a requisition
- The requisition should be approved by the department head before being given to the fiscal officer
- If fiscal officer deems the funds and appropriations are available, the purchase order is created



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### Purchase Orders

- Certification of availability of funds prior to the obligation of funds
  - Purchase orders
  - Exceptions
- Payment of invoices after receipt of goods or services
- Required by Administrative Rule 117



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## Purchase Orders

- Purchase Orders
  - Regular
  - Blanket
  - Super Blanket
- Exceptions
  - Then and Now Certificate



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## Purchase Orders

- Regular Purchase Order
  - Specific Item, specific price, specific vendor
  - Specific line item in the budget
  - No limit on amount
  - Signed by fiscal officer



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## Purchase Orders

- Blanket Purchase Order
  - Use when the vendor, price, or quantity is open ended or not known
  - An amount, not exceeding the amount limiting blanket POs voted on by the Trustees, must be included on the purchase order
  - Only one blanket PO can be open against any appropriation account
  - Does not extend past the end of the year
  - Signed by the fiscal officer



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## Purchase Orders

- Super Blanket Purchase Order
  - Can only be for the following specific uses
    - Professional Services
    - Goods
    - Utilities
    - Any purchases exempt from competitive bidding under Section 125.04 of the Revised Code
    - Any other specific expenditure that is a recurring and reasonably predictable operating expense



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## Purchase Orders

- Then and Now Certificate
  - If there were unencumbered appropriations at the time of purchase (then) and there are currently (now) unencumbered appropriations
    - If the amount is less than \$3,000, the fiscal officer may authorize the expenditure
    - If the amount is greater than \$3,000, the Trustees must pass a resolution authorizing the expenditure
      - Resolution must be passed within 30 days of receipt of the fiscal officer's certification
  - Should be the exception, rather than the rule



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## Purchase Orders

- If funds were not or are not available at the time of purchase, a then and now cannot be issued
- If funds were and are available, issuing a then and now purchase order is at the discretion of the fiscal officer
- Without a purchase order the purchaser is responsible for the cost of the item – they just made a donation to the township!



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## Purchase Orders

- Other Exception
  - Trustees may pass a resolution authorizing officers and employees to incur obligations of no more than \$2,500, which subsequently has to be approved by a formal resolution of the Trustees



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## Purchase Orders

- Three copies of Purchase Orders
  - One copy to the individual initiating the purchase order
  - One copy kept in purchase number order
    - To be used to post to the appropriation ledger
  - One copy attached to the voucher and vendor invoice



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## Expenditures

- Payment of Invoices
  - When goods are received, what was received should be compared with the purchase order and the packing slip
  - When an invoice is received it should be compared to what was received



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## Expenditures

- A voucher is prepared and filed
  - A written order to draw a check in payment of a lawful obligation which includes a requisition, purchase order, and invoice
- A check is drawn and sent to vendor
  - Must be signed by two trustees and the fiscal officer



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## Expenditures

- Appropriations in the System
  - Posting Appropriations
    - Posted as additions to Unencumbered Balance
  - Posting Purchase Orders
    - Reduces Unencumbered Balance



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## Expenditures

- Appropriations in the System
  - Posting Expenditures
    - Adjustments can be made to Unencumbered Balance if amount of expenditure exceeds certification amount by issuing an additional purchase order for the difference (Then and Now)
  - Closing Purchase Orders
    - Adjustment can be made to Unencumbered Balance if amount of expenditure is less that certification amount and the Township no longer needs those funds certified



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## Expenditures

- Posting Expenditures – should be done from the voucher
  - Date
  - Payee
  - Purchase order number
  - Account number
  - Amount
  - Check number (UAN assigns this)



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## Corrections and Adjustments

- Voiding a check after posting
- Correcting an expenditure posting error
- Correcting a receipt posting error
- Correcting a prior year error
- Refund of Receipts
- Refund of Expenditures



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## Transfers

- A transfer is a permanent reallocation of cash from one fund to another
- Transfers must be included on your certificate of estimated resources and appropriation resolution
- Ohio Revised Code Sections 5705.14 through 5705.16 describe allowable transfers



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## Transfers

- Other than certain exceptions, only the general fund may transfer monies to another fund
  - Exceptions relate to funds no longer needed for the purpose they were created
  - Some exceptions require court orders



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## Transfers

- Funds not allowed to be transferred
  - Proceeds of loans
  - Proceeds of bond issues, barring an exception outlined in 5705.14-5705.16 ORC
  - Proceeds of excise taxes levied for a specific purpose
  - Proceeds of license fees levied for a particular purpose



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## Transfers

- Trustees must pass a resolution authorizing the transfer
- Post to the receipt journal and cash book the amount of the transfer for the fund receiving the transfer
- Post to the appropriation ledger and cash book the amount of the transfer for the fund making the transfer



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## Advances

- Advances are temporary reallocations of cash from one fund to another
- Statutory authority
- Less restricted fund to a more restricted fund
- Reimbursement restrictions
  - The reimbursement must not violate any restrictions on the money being used to make the reimbursement
- Advances must be approved by a formal resolution passed by the Trustees



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## Advances

- Resolution for an advance
  - Must include a CLEAR statement that the transaction is an advance of cash, and
  - An indication of the money that is to be used to repay the advance
  - Should include
    - The amount of the advance
    - The name of the fund advancing the money
    - The name of the fund receiving the money
    - An estimated repayment date



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## Advances

- Accounting Procedures
  - Post a cash increase in the fund receiving the advance in the receipt journal and the cash book
  - Post a cash reduction in the fund making the advance in the appropriations ledger and the cash book
  - If the repayment is made in the same year, reverse these entries when such repayment is made



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## Advances

- If the repayment does not occur within the same year:
  - Increase unencumbered cash in the fund making the advance
  - Decrease unencumbered cash in the fund receiving the advance
  - Must include in budget



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## Advances

- Conversion to a transfer in the same year as the initial advance
  - If the fund initially receiving the advance will not be able to repay the advance
    - Perform the necessary procedures for approval of a transfer
    - Record the transfer in the cash journal, receipts journal and appropriations ledger
    - Reverse the advance
    - Update the Amended Certificate of Estimated Resources
    - Amend the Appropriations Resolution



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## Advances

- Conversion to a transfer in a subsequent year as the initial advance
  - If the fund initially receiving the advance will not be able to repay the advance
    - Perform the necessary procedures for approval of a transfer
    - Update the Certificate of Available Balances



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## Debt Service Fund

- Used to record all debt payments
  - Includes any tax or other revenue anticipation notes issued under 133.10 ORC.
- Notify the County Auditor when debt is incurred
  - The County Auditor will distribute the portion of taxes or revenue collected that are to be used to pay the debt. These monies are to be receipted into the debt service fund.



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## Investment Ledger

- There is no specific format that is required, but certain pieces of information are required to be kept on record
- An investment ledger should include the following:
  - Date of Transaction
  - Description of Investment
    - Type of Investment
    - Amount Invested
    - Maturity Date
    - Interest Rate
    - Identifying Number



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## Investment Ledger

- Receipt Number – The receipt number used when interest is received and posted. This will provide a clear picture of when interest is being received and that postings are occurring at that time
- Separate Columns for:
  - Principal invested
  - Principal redeemed
  - Total amount of investment
- Do not post the purchase of an investment as a disbursement, or post the redemption of an investment as a receipt



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## Bank Reconciliations

- It is essential that you reconcile your cash journal to the bank statements every month
- It is **ESSENTIAL** that you reconcile your cash journal to the bank statements every month
- It is essential that you **RECONCILE** your cash journal to the bank statements every month
- It is essential that you reconcile your cash journal to the bank statements **EVERY** month
- If not reconciled the township can be declared unauditale



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## Bank Reconciliations

- Review your bank statement
  - If there is interest, post it
  - If there is a service charge, post it
- Compare deposits on the bank statements to your deposits
  - You may have to post a direct deposit that you were not aware of
  - Note any deposits you made that don't appear on the bank statement



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## Bank Reconciliations

- Compare the checks that cleared the bank to those in your cash book
  - Make a note of any checks in your cash book that have not cleared the bank



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## Bank Reconciliations

- Balance per Bank (all accounts)
- Add Deposits in Transit
- Subtract Outstanding Checks
- Your total should agree with your cash book total



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## Bank Reconciliations

- Balance per Books is the total of all fund balances (left side of cash book)
- Balance per Bank is the total of all bank accounts (including investments)



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## Bank Reconciliations

- What if you don't reconcile?
  - Double check your work
  - Narrow down where the error can be
    - Deposits per the bank statements plus this month's deposits in transit minus last month's deposits in transit should equal deposits per books
    - Cleared checks per the bank statements plus this month's outstanding checks minus last month's outstanding checks should equal disbursements per books

– Remember that the bank isn't always right either



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## Annual Financial Report

Filing Requirements:

- All Township fiscal officers must prepare an Annual Financial Report (AFR) at year end
- The report must be filed within 60 days of year end
- Filing is accomplished either through the Uniform Accounting Network (UAN) and/or through Annual Financial Data Reporting System (AFDRS)



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## Annual Financial Report

Filing Requirements (Continued):

- UAN users will follow the appropriate procedures outlined in the "Uniform Accounting Network Accounting Manual for Townships" in submitting the annual financial report
- Keep one copy for your records
- At the time the annual financial report is filed with the Auditor of State, the fiscal officer must publish in the newspaper notice of the completion of the report and the fact that the report is available at the office of the fiscal officer



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## Local Government Services

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Columbus, Ohio 43215

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Ohio Auditor of State  
**Dave Yost**

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# Appendix C

# **APPENDIX III**

## **GUIDELINES FOR PREPARING BUDGETS**

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# GUIDELINES FOR PREPARING BUDGETS

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## TABLE OF CONTENTS

Guidelines for Preparing Budgets .....	III-1
Tax Budget .....	III-8
Certificate of Year End Balances .....	III-19
Amended Official Certificate of Estimated Resources.....	III-24
Annual Appropriations .....	III-28

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## GUIDELINES FOR PREPARING BUDGETS

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<u>WHEN</u>	<u>WHO</u>	<u>WHAT</u>
1. March or early April	Taxing Authority Or Chief Executive	Should instruct the head of each department, board or commission to prepare an estimate of contemplated revenue and expenditures for the ensuing fiscal year and file the same with him before June 1 <sup>st</sup> , pursuant to the provisions of O.R.C. 5705.28.
2. First Monday in May	The Fiscal Officer	Shall certify to the taxing authority the amount necessary to provide for the payment of final judgements. O.R.C. 5705.08.
3. June 1 <sup>st</sup>	Department Heads, Boards, Commissions	Shall file with the taxing authority or executive officer their respective estimates of contemplated revenue and expenditures for the ensuing fiscal year. O.R.C. 5705.28.
4. June 15 <sup>th</sup>	The Fiscal Officer Or Executive Officer	Should present a budget in its tentative form to the taxing authority for its consideration and study.
5. Ten days before its adoption	Board of Trustees	Shall file two copies of the budget in the office of the fiscal officer for public inspection and provide for at least one public hearing thereon. O.R.C. 5705.30.
6. Ten days prior to the date of the public hearing	Board of Trustees	Shall cause public notice to be given of such hearing by at least one publication in the official publication or in a newspaper of general circulation in the taxing district. O.R.C. 5705.30.

## GUIDELINES FOR PREPARING BUDGETS

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| 7. | July 15 <sup>th</sup>   | Board of Trustees | Shall adopt a tax budget for the next succeeding fiscal year. O.R.C. 5705.28.  |
| 8. | July 20 <sup>th</sup> in each year, or at such later time as prescribed by the tax commissioner | Board of Trustees | After adopting the budget shall submit the same to the county auditor, who shall place in the filing date stamp thereon. The auditor shall thereafter permit no one to amend such budget by either adding to it or deleting. |

**NOTE:**

The following language has been added to O.R.C. 5705.30 to deny any share in the undivided local government fund to any subdivision if the budget has not been filed before July 20<sup>th</sup>, unless one of the exceptions provided in the statutes applies:

“Any subdivision that fails to submit its budget to the County Auditor on or before the twentieth day of July, unless the tax commissioner on or before the twentieth day of July prescribes a later date for submission of the budget by that subdivision, shall not receive an apportionment from the undivided local government fund distribution for the ensuing calendar year, unless upon review of the matter the commissioner determines that the budget was adopted by the subdivision on or before the fifteenth day of July, but was not submitted to the County Auditor by the twentieth day of July or the later time prescribed by the tax commissioner because of ministerial error by the subdivision or its officers, employees, or other representatives”.

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|----|------------------------|--------------------------|---|
| 9. | First Monday in August | County Budget Commission | Shall consist of three members, the County Auditor, the County Treasurer, and the County Prosecuting Attorney. The commission shall meet at the office of the County Auditor in each county on the first Monday in August, annually, and shall complete its work on or before the first day of September annually, unless for good cause the tax commissioner extends the time for completing its work. O.R.C. 5705.27. |
|    |                        | County Auditor           | Shall be secretary of the commission and shall keep full and accurate record of all proceedings. O.R.C. 5705.27.  |

## GUIDELINES FOR PREPARING BUDGETS

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10. First Monday in August or time as extended by the Tax Commissioner
- County Auditor
- At the meeting shall present to the budget commission the annual budget submitted to him, together with an estimate of the amount of any state levy, the rate of any school tax levy as previously determined and such other information as required by the commission or prescribed by the tax commissioner. O.R.C. 5705.31.
- County Budget Commission
- At the August meeting shall perform the following duties:
- A) Examine all budgets. O.R.C. 5705.31.
  - B) Ascertain the total amount to be raised in the County for the purpose of each subdivision or other taxing unit therein. O.R.C. 5705.31.
  - C) Approve all levies in excess of the ten mill limitation, all levies for debt charges not provided for by levies in excess of the ten mill limitation, and if debt charges are omitted, the commission shall include them. O.R.C. 5705.31.
  - D) Ascertain and approve firemen's pension fund and police relief fund levies. (O.R.C. 741.09 - 741.40), minimum guaranteed levies, O.R.C. 5705.31, Par. D, and general health district levies. (O.R.C. 3709.28) O.R.C. 5705.31.
  - E) Shall revise and adjust the estimate of balances and receipts from all sources to each fund and shall determine the total appropriation that may be made there from. O.R.C. 5705.32.

## GUIDELINES FOR PREPARING BUDGETS

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F) May fix the amount of proceeds of classified property taxes, collected within the county, to be distributed to each board of public library trustees under O.R.C. 5705.28 board of township park commissioners, municipal corporation and county. O.R.C. 5705.32.

G) Before the final determination of the amount to be allotted to each subdivision from any source, the commission shall permit representatives of each subdivision and of each board of public library trustees to appear before it to explain its financial needs. O.R.C. 5705.32.

The pertinent part of O.R.C. 5747.51 (B) reads as follows:

“The commission after extending to the representative of each subdivision an opportunity to be heard, under oath administered by any member of the commission, and considering all the facts and information presented to it by the auditor, shall determine the amount of the undivided local government fund needed by and to be apportioned to each subdivision for current operation expenses, as shown in the tax budget of the subdivision”. O.R.C. 5747.51 (B).

11. When Revision of the budget is complete

County Budget Commission

On or before the first day of September shall certify its action to the taxing authority in the form of a summary known as the “official certificate of estimated resources” attached to the copy of the budget returned to the taxing authority. O.R.C. 5705.34 and 5705.35.

## GUIDELINES FOR PREPARING BUDGETS

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| 12. | When Revision of the budget is complete                           | County Auditor    | Furnishes each taxing authority with an estimate of the rate of each tax necessary to be levied. O.R.C. 5705.34.   |
| 13. | Upon Receipt of the "Official Certificate of Estimated Resources" | Board of Trustees | <p>Has several alternatives at this point. They may:</p> <p>A) Accept the budget commission's decision and certify the levy to the county auditor by October 1<sup>st</sup>, unless extended by the tax commissioner. O.R.C. 5705.34.</p> <p>B) Appeal any action to the Board of Tax Appeals within 30 days after receipt of an official certificate or notice through the fiscal officer or the clerk in the case of a library board. The finding of the board shall be substituted for the findings of the budget commission O.R.C. 5705.37.</p> <p>C) If revenues available are insufficient, reduce their proposed expenditures in accordance with the anticipated revenues.</p> <p style="text-align: center;">Or</p> <p>Adopt a resolution to levy an additional tax to be certified to the board of elections, not less than 60 days before the election upon which it will be voted. O.R.C. 5705.19.</p> <p>If levy is approved and the resolution specified that such additional tax is to be placed upon the tax list of the current year, the taxing authority, after certification of the board of elections, shall make the levy and certify it to the County Auditor, who shall extend it on the tax list for collection. O.R.C. 5705.25.</p> |

## GUIDELINES FOR PREPARING BUDGETS

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| 14. | After results of elections are fully canvassed | Budget Commission             | Revised action on budget of subdivision on whose behalf the tax is levied. O.R.C. 5705.34.   |
| 15. | On or about January 1 <sup>st</sup>            | Fiscal Officer                | <p>Certify to the County Auditor on or before January 1<sup>st</sup> the amount available for expenditures in each fund in the tax budget, with year-end balance. O.R.C. 5705.36.</p> <p>Unexpended balances at year-end for unliquidated obligations may not be included in amount available for expenditure in subsequent fiscal year. O.R.C. 5705.40.</p>       |
| 16. | On or about January 1 <sup>st</sup>            | Budget Commission             | Revise estimate of resources and certify to taxing authority. O.R.C. 5705.36.  |
| 17. | On or about January 1 <sup>st</sup>            | Board of Trustees             | Appropriation measure to be adopted. O.R.C. 5705.38.   |
| 18. | Not later than April 1 <sup>st</sup>           | Board of Trustees             | Permanent appropriation to be adopted. In form prescribed by the bureau. O.R.C. 5705.38.   |
| 19. | In adoption of appropriations                  | Auditor;<br>Board of Trustees | <p>A) Appropriations may not exceed certified estimated resources.</p> <p>B) Appropriations not effective until auditor files with appropriating authority certificate that total appropriations do not exceed amended official certificate.</p> <p>C) Appropriations from fund shall be made only for purpose for which fund was established. O.R.C. 5705.39.</p> |

## GUIDELINES FOR PREPARING BUDGETS

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| 20. In amending appropriations | Board of Trustees;<br>Budget Commission | A) Amended appropriations may not be reduced below the amount to cover unliquidated and outstanding contracts or obligations certified against appropriation.<br><br>B) Intra-Fund transfers(amended appropriations) require taxing authority approval. O.R.C. 5705.40.<br><br>C) Supplemental appropriations due to new or unexpected revenues require amended official certificate of estimated resources from budget commission to reflect such revenue. O.R.C. 5705.36. |
|--------------------------------|---|---|

**AUDITOR OF STATE BULLETIN 97-010**

**June 20, 1997**

TO: ALL COUNTY AUDITORS  
ALL COUNTY COMMISSIONERS  
ALL CITY COUNCIL MEMBERS  
ALL CITY AUDITORS, FINANCE DIRECTORS & TREASURERS  
ALL VILLAGE COUNCIL MEMBERS  
ALL VILLAGE FISCAL OFFICERS  
ALL SCHOOL DISTRICT BOARD OF EDUCATION MEMBERS  
ALL EDUCATIONAL SERVICE CENTER BOARD MEMBERS  
ALL SCHOOL DISTRICT TREASURERS  
ALL EDUCATIONAL SERVICE CENTER TREASURERS  
ALL COMMUNITY COLLEGE BOARD MEMBERS  
ALL COMMUNITY COLLEGE TREASURERS  
ALL TECHNICAL COLLEGE DISTRICT BOARD MEMBERS  
ALL TECHNICAL COLLEGE DISTRICT TREASURERS  
ALL DETENTION HOME DISTRICT TREASURERS  
ALL TOWNSHIP TRUSTEES  
ALL TOWNSHIP CLERKS  
ALL JOINT FIRE DISTRICT BOARDS OF TRUSTEES  
ALL JOINT FIRE DISTRICT FISCAL OFFICERS  
ALL JOINT RECREATION DISTRICT BOARDS OF TRUSTEES  
ALL JOINT RECREATION DISTRICT FISCAL OFFICERS  
ALL JOINT ADAMH BOARDS OF TRUSTEES  
ALL JOINT ADAMH FISCAL OFFICERS  
ALL JOINT AMBULANCE DISTRICT BOARDS OF TRUSTEES  
ALL JOINT AMBULANCE DISTRICT FISCAL OFFICERS  
ALL JOINT AMBULANCE AND FIRE DISTRICT BOARDS OF TRUSTEES  
ALL JOINT AMBULANCE AND FIRE DISTRICT FISCAL OFFICERS  
ALL UNION CEMETERY DISTRICT FISCAL OFFICERS  
ALL DRAINAGE IMPROVEMENT DISTRICT FISCAL OFFICERS  
ALL JOINT EMERGENCY MEDICAL DISTRICT FISCAL OFFICERS  
ALL TOWNSHIP POLICE DISTRICT FISCAL OFFICERS  
ALL TOWNSHIP FIRE DISTRICT FISCAL OFFICERS  
ALL TOWNSHIP ROAD DISTRICT FISCAL OFFICERS  
ALL TOWNSHIP WASTE DISPOSAL DISTRICT FISCAL OFFICERS  
ALL INDEPENDENT PUBLIC ACCOUNTANTS

SUBJECT: MISCELLANEOUS BUDGETARY ISSUES

The budgetary presentation required for governmental financial statements reflects a combination of both accounting and legal guidelines. This bulletin will respond to some of the more frequently asked questions and address issues that have been treated inconsistently in Ohio regarding the application of these guidelines.

Legal Level of Control

Normally, there are a number of levels of detail in an appropriated budget. Consider, for example, the following possible levels of detail:

Fund	General fund
Function	Public safety
Department	Fire
Activity	Fire prevention
Object	Personal services--salaries and wages
Subject	Regular employees

Although budgets normally are prepared at all of these levels of detail, management frequently retains some latitude in the use of appropriated moneys. For example, management may not legally be able to move resources from one department to another, but may be able to reassign resources from one activity to another within a single department. The lowest level at which a government's management may *not* reassign resources without legislative approval is known as the "legal level of control."

The legal level of control can vary greatly from one government to the next. For some governments, the legal level of control is as high as the fund or function level. For others, the legal level of control may be as low as the object level, or even lower. The legal level of control is the level at which governments must present individual budgetary financial statements in a CAFR, and is also the level at which budgetary violations must be disclosed in the notes to the financial statements.

In Ohio, the legal level of control is the level at which the appropriation measure is passed by the legislative authority of a local government. The legislative authority of a municipality may establish the legal level of control pursuant to charter or ordinance, while other local governments should follow the level, if any, that is set forth in the Ohio Administrative Code. The Auditor of State's Office is currently in the process of amending the Ohio Administrative Code to reflect the practicalities of a local government's ability to set its own level of detail in an appropriation measure.

The local government's legislative authority has the ability to establish its legal level of control at the beginning of each fiscal year coinciding with the adoption of its annual budget. Once established, the legal level of control should be the same throughout the fiscal year. Auditors are

required to determine the legal level of control and assure that the entity's financial statements and schedules properly report budgetary accountability at that level. Auditors are required to test budgetary compliance throughout the year as well as at the end of the year. In determining the legal level of control, auditors shall use the level of detail set forth in the entity's appropriation measure beginning fiscal year 1999 for school districts and calendar year 1998 for all other local governments.

### Delegation of Authority to Set Appropriations

The legislative body of a local government may *not* delegate its authority to establish appropriations. The appropriation process is a function of the legislative authority that must be performed by those specific individuals elected to fulfill that responsibility. However, other officials of the local government may be given the authority to allocate or re-allocate funds within a legally adopted appropriation.

### Actual Revenues and Expenditures

It is common for revenues, expenditures and other financing sources and uses to be reclassified from one account on the budgetary statements to a different account on the GAAP operating statements to reflect differences in accounting treatment. For example, a transfer-in on the budgetary statement may become an addition to contributed capital on the GAAP statement. Reclassifications also occur when an error in classification is detected on the budgetary statements. For example, the government may have recorded the receipt of homestead and rollback reimbursements as property taxes rather than as intergovernmental revenue. Another example would be a common pleas court expenditure that should have been classified by the county as judicial, but instead was recorded as public works.

Reclassifications due to errors should not be made just to the GAAP statements but should also be applied to the budgetary statements. Significant misclassifications on the budgetary statements may be misleading and serve as the basis for a qualified opinion. Reclassifications to actual amounts may be accompanied by reclassifications to the budgeted amounts if the budgeted amount was also classified in error.

### Note Rollovers

When short-term notes mature, many local governments issue new notes for the same or a slightly smaller amount than the old one. The local government is required to budget for the payment of the principal of the old note and should budget for the receipt of the proceeds of the new note.

### Fiscal Officer's Certification of Available Funds

Ohio Rev. Code § 5705.41(D)(1) requires the fiscal officer of each subdivision or district authority to certify that adequate revenues are available to pay every contract or order involving the expenditure of money. It is important to remember that this certification must be received by the fiscal officer of the local government for *every* contract or order involving an expenditure of money. Most local governments include certification language as part of their purchase order.

Certification by the fiscal officer that funds are available can be accomplished in three manners: (1) prior certification; (2) then and now certifications; and (3) blanket certifications.

#### Prior Certification

Prior to the local government incurring an obligation or entering into a contract involving the expenditure of the entity's money, a certification should be obtained from the fiscal officer stating: "It is hereby certified that the amount of \$\_\_\_\_\_ required to pay this contract has been lawfully appropriated and is in the treasury or in the process of collection to the credit of the \_\_\_\_\_ Fund, free from any obligation or certification now outstanding." This language usually appears on purchase orders issued by the local government's fiscal officer upon a request by the official, department or employee for the expenditure of money. This certification is valid only for the specific expenditure supported by a purchase order showing the vendor, quantity, and price for the purchase being made.

#### Then and Now Certification

Ohio Rev. Code 5705.41(D)(1) provides that if prior certification of funds by the fiscal officer was not obtained before the contract or order involving the expenditure of money was made, as described above, then the fiscal officer may instead certify

[T]hat there was at the time of the making of such contract or order and at the time of the execution of such certificate a sufficient sum appropriated for the purpose of such contract and in the treasury or in process of collection to the credit of an appropriate fund free from any previous encumbrances.

Thus, the fiscal officer is certifying that there were appropriations available and funds in the treasury or in the process of collection at the time the contract or order was made (then), and there are still sufficient appropriations and funds in the treasury or in the process of collection at the time the certificate is being issued (now).

Because the timing of when the fiscal officer is certifying the availability of funds is different when using a then and now certificate, the certification language used by the fiscal officer should also reflect this difference in timing. Sample language for a then and now certificate would state:

It is hereby certified that both at the time of the making of this contract or order and at the date of the execution of this certificate, the amount of \$\_\_\_\_\_ required to pay this contract or order has been appropriated for the purpose of this contract or order and is in the treasury or in the process of collection to the credit of the \_\_\_\_\_ Fund free from any previous encumbrance.

When the fiscal officer is using a then and now certificate and the amount certified for counties exceeds \$100 and for all other entities exceeds \$1,000, the fiscal officer must obtain the legislative authority's approval by resolution or ordinance. This approval must be obtained within 30 days of the legislative authority's receipt of the certificate.

It is important to note that if legislative authority approval by resolution or ordinance is needed because the purchase exceeds the threshold dollar amount of \$100 for counties or \$1,000 for other subdivisions, the resolution or ordinance is in *addition to* any resolution by the legislative authority approving the expenditure of the funds to a particular creditor. However, if the dollar amount expended does not exceed the threshold amount, no legislative authority action approving the then and now certificate is necessary.

### Blanket Certificates

A blanket certificate is best described as a certification for the expenditure of funds for which either the vendor, price or quantity is open-ended on the purchase order. Blanket certificates may be issued for all subdivisions if the dollar amount is not in excess of \$5,000, does not exceed three months in duration, and does not extend beyond the end of the fiscal year.

In addition, counties have the ability to issue blanket certificates for expenditures in excess of \$5,000 for the purposes set forth in Ohio Rev. Code § 5705.41(D)(3). While this certification may extend longer than three months in duration, it must not extend beyond either the end of the fiscal year or end of the quarter for which the county has adopted a quarterly spending plan.

If adequate unencumbered appropriations are not available, the legislative authority must amend or supplement the appropriation so that the certification can be made. State statute does not provide a method for the legislative body to amend the appropriations after the fact. In addition, purchase orders and contracts without certification are void and may not be paid. If the fiscal officer is unable to execute a certificate at the time the obligation was incurred or a then and now certificate, state courts have been willing to recognize an equitable solution by accepting the legislative authority's acknowledgment of a moral obligation to pay the vendor.

### Budgeted Revenues and Expenditures

***THE REMAINDER OF THIS BULLETIN, WHICH PERTAINS TO THE ISSUE OF BUDGETING REVENUES AND EXPENDITURES, IS APPLICABLE ONLY TO COUNTIES, MUNICIPALITIES AND SCHOOL DISTRICTS. ALL OTHER LOCAL GOVERNMENTS SHOULD DISREGARD THIS SECTION.***

Three primary reasons exist under Ohio law for a local government to request of the county auditor issuance of a certificate of estimated resources. Ohio Rev. Code § 5705.36. First, a local government must obtain an official certificate of estimated resources on or about the first day of the fiscal year. This certificate must be obtained prior to the local government’s passage of its original appropriation measure. Secondly, an amended certificate of estimated resources should be obtained prior to passing additional appropriations when the local government experiences an increase in revenue. Also, if a local government experiences a shortfall in estimated resources, the fiscal officer should request from the county auditor a reduced amended certificate. In addition to these three reasons, many counties and school districts request a final amended certificate of estimated resources prior to the fiscal year-end.

Ohio Rev. Code § 5705.36 provides, in part, that upon the determination by a municipal fiscal officer, school district treasurer or by a county auditor that the revenue to be collected by the municipality, school district or county, respectively, will be greater or less than the amount included in the current official certificate, the fiscal officer shall

[In the case of a school district] certify the amount of the deficiency or excess to the commission, and the commission shall certify an amended official certificate reflecting the deficiency or excess.

....

[In the case of a county or municipal corporation] certify the amount of the deficiency or excess to the [budget] commission, and if the commission determines that the [fiscal officer’s] certification is reasonable, the commission shall certify an amended official certificate reflecting the deficiency or excess.

....

The total appropriations made during the fiscal year from any fund shall not exceed the amount set forth as available for expenditure from such fund in the official certificate of estimated resources, or any amendment thereof, certified prior to the making of the appropriation or supplemental appropriation.

Prior to enactment of these provisions, municipal and school district treasurers had the authority to obtain certifications of increases in available resources when their estimate of revenue to be collected increased. County auditors were authorized to obtain such “increase” certificates whenever actual collections exceeded estimates or whenever revenue could be estimated for a previously unbudgeted source. However, these officers were not authorized to obtain certifications of reductions in available resources when they projected a reduction in estimated revenue. As a result, subdivisions frequently made appropriations and expenditures or incurred obligations on the basis of inaccurate estimates, in excess of actual resources.

The intent of this statutory requirement is to require the fiscal officer to obtain such a “reduction” certificate when it appears that budgetary resources will fall short of earlier estimates, reducing the possibility that deficit spending will occur.

Ohio Rev. Code § 5705.36 does not require that municipal fiscal officers, school district treasurers and county auditors certify changes to the budget commission so as to obtain an amended certificate of estimated resources which matches actual resources for the year to the penny (a “zero variance”). Citations for noncompliance with this provision will not be issued by the Auditor of State’s Office on the basis of a variance between amounts in the most recent amended certificate of estimated resources and the amount of actual resources, unless it appears that the fiscal officer knowingly disregarded a significant variance and that, had a “reduction” certificate been obtained, the effect would have been to prevent the making of expenditures or the incurrence of obligations in excess of actual resources.

The following examples illustrate circumstances under which a variance between the amended certificate of estimated resources and the actual resources is not indicative of a deleterious budgetary effect.

1. Additional revenue is estimated by the entity, but the entity does not obtain an amended official certificate of estimated resources as it does not anticipate appropriating the resources or incurring any obligations until the next fiscal year. For example, if an auditee determines six weeks before fiscal year end that it will receive an additional \$50,000 in a state grant fund, but it does not anticipate that this money will be appropriated, expended, or obligated until the next fiscal year and, therefore, does not obtain an amended official certificate of estimated resources, a variance between the amount of the most recent amended official certificate of estimated resources and a higher amount of actual resources attributable to this increase would not warrant a citation in the audit report.
2. Additional revenue is estimated by the entity, which obtains an amended official certificate of estimated resources, appropriates the additional revenue, and incurs obligations. The entity elects, however, to defer receipt of the additional revenue until the next fiscal year, when the related cash disbursements will be made. For example, a school district may obtain a new certificate due to an anticipated state loan and appropriate and obligate the resources in question. As payment will not, however, be due until the next fiscal year, it defers actual receipt of the loan proceeds. The result is a variance between the amount of the most recent amended official certificate of estimated resources and the lower amount of actual resources. A citation would not, however, be appropriate.
3. Actual revenue falls below the amount of the amended official certificate of estimated resources, but is sufficient to cover actual expenditures and encumbrances for the fiscal year. For example, an entity may have an

amended official certificate of estimated resources in the amount of \$100,000, actual revenues of \$90,000, and expenditures and encumbrances of \$85,000. Under such circumstances, the failure to obtain an amended certification reflecting the lowered revenue level would not be required.

4. Actual revenue falls below the amount of the amended official certificate of estimated resources, but appropriations and expenditures plus obligations incurred prior to the point at which a revised estimate could have been made exceed the amended estimate. For example, an entity may have an amended certificate of estimated resources in the amount of \$100,000, in reliance upon which it adopts appropriations of \$95,000 and incur obligations of \$95,000. When it thereafter estimates that actual resources will be \$90,000, should it obtain an amended official certificate of estimated resources? And, if so, in what amount? Where expenditures are made or obligations incurred within the limits of an existing certificate and an amended certificate is subsequently obtained pursuant to Ohio Rev. Code § 5705.36 in an amount below the amount of expenditures and outstanding obligations, Ohio Rev. Code § 5705.36 prohibits the reduction of appropriations below that amount necessary to cover "obligations certified from or against the obligation." Thus, appropriations and expenditures and obligations incurred may exceed the year-end amount of the amended official certificate of estimated resources although no statutory violation has occurred. Under the circumstances set forth above, a reduced certificate in the amount of \$95,000, the lowest lawful amount to which appropriations can be reduced, should be obtained. This satisfies the control objective of the statute by preventing unlawful expenditures and obligations in excess of the estimated amount, but recognizes the legal prohibition upon any further reduction in appropriations.
5. The determination of compliance should be made on the basis of the currently estimable legal resources. For example, a subdivision has estimated proceeds of \$100,000, appropriates and expends or obligates \$100,000, but determines that actual resources for the fiscal year will be only \$80,000. It may, however, by transfer or borrowing, obtain the extra \$20,000. In determining whether a "reduction" certificate should have been obtained, look to what actions have been formally taken by the taxing authority of the subdivision. If no action was taken to transfer or borrow the \$20,000, a citation may be appropriate. If the money was transferred or borrowed so as to increase total actual resources to \$100,000, no citation would be necessary.

If a municipal corporation, school district or county, however, desires the issuance of a final amended certificate of estimated resources by the budget commission, the amounts included in a budget should only be amended as of the date the municipal corporation, school district or county requests the issuance of an amended certificate. The date of the amended certificate request should be evidenced by a notation in the minutes of or a resolution by the legislative authority. The Auditor of State's Office will, therefore, use the amounts listed on the last amended certificate of estimated resources requested during the fiscal year as the basis for testing compliance, beginning with audits of fiscal year 1998.

Budgeted expenditures coincide with either the final appropriations passed by the legislative body prior to fiscal year-end or the sum of those final appropriations plus encumbrances carried forward from the prior year. The statutory budget process simply codifies what are or should be good management practices. These processes are intended to provide a framework that management and legislators can use to reasonably control spending activities

\*\*\*\*\*

This bulletin summarizes some of the budgetary matters about which our Office receives numerous questions. Please be aware that the summary of statutory requirements regarding these budgetary matters is not intended to be used as a substitute for the actual Code provisions.

If you should have any questions, please contact the Senior Deputy Auditor for your Regional Auditor of State's Office.

# TAX BUDGET

**Township of \_\_\_\_\_,**  
 \_\_\_\_\_ County, Ohio,  
 \_\_\_\_\_, \_\_\_\_\_  
 (date)

This Budget must be adopted by the Board of Trustees body on or before July 15<sup>th</sup>, and two copies must be submitted to the County Auditor on or before July 20<sup>th</sup>. FAILURE TO COMPLY WITH SEC. 5705.30 R.C. SHALL RESULT IN LOSS OF LOCAL GOVERNMENT FUND ALLOCATION.

**To the Auditor of said County:**

The following Budget for the fiscal year beginning January 1, \_\_\_\_\_, has been adopted by the Board of Trustees of \_\_\_\_\_, and is herewith submitted for consideration of the County Budget Commission.  
 Township Fiscal officer \_\_\_\_\_

SCHEDULE A

SUMMARY OF AMOUNTS REQUIRED FROM GENERAL PROPERTY TAX APPROVED  
 BY BUDGET COMMISSION AND COUNTY AUDITOR'S ESTIMATED TAX RATES

COUNTY AUDITOR'S ESTIMATED TAX VALUATION \$ \_\_\_\_\_

FUND	FOR TOWNSHIP USE		FOR BUDGET COMMISSION USE				FOR COUNTY AUDITOR'S USE	
	Total Amount Requested (Per Tax Budget)	Amount Approved By Budget Commission Inside 10 Mill Limit	Amount Approved By Budget Commission Outside 10 Mill Limit		County Auditor's Estimate of Tax Rate To Be Levied		Inside 10 Mill Limit	Outside 10 Mill Limit
							Column I	Column II
General Fund								
Road and Bridge Fund								
Fire District Fund								
Sinking Fund								
Permanent Improvement Fund								
Trust Fund								
<b>TOTAL</b>								

SCHEDULE B

For County Budget Commission Only

LEVIES OUTSIDE 10 MILL LIMITATION, EXCLUSIVE OF DEBT LEVIES

Authority For & Purpose of Levy	Date of Vote	Tax Year		Maximum Rate Authorized To Be Levied	Reduced Rate Per R.C. 5713.11	County Auditor's Estimate of Yield of Levy	
		Levy Begins	Levy Ends				

EXHIBIT 1

Comparative and Estimated Receipts, Disbursements and Balances

GENERAL FUND	For _____ Actual		For _____ Actual		Current Year Estimated For _____		Budget Year Estimated For _____	
<b>GENERAL FUND c REVENUES</b>								
<b>BALANCE JANUARY 1ST</b>								
<b>TAXES REVENUES:</b>								
Taxes - Real Estate								
Taxes - Personal Property								
Taxes - Other								
<b>CHARGES FOR SERVICES</b>								
<b>LICENSES, PERMITS AND FEES</b>								
<b>FINES AND FORFEITURES</b>								
<b>INTERGOVERNMENTAL RECEIPTS:</b>								
Local Government Distribution								
Estate Tax								
RHPE								
<b>SPECIAL ASSESSMENTS</b>								
<b>INTEREST</b>								
<b>OTHER REVENUE</b>								
<b>TOTAL REVENUES</b>								
<b>TOTAL REVENUES AND BALANCE</b>								

GENERAL FUND	For _____ Actual		For _____ Actual		Current Year Estimated For _____		Budget Year Estimated For _____	
<b>GENERAL FUND - EXPENDITURES</b>								
<b>GENERAL GOVERNMENT:</b>								
Personal Services								
Other								
<b>PUBLIC SAFETY:</b>								
Personal Services								
Other								
<b>PUBLIC WORKS:</b>								
Personal Services								
Other								
<b>HEALTH:</b>								
Personal Services								
Other								
<b>HUMAN SERVICES:</b>								
Personal Services								
Other								
<b>CONSERVATION/ RECREATION:</b>								
Personal Services								
Other								
<b>MISCELLANEOUS:</b>								
Personal Services								
Other								
<b>CAPITAL OUTLAY:</b>								
Personal Services								
Other								



GENERAL FUND	For _____ Actual		For _____ Actual		Current Year Estimated For _____		Budget Year Estimated For _____	
<b>GENERAL FUND - OTHER FINANCING SOURCES &amp; USES</b>								
<b>OTHER FINANCING SOURCES &amp; USES:</b>								
Proceeds of Bonds								
Proceeds of Notes								
Transfers In								
Advances In								
Other Financing Sources								
Transfers Out								
Advances Out								
Contingencies								
Other Financing Uses								
<b>TOTAL OTHER FINANCING SOURCES &amp; USES</b>								
<b>BALANCE DECEMBER 31,</b>								
Less: Encumbrances								
<b>UNENCUMBERED BALANCE DECEMBER 31,</b>								







COUNTY AUDITOR'S ESTIMATE  
TAX LEVIES AND RATES FOR \_\_\_\_\_, IN TOWNSHIP  
TAX VALUATION \$

GOVERNMENTAL UNIT	Amount Approved By Budget Commission						County Auditor's Estimate of Rate, In Mills		
	Inside 10 Mill Limit		Outside 10 Mill Limit		Total		Inside	Outside	Total
County									
Township									
School									
Municipality									
Other									
Total									

**CERTIFICATE OF  
YEAR END BALANCES**

**Certificate of the Total Amount From All Sources Available  
For Expenditures, and Balances  
(Rev. Code, Sec. 5705.36)**

From the: \_\_\_\_\_, Ohio, as of \_\_\_\_\_, \_\_\_\_\_ County

To the County Auditor of said County:

The following is the total amount from all sources available for expenditure for all funds as set up in the tax budget (shown in the fiscal officer ledgers if no tax budget was required under 5705.281) that exist at the end of the fiscal year.

<b>Fund Types</b>	<b>Cash Balance 12/31/_____</b>	<b>Encumbrances 12/31/_____</b>	<b>Reserve Balance Accounts</b>	<b>Advances Not Repaid</b>	<b>Carryover Balance Available For Appropriations</b>	<b>Total Estimated Revenue From All Sources</b>	<b>Total Carryover Balance Plus Estimated Resources</b>
<b>Governmental Fund Types</b>							
General Fund							
Special Revenue							
Debt Service							
Capital Projects							
Permanent							
<b>Proprietary Fund Types</b>							
Enterprise							
Internal Service							
<b>Fiduciary Fund Type</b>							
Private Purpose Trust							
<b>Total All Funds (Excluding Agency)</b>							

Fund Types	Cash Balance 12/31/	Encumbrances 12/31/	Reserve Balance Accounts	Advances Not Repaid	Carryover Balance Available For Appropriations	Total Estimated Revenue From All Sources	Total Carryover Balance Plus Estimated Resources
<b>Governmental Fund Types</b>							
<b>General Fund</b>							
1000 General Fund							
<b>Special Revenue Fund</b>							
2011 Motor Vehicle License Tax							
2021 Gasoline Tax							
2031 Road and Bridge							
2041-2069 Cemetery Funds							
2071-2079 Garbage and Waste Dist.							
2081-2109 Police District							
2111-2139 Fire District							
2141-2169 Road District							
2171-2180 Park Levy							
2181-2189 Zoning Funds							
2191-2219 Special Levy Funds							
2221 Drug Law Enforcement							
2231 Permissive Motor Veh. Lic. Tax							
2241 Permissive Sales Tax							
2901-2999 Misc. Special Revenue							
<b>Total Special Revenue Funds</b>							

Fund Types	Cash Balance 12/31/____	Encumbrances 12/31/____	Reserve Balance Accounts	Advances Not Repaid	Carryover Balance Available For Appropriations	Total Estimated Revenue From All Sources	Total Carryover Balance Plus Estimated Resources
<b>Debt Service Funds</b>							
3101-3199 General (Bond/Note) Ret.							
3201-3299 Sinking Funds							
3301-3399 Special Assessment							
3901-3999 Miscellaneous Debt Serv.							
<b>Total Debt. Service Funds</b>							
<b>Capital Service Funds</b>							
4101-4199 Bond Funds							
4201-4299 Capital Equipment							
Note: Capital Equipment Funds Should not be in use after 1998							
4301-4399 Permanent Improvement							
4401-4499 Public Works Comm. Proj.							
4501-4599 Special Assess. Funds							
4901-4999 Misc. Capital Projects Funds							
<b>Total Capital Projects Funds</b>							

<b>Fund Types</b>	<b>Cash Balance 12/31/_____</b>	<b>Encumbrances 12/31/_____</b>	<b>Reserve Balance Accounts</b>	<b>Advances Not Repaid</b>	<b>Carryover Balance Available For Appropriations</b>	<b>Total Estimated Revenue From All Sources</b>	<b>Total Carryover Balance Plus Estimated Resources</b>
<b>Permanent Fund Types</b>							
4951-4999 Permanent Funds							
<b>Total Permanent Funds</b>							
<b>Proprietary Fund Types</b>							
<b>Enterprise Funds</b>							
5001-5999 Enterprise Funds							
<b>Total Enterprise Funds</b>							
<b>Internal Service Funds</b>							
6001-6999 Internal Service Funds							
<b>Total Internal Service Funds</b>							
<b>Fiduciary Funds</b>							
9751-9999 Private Purpose Trust Funds							
<b>Total Fiduciary Funds</b>							
<b>Total All Funds (Excluding Agency)</b>							

**AMENDED OFFICIAL  
CERTIFICATE OF  
ESTIMATED  
RESOURCES**

**AMENDED OFFICIAL CERTIFICATE OF ESTIMATED RESOURCES  
(Rev. Code, Sec. 5705.36)**

To the Trustee of the Township of \_\_\_\_\_:

The following is the amended official certificate of estimated resources for the fiscal year beginning January 1st, \_\_\_\_\_, as revised by the Budget Commission of said County, which shall govern the total of appropriations made at any time during such fiscal year:

Fund Types	Unencumbered Balance	Taxes	Other Sources	Total
	1/1/_____			
<b>Governmental Fund Types</b>				
General				
Special Revenue				
Debt Service				
Capital Projects				
Permanent				
<b>Proprietary Fund Types</b>				
Enterprise				
Internal Service				
<b>Fiduciary Fund Types</b>				
Private Purpose Trust				
<b>Total (Excluding Agency)</b>				

Signed: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Budget Commission

<b>Fund Types</b>	<b>Unencumbered Balance 1/1/_____</b>	<b>Taxes</b>	<b>Other Sources</b>	<b>Total</b>
<b>Governmental Fund Types</b>				
<b>General Fund</b>				
1000-General				
<b>Special Revenue Funds</b>				
2011-Motor Vehicle License Tax Fund				
2021-Gasoline Tax Fund				
2031-Road and Bridge Fund				
2221-Drug Law Enforcement Fund				
<b>Total Special Revenue Funds</b>				
<b>Debt Service Funds</b>				
3101-General Obligation Bonds				
3301 Special Assess. Bond Retirement				
<b>Total Debt Service Funds</b>				
<b>Capital Project Funds</b>				
<b>Total Capital Project Funds</b>				
<b>Permanent Funds</b>				
<b>Total Permanent Funds</b>				
<b>Proprietary Fund Types</b>				
<b>Enterprise Funds</b>				
<b>Total Enterprise Funds</b>				
<b>Internal Service Funds</b>				

Fund Types	Unencumbered Balance 1/1/_____	Taxes	Other Sources	Total
<b>Total Internal Service Funds</b>				
<b>Fiduciary Fund Types</b>				
<b>Private Purpose Trust Funds</b>				
<b>Total Private Purpose Trust Funds</b>				
<b>Total - All Funds (Excluding Agency)</b>				

# ANNUAL APPROPRIATIONS

**TOWNSHIP ANNUAL APPROPRIATION RESOLUTION**

The Board of Trustees of \_\_\_\_\_ Township, in \_\_\_\_\_ County, Ohio,  
met in \_\_\_\_\_ session on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, at the office of \_\_\_\_\_  
with the following members present:

\_\_\_\_\_ moved the adoption of the following Resolution:

**BE IT RESOLVED** by the Board of Trustees of \_\_\_\_\_ Township, \_\_\_\_\_  
County, Ohio, that to provide for the current expenses and other expenditures of said Board of Trustees,  
during the fiscal year ending December 31, 20\_\_\_\_, the following sums be and the same are hereby set  
aside and appropriated for the several purposes for which expenditures are to be made for and during said  
fiscal year, as follows, viz:

\_\_\_\_\_ seconded the Resolution and the  
roll being called upon its adoption the vote resulted as follows:

Adopted \_\_\_\_\_, 20

\_\_\_\_\_  
Township Fiscal Officer

TOWNSHIP ANNUAL APPROPRIATIONS

GENERAL FUND

**General Government**

*Administrative*

Personal Services	\$	_____
Employee Fringe Benefits	\$	_____
Purchased Services	\$	_____
Supplies and Materials	\$	_____
Other	\$	_____
Capital Outlay	\$	_____
Debt Service	\$	_____
Other Financing Uses	\$	_____

*Townhalls, Memorial Buildings and Grounds*

Personal Services	\$	_____
Employee Fringe Benefits	\$	_____
Purchased Services	\$	_____
Supplies and Materials	\$	_____
Other	\$	_____
Capital Outlay	\$	_____
Debt Service	\$	_____
Other Financing Uses	\$	_____

*Zoning*

Personal Services	\$	_____
Employee Fringe Benefits	\$	_____
Purchased Services	\$	_____
Supplies and Materials	\$	_____
Other	\$	_____
Capital Outlay	\$	_____
Debt Service	\$	_____
Other Financing Uses	\$	_____

*Other*

Personal Services	\$	_____
Employee Fringe Benefits	\$	_____
Purchased Services	\$	_____
Supplies and Materials	\$	_____
Other	\$	_____
Capital Outlay	\$	_____
Debt Service	\$	_____
Other Financing Uses	\$	_____

**TOTAL GENERAL GOVERNMENT**

**\$0.00**

That there be appropriated for PUBLIC SAFETY:

**Public Safety**

*Police Protection*

Personal Services	\$	_____
Employee Fringe Benefits	\$	_____
Purchased Services	\$	_____
Supplies and Materials	\$	_____
Other	\$	_____
Capital Outlay	\$	_____
Debt Service	\$	_____
Other Financing Uses	\$	_____

*Fire Protection*

Personal Services	\$	_____
Employee Fringe Benefits	\$	_____
Purchased Services	\$	_____
Supplies and Materials	\$	_____
Other	\$	_____
Capital Outlay	\$	_____
Debt Service	\$	_____
Other Financing Uses	\$	_____

*Emergency Medical Services*

Personal Services	\$	_____
Employee Fringe Benefits	\$	_____
Purchased Services	\$	_____
Supplies and Materials	\$	_____
Other	\$	_____
Capital Outlay	\$	_____
Debt Service	\$	_____
Other Financing Uses	\$	_____

*Civil Defense*

Personal Services	\$	_____
Employee Fringe Benefits	\$	_____
Purchased Services	\$	_____
Supplies and Materials	\$	_____
Other	\$	_____
Capital Outlay	\$	_____
Debt Service	\$	_____
Other Financing Uses	\$	_____

*Other*

Personal Services	\$	_____
Employee Fringe Benefits	\$	_____
Purchased Services	\$	_____
Supplies and Materials	\$	_____
Other	\$	_____
Capital Outlay	\$	_____
Debt Service	\$	_____
Other Financing Uses	\$	_____

**TOTAL PUBLIC SAFETY**

**\$0.00**

That there be appropriated for PUBLIC WORKS:

**Public Works**

*Lighting*

Personal Services	\$	_____
Employee Fringe Benefits	\$	_____
Purchased Services	\$	_____
Supplies and Materials	\$	_____
Other	\$	_____
Capital Outlay	\$	_____
Debt Service	\$	_____
Other Financing Uses	\$	_____

*Sanitary Dumps*

Personal Services	\$	_____
Employee Fringe Benefits	\$	_____
Purchased Services	\$	_____
Supplies and Materials	\$	_____
Other	\$	_____
Capital Outlay	\$	_____
Debt Service	\$	_____
Other Financing Uses	\$	_____

*Highways*

Personal Services	\$	_____
Employee Fringe Benefits	\$	_____
Purchased Services	\$	_____
Supplies and Materials	\$	_____
Other	\$	_____
Capital Outlay	\$	_____
Debt Service	\$	_____
Other Financing Uses	\$	_____

*Other*

Personal Services	\$	_____
Employee Fringe Benefits	\$	_____
Purchased Services	\$	_____
Supplies and Materials	\$	_____
Other	\$	_____
Capital Outlay	\$	_____
Debt Service	\$	_____
Other Financing Uses	\$	_____

**TOTAL PUBLIC WORKS**

**\$0.00**

That there be appropriated for HEALTH:

**Health**

*Cemeteries*

Personal Services	\$	_____
Employee Fringe Benefits	\$	_____
Purchased Services	\$	_____
Supplies and Materials	\$	_____
Other	\$	_____
Capital Outlay	\$	_____
Debt Service	\$	_____
Other Financing Uses	\$	_____

*Health Districts*

Personal Services	\$	_____
Employee Fringe Benefits	\$	_____
Purchased Services	\$	_____
Supplies and Materials	\$	_____
Other	\$	_____
Capital Outlay	\$	_____
Debt Service	\$	_____
Other Financing Uses	\$	_____

*Underground Storage Tanks*

Personal Services	\$	_____
Employee Fringe Benefits	\$	_____
Purchased Services	\$	_____
Supplies and Materials	\$	_____
Other	\$	_____
Capital Outlay	\$	_____
Debt Service	\$	_____
Other Financing Uses	\$	_____

*Other*

Personal Services	\$	_____
Employee Fringe Benefits	\$	_____
Purchased Services	\$	_____
Supplies and Materials	\$	_____
Other	\$	_____
Capital Outlay	\$	_____
Debt Service	\$	_____
Other Financing Uses	\$	_____

**TOTAL HEALTH**

**\$0.00**

That there be appropriated for HUMAN SERVICES:

**Human Services**

*Human Services*

Personal Services	\$	_____
Employee Fringe Benefits	\$	_____
Purchased Services	\$	_____
Supplies and Materials	\$	_____
Other	\$	_____
Capital Outlay	\$	_____
Debt Service	\$	_____
Other Financing Uses	\$	_____

*Other*

Personal Services	\$	_____
Employee Fringe Benefits	\$	_____
Purchased Services	\$	_____
Supplies and Materials	\$	_____
Other	\$	_____
Capital Outlay	\$	_____
Debt Service	\$	_____
Other Financing Uses	\$	_____

**TOTAL HUMAN SERVICES**

**\$0.00**

That there be appropriated for CONSERVATION-RECREATION:

**Conservation - Recreation**

*Parks and Recreation*

Personal Services	\$	_____
Employee Fringe Benefits	\$	_____
Purchased Services	\$	_____
Supplies and Materials	\$	_____
Other	\$	_____
Capital Outlay	\$	_____
Debt Service	\$	_____
Other Financing Uses	\$	_____

*Other*

Personal Services	\$	_____
Employee Fringe Benefits	\$	_____
Purchased Services	\$	_____
Supplies and Materials	\$	_____
Other	\$	_____
Capital Outlay	\$	_____
Debt Service	\$	_____
Other Financing Uses	\$	_____

**TOTAL CONSERVATION - RECREATION**

**\$0.00**

That there be appropriated for MISCELLANEOUS:

**Miscellaneous**

Personal Services	\$	_____
Employee Fringe Benefits	\$	_____
Purchased Services	\$	_____
Supplies and Materials	\$	_____
Other	\$	_____
Capital Outlay	\$	_____
Debt Service	\$	_____
Other Financing Uses	\$	_____

**TOTAL MISCELLANEOUS**

**\$0.00**

That there be appropriated for CAPITAL OUTLAY:

**Capital Outlay**

Land	\$	_____
Buildings	\$	_____
Improvement of Sites	\$	_____
Machinery, Equipment and Furniture	\$	_____
Motor Vehicles	\$	_____
Other Capital Outlay	\$	_____

**TOTAL CAPITAL OUTLAY**

**\$0.00**

That there be appropriated for DEBT SERVICE:

**Debt Service**

Principal Payments - Bonds	\$	_____
Principal Payments - Notes	\$	_____
Interest Payments	\$	_____
Fiscal Changes	\$	_____

**TOTAL DEBT SERVICE**

**\$0.00**

That there be appropriated for OTHER FINANCING USES:

**Other Financing Uses**

Operating Transfers Out	\$	_____
Advances Out	\$	_____
Contingencies	\$	_____
Other Financing Uses	\$	_____

**TOTAL OTHER FINANCING USES**

**\$0.00**

**TOTAL GENERAL FUND**

**\$0.00**

\_\_\_\_\_ FUND

**General Government**

*Administrative*

Personal Services	\$	_____
Employee Fringe Benefits	\$	_____
Purchased Services	\$	_____
Supplies and Materials	\$	_____
Other	\$	_____
Capital Outlay	\$	_____
Debt Service	\$	_____
Other Financing Uses	\$	_____

*Townhalls, Memorial Buildings and Grounds*

Personal Services	\$	_____
Employee Fringe Benefits	\$	_____
Purchased Services	\$	_____
Supplies and Materials	\$	_____
Other	\$	_____
Capital Outlay	\$	_____
Debt Service	\$	_____
Other Financing Uses	\$	_____

*Zoning*

Personal Services	\$	_____
Employee Fringe Benefits	\$	_____
Purchased Services	\$	_____
Supplies and Materials	\$	_____
Other	\$	_____
Capital Outlay	\$	_____
Debt Service	\$	_____
Other Financing Uses	\$	_____

*Other*

Personal Services	\$	_____
Employee Fringe Benefits	\$	_____
Purchased Services	\$	_____
Supplies and Materials	\$	_____
Other	\$	_____
Capital Outlay	\$	_____
Debt Service	\$	_____
Other Financing Uses	\$	_____

**TOTAL GENERAL GOVERNMENT**

**\$0.00**

That there be appropriated for PUBLIC SAFETY:

**Public Safety**

*Police Protection*

Personal Services	\$	_____
Employee Fringe Benefits	\$	_____
Purchased Services	\$	_____
Supplies and Materials	\$	_____
Other	\$	_____
Capital Outlay	\$	_____
Debt Service	\$	_____
Other Financing Uses	\$	_____

*Fire Protection*

Personal Services	\$	_____
Employee Fringe Benefits	\$	_____
Purchased Services	\$	_____
Supplies and Materials	\$	_____
Other	\$	_____
Capital Outlay	\$	_____
Debt Service	\$	_____
Other Financing Uses	\$	_____

*Emergency Medical Services*

Personal Services	\$	_____
Employee Fringe Benefits	\$	_____
Purchased Services	\$	_____
Supplies and Materials	\$	_____
Other	\$	_____
Capital Outlay	\$	_____
Debt Service	\$	_____
Other Financing Uses	\$	_____

*Civil Defense*

Personal Services	\$	_____
Employee Fringe Benefits	\$	_____
Purchased Services	\$	_____
Supplies and Materials	\$	_____
Other	\$	_____
Capital Outlay	\$	_____
Debt Service	\$	_____
Other Financing Uses	\$	_____

*Other*

Personal Services	\$	_____
Employee Fringe Benefits	\$	_____
Purchased Services	\$	_____
Supplies and Materials	\$	_____
Other	\$	_____
Capital Outlay	\$	_____
Debt Service	\$	_____
Other Financing Uses	\$	_____

**TOTAL PUBLIC SAFETY**

**\$0.00**

That there be appropriated for PUBLIC WORKS:

**Public Works**

*Lighting*

Personal Services	\$	_____
Employee Fringe Benefits	\$	_____
Purchased Services	\$	_____
Supplies and Materials	\$	_____
Other	\$	_____
Capital Outlay	\$	_____
Debt Service	\$	_____
Other Financing Uses	\$	_____

*Sanitary Dumps*

Personal Services	\$	_____
Employee Fringe Benefits	\$	_____
Purchased Services	\$	_____
Supplies and Materials	\$	_____
Other	\$	_____
Capital Outlay	\$	_____
Debt Service	\$	_____
Other Financing Uses	\$	_____

*Highways*

Personal Services	\$	_____
Employee Fringe Benefits	\$	_____
Purchased Services	\$	_____
Supplies and Materials	\$	_____
Other	\$	_____
Capital Outlay	\$	_____
Debt Service	\$	_____
Other Financing Uses	\$	_____

*Other*

Personal Services	\$	_____
Employee Fringe Benefits	\$	_____
Purchased Services	\$	_____
Supplies and Materials	\$	_____
Other	\$	_____
Capital Outlay	\$	_____
Debt Service	\$	_____
Other Financing Uses	\$	_____

**TOTAL PUBLIC WORKS**

**\$0.00**

That there be appropriated for HEALTH:

**Health**

*Cemeteries*

Personal Services	\$	_____
Employee Fringe Benefits	\$	_____
Purchased Services	\$	_____
Supplies and Materials	\$	_____
Other	\$	_____
Capital Outlay	\$	_____
Debt Service	\$	_____
Other Financing Uses	\$	_____

*Health Districts*

Personal Services	\$	_____
Employee Fringe Benefits	\$	_____
Purchased Services	\$	_____
Supplies and Materials	\$	_____
Other	\$	_____
Capital Outlay	\$	_____
Debt Service	\$	_____
Other Financing Uses	\$	_____

*Underground Storage Tanks*

Personal Services	\$	_____
Employee Fringe Benefits	\$	_____
Purchased Services	\$	_____
Supplies and Materials	\$	_____
Other	\$	_____
Capital Outlay	\$	_____
Debt Service	\$	_____
Other Financing Uses	\$	_____

*Other*

Personal Services	\$	_____
Employee Fringe Benefits	\$	_____
Purchased Services	\$	_____
Supplies and Materials	\$	_____
Other	\$	_____
Capital Outlay	\$	_____
Debt Service	\$	_____
Other Financing Uses	\$	_____

**TOTAL HEALTH**

**\$0.00**

That there be appropriated for HUMAN SERVICES:

**Human Services**

Personal Services	\$	_____
Employee Fringe Benefits	\$	_____
Purchased Services	\$	_____
Supplies and Materials	\$	_____
Other	\$	_____
Capital Outlay	\$	_____
Debt Service	\$	_____
Other Financing Uses	\$	_____

*Other*

Personal Services	\$	_____
Employee Fringe Benefits	\$	_____
Purchased Services	\$	_____
Supplies and Materials	\$	_____
Other	\$	_____
Capital Outlay	\$	_____
Debt Service	\$	_____
Other Financing Uses	\$	_____

**TOTAL HUMAN SERVICES**

**\$0.00**

That there be appropriated for CONSERVATION-RECREATION:

**Conservation - Recreation**

*Parks and Recreation*

Personal Services	\$	_____
Employee Fringe Benefits	\$	_____
Purchased Services	\$	_____
Supplies and Materials	\$	_____
Other	\$	_____
Capital Outlay	\$	_____
Debt Service	\$	_____
Other Financing Uses	\$	_____

*Other*

Personal Services	\$	_____
Employee Fringe Benefits	\$	_____
Purchased Services	\$	_____
Supplies and Materials	\$	_____
Other	\$	_____
Capital Outlay	\$	_____
Debt Service	\$	_____
Other Financing Uses	\$	_____

**TOTAL CONSERVATION - RECREATION**

**\$0.00**

That there be appropriated for MISCELLANEOUS:

**Miscellaneous**

Personal Services	\$	_____
Employee Fringe Benefits	\$	_____
Purchased Services	\$	_____
Supplies and Materials	\$	_____
Other	\$	_____
Capital Outlay	\$	_____
Debt Service	\$	_____
Other Financing Uses	\$	_____

**TOTAL MISCELLANEOUS**

**\$0.00**

That there be appropriated for CAPITAL OUTLAY:

**Capital Outlay**

Land	\$	_____
Buildings	\$	_____
Improvement of Sites	\$	_____
Machinery, Equipment and Furniture	\$	_____
Motor Vehicles	\$	_____
Other Capital Outlay	\$	_____

**TOTAL CAPITAL OUTLAY**

**\$0.00**

That there be appropriated for DEBT SERVICE:

**Debt Service**

Principal Payments - Bonds	\$	_____
Principal Payments - Notes	\$	_____
Interest Payments	\$	_____
Fiscal Changes	\$	_____

**TOTAL DEBT SERVICE**

**\$0.00**

That there be appropriated for OTHER FINANCING USES:

**Other Financing Uses**

Operating Transfers Out	\$	_____
Advances Out	\$	_____
Contingencies	\$	_____
Other Financing Uses	\$	_____

**TOTAL OTHER FINANCING USES**

**\$0.00**

**TOTAL \_\_\_\_\_ FUND**

**\$0.00**

**GRAND TOTAL OF ANNUAL APPROPRIATIONS FOR ALL FUNDS**

**\$0.00**

**THE STATE OF OHIO, \_\_\_\_\_ COUNTY,**

I, \_\_\_\_\_ Township Fiscal Officer of

\_\_\_\_\_ Township, in

County, Ohio, and in whose custody the Files, Journal, and Records of said Board are required by the Laws of the State of Ohio to be kept, do hereby certify that the foregoing **Annual Appropriation Resolution** is taken and copied from the original Resolution now on file with said Board, that the foregoing Resolution has been compared by me with the said original and that the same is a true and correct copy thereof.

**WITNESS** my signature, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_

**ANNUAL APPROPRIATION RESOLUTION**  
**BOARD OF TOWNSHIP TRUSTEES**

\_\_\_\_\_ Township,

\_\_\_\_\_ County, Ohio.

Passed \_\_\_\_\_, 20\_\_\_\_\_

For the Fiscal Year Ending  
December 31, 20\_\_\_\_\_

Filed \_\_\_\_\_, 20\_\_\_\_\_

\_\_\_\_\_  
County Auditor

By \_\_\_\_\_  
Deputy

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## **5705.27 County budget commission.**

There is hereby created in each county a county budget commission consisting of the county auditor, the county treasurer, and the prosecuting attorney. Upon petition filed with the board of elections, signed by the number of electors of the county equal in amount to three per cent of the total number of votes cast for governor at the most recent election therefor, there shall be submitted to the electors of the county at the next general election occurring not sooner than seventy-five days after the filing of the petition, the question "Shall the county budget commission consist of two additional members to be elected from the county?" Provision shall be made on the ballot for the election from the county at large of two additional members of the county budget commission who shall be electors of the county if a majority of the electors voting on the question shall have voted in the affirmative. In such counties, where the electors have voted in the affirmative, the county budget commission shall consist of such two elected members in addition to the county auditor, the county treasurer and the prosecuting attorney. Such members, who shall not hold any other public office, shall serve for a term of four years. The commission shall meet at the office of the county auditor in each county on the first Monday in February and on the first Monday in August, annually, and shall complete its work on or before the first day of September, annually, unless for good cause the tax commissioner extends the time for completing the work. A majority of members shall constitute a quorum, provided that no action of the commission shall be valid unless agreed to by a majority of the members of the commission. The auditor shall be the secretary of the commission and shall keep a full and accurate record of all proceedings. The auditor shall appoint such messengers and clerks as the commission deems necessary, and the budget commissioners shall be allowed their actual and necessary expenses. The elected members of the commission shall also receive twenty dollars for each day in attendance at commission meetings and in discharge of official duties. Any vacancy among such elected members shall be filled by the presiding judge of the court of common pleas. In adjusting the rates of taxation and fixing the amount of taxes to be levied each year, the commissioners shall be governed by the amount of the taxable property shown on the auditor's tax list for the current year; provided that if the auditor's tax list has not been completed, the auditor shall estimate, as nearly as practicable, the amount of the taxable property for such year, and such officers shall be governed by such estimate.

In any county in which two members of the commission are elected, upon petition filed with the board of elections, signed by the number of electors of the county equal in amount to three per cent of the votes cast for governor at the most recent election therefor, there shall be submitted to the electors of the county at the next general election occurring not sooner than seventy-five days after the filing of the petition, the question "Shall the elected members be eliminated from the county budget commission?" If the majority of the electors voting thereon shall have voted in the affirmative, the county budget commission shall consist solely of the county auditor, the county treasurer, and the prosecuting attorney.

Effective Date: 08-22-1995

## **5705.28 Adoption of tax budget - procedure for participation by public library trustees.**

(A) Except as provided in division (B)(1) or (2) of this section or in section 5705.281 of the Revised Code, the taxing authority of each subdivision or other taxing unit shall adopt a tax budget for the next succeeding fiscal year:

(1) On or before the fifteenth day of January in the case of a school district;

(2) On or before the fifteenth day of July in the case of all other subdivisions and taxing units.

(B)(1) Before the first day of June in each year, the board of trustees of a school library district entitled to participate in any appropriation or revenue of a school district or to have a tax proposed by the board of education of a school district shall file with the board of education of the school district a tax budget for the ensuing fiscal year. On or before the fifteenth day of July in each year, the board of education of a school district to which a school library district tax budget was submitted under this division shall adopt such tax budget on behalf of the library district, but such budget shall not be part of the school district's tax budget.

(2)(a) The taxing authority of a taxing unit that does not levy a tax is not required to adopt a tax budget pursuant to division (A) of this section. Instead, on or before the fifteenth day of July each year, such taxing authority shall adopt an operating budget for the taxing unit for the ensuing fiscal year. The operating budget shall include an estimate of receipts from all sources, a statement of all taxing unit expenses that are anticipated to occur, and the amount required for debt charges during the fiscal year. The operating budget is not required to be filed with the county auditor or the county budget commission.

(b) Except for this section and sections 5705.36, 5705.38, 5705.40, 5705.41, 5705.43, 5705.44, and 5705.45 of the Revised Code, a taxing unit that does not levy a tax is not a taxing unit for purposes of Chapter 5705. of the Revised Code. Documents prepared in accordance with such sections are not required to be filed with the county auditor or county budget commission.

(c) The total appropriations from each fund of a taxing unit that does not levy a tax shall not exceed the total estimated revenue available for expenditures from the fund, and appropriations shall be made from each fund only for the purposes for which the fund is established.

(C)(1) To assist in the preparation of the tax budget, the head of each department, board, commission, and district authority entitled to participate in any appropriation or revenue of a subdivision shall file with the taxing authority, or in the case of a municipal corporation, with its chief executive officer, before the forty-fifth day prior to the date on which the budget must be adopted, an estimate of contemplated revenue and expenditures for the ensuing fiscal year, in such form as is prescribed by the taxing authority of the subdivision or by the auditor of state. The taxing authority shall include in its budget of expenditures the full amounts requested by district authorities, not to exceed the amount authorized by law, if such authorities may fix the amount of revenue they are to receive from the subdivision. In a municipal corporation in which a special levy for a municipal university has been authorized to be levied in excess of the ten-mill limitation, or is required by the

charter of the municipal corporation, the taxing authority shall include an amount not less than the estimated yield of such levy, if such amount is requested by the board of directors of the municipal university.

(2) A county board of mental retardation and developmental disabilities may include within its estimate of contemplated revenue and expenditures a reserve balance account in the community mental retardation and developmental disabilities residential services fund. The account shall contain money that is not needed to pay for current expenses for residential services and supported living but will be needed to pay for expenses for such services in the future or may be needed for unanticipated emergency expenses. On the request of the county board of mental retardation and developmental disabilities, the board of county commissioners shall include such an account in its budget of expenditures and appropriate money to the account from residential service moneys for the county board.

(D) The board of trustees of any public library desiring to participate in the distribution of the county library and local government support fund shall adopt appropriate rules extending the benefits of the library service of such library to all the inhabitants of the county on equal terms, unless such library service is by law available to all such inhabitants, and shall certify a copy of such rules to the taxing authority with its estimate of contemplated revenue and expenditures. Where such rules have been so certified or where the adoption of such rules is not required, the taxing authority shall include in its budget of receipts such amounts as are specified by such board as contemplated revenue from the county library and local government support fund, and in its budget of expenditures the full amounts requested therefrom by such board. No library association, incorporated or unincorporated, is entitled to participate in the proceeds of the county library and local government support fund or other public funds unless such association was organized and operating prior to January 1, 1968.

Effective Date: 06-08-2000

## **5705.281 Waiving requirement of adoption of tax budget.**

(A) Notwithstanding section 5705.28 of the Revised Code, the county budget commission, by an affirmative vote of a majority of the commission, including an affirmative vote by the county auditor, may waive the requirement that the taxing authority of a subdivision or other taxing unit adopt a tax budget as provided under section 5705.28 of the Revised Code, but shall require such a taxing authority to provide such information to the commission as may be required by the commission to perform its duties under this chapter, including dividing the rates of each of the subdivision's or taxing unit's tax levies as provided under section 5705.04 of the Revised Code.

(B)(1) Notwithstanding divisions (B)(1) and (D) of section 5705.28 of the Revised Code, in any county in which a single library receives all of the county library and local government support fund or receives all of that portion of the fund that is distributed to libraries, the county budget commission, by an affirmative vote of a majority of the commission, including an affirmative vote by the county auditor, may waive any or all of the following requirements:

(a) The requirement that the board of trustees of a school library district entitled to participate in any appropriation or revenue of a school district or to have a tax proposed by the board of education of a school district file with the board of education of the school district a tax budget, and the requirement that the board of education adopt the tax budget on behalf of the library district, as provided in division (B)(1) of section 5705.28 of the Revised Code;

(b) The requirement that the board of trustees of a public library desiring to participate in the distribution of the county library and local government support fund certify to the taxing authority its estimate of contemplated revenue and expenditures, and the requirement that the taxing authority include in its budget of receipts and budget of expenditures the full amounts specified or requested by the board of trustees, as provided in division (D) of section 5705.28 of the Revised Code.

(2) If a county budget commission waives the requirements described in division (B)(1)(a) or (b) of this section, the commission shall require the board of trustees of the school library district or the board of trustees of the public library desiring to participate in the distribution of the county library and local government support fund to provide to the commission any information the commission may require from the board in order for the commission to perform its duties under this chapter.

Effective Date: 11-09-2003

## **705.17 Annual tax ordinance.**

An annual tax ordinance to determine the amount of the tax levy shall be prepared by the mayor, the chairman of the commission, or the city manager, as the case may be, under the direction of the legislative authority. For the purpose of preparing such ordinances such officer shall require from the head of each office or department for which appropriations are made, a detailed statement, upon uniform blanks furnished by such officer, of the expenses of such office or department for the previous years and the estimated expense for the next year. The tax ordinance prepared by such officer shall set forth in detail the probable revenues of the municipal corporation from every source, in such form as to indicate the means by which it is proposed to provide for the estimated expenditures set forth in such ordinance, and shall also include detailed statements of the contemplated expenditures of the municipal corporation and of each office, department, and functional division thereof. After the tax ordinance is prepared by such officer, opportunity shall be given, after at least one week's notice, for public hearings thereon. The ordinance shall then be submitted to the legislative authority and by it to the county budget commission which shall fix the total maximum tax levy permitted to the municipal corporation for the ensuing year. The legislative authority shall then fix the actual tax levy for the ensuing year, but such levy shall not be higher than the estimate submitted by such officer or exceed the limit fixed by the county budget commission. Such levy shall not be higher than the maximum provided for by law.

Effective Date: 10-01-1953

## **5705.29 Contents of tax budget - contingency reserve balance - spending reserve.**

This section does not apply to a subdivision or taxing unit for which the county budget commission has waived the requirement to adopt a tax budget pursuant to section 5705.281 of the Revised Code. The tax budget shall present the following information in such detail as is prescribed by the auditor of state:

(A)(1) A statement of the necessary current operating expenses for the ensuing fiscal year for each department and division of the subdivision, classified as to personal services and other expenses, and the fund from which such expenditures are to be made. Except in the case of a school district, this estimate may include a contingent expense not designated for any particular purpose, and not to exceed three per cent of the total amount of appropriations for current expenses. In the case of a school district, this estimate may include a contingent expense not designated for any particular purpose and not to exceed thirteen per cent of the total amount of appropriations for current expenses.

(2) A statement of the expenditures for the ensuing fiscal year necessary for permanent improvements, exclusive of any expense to be paid from bond issues, classified as to the improvements contemplated by the subdivision and the fund from which such expenditures are to be made;

(3) The amounts required for the payment of final judgments;

(4) A statement of expenditures for the ensuing fiscal year necessary for any purpose for which a special levy is authorized, and the fund from which such expenditures are to be made;

(5) Comparative statements, so far as possible, in parallel columns of corresponding items of expenditures for the current fiscal year and the two preceding fiscal years.

(B)(1) An estimate of receipts from other sources than the general property tax during the ensuing fiscal year, which shall include an estimate of unencumbered balances at the end of the current fiscal year, and the funds to which such estimated receipts are credited;

(2) The amount each fund requires from the general property tax, which shall be the difference between the contemplated expenditure from the fund and the estimated receipts, as provided in this section. The section of the Revised Code under which the tax is authorized shall be set forth.

(3) Comparative statements, so far as possible, in parallel columns of taxes and other revenues for the current fiscal year and the two preceding fiscal years.

(C)(1) The amount required for debt charges;

(2) The estimated receipts from sources other than the tax levy for payment of such debt charges, including the proceeds of refunding bonds to be issued to refund bonds maturing in the next succeeding fiscal year;

(3) The net amount for which a tax levy shall be made, classified as to bonds authorized and issued prior to January 1, 1922, and those authorized and issued subsequent to such date, and as to what portion of the levy will be within and what in excess of the ten-mill limitation.

(D) An estimate of amounts from taxes authorized to be levied in excess of the ten-mill limitation on the tax rate, and the fund to which such amounts will be credited, together with the sections of the Revised Code under which each such tax is exempted from all limitations on the tax rate.

(E)(1) A board of education may include in its budget for the fiscal year in which a levy proposed under section 5705.194, 5705.21, or 5705.213, or the original levy under section 5705.212 of the Revised Code is first extended on the tax list and duplicate an estimate of expenditures to be known as a voluntary contingency reserve balance, which shall not be greater than twenty-five per cent of the total amount of the levy estimated to be available for appropriation in such year.

(2) A board of education may include in its budget for the fiscal year following the year in which a levy proposed under section 5705.194, 5705.21, or 5705.213, or the original levy under section 5705.212 of the Revised Code is first extended on the tax list and duplicate an estimate of expenditures to be known as a voluntary contingency reserve balance, which shall not be greater than twenty per cent of the amount of the levy estimated to be available for appropriation in such year.

(3) Except as provided in division (E)(4) of this section, the full amount of any reserve balance the board includes in its budget shall be retained by the county auditor and county treasurer out of the first semiannual settlement of taxes until the beginning of the next succeeding fiscal year, and thereupon, with the depository interest apportioned thereto, it shall be turned over to the board of education, to be used for the purposes of such fiscal year.

(4) A board of education, by a two-thirds vote of all members of the board, may appropriate any amount withheld as a voluntary contingency reserve balance during the fiscal year for any lawful purpose, provided that prior to such appropriation the board of education has authorized the expenditure of all amounts appropriated for contingencies under section 5705.40 of the Revised Code. Upon request by the board of education, the county auditor shall draw a warrant on the district's account in the county treasury payable to the district in the amount requested.

(F)(1) A board of education may include a spending reserve in its budget for fiscal years ending on or before June 30, 2002. The spending reserve shall consist of an estimate of expenditures not to exceed the district's spending reserve balance. A district's spending reserve balance is the amount by which the designated percentage of the district's estimated personal property taxes to be settled during the calendar year in which the fiscal year ends exceeds the estimated amount of personal property taxes to be so settled and received by the district during that fiscal year. Moneys from a spending reserve shall be appropriated in accordance with section 133.301 of the Revised Code.

(2) For the purposes of computing a school district's spending reserve balance for a fiscal year, the designated percentage shall be as follows:

Fiscal year ending in: Designated percentage

1998 50%

1999 40%

2000 30%

2001 20%

2002 10%

(G) Except as otherwise provided in this division, the county budget commission shall not reduce the taxing authority of a subdivision as a result of the creation of a reserve balance account. Except as otherwise provided in this division, the county budget commission shall not consider the amount in a reserve balance account of a township, county, or municipal corporation as an unencumbered balance or as revenue for the purposes of division (E)(3) or (4) of section 5747.51 of the Revised Code. The county budget commission may require documentation of the reasonableness of the reserve balance held in any reserve balance account. The commission shall consider any amount in a reserve balance account that it determines to be unreasonable as unencumbered and as revenue for the purposes of sections 5747.51 of the Revised Code and may take such amounts into consideration when determining whether to reduce the taxing authority of a subdivision.

Effective Date: 06-03-2002; 2007 HB119 01-01-2008

## **5705.30 Public inspection of budget - hearing - notice - submission to county auditor.**

This section does not apply to a subdivision for which the county budget commission has waived the requirement to adopt a tax budget under section 5705.281 of the Revised Code.

In addition to the information required by section 5705.29 of the Revised Code, the budget of each subdivision and school library district shall include such other information as is prescribed by the auditor of state. At least two copies of the budget shall be filed in the office of the fiscal officer of the subdivision for public inspection not less than ten days before its adoption by the taxing authority, and such taxing authority shall hold at least one public hearing thereon, of which public notice shall be given by at least one publication not less than ten days prior to the date of hearing in the official publication of such subdivision, or in a newspaper having general circulation in the subdivision. The budget, after adoption, shall be submitted to the county auditor on or before the twentieth day of July, or in the case of a school district, by the twentieth day of January. The tax commissioner may prescribe a later date for the submission of a subdivision's tax budget. Any subdivision that fails to submit its budget to the county auditor on or before the twentieth day of July, unless the commissioner on or before the twentieth day of July prescribes a later date for submission of the budget by that subdivision, shall not receive an apportionment from the undivided local government fund distribution for the ensuing calendar year, unless upon review of the matter the commissioner determines that the budget was adopted by the subdivision on or before the fifteenth day of July, but was not submitted to the county auditor by the twentieth day of July or the later time prescribed by the commissioner because of ministerial error by the subdivision or its officers, employees, or other representatives.

Effective Date: 06-03-2002

## **5705.31 Approval of levies by budget commission - minimum levy.**

The county auditor shall present to the county budget commission the annual tax budgets submitted under sections 5705.01 to 5705.47 of the Revised Code, together with an estimate prepared by the auditor of the amount of any state levy, the rate of any school tax levy as previously determined, the tax commissioner's estimate of the amount to be received in the county library and local government support fund, the tax rates provided under section 5705.281 of the Revised Code if adoption of the tax budget was waived under that section, and such other information as the commission requests or the tax commissioner prescribes. The budget commission shall examine such budget and ascertain the total amount proposed to be raised in the county for the purposes of each subdivision and other taxing units in the county.

The commission shall ascertain that the following levies have been properly authorized and, if so authorized, shall approve them without modification:

- (A) All levies in excess of the ten-mill limitation;
  - (B) All levies for debt charges not provided for by levies in excess of the ten-mill limitation, including levies necessary to pay notes issued for emergency purposes;
  - (C) The levies prescribed by division (B) of sections 742.33 and 742.34 of the Revised Code;
  - (D) Except as otherwise provided in this division, a minimum levy within the ten-mill limitation for the current expense and debt service of each subdivision or taxing unit, which shall equal two-thirds of the average levy for current expenses and debt service allotted within the fifteen-mill limitation to such subdivision or taxing unit during the last five years the fifteen-mill limitation was in effect unless such subdivision or taxing unit requests an amount requiring a lower rate. Except as provided in section 5705.312 of the Revised Code, if the levies required in divisions (B) and (C) of this section for the subdivision or taxing unit equal or exceed the entire minimum levy of the subdivision as fixed, the minimum levies of the other subdivisions or taxing units shall be reduced by the commission to provide for the levies and an operating levy for the subdivision. Such additional levy shall be deducted from the minimum levies of each of the other subdivisions or taxing units, but the operating levy for a school district shall not be reduced below a figure equivalent to forty-five per cent of the millage available within the ten-mill limitation after all the levies in divisions (B) and (C) of this section have been provided for.
- If a municipal corporation and a township have entered into an annexation agreement under section 709.192 of the Revised Code in which they agree to reallocate their shares of the minimum levies established under this division and if that annexation agreement is submitted along with the annual tax budget of both the township and the municipal corporation, then, when determining the minimum levy under this division, the auditor shall allocate, to the extent possible, the minimum levy for that municipal corporation and township in accordance with their annexation agreement.
- (E) The levies prescribed by section 3709.29 of the Revised Code.

Divisions (A) to (E) of this section are mandatory and commissions shall be without discretion to reduce such minimum levies except as provided in such divisions.

If any debt charge is omitted from the budget, the commission shall include it therein.

Effective Date: 06-03-2002

## **5705.32 Budget commission to adjust amounts required - revision of estimate - distribution - hearing.**

(A) The county budget commission shall adjust the estimated amounts required from the general property tax for each fund, as shown by the tax budgets or other information required to be provided under section 5705.281 of the Revised Code, so as to bring the tax levies required therefor within the limitations specified in sections 5705.01 to 5705.47 of the Revised Code, for such levies, but no levy shall be reduced below a minimum fixed by law. The commission may revise and adjust the estimate of balances and receipts from all sources for each fund and shall determine the total appropriations that may be made therefrom.

(B) The commission shall fix the amount of the county library and local government support fund to be distributed to each board of public library trustees that has qualified under section 5705.28 of the Revised Code for participation in the proceeds of such fund. The amount paid to all libraries in the county from such fund shall never be a smaller per cent of the fund than the average of the percentages of the county's classified taxes that were distributed to libraries in 1982, 1983, and 1984, as determined by the county auditor. The commission shall base the amount for distribution on the needs of such library for the construction of new library buildings, parts of buildings, improvements, operation, maintenance, or other expenses. In determining the needs of each library board of trustees, and in calculating the amount to be distributed to any library board of trustees on the basis of its needs, the commission shall make no reduction in its allocation from the fund on account of additional revenues realized by a library from increased taxes or service charges voted by its electorate, from revenues received through federal or state grants, projects, or programs, or from grants from private sources.

(C) Notwithstanding the fact that alternative methods of financing such needs are available, after fixing the amount to be distributed to libraries, the commission shall fix the amount, if any, of the county library and local government support fund to be distributed to each board of township park commissioners, the county, and each municipal corporation in accordance with the following:

(1) Each municipal corporation in the county shall receive a per cent of the remainder that equals the per cent that the county auditor determines the classified property taxes originating in such municipal corporation in 1984 were of the total of all of the county's classified property taxes in 1984. The commission may deduct from this amount any amount that the budget commission allows to the board of township park commissioners of a township park district, the boundaries of which are coextensive with or contained within the boundaries of the municipal corporation.

(2) The county shall receive a per cent of the remainder that equals the per cent that the county auditor determines the classified property taxes originating outside of the boundaries of municipal corporations in the county in 1984 were of the total of all of the county's classified property taxes in 1984. The commission may deduct from this amount any amount that the budget commission allows to the board of township park commissioners of a township park district, the boundaries of which are not coextensive with or contained within those of any municipal corporation in the county.

(D) The commission shall separately set forth the amounts fixed and determined under divisions (B) and (C) of this section in the "official certificate of estimated resources," as provided in section

5705.35 of the Revised Code, and separately certify such amount to the county auditor who shall be guided thereby in the distribution of the county library and local government support fund for and during the fiscal year. In determining such amounts, the commission shall be guided by the estimate certified by the tax commissioner and presented by the auditor under section 5705.31 of the Revised Code, as to the total amount of revenue to be received in the county library and local government support fund during such fiscal year.

(E)(1) At least five days before the date of any meeting at which the budget commission plans to discuss the distribution of the county library and local government support fund, it shall notify each legislative authority and board of public library trustees, county commissioners, and township park commissioners eligible to participate in the distribution of the fund of the date, time, place, and agenda for the meeting. Any legislative authority or board entitled to notice under this division may designate an officer or employee of such legislative authority or board to whom the commission shall deliver the notice.

(2) Before the final determination of the amount to be allotted to each subdivision from any source, the commission shall permit representatives of each subdivision and of each board of public library trustees to appear before it to explain its financial needs.

(F) If any public library receives and expends any funds allocated to it under this section for the construction of new library buildings or parts of buildings, such library shall be free and open to the inhabitants of the county in which it is located. Any board of library trustees that receives funds under this section and section 5747.48 of the Revised Code shall have its financial records open for public inspection at all reasonable times.

Effective Date: 06-03-2002

## **5705.34 Certification of tax levy - revision of budget.**

When the budget commission has completed its work with respect to a tax budget or other information required to be provided under section 5705.281 of the Revised Code, it shall certify its action to the taxing authority, together with an estimate by the county auditor of the rate of each tax necessary to be levied by the taxing authority within its subdivision or taxing unit, and what part thereof is in excess of, and what part within, the ten-mill tax limitation. The certification shall also indicate the date on which each tax levied by the taxing authority will expire.

If a taxing authority levies a tax for a fixed sum of money or to pay debt charges for the tax year for which the tax budget is prepared, and a payment on account of that tax is payable to the taxing authority for the tax year under section 5727.85, 5727.86, 5751.21, or 5751.22 of the Revised Code, the county auditor, when estimating the rate at which the tax shall be levied in the current year, shall estimate the rate necessary to raise the required sum less the estimated amount of any payments made for the tax year to a taxing unit for fixed-sum levies under those sections . The estimated rate shall be the rate of the levy that the budget commission certifies with its action under this section.

Each taxing authority, by ordinance or resolution, shall authorize the necessary tax levies and certify them to the county auditor before the first day of October in each year, or at such later date as is approved by the tax commissioner, except that the certification by a board of education shall be made by the first day of April or at such later date as is approved by the commissioner, and except that a township board of park commissioners that is appointed by the board of township trustees and oversees a township park district that contains only unincorporated territory shall authorize only those taxes approved by, and only at the rate approved by, the board of township trustees as required by division (C) of section 511.27 of the Revised Code. If the levying of a tax to be placed on the duplicate of the current year is approved by the electors of the subdivision under sections 5705.01 to 5705.47 of the Revised Code; if the rate of a school district tax is increased due to the repeal of a school district income tax and property tax rate reduction at an election held pursuant to section 5748.04 of the Revised Code; or if refunding bonds to refund all or a part of the principal of bonds payable from a tax levy for the ensuing fiscal year are issued or sold and in the process of delivery, the budget commission shall reconsider and revise its action on the budget of the subdivision or school library district for whose benefit the tax is to be levied after the returns of such election are fully canvassed, or after the issuance or sale of such refunding bonds is certified to it.

Effective Date: 06-03-2002; 03-30-2006

## 5705.35 Contents of certification.

(A) The certification of the budget commission to the taxing authority of each subdivision or taxing unit, as set forth in section 5705.34 of the Revised Code, shall show the various funds of such subdivisions other than funds to be created by transfer and shall be filed by the county budget commission with such taxing authority on or before the first day of March in the case of school districts and on or before the first day of September in each year in the case of all other taxing authorities. There shall be set forth on the credit side of each fund the estimated unencumbered balances and receipts, and if a tax is to be levied for such fund, the estimated revenue to be derived therefrom, the rate of the levy, and what portion thereof is within, and what in excess of, the ten-mill tax limitation, and on the debit side, the total appropriations that may be made therefrom. Subject to division (G) of section 5705.29 of the Revised Code, any reserve balance in an account established under section 5705.13 of the Revised Code for the purpose described in division (A)(1) of that section, and the principal of a nonexpendable trust fund established under section 5705.131 of the Revised Code and any additions to principal arising from sources other than the reinvestment of investment earnings arising from that fund, are not unencumbered balances for the purposes of this section. The balance in a reserve balance account established under section 5705.132 of the Revised Code is not an unencumbered balance for the purposes of this division.

There shall be attached to the certification a summary, which shall be known as the "official certificate of estimated resources," that shall state the total estimated resources of each fund of the subdivision that are available for appropriation in the fiscal year, other than funds to be created by transfer, and a statement of the amount of the total tax duplicate of the school district to be used in the collection of taxes for the following calendar year. Before the end of the fiscal year, the taxing authority of each subdivision and other taxing unit shall revise its tax budget, if one was adopted, so that the total contemplated expenditures from any fund during the ensuing fiscal year will not exceed the total appropriations that may be made from such fund, as determined by the budget commission in its certification; and such revised budget shall be the basis of the annual appropriation measure.

(B)(1) Except as otherwise provided in division (B)(2) of this section, revenues from real property taxes scheduled to be settled on or before the tenth day of August and the fifteenth day of February of a fiscal year under divisions (A) and (C) of section 321.24 of the Revised Code, and revenue from taxes levied on personal property used in business scheduled to be settled on or before the thirty-first day of October and the thirtieth day of June of a fiscal year under divisions (B) and (D) of section 321.24 of the Revised Code shall not be available for appropriation by a board of education prior to the fiscal year in which such latest scheduled settlement date occurs, except that moneys advanced to the treasurer of a board of education under division (A)(2)(b) of section 321.34 of the Revised Code shall be available for appropriation in the fiscal year in which they are paid to the treasurer under such section. If the date for any settlement of taxes is extended under division (E) of section 321.24 of the Revised Code, the latest date set forth in divisions (A) to (D) of that section shall be used to determine in which fiscal year the revenues are first available for appropriation.

(2) Revenues available for appropriation by a school district during a fiscal year may include amounts borrowed in that fiscal year under section 133.301 of the Revised Code in anticipation of the collection of taxes that are to be included in the settlements made under divisions (C) and (D) of section 321.24 of the Revised Code in the ensuing fiscal year.

Effective Date: 06-03-2002; 09-21-2006

## **5705.36 Certification of available revenue - additional revenue - amended official certificate.**

(A)(1) 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 set up in the tax budget or, if adoption of a tax budget was waived under section 5705.281 of the Revised Code, from each fund created by or on behalf of the taxing authority. The amount certified shall include any unencumbered balances that existed at the end of the preceding year, excluding any of the following:

(a) Subject to division (G) of section 5705.29 of the Revised Code, any reserve balance in an account established under section 5705.13 of the Revised Code for the purpose described in division (A)(1) of that section;

(b) The principal of a nonexpendable trust fund established under section 5705.131 of the Revised Code and any additions to principal arising from sources other than the reinvestment of investment earnings arising from that fund;

(c) The balance in a reserve balance account established under section 5705.132 of the Revised Code.

A school district's certification shall separately show the amount of any notes and unpaid and outstanding expenses on the preceding thirtieth day of June that are to be paid from property taxes that are to be settled during the current fiscal year under divisions (C) and (D) of section 321.24 of the Revised Code, and the amount of any spending reserve available for appropriation during the current fiscal year under section 133.301 of the Revised Code. The budget commission, taking into consideration the balances and revenues to be derived from taxation and other sources, shall revise its estimate of the amounts that will be credited to each fund from such sources, and shall certify to the taxing authority of each subdivision an amended official certificate of estimated resources.

(2) Subject to divisions (A)(3) and (4) of this section, upon a determination by the fiscal officer of a subdivision that the revenue to be collected by the subdivision will be greater or less than the amount included in an official certificate, the fiscal officer may certify the amount of the deficiency or excess to the commission, and if the commission determines that the fiscal officer's certification is reasonable, the commission shall certify an amended official certificate reflecting the deficiency or excess.

(3) Upon a determination by the fiscal officer of a subdivision that the revenue to be collected by the subdivision will be greater than the amount included in an official certificate and the legislative authority intends to appropriate and expend the excess revenue, the fiscal officer shall certify the amount of the excess to the commission, and if the commission determines that the fiscal officer's certification is reasonable, the commission shall certify an amended official certificate reflecting the excess.

(4) Upon a determination by the fiscal officer of a subdivision that the revenue to be collected by the subdivision will be less than the amount included in an official certificate and that the amount of the deficiency will reduce available resources below the level of current appropriations, the fiscal officer shall certify the amount of the deficiency to the commission, and the commission shall certify an

amended certificate reflecting the deficiency.

(5) The total appropriations made during the fiscal year from any fund shall not exceed the amount set forth as available for expenditure from such fund in the official certificate of estimated resources, or any amendment thereof, certified prior to the making of the appropriation or supplemental appropriation.

(B) At the time of settlement of taxes against which notes have been issued under section 133.301 or division (D) of section 133.10 of the Revised Code and at the time a tax duplicate is delivered pursuant to section 319.28 or 319.29 of the Revised Code, the county auditor shall determine whether the total amount to be distributed to each school district from such settlement or duplicate, when combined with the amounts to be distributed from any subsequent settlement, will increase or decrease the amount available for appropriation during the current fiscal year from any fund. The county auditor shall certify this finding to the budget commission, which shall certify an amended official certificate reflecting the finding or certify to the school district that no amended certificate needs to be issued.

Effective Date: 07-22-1998; 09-21-2006

## **5705.37 Appeal to board of tax appeals.**

The taxing authority of any subdivision that is dissatisfied with any action of the county budget commission may, through its fiscal officer, appeal to the board of tax appeals within thirty days after the receipt by the subdivision of the official certificate or notice of the commission's action. In like manner, but through its clerk, the board of trustees of any public library, nonprofit corporation, or library association maintaining a free public library that has adopted and certified rules under section 5705.28 of the Revised Code, or any park district may appeal to the board of tax appeals. An appeal under this section shall be taken by the filing of a notice of appeal, either in person or by certified mail, express mail, or authorized delivery service as provided in section 5703.056 of the Revised Code, with the board and with the commission. If notice of appeal is filed by certified mail, express mail, or authorized delivery service, date of the United States postmark placed on the sender's receipt by the postal service or the date of receipt recorded by the authorized delivery service shall be treated as the date of filing. Upon receipt of the notice of appeal, the commission, by certified mail, shall notify all persons who were parties to the proceeding before the commission of the filing of the notice of appeal and shall file proof of notice with the board of tax appeals. The secretary of the commission shall forthwith certify to the board a transcript of the full and accurate record of all proceedings before the commission, together with all evidence presented in the proceedings or considered by the commission, pertaining to the action from which the appeal is taken. The secretary of the commission also shall certify to the board any additional information that the board may request.

The board of tax appeals, in a de novo proceeding, shall forthwith consider the matter presented to the commission, and may modify any action of the commission with reference to the budget, the estimate of revenues and balances, the allocation of the library and local government support fund, or the fixing of tax rates. The finding of the board of tax appeals shall be substituted for the findings of the commission, and shall be certified to the tax commissioner, the county auditor, and the taxing authority of the subdivision affected, or to the board of public library trustees affected, as the action of the commission under sections 5705.01 to 5705.47 of the Revised Code.

This section does not give the board of tax appeals any authority to place any tax levy authorized by law within the ten-mill limitation outside of that limitation, or to reduce any levy below any minimum fixed by law.

Effective Date: 09-29-2000

## **5705.38 Annual appropriation measures - classification.**

(A) This division does not apply to school district appropriation measures. On or about the first day of each year, the taxing authority of each subdivision or other taxing unit shall pass an appropriation measure, and thereafter during the year it may pass any supplemental appropriation measures as it finds necessary, based on the revised tax budget or the official certificate of estimated resources or amendments of the certificate. If it desires to postpone the passage of the annual appropriation measure until an amended certificate is received based on the actual balances, it may pass a temporary appropriation measure for meeting the ordinary expenses of the taxing unit until no later than the first day of April of the current year, and the appropriations made in the temporary measure shall be chargeable to the appropriations in the annual appropriation measure for that fiscal year when passed.

(B) A board of education shall pass its annual appropriation measure by the first day of October. If, by the first day of October, a board has not received either the amended certificates of estimated resources required by division (B) of section 5705.36 of the Revised Code or certifications that no amended certificates need be issued, the adoption of the annual appropriation measure shall be delayed until the amended certificates or certifications are received. Prior to the passage of the annual appropriation measure, the board may pass a temporary appropriation measure for meeting the ordinary expenses of the district until it passes an annual appropriation measure, and appropriations made in the temporary measure shall be chargeable to the appropriations in the annual appropriation measure for that fiscal year when passed. During the fiscal year and after the passage of the annual appropriation measure, a district may pass any supplemental appropriation measures as it finds necessary, based on the revised tax budget or the official certificate of estimated resources or amendments of the certificate. School district appropriation measures shall be in the form as the auditor of state, after consultation with the tax commissioner, prescribes.

(C) 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. In the case of a municipal university, the board of directors of which have assumed, in the manner provided by law, custody and control of the funds of the university, funds shall be appropriated as a lump sum for the use of the university.

Effective Date: 06-03-2002

## **705.18 Annual appropriation ordinance - supplemental appropriation.**

An annual appropriation ordinance shall be prepared by the legislative authority of a municipal corporation from estimates submitted by the mayor, the chairman of the commission, or the city manager, as the case may be, in the manner provided in section 705.17 of the Revised Code for the annual tax ordinance. The annual appropriation ordinance shall be submitted to the legislative authority at its first meeting in January, and the total of any appropriation ordinance passed by such legislative authority shall not exceed the total balances carried over from the previous year plus the estimated revenue of the current year. Supplemental appropriations shall not be made during the current year except from a contingent fund regularly set aside by the legislative authority in the annual appropriation ordinance or unless by an ordinance passed as an emergency measure.

Effective Date: 10-01-1953

## **5705.39 Appropriations limited by estimated revenue.**

The total appropriations from each fund shall not exceed the total of the estimated revenue available for expenditure therefrom, as certified by the budget commission, or in case of appeal, by the board of tax appeals. 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. When the appropriation does not exceed such official estimate, the county auditor shall give such certificate forthwith upon receiving from the appropriating authority a certified copy of the appropriation measure. Appropriations shall be made from each fund only for the purposes for which such fund is established.

Effective Date: 09-26-2003

## **5705.40 Amending or supplementing appropriation ordinance - transfer - unencumbered balance - appropriation for contingencies.**

Any appropriation ordinance or measure may be amended or supplemented, provided that such amendment or supplement shall comply with all provisions of law governing the taxing authority in making an original appropriation and that no appropriation for any purpose shall be reduced below an amount sufficient to cover all unliquidated and outstanding contracts or obligations certified from or against the appropriation. Transfers may be made by resolution or ordinance from one appropriation item to another, except that a board of county commissioners shall, at the request of the county board of elections, adopt a resolution to transfer funds from one appropriation item of the board of elections to another appropriation item of the board of elections unless the board of county commissioners determines that the transfer is sought for the purpose of providing employee bonuses or salary increases other than increases necessary to reimburse employees for overtime worked. At the close of each fiscal year, the unencumbered balance of each appropriation shall revert to the respective fund from which it was appropriated and shall be subject to future appropriations, provided that funds unexpended at the end of such fiscal year previously appropriated for the payment of obligations unliquidated and outstanding, or previously appropriated pursuant to section 321.261 of the Revised Code for the collection of delinquent taxes, need not be reappropriated, but such unexpended funds shall not be included by any budget-making body or board or any county budget commission in estimating the balance available for the purposes of the next or any succeeding fiscal year.

The annual appropriation measure, or an amendment or supplement thereto, may contain an appropriation for contingencies not to exceed the amount authorized by section 5705.29 of the Revised Code and in the case of a school district may also include a voluntary contingency reserve balance in the amount authorized by such section. By a two-thirds vote of all members of the taxing authority of a subdivision or taxing unit, expenditures may be authorized in pursuance of such contingency appropriation or voluntary contingency reserve balance for any lawful purpose for which public funds may be expended, if such purpose could not have reasonably been foreseen at the time of the adoption of the appropriation measure or, in the case of a voluntary contingency reserve balance, if the board of education requests payment of any portion of such balance.

Effective Date: 03-27-1991; 09-29-2005

## **5705.41 Restriction upon appropriation and expenditure of money - certificate of fiscal officer.**

No subdivision or taxing unit shall:

(A) Make any appropriation of money except as provided in Chapter 5705. of the Revised Code; provided, that the authorization of a bond issue shall be deemed to be an appropriation of the proceeds of the bond issue for the purpose for which such bonds were issued, but no expenditure shall be made from any bond fund until first authorized by the taxing authority;

(B) Make any expenditure of money unless it has been appropriated as provided in such chapter;

(C) Make any expenditure of money except by a proper warrant drawn against an appropriate fund;

(D)(1) Except as otherwise provided in division (D)(2) of this section and section 5705.44 of the Revised Code, make any contract or give any order involving the expenditure of money unless there is attached thereto a certificate of the fiscal officer of the subdivision that the amount required to meet the obligation or, in the case of a continuing contract to be performed in whole or in part in an ensuing fiscal year, the amount required to meet the obligation in the fiscal year in which the contract is made, has been lawfully appropriated for such purpose and is in the treasury or in process of collection to the credit of an appropriate fund free from any previous encumbrances. This certificate need be signed only by the subdivision's fiscal officer. Every such contract made without such a certificate shall be void, and no warrant shall be issued in payment of any amount due thereon. If no certificate is furnished as required, upon receipt by the taxing authority of the subdivision or taxing unit of a certificate of the fiscal officer stating that there was at the time of the making of such contract or order and at the time of the execution of such certificate a sufficient sum appropriated for the purpose of such contract and in the treasury or in process of collection to the credit of an appropriate fund free from any previous encumbrances, such taxing authority may authorize the drawing of a warrant in payment of amounts due upon such contract, but such resolution or ordinance shall be passed within thirty days after the taxing authority receives such certificate; provided that, if the amount involved is less than one hundred dollars in the case of counties or three thousand dollars in the case of all other subdivisions or taxing units, the fiscal officer may authorize it to be paid without such affirmation of the taxing authority of the subdivision or taxing unit, if such expenditure is otherwise valid.

(2) Annually, the board of county commissioners may adopt a resolution exempting county purchases of one thousand dollars or less from the requirement of division (D)(1) of this section that a certificate be attached to any contract or order involving the expenditure of money. The resolution shall state the dollar amount that is exempted from the certificate requirement and whether the exemption applies to all purchases, to one or more specific classes of purchases, or to the purchase of one or more specific items. Prior to the adoption of the resolution, the board shall give written notice to the county auditor that it intends to adopt the resolution. The notice shall state the dollar amount that is proposed to be exempted and whether the exemption would apply to all purchases, to one or more specific classes of purchases, or to the purchase of one or more specific items. The county auditor may review and comment on the proposal, and shall send any comments to the board within fifteen days after receiving the notice. The board shall wait at least fifteen days after giving the notice to the auditor before adopting the resolution. A person authorized to make a county purchase in a county that has

adopted such a resolution shall prepare and file with the county auditor, within three business days after incurring an obligation not requiring a certificate, or within any other period of time the board of county commissioners specifies in the resolution, a written or electronically transferred document specifying the purpose and amount of the expenditure, the date of the purchase, the name of the vendor, the specific appropriation items from which the expenditures are to be made, and any additional information as the auditor of state may prescribe.

(3) Upon certification by the auditor or other chief fiscal officer that a certain sum of money, not in excess of an amount established by resolution or ordinance adopted by a majority of the members of the legislative authority of the subdivision or taxing unit, has been lawfully appropriated, authorized, or directed for a certain purpose and is in the treasury or in the process of collection to the credit of a specific line-item appropriation account in a certain fund free from previous and then outstanding obligations or certifications, then for such purpose and from such line-item appropriation account in such fund, over a period not extending beyond the end of the fiscal year, expenditures may be made, orders for payment issued, and contracts or obligations calling for or requiring the payment of money made and assumed; provided, that the aggregate sum of money included in and called for by such expenditures, orders, contracts, and obligations shall not exceed the sum so certified. Such a certification need be signed only by the fiscal officer of the subdivision or the taxing district and may, but need not, be limited to a specific vendor. An itemized statement of obligations incurred and expenditures made under such certificate shall be rendered to the auditor or other chief fiscal officer before another such certificate may be issued, and not more than one such certificate shall be outstanding at a time.

In addition to providing the certification for expenditures as specified in this division, a subdivision also may make expenditures, issue orders for payment, and make contracts or obligations calling for or requiring the payment of money made and assumed for specified permitted purposes from a specific line-item appropriation account in a specified fund for a sum of money upon the certification by the fiscal officer of the subdivision that this sum of money has been lawfully appropriated, authorized, or directed for a permitted purpose and is in the treasury or in the process of collection to the credit of the specific line-item appropriation account in the specified fund free from previous and then-outstanding obligations or certifications; provided that the aggregate sum of money included in and called for by the expenditures, orders, and obligations shall not exceed the certified sum. The purposes for which a subdivision may lawfully appropriate, authorize, or issue such a certificate are the services of an accountant, architect, attorney at law, physician, professional engineer, construction project manager, consultant, surveyor, or appraiser by or on behalf of the subdivision or contracting authority; fuel oil, gasoline, food items, roadway materials, and utilities; and any purchases exempt from competitive bidding under section 125.04 of the Revised Code and any other specific expenditure that is a recurring and reasonably predictable operating expense. Such a certification shall not extend beyond the end of the fiscal year or, in the case of a board of county commissioners that has established a quarterly spending plan under section 5705.392 of the Revised Code, beyond the quarter to which the plan applies. Such a certificate shall be signed by the fiscal officer and may, but need not, be limited to a specific vendor. An itemized statement of obligations incurred and expenditures made under such a certificate shall be rendered to the fiscal officer for each certificate issued. More than one such certificate may be outstanding at any time.

In any case in which a contract is entered into upon a per unit basis, the head of the department, board, or commission for the benefit of which the contract is made shall make an estimate of the total

amount to become due upon such contract, which estimate shall be certified in writing to the fiscal officer of the subdivision. Such a contract may be entered into if the appropriation covers such estimate, or so much thereof as may be due during the current year. In such a case the certificate of the fiscal officer based upon the estimate shall be a sufficient compliance with the law requiring a certificate.

Any certificate of the fiscal officer attached to a contract shall be binding upon the political subdivision as to the facts set forth therein. Upon request of any person receiving an order or entering into a contract with any political subdivision, the certificate of the fiscal officer shall be attached to such order or contract. "Contract" as used in this section excludes current payrolls of regular employees and officers.

(E) Taxes and other revenue in process of collection, or the proceeds to be derived from authorized bonds, notes, or certificates of indebtedness sold and in process of delivery, shall for the purpose of this section be deemed in the treasury or in process of collection and in the appropriate fund. This section applies neither to the investment of sinking funds by the trustees of such funds, nor to investments made under sections 731.56 to 731.59 of the Revised Code.

No district authority shall, in transacting its own affairs, do any of the things prohibited to a subdivision by this section, but the appropriation referred to shall become the appropriation by the district authority, and the fiscal officer referred to shall mean the fiscal officer of the district authority.

Effective Date: 02-12-2004

## **5705.42 Grants by United States government.**

When the United States government or the state or any department, division, agency, authority, or unit thereof makes a grant or loan of money to any political subdivision of this state to aid in paying the cost of any program, activity, or function of such subdivision, or enters into an agreement with the subdivision for the making of any such grant or loan of money, the amount thereof is deemed appropriated for such purpose by the taxing authority of the subdivision as provided by law and shall be recorded as such by the fiscal officer of the subdivision, and is deemed in process of collection within the meaning of section 5705.41 of the Revised Code.

Effective Date: 03-17-1989

## **5705.44 Contracts running beyond fiscal year - certificate not required on contracts payable from utility earnings.**

When contracts or leases run beyond the termination of the fiscal year in which they are made, the fiscal officer of the taxing authority shall make a certification for the amount required to meet the obligation of such contract or lease maturing in such fiscal year. The amount of the obligation under such contract or lease remaining unfulfilled at the end of a fiscal year, and which will become payable during the next fiscal year, shall be included in the annual appropriation measure for the next year as a fixed charge.

The certificate required by section 5705.41 of the Revised Code as to money in the treasury shall not be required for contracts on which payments are to be made from the earnings of a publicly operated water works or public utility, but in the case of any such contract made without such certification, no payment shall be made on account thereof, and no claim or demand thereon shall be recoverable, except out of such earnings. That certificate also shall not be required if requiring the certificate makes it impossible for a county board of mental retardation and developmental disabilities to pay the nonfederal share of medicaid expenditures that the county board is required by sections 5126.059 and 5126.0510 of the Revised Code to pay.

Effective Date: 12-13-2001; 2007 HB119 07-01-2007

## **5705.45 Liability for wrongful payments from public funds - enforcement.**

Any officer, employee, or other person who issues any order contrary to section 5705.41 of the Revised Code, or who expends or authorizes the expenditure of any public funds, or who authorizes or executes any contract contrary to sections 5705.01 to 5705.47 of the Revised Code, unless payments thereon are subsequently ordered as provided in section 5705.41 of the Revised Code, or expends or authorizes the expenditure of any public funds on any such void contract, obligation, or order, unless subsequently approved as provided in that section, or issues a certificate under the provisions thereof which contains any false statements, shall be liable to the political subdivision for the full amount paid from the funds of the subdivision on any such order, contract, or obligation. Such officer, employee, or other person shall be jointly and severally liable in person and upon any official bond that he has given to such subdivision, to the extent of any payments of such void claim. The prosecuting attorney of the county, the city director of law, or other chief law officer of the subdivision shall enforce this liability by civil action brought in any court of appropriate jurisdiction in the name of and on behalf of the municipal corporation, county, or subdivision. If the prosecuting attorney, city director of law, or other chief law officer of the subdivision fails upon the written request of any taxpayer, to institute action for the enforcement of the liability, the taxpayer may institute suit in his own name in behalf of the subdivision.

Effective Date: 11-01-1977

## **5705.46 Payment of current payrolls.**

Each political subdivision may make expenditures for the payment of current payrolls upon the authority of a proper appropriation for such purpose, provided that the positions of such employees and their compensation have been determined prior thereto by resolution, ordinance, or in the manner provided by law. The total expenditures for such purpose during the first half of any fiscal year shall not exceed six tenths of the appropriation therefor, unless the taxing authority of such subdivision, by a three-fourths vote of all the members, waives such limitation. In the resolution waiving such limitation there shall be set forth the reason therefor.

Effective Date: 10-01-1953

## 5705.51 Indirect debt limitation.

(A) As used in this section:

(1) "Indirect debt limit" means such limitation, in effect at the time of issuance, upon the issuance of unvoted general obligation bonds, notes, or certificates of indebtedness by a subdivision as results from a restriction on the amount of unvoted taxes which may be levied annually upon the general tax lists and duplicates.

(2) "Direct debt limit" means those respective limitations on the principal amount of net indebtedness which may be created or incurred by a municipal corporation, school district, county, or township, imposed by sections 133.05, 133.06, 133.07, and 133.09 of the Revised Code.

(3) "Ten-mill limit" means unvoted taxes of ten mills annually on each dollar of tax valuation of property on the general tax lists and duplicates.

(4) "One per cent limit" means unvoted taxes at such rates upon the tax value as amounts to one per cent annually of the true value in money of property that is listed on the general tax lists and duplicates.

(5) "Exempt obligations" means unvoted general obligation bonds, notes, and certificates of indebtedness of a municipal corporation, school district, county, or township that are excluded, exempted, or not considered in calculating or ascertaining the direct debt limit of such a subdivision; and also includes unvoted general obligation bonds, notes, and certificates of indebtedness of a municipal corporation if the ordinance authorizing their issuance provides that the debt charges thereon, or, in the case of bond anticipation notes, the debt charges on the bonds in anticipation of which they are issued, shall be paid from lawfully available municipal income taxes to the extent needed to meet such debt charges, and contains a covenant, hereby authorized, to appropriate annually from such municipal income taxes such amount as is necessary to meet such annual debt charges, and further makes provision that any ad valorem property taxes which are provided for pursuant to section 133.22 or 133.23 of the Revised Code shall, in addition to any other reduction permitted by those sections, be reduced by the amount of such municipal income taxes to be applied to such debt charges in compliance with such covenant.

(B) For the purposes of calculating the indirect debt limit, the debt charges on outstanding or proposed exempt obligations required to be taken into consideration in determining the indirect debt limit shall first be allocated to the computed amount of taxes in excess of the ten-mill limit that would result if ad valorem property taxes were levied to the full extent of the one per cent limit, and any balance of such debt charges shall be allocated to the ten-mill limit. This section does not enlarge the direct debt limits.

(C) Upon request of the bond issuing authority or the fiscal officer of a subdivision, the appropriate county auditor or county auditors shall promptly certify all data necessary to make the determinations under division (B) of this section and to ascertain the indirect debt limits, including, for each overlapping subdivision, the tax value and the true value in money of property on the general tax lists and duplicates of the subdivision, stated separately for each classification of property the tax value of which is determined by applying a different percentage to true value, the applicable debt charges, and

such other data as is necessary for the purpose. For such purpose, the aggregate true value in money of each such classification of property may be determined by application of the appropriate mathematical factor to the aggregate tax value of such classification of property on the general tax lists and duplicates. The fiscal officer of each overlapping subdivision and the tax commissioner shall promptly provide to the county auditor such additional information as is needed by the county auditor to make the certification required by this division, including certification to the county auditor by each such fiscal officer as to the then exempt obligations of the subdivision. The certificate of the county auditor shall be conclusive as to the data therein set forth for the purposes of determining the indirect debt limit. The calculations and certifications provided for in this section relating to the one per cent limit need not be made or provided where the annual debt charges required to be taken into consideration in ascertaining the indirect debt limit will not exceed the ten-mill limit.

(D) A municipal corporation which has outstanding exempt obligations supported by municipal income taxes as provided in division (A)(5) of this section shall, to the extent necessary therefor, levy and continue to levy such income tax and apply the proceeds thereof in accordance with its covenants made in the issuance of such obligations, and to such extent such tax shall not be subject to diminution by initiative or referendum, or diminution by statute unless provision is made therein for an adequate substitute therefor, other than unvoted taxes on the general tax lists and duplicates, assigned by law to such purpose.

(E) If the tax budget or the official certificate of estimated resources of a subdivision shows that funds available for the purpose, including municipal income taxes under division (D) of this section, but excluding unvoted taxes within the ten-mill limit, will be insufficient to pay the debt charges on all outstanding obligations of the subdivision that have been shown as exempt obligations on any certificate by the fiscal officer delivered to the county auditor pursuant to division (C) of this section, whether or not qualifying as such in any subsequent certificate, sections 5705.31 and 5705.32 of the Revised Code shall be specially applied as follows with respect to the debt charges on such obligations:

(1) The amount of such debt charges and the debt charges on other unvoted general obligations of the subdivision, not otherwise provided for, shall be charged against the minimum levy of such subdivision provided pursuant to division (D) of section 5705.31 of the Revised Code to the full amount of such minimum levy, if necessary, without preserving to such subdivision any operating levy within the ten-mill limit;

(2) If the debt charges on such obligations, and on any other outstanding unvoted general obligations of the subdivision not otherwise provided for, exceed the minimum levy of such subdivision, there shall be levied millage upon the tax value of property on the general tax lists and duplicates of the subdivision in excess of the ten-mill limit, but within the one per cent limit as to any property, in such amounts as are necessary to make up such deficiency to the extent that such deficiency does not exceed the debt charges, not otherwise provided for, on the exempt obligations referred to in this division;

(3) Only if the debt charges on such exempt obligations of the subdivision are not fully provided for after application of divisions (E)(1) and (2) of this section, the balance of such debt charges shall be provided by adjustment of other minimum levies pursuant to division (D) of section 5705.31 of the Revised Code.

If the subdivision is a municipal corporation that by charter provides a tax-rate limitation pursuant to section 5705.18 of the Revised Code, divisions (E)(1), (2), and (3) of this section shall be applied only in a manner consistent with the applicable charter provisions. If a levy for current operating expenses, whether or not part of a levy for other purposes, is to be provided under such charter in lieu of a minimum levy provided by division (D) of section 5705.31 of the Revised Code, as a first step, such charter levy shall be reduced by the amount of the levy for debt charges on such exempt obligations only if and to the extent provided by such charter, and if no part of such debt charges is to be paid from a levy within the limitations imposed by the charter, the full amount of such debt charges shall be considered the deficiency under division (E)(2) of this section. The levy for such debt charges under such subdivision shall not exceed any applicable charter limitation. Any references in applicable charter provisions to the limitations provided by the constitution or laws or to a ten-mill limitation of Section 2, Article XII, Ohio Constitution, shall be viewed by the county budget commission as meaning the one per cent limit applicable under this section. Division (E)(3) of this section shall not be applied to reduce any levy within a charter tax-rate limitation.

This section does not alter the right of holders of exempt obligations to share equally in taxes levied within the ten-mill limit nor the general obligation character of such exempt obligations, and the full faith and credit of the subdivision is pledged thereto.

(F) If any levy is made under division (E)(2) of this section, the amount of millage to be applied to tax values on the general tax lists and duplicates shall be determined for each classification of property the tax value of which is computed by applying a different percentage to true value. The millage rates applied to such classifications of property shall be calculated to produce revenues in the aggregate amount to be provided under division (E)(2) of this section, provided that no such millage shall be added to the taxes on property that is already taxed to the full extent of the one per cent limit, and the millage on each other classification of property shall not result in a tax thereon in excess of the one per cent limit, but the millage amount levied under division (E)(2) of this section shall be the same as to all classifications of property which may be taxed at the same millage without exceeding the one per cent limit. In any event, the millage amount levied under division (E)(2) of this section on all land and improvements thereon in the subdivision shall be the same.

(G) Nothing in this section shall be applied to impair the authority of a municipal corporation under section 5705.18 of the Revised Code. Levies which are authorized by the charter of a municipal corporation without necessity for further vote and which are available for debt charges shall continue to be treated as levies outside the ten-mill limit and outside the one per cent limit in determining the indirect debt limit.

Effective Date: 06-03-2002

**ORIGINAL**

Receipt No. 1

\$5,850.00

Date 01-15-XX

OFFICE OF THE TOWNSHIP FISCAL OFFICER

Any Township My Town, Any County, Ohio

Received of Auditor of State

Five thousand-eight hundred and fifty and 00/100 Dollars

For Cigarette Tax-General Fund

1000-534

I.M. Good Fiscal officer

**ORIGINAL**

Receipt No. 2

\$500.00

Date 01-15-XX

OFFICE OF THE TOWNSHIP FISCAL OFFICER

Any Township My Town, Any County, Ohio

Received of Auditor of State

Five hundred and 00/100 Dollars

For Local Government Distribution - General Fund

1000-532

I.M. Good Fiscal officer

**ORIGINAL**

Receipt No. 3

\$4,000.00

Date 01-15-XX

OFFICE OF THE TOWNSHIP FISCAL OFFICER

Any Township My Town, Any County, Ohio

Received of County Auditor

Four thousand and 00/100 Dollars

For General Property Tax Advance - General Fund

1000-101

I.M. Good Fiscal officer

**ORIGINAL**

Receipt No. 4

\$4,000.00

Date 01-30-XX

OFFICE OF THE TOWNSHIP FISCAL OFFICER

Any Township My Town, Any County, Ohio

Received of Auditor of State

Four thousand and 00/100 Dollars

For Gasoline Tax - Gasoline Tax Fund

1000-537

I.M. Good Fiscal officer

**ORIGINAL**

Receipt No. 5

\$250.00

Date 01-30-XX

OFFICE OF THE TOWNSHIP FISCAL OFFICER

Any Township My Town, Any County, Ohio

Received of XYZ Group

Two hundred and Fifty and 00/100 Dollars

For Rent - General Fund

1000-802

I.M. Good Fiscal officer

**ORIGINAL**

Receipt No. 6

\$1,000.00

Date 01-30-XX

OFFICE OF THE TOWNSHIP FISCAL OFFICER

Any Township My Town, Any County, Ohio

Received of Last National Bank - CD #1234 interest

One thousand and 00/100 Dollars

For Interest - General Fund

1000-701

I.M. Good Fiscal officer

<b>PURCHASE ORDER</b>					
OFFICE OF THE Township Fiscal officer			Requisition No.		
			Purchase Order and Certificate No. _____ 4		
Any County, Ohio			APPROPRIATION		
My Town, Ohio		Jan. 5, 20XX	Code	Amount	
To: Blank Forms, Inc.			1000-110-410	\$500	00
My Town, Ohio 12345					
Deliver to: Any Township					
At: Any County, My Town, Ohio 12345					
Terms: Payable quarterly @ \$500.00 upon billing - check					
Quantity	Unit	Description	Price/Unit	Amount	
1	Box	Pre-numbered Purchase Orders.		\$500	00
		Beginning 1-10-XX			

FISCAL OFFICER'S CERTIFICATE

APPROVED BY:

It is hereby certified that the amount of (     \$500.00     ) required to meet the contract, agreement, obligation, payment or expenditure for the above, has been lawfully appropriated or authorized or directed for such purpose and is in the Treasury or in process of collection to the credit of \_\_\_\_\_  
General Fund  
Fund free from any obligation or certification now outstanding.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Dated     1-5-XX     I.M. Good \_\_\_\_\_  
Fiscal officer \_\_\_\_\_ Any Township

This order is not valid unless Fiscal officer's Certificate is signed.

**ORIGINAL**  
(To be sent to vendor)

<b>BLANKET PURCHASE ORDER</b>				
OFFICE OF THE Township Fiscal officer			Requisition No.	
			Purchase Order and Certificate No. <u>      2      </u>	
Any County, Ohio			APPROPRIATION	
My Town, Ohio		January 2, 20XX	Code	Amount
To: Cheap Power Company			1000-120-351	\$350 00
My Town, Ohio 12345				
Deliver to: Any Township				
At: same, My Town, Ohio 12345				
Terms: Check - 10 days after receipt of bill				
Quantity	Unit	Description	Price/Unit	Amount
		Electric bill for town hall for January-March		\$350 00
		#124-January Electric - \$120.00		230 00

FISCAL OFFICER'S CERTIFICATE

APPROVED BY:

It is hereby certified that the amount of (  \$350.00  ) \_\_\_\_\_ required to meet the contract, agreement, obligation, payment or expenditure for the above, has been lawfully appropriated or authorized or directed for such purpose and is in the Treasury or in process of collection to the credit of \_\_\_\_\_  
General  
Fund free from any obligation or certification now outstanding.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Dated   1-2-XX     I.M. Good    
Fiscal officer \_\_\_\_\_ Any Township

This order is not valid unless Fiscal officer's Certificate is signed.

**ORIGINAL**  
(To be sent to vendor)

<b>THEN &amp; NOW PURCHASE ORDER</b>				
OFFICE OF THE Township Fiscal officer			Requisition No.	
			Purchase Order and Certificate No. <u>10</u>	
Any County, Ohio			APPROPRIATION	
My Town, Ohio		January 30, 20XX	Code	Amount
To: XYZ Furnace Company			1000-120-360	\$300 00
My Town, Ohio 12345				
Deliver to: Township Hall				
At:				
Terms: Check - 10 days after billing				
Quantity	Unit	Description	Price/Unit	Amount
		Emergency repair of furnace		\$300 00
		on Saturday, 1-23-XX. Date of bill will also		
		be 1-23-XX.		

FISCAL OFFICER'S CERTIFICATE

APPROVED BY:

It is hereby certified that both at the time of the making of this \_\_\_\_\_ contract or order and at the date of the execution of this certificate, the amount of ( \$300.00 ) required to pay this contract or order has been appropriated for the purpose of this contract or order and is in the treasury or in the process of collection to the credit of the \_\_\_\_\_ General Fund free from any previous encumbrance.

Dated 1-30-XX I.M. Good  
 Fiscal officer \_\_\_\_\_ Any Township

This order is not valid unless  
 Fiscal officer's Certificate is  
 signed.

**ORIGINAL**  
 (To be sent to vendor)

<b>PURCHASE ORDER</b>				
OFFICE OF THE Township Fiscal officer			Requisition No.	
			Purchase Order and Certificate No. <u>      3      </u>	
Any County, Ohio			APPROPRIATION	
My Town, Ohio		Jan. 8, 20XX	Code	Amount
To: Big Rocks, Inc.			2031-330-420	\$800 00
My Town, Ohio 12345				
Deliver to: Any Township				
At: Any County, My Town, Ohio 12345				
Terms: Payable quarterly @ \$800.00 upon billing - check				
Quantity	Unit	Description	Price/Unit	Amount
100	Tons	100 Tons #57 Gravel	\$8.00	\$800 00
		Beginning 1-08-XX		

FISCAL OFFICER'S CERTIFICATE

APPROVED BY:

It is hereby certified that the amount of (   \$800   ) \_\_\_\_\_ required to meet the contract, agreement, obligation, payment or expenditure for the above, has been lawfully appropriated or authorized or directed for such purpose and is in the Treasury or in process of collection to the credit of \_\_\_\_\_  
  Road & Bridge Fund    
Fund free from any obligation or certification now outstanding.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Dated   1-8-XX   I.M. Good \_\_\_\_\_  
Fiscal officer \_\_\_\_\_ Any Township

This order is not valid unless Fiscal officer's Certificate is signed.

**ORIGINAL**  
(To be sent to vendor)

Warrant No. <u>  123  </u>							
Township <u>  Any Township  </u>							
Amount of Warrant \$ <u>  500.00  </u>							
Payable to							
<u>  Blank Forms, Inc.  </u>							
Address: <u>  5545 A Road, Box 999, My Town, Ohio 12345  </u>							
Date: <u>  1/15/20xx  </u>							
<i>EXAMINED AND FOUND CORRECT</i>							
Trustee # 1							
Trustee # 2							
Trustee # 3							
<b>DISTRIBUTION</b>							
Fund	Appr'n	Amt. Certified		Amt. Of Warrant		Credit Appr'n	
General	1000-110-410	500	00	500	00		





**TOWNSHIP ACCOUNTING MANUAL**

Check No. <u>125</u> Date <u>1/30/XX</u> To: <u>XYZ Furnace Company</u> Fund: <u>1000-110-360</u> For: <u>Emergency Furnace Repair</u>	Deposit 5,850 500 4,000	00 00 00	Any Township My Town, Ohio Pay to the order of: <u>XYZ Furnace Company</u> Three Hundred and 00/100-----Dollars Last National Bank Any Town, Ohio	Check No. <u>125</u> Date <u>1/30/XX</u>
Total	27,830	00		
Amount This Check	300	00		
Balance	27,530	00		

980 Check No. <u>126</u> Date <u>1/30/XX</u> To: <u>Big Rocks, Inc.</u> Fund: <u>2031-330-420</u> For: <u>100 tons gravel</u>	Deposit 4,000 250 1,000	00 00 00	Any Township My Town, Ohio Pay to the order of: <u>Big Rocks, Inc.</u> Eight hundred and 00/100-----Dollars Last National Bank Any Town, Ohio	Check No. <u>126</u> Date <u>1/30/XX</u> \$800.00
Total	32,780	00		
Amount This Check	800	00		
Balance	31,980	00		

## TOWNSHIP ACCOUNTING MANUAL

### BANK RECONCILIATION

1. Sort all checks returned in your statement into numerical order by check number.
2. Compare all of these checks to your check register to determine the ones that are missing.
3. Write down amounts of all missing checks in the "Checks Outstanding" column below.
4. Now fill in the appropriate blanks below. When you finish, your "Adjusted Check Book Balance" should equal your "Adjusted Statement Balance."

#### CHECKS OUTSTANDING

NO.	AMOUNT	The balance in checkbook	\$54,109.24
		Less monthly service charge	- 0 -
122	325.00	Less other charges not entered in checkbook	- 0 -
130	200.00		- 0 -
131	62.00		- 0 -
132	22.50	Total charges to subtract	- 0 -
		Adjusted Checkbook Balance	\$54,109.24
		Bank Balance (as of the date of this statement)	\$ 4,638.38
		Plus any deposits you have made that do not appear on this statement	\$ 156.86
		Add Investments	50,000.00
TOTAL	686.00    ≡	Less checks outstanding	686.00
		ADJUSTED STATEMENT BALANCE	\$ 54,109.24

RV - Reversed Item  
 SC - Service Charge  
 OC - Overdraft Charge  
 RT - Return Check Charge  
 CC - Certified Check Debit  
 DM - Debit Memo  
 LS - List Posting

DR - Deposited Item Returned  
 CM - Credit Memo  
 MC - Miscellaneous Charge  
 OD - Overdrawn (Balance)  
 LC - Line of Credit  
 WT - Wire Transfer

**TOWNSHIP ACCOUNTING MANUAL**

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**INVESTMENT LEDGER**

Date 20XX	Description	Number	Receipt Number	Check No.			
					Purchased	Redeemed	Balance
1/1	Last Nat'l CD 6%-Mat. 5/15/00	General 100% #1234		Memo	X		\$100,000
1/30	Last Nat'l Interest Pmt.	CD 1234	6	9999	X		\$100,000

## 9.38 Deposit of public moneys.

As used in this section and section 9.39 of the Revised Code:

(1) "Color of office," "public office," and "public official" have the same meanings as in section 117.01 of the Revised Code.

(2) "Legislative authority" means a board of county commissioners, a board of township trustees, the legislative authority of a municipal corporation, or the board of education of a school district.

A person who is a state officer, employee, or agent shall pay to the treasurer of state all public moneys received by that person as required by rule of the treasurer of state adopted pursuant to section 113.09 of the Revised Code. A person who is a public official other than a state officer, employee, or agent shall deposit all public moneys received by that person with the treasurer of the public office or properly designated depository on the business day next following the day of receipt, if the total amount of such moneys received exceeds one thousand dollars. If the total amount of the public moneys so received does not exceed one thousand dollars, the person shall deposit the moneys on the business day next following the day of receipt, unless the public office of which that person is a public official adopts a policy permitting a different time period, not to exceed three business days next following the day of receipt, for making such deposits, and the person is able to safeguard the moneys until such time as the moneys are deposited. The policy shall include provisions and procedures to safeguard the public moneys until they are deposited. If the public office of which the person is a public official is governed by a legislative authority, only the legislative authority may adopt such a policy; in the case of a board of county commissioners, the board may adopt such a policy with respect to public offices under the board's direct supervision and the offices of the prosecuting attorney, sheriff, coroner, county engineer, county recorder, county auditor, county treasurer, or clerk of the court of common pleas. If a person who is a public official receives public moneys for a public office of which that person is not a public official, that person shall, during the first business day of the next week, pay to the proper public official of the proper public office the moneys so received during the current week.

Effective Date: 11-02-1999

## 5705.14 Transfer of funds.

No transfer shall be made from one fund of a subdivision to any other fund, by order of the court or otherwise, except as follows:

(A) The unexpended balance in a bond fund that is no longer needed for the purpose for which such fund was created shall be transferred to the sinking fund or bond retirement fund from which such bonds are payable.

(B) The unexpended balance in any specific permanent improvement fund, other than a bond fund, after the payment of all obligations incurred in the acquisition of such improvement, shall be transferred to the sinking fund or bond retirement fund of the subdivision; provided that if such money is not required to meet the obligations payable from such funds, it may be transferred to a special fund for the acquisition of permanent improvements, or, with the approval of the court of common pleas of the county in which such subdivision is located, to the general fund of the subdivision.

(C) The unexpended balance in the sinking fund or bond retirement fund of a subdivision, after all indebtedness, interest, and other obligations for the payment of which such fund exists have been paid and retired, shall be transferred, in the case of the sinking fund, to the bond retirement fund, and in the case of the bond retirement fund, to the sinking fund; provided that if such transfer is impossible by reason of the nonexistence of the fund to receive the transfer, such unexpended balance, with the approval of the court of common pleas of the county in which such division is located, may be transferred to any other fund of the subdivision.

(D) The unexpended balance in any special fund, other than an improvement fund, existing in accordance with division (D), (F), or (G) of section 5705.09 or section 5705.12 of the Revised Code, may be transferred to the general fund or to the sinking fund or bond retirement fund after the termination of the activity, service, or other undertaking for which such special fund existed, but only after the payment of all obligations incurred and payable from such special fund.

(E) Money may be transferred from the general fund to any other fund of the subdivision.

(F) Moneys retained or received by a county under section 4501.04 or division (A)(3) of section 5735.27 of the Revised Code may be transferred from the fund into which they were deposited to the sinking fund or bond retirement fund from which any principal, interest, or charges for which such moneys may be used is payable.

(G) Moneys retained or received by a municipal corporation under section 4501.04 or division (A)(1) or (2) of section 5735.27 of the Revised Code may be transferred from the fund into which they were deposited to the sinking fund or bond retirement fund from which any principal, interest, or charges for which such moneys may be used is payable.

(H)(1) Money may be transferred from the county mental retardation and developmental disabilities general fund to the county mental retardation and developmental disabilities capital fund established under section 5705.091 of the Revised Code or to any other fund created for the purposes of the county board of mental retardation and developmental disabilities, so long as money in the fund to which the money is transferred can be spent for the particular purpose of the transferred money. The county board of mental retardation and developmental disabilities may request, by resolution, that the board of county commissioners make the transfer. The county board of mental retardation and developmental disabilities shall transmit a certified copy of the resolution to the board of county commissioners. Upon receiving the resolution, the board of county commissioners may make the transfer. Money transferred to a fund shall be credited to an account appropriate to its particular purpose.

(2) An unexpended balance in an account in the county mental retardation and developmental disabilities capital fund or any other fund created for the purposes of the county board of mental retardation and developmental disabilities may be transferred back to the county mental retardation and developmental disabilities general fund. The transfer may be made if the unexpended balance is no longer needed for its particular purpose and all outstanding obligations

have been paid. Money transferred back to the county mental retardation and developmental disabilities general fund shall be credited to an account for current expenses within that fund. The county board of mental retardation and developmental disabilities may request, by resolution, that the board of county commissioners make the transfer. The county board of mental retardation and developmental disabilities shall transmit a certified copy of the resolution to the board of county commissioners. Upon receiving the resolution, the board of county commissioners may make the transfer.

Except in the case of transfer pursuant to division (E) of this section, transfers authorized by this section shall only be made by resolution of the taxing authority passed with the affirmative vote of two-thirds of the members.

Effective Date: 01-10-1992

## **5705.16 Resolution for transfer of funds - petition - approval by tax commissioner - hearing - certification.**

A resolution of the taxing authority of any political subdivision shall be passed by a majority of all the members thereof, declaring the necessity for the transfer of funds authorized by section 5705.15 of the Revised Code, and such taxing authority shall prepare a petition addressed to the court of common pleas of the county in which the funds are held. The petition shall set forth the name and amount of the fund, the fund to which it is desired to be transferred, a copy of such resolution with a full statement of the proceedings pertaining to its passage, and the reason or necessity for the transfer. A duplicate copy of said petition shall be forwarded to the tax commissioner for his examination and approval.

If the petition is disapproved by the commissioner, it shall be returned within ten days of its receipt to the officers who submitted it, with a memorandum of the commissioner's objections. This disapproval shall not prejudice a later application for approval. If the petition is approved by the commissioner, it shall be forwarded within ten days of its receipt to the clerk of the court of common pleas of the county to whose court of common pleas the petition is addressed, marked with the approval of the commissioner. If the commissioner approves the petition, he shall notify immediately the officers who submitted the petition, who then may file the petition in the court to which it is addressed.

The petitioner shall give notice of the filing, object and prayer of the petition, and of the time when it will be heard. The notice shall be given by one publication in two newspapers having a general circulation in the territory to be affected by such transfer of funds, preference being given to newspapers published within the territory. If there are no such newspapers, the notice shall be posted in ten conspicuous places within the territory for the period of four weeks.

The petition may be heard at the time stated in the notice, or as soon thereafter as convenient for the court. Any person who objects to the prayer of such petition shall file his objections in such cause on or before the time fixed in the notice for hearing, and he shall be entitled to be heard.

If, upon hearing, the court finds that the notice has been given as required by this section, that the petition states sufficient facts, that there are good reasons, or that a necessity exists, for the transfer, and that no injury will result therefrom, it shall grant the prayer of the petition and order the petitioners to make such transfer.

A copy of the findings, orders, and judgments of the court shall be certified by the clerk and entered on the records of the petitioning officers or board, and thereupon the petitioners may make the transfer of funds as directed by the court. All costs of such proceedings shall be paid by the petitioners, except that if objections are filed the court may order such objectors to pay all or a portion of the costs.

Effective Date: 09-27-1983