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Spencer Township Lucas County 630 N. Mielke Road, P.O. Box 28 Holland, Ohio 43528-0028

To the Board of Trustees:

As you are aware, the Auditor of State's Office (AOS) must modify the *Independent Accountants' Report* we provide on your financial statements due to a February 2, 2005, interpretation from the American Institute of Certified Public Accountants (AICPA). While AOS does not legally require your government to prepare financial statements pursuant to Generally Accepted Accounting Principles (GAAP), the AICPA interpretation requires auditors to formally acknowledge that you did not prepare your financial statements in accordance with GAAP. Our Report includes an opinion relating to GAAP presentation and measurement requirements, but does not imply the amounts the statements present are misstated under the non-GAAP basis you follow. The AOS report also includes an opinion on the financial statements you prepared using the cash basis and financial statement format the AOS permits.

Betty Montgomery Auditor of State

Betty Montgomeny

August 25, 2006

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INDEPENDENT ACCOUNTANTS' REPORT

Spencer Township Lucas County 630 N. Mielke Road, P.O. Box 28 Holland, Ohio 43528-0028

To the Board of Trustees:

We have audited the accompanying financial statements of Spencer Township, Lucas County, (the Township) as of and for the years ended December 31, 2005 and 2004. These financial statements are the responsibility of the Township's management. Our responsibility is to express an opinion on these financial statements based on our audit.

We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in the Comptroller General of the United States' *Government Auditing Standards*. Those standards require that we plan and perform the audit to reasonably assure whether the financial statements are free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation. The Township processes its financial transactions with the Auditor of State's Uniform Accounting Network (UAN). *Government Auditing Standards* considers this service to impair the independence of the Auditor of State to audit the Township because the Auditor of State designed, developed, implemented, and as requested, operates UAN. However, *Government Auditing Standards* permits the Auditor of State to audit and opine on this entity, because Ohio Revised Code § 117.101 requires the Auditor of State to provide UAN services, and Ohio Revised Code §§ 117.11(B) and 115.56 mandate the Auditor of State to audit Ohio governments. We believe our audit provides a reasonable basis for our opinion.

As described more fully in Note 1, the Township has prepared these financial statements using accounting practices the Auditor of State prescribes or permits. These practices differ from accounting principles generally accepted in the United States of America (GAAP). Although we cannot reasonably determine the effects on the financial statements of the variances between these regulatory accounting practices and GAAP, we presume they are material.

Revisions to GAAP would require the Township to reformat its financial statement presentation and make other changes effective for the years ended December 31, 2005 and 2004. Instead of the combined funds the accompanying financial statements present for 2005 and 2004, the revisions require presenting entity wide statements and also to present its larger (i.e. major) funds separately for 2005 and 2004.

One Government Center / Room 1420 / Toledo, OH 43604-2246 Telephone: (419) 245-2811 (800) 443-9276 Fax: (419) 245-2484 www.auditor.state.oh.us Spencer Township Lucas County Independent Accountants' Report Page 2

While the Township does not follow GAAP, generally accepted auditing standards requires us to include the following paragraph if the statements do not substantially conform to the new GAAP presentation requirements. The Auditor of State permits, but does not require governments to reformat their statements. The Township has elected not to reformat its statements. Since this Township does not use GAAP to measure financial statement amounts, the following paragraph does not imply the amounts reported are materially misstated under the accounting basis the Auditor of State permits. Our opinion on the fair presentation of the amounts reported pursuant to its non-GAAP basis is in the second following paragraph.

In our opinion, because of the effects of the matter discussed in the preceding two paragraphs, the financial statements referred to above for the years ended December 31, 2005 and 2004, do not present fairly, in conformity with accounting principles generally accepted in the United States of America, the financial position of the Township as of December 31, 2005 and 2004, or its changes in financial position for the years then ended.

Also, in our opinion, the financial statements referred to above present fairly, in all material respects, the combined fund cash balances of Spencer Township, Lucas County, as of December 31, 2005 and 2004, and its combined cash receipts and disbursements for the years then ended on the accounting basis Note 1 describes.

The aforementioned revision to generally accepted accounting principles also requires the Township to include Management's Discussion and Analysis for the years ended December 31, 2005 and 2004. The Township has not presented Management's Discussion and Analysis, which accounting principles generally accepted in the United States of America has determined is necessary to supplement, although not required to be part of, the financial statements.

In accordance with *Government Auditing Standards*, we have also issued our report dated August 25, 2006, on our consideration of the Township's internal control over financial reporting and our tests of its compliance with certain provisions of laws, regulations, contracts and grant agreements and other matters. While we did not opine on the internal control over financial reporting or on compliance, that report describes the scope of our testing of internal control over financial reporting and compliance, and the results of that testing. That report is an integral part of an audit performed in accordance with *Government Auditing Standards*. You should read it in conjunction with this report in assessing the results of our audit.

Betty Montgomery Auditor of State

Betty Montgomeny

August 25, 2006

COMBINED STATEMENT OF CASH RECEIPTS, CASH DISBURSEMENTS, AND CHANGES IN FUND CASH BALANCES ALL GOVERNMENTAL FUND TYPES FOR THE YEAR ENDED DECEMBER 31, 2005

	Governmental Fund Types			
	General	Special Revenue	Totals (Memorandum Only)	
Cash Receipts:				
Local Taxes	\$102,011	\$94,105	\$196,116	
Intergovernmental	48,586	252,703	301,289	
Charges for Services		11,635	11,635	
Licenses, Permits, and Fees	5,390		5,390	
Interest Earnings	145	84	229	
Other Revenue	629	3,117	3,746	
Total Cash Receipts	156,761	361,644	518,405	
Cash Disbursements:				
Current:				
General Government	137,192	17,426	154,618	
Public Safety		58,455	58,455	
Public Works	1,526	48,821	50,347	
Health	7,808		7,808	
Debt Service:				
Redemption of Principal	14,017	41,205	55,222	
Interest and Fiscal Charges	6,618	9,099	15,717	
Capital Outlay	1,543	218,018	219,561	
Total Cash Disbursements	168,704	393,024	561,728	
Total Receipts (Under) Disbursements	(11,943)	(31,380)	(43,323)	
Other Financing Receipts and (Disbursements): Proceeds from Sale of Public Debt:				
Other Proceeds from Sale of Public Debt	60,000		60,000	
Transfers-In	,	42,702	42,702	
Transfers-Out	(42,702)	,:	(42,702)	
Total Other Financing Receipts/(Disbursements)	17,298	42,702	60,000	
Excess of Cash Receipts and Other Financing				
Receipts Over Cash Disbursements				
and Other Financing Disbursements	5,355	11,322	16,677	
Fund Cash Balances, January 1	3,404	40,233	43,637	
Fund Cash Balances, December 31	\$8,759	\$51,555	\$60,314	

The notes to the financial statements are an integral part of this statement.

COMBINED STATEMENT OF CASH RECEIPTS, CASH DISBURSEMENTS, AND CHANGES IN FUND CASH BALANCES ALL GOVERNMENTAL FUND TYPES FOR THE YEAR ENDED DECEMBER 31, 2004

	Governmental Fund Types			
	General	Special Revenue	Totals (Memorandum Only)	
Cash Receipts:				
Local Taxes	\$101,319	\$93,694	\$195,013	
Intergovernmental	56,365	109,439	165,804	
Charges for Services	•	215	215	
Licenses, Permits, and Fees	7,332		7,332	
Earnings on Investments	27	13	40	
Total Cash Receipts	165,043	203,361	368,404	
Cash Disbursements:				
Current:				
General Government	137,546	39,766	177,312	
Public Safety		51,737	51,737	
Public Works	1,800	61,643	63,443	
Health	7,801		7,801	
Debt Service:				
Redemption of Principal	18,263	29,373	47,636	
Interest and Fiscal Charges	8,002	8,270	16,272	
Capital Outlay	938	23,376	24,314	
Total Cash Disbursements	174,350	214,165	388,515	
Total Receipts (Under) Disbursements	(9,307)	(10,804)	(20,111)	
Other Financing Receipts: Proceeds from Sale of Public Debt:				
Other Proceeds from Sale of Public Debt	4,000		4,000	
Other Sources	5,000		5,000	
		_		
Total Other Financing Receipts	9,000		9,000	
Excess of Cash Receipts and Other Financing				
Receipts (Under) Cash Disbursements	(307)	(10,804)	(11,111)	
Fund Cash Balances, January 1	3,711	51,037	54,748	
Fund Cash Balances, December 31	\$3,404	\$40,233	\$43,637	

The notes to the financial statements are an integral part of this statement.

NOTES TO THE FINANCIAL STATEMENTS DECEMBER 31, 2005 AND 2004

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

A. Description of the Entity

The constitution and laws of the State of Ohio establish the rights and privileges of Spencer Township, Lucas County, (the Township) as a body corporate and politic. A publicly-elected three-member Board of Trustees directs the Township. The Township provides road and bridge maintenance, fire protection and emergency medical services.

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

B. Basis of Accounting

These financial statements follow the basis of accounting the Auditor of State prescribes or permits. This basis is similar to the cash receipts and disbursements accounting basis. The Township recognizes receipts when received in cash rather than when earned, and recognizes disbursements when paid rather than when a liability is incurred. Budgetary presentations report budgetary expenditures when a commitment is made (i.e., when an encumbrance is approved).

These statements include adequate disclosure of material matters, as the Auditor of State prescribes or permits.

C. Fund Accounting

The Township uses fund accounting to segregate cash and investments that are restricted as to use. The Township classifies its funds into the following types:

1. General Fund

The General Fund reports all financial resources except those required to be accounted for in another fund.

2. Special Revenue Funds

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

<u>Gasoline Tax Fund</u> - This fund receives gasoline tax money to pay for constructing, maintaining, and repairing Township roads.

<u>Fire Levy Fund</u> - This fund receives property tax money for maintenance and operation of the Township Fire Department.

NOTES TO THE FINANCIAL STATEMENTS DECEMBER 31, 2005 AND 2004 (Continued)

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES – (Continued)

D. Budgetary Process

The Ohio Revised Code requires that each fund be budgeted annually.

1. Appropriations

Budgetary expenditures (that is, disbursements and encumbrances) may not exceed appropriations at the fund, function or object level of control, and appropriations may not exceed estimated resources. The Board of Trustees must annually approve appropriation measures and subsequent amendments. The County Budget Commission must also approve the annual appropriation measure. Appropriations lapse at year end.

2. Estimated Resources

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

3. Encumbrances

The Ohio Revised Code requires the Township to reserve (encumber) appropriations when individual commitments are made. Encumbrances outstanding at year end are canceled, and reappropriated in the subsequent year.

A summary of 2005 and 2004 budgetary activity appears in Note 3.

E. Property, Plant, and Equipment

The Township records disbursements for acquisitions of property, plant, and equipment when paid. The accompanying financial statements do not report these items as assets.

F. Accumulated Leave

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

2. EQUITY IN POOLED CASH

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

	2005	2004
Demand deposits	\$60,314	\$43,637
Total deposits	\$60,314	\$43,637

Deposits are insured by the Federal Depository Insurance Corporation.

NOTES TO THE FINANCIAL STATEMENTS DECEMBER 31, 2005 AND 2004 (Continued)

3. BUDGETARY ACTIVITY

Budgetary activity for the years ending December 31, 2005 and 2004 follows:

2005 Budgeted vs. Actual Receipts

	Budgeted	Actual	
Fund Type	Receipts	Receipts	Variance
General	\$158,000	\$216,761	\$58,761
Special Revenue	191,707	404,346	212,639
Total	\$349,707	\$621,107	\$271,400

2005 Budgeted vs. Actual Budgetary Basis Expenditures

	Appropriation	Budgetary	
Fund Type	Authority	Expenditures	Variance
General	\$161,404	\$211,406	(\$50,002)
Special Revenue	231,939	393,024	(161,085)
Total	\$393,343	\$604,430	(\$211,087)

2004 Budgeted vs. Actual Receipts

	Budgeted	Actual	_
Fund Type	Receipts	Receipts	Variance
General	\$164,015	\$174,043	\$10,028
Special Revenue	195,433	203,361	7,928
Total	\$359,448	\$377,404	\$17,956

2004 Budgeted vs. Actual Budgetary Basis Expenditures

	Appropriation	Budgetary	_
Fund Type	Authority	Expenditures	Variance
General		\$174,350	(\$174,350)
Special Revenue		214,165	(214,165)
Total		\$388,515	(\$388,515)

Contrary to Ohio law, the Township did not pass an appropriation measure for the year ended December 31, 2004.

Contrary to Ohio law, budgetary expenditures exceeded appropriation authority in the General Fund by \$50,002 and in the Special Revenue Funds by \$161,085 for the year ended December 31, 2005.

NOTES TO THE FINANCIAL STATEMENTS DECEMBER 31, 2005 AND 2004 (Continued)

4. PROPERTY TAX

Real property taxes become a lien on January 1 preceding the October 1 date for which the Trustees adopt rates. The State Board of Tax Equalization adjusts these rates for inflation. Property taxes are also reduced for applicable homestead and rollback deductions. The financial statements include homestead and rollback amounts the State pays as Intergovernmental Receipts. Payments are due to the County by December 31. If the property owner elects to pay semiannually, the first half is due December 31. The second half payment is due the following June 20.

Tangible personal property tax is assessed by the property owners, who must file a list of such property to the County by each April 30.

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

5. DEBT

Debt outstanding at December 31, 2005, was as follows:

	Principal	Interest Rate
Bank Loan-Town Hall	\$135,006	3.50%
Bank Loan-Fire Station	105,881	3.50%
Bank Loan-Payoff Line of Credit	109,183	5.00%
Bank Loan - Schwamberger Road Project	59,101	4.85%
Total	\$409,171	

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

				Bank Loan
			Bank Loan	Schwamberger
Year ending December 31:	Town Hall	Fire Station	LOC	Road Proj.
2006	\$32,656	\$25,540	\$19,512	\$8,438
2007	32,656	25,540	19,512	8,438
2008	32,656	25,540	19,512	8,438
2009	32,656	25,540	19,512	8,438
2010	15,846	12,737	19,512	8,439
2011 – 2012			30,785	30,167
Total	\$146,470	\$114,897	\$128,345	\$72,358

NOTES TO THE FINANCIAL STATEMENTS DECEMBER 31, 2005 AND 2004 (Continued)

6. RETIREMENT SYSTEMS

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

The Ohio Revised Code also prescribes contribution rates. For 2005 and 2004, members of OPERS contributed 8.5 percent of their gross salaries. The Township contributed an amount equaling 13.55 percent of participants' gross salaries. The Township has paid all contributions required through December 31, 2005.

7. RISK POOL MEMBERSHIP

The Township is exposed to various risks of property and casualty losses, and injuries to employees.

The Township insures against injuries to employees through the Ohio Bureau of Worker's Compensation.

The Government belongs to the Ohio Township Association Risk Management Authority (OTARMA), a risk-sharing pool available to Ohio townships. OTARMA provides property and casualty coverage for its members. OTARMA is a member of the American Public Entity Excess Pool (APEEP). Member townships pay annual contributions to fund OTARMA. OTARMA pays judgments, settlements and other expenses resulting from covered claims that exceed the members' deductibles.

Casualty Coverage

OTARMA retains casualty risks up to \$250,000 per occurrence, including claim adjustment expenses. OTARMA pays a percentage of its contributions to APEEP. APEEP reinsures claims exceeding \$250,000, up to \$1,750,000 per claim and \$10,000,000 in the aggregate per year. Townships can elect additional coverage, from \$2,000,000 to \$12,000,000 with the General Reinsurance Corporation, through contracts with OTARMA.

If losses exhaust OTARMA's retained earnings, APEEP provides excess of funds available coverage up to \$5,000,000 per year, subject to a per-claim limit of \$2,000,000.

Property Coverage

Through 2004, OTARMA retained property risks, including automobile physical damage, up to \$100,000 on any specific loss in any one occurrence. The Travelers Indemnity Company reinsured losses exceeding \$100,000 up to \$500 million per occurrence. APEEP's Guarantee Fund was responsible for losses and loss adjustment expenses exceeding operating contributions.

Beginning in 2005, Travelers reinsures specific losses exceeding \$250,000 up to \$600 million per occurrence. APEEP reinsures members for specific losses exceeding \$100,000 up to \$250,000 per occurrence, subject to an annual aggregate loss payment. Travelers provides aggregate stoploss coverage based upon the combined members' total insurable value. If the stop loss is reached by payment of losses between \$100,000 and \$250,000, Travelers will reinsure specific losses exceeding \$100,000 up to their \$600 million per occurrence limit. The aggregate stop-loss limit for 2005 was \$1,682,589.

NOTES TO THE FINANCIAL STATEMENTS DECEMBER 31, 2005 AND 2004 (Continued)

7. RISK POOL MEMBERSHIP – (Continued)

The aforementioned casualty and property reinsurance agreements do not discharge OTARMA's primary liability for claims payments on covered losses. Claims exceeding coverage limits are the obligation of the respective township.

Property and casualty settlements did not exceed insurance coverage for the past three fiscal years.

Members may withdraw on each anniversary of the date they joined OTARMA. They must provide written notice to OTARMA 60 days in advance of the anniversary date. Upon withdrawal, members are eligible for a full or partial refund of their capital contribution, minus the subsequent year's premium. Also upon withdrawal, payments for all property and casualty claims and claim expenses become the sole responsibility of the withdrawing member, regardless of whether a claim was incurred or reported prior to the withdrawal.

Financial Position

OTARMA's financial statements (audited by other accountants) conform with generally accepted accounting principles, and reported the following assets, liabilities and retained earnings at December 31, 2005 and 2004.

Casualty Coverage	<u>2005</u>	<u>2004</u>
Assets	\$30,485,638	\$28,132,620
Liabilities	(12,344,576)	(11,086,379)
Retained earnings	<u>\$18,141,062</u>	<u>\$17,046,241</u>
Property Coverage	<u>2005</u>	<u>2004</u>
Assets	\$9,177,796	\$7,588,343
Liabilities	(1,406,031)	(543,176)
Retained earnings	<u>\$7,771,765</u>	<u>\$7,045,167</u>

The Casualty Coverage assets and retained earnings above include approximately \$11.6 million and \$10.3 million of unpaid claims to be billed to approximately 950 member townships in the future, as of December 31, 2005 and 2004, respectively. OTARMA will collect these amounts in future annual premium billings when OTARMA's related liabilities are due for payment. The Township's share of these unpaid claims is approximately \$42,416.



INDEPENDENT ACCOUNTANTS' REPORT ON INTERNAL CONTROL OVER FINANCIAL REPORTING AND ON COMPLIANCE AND OTHER MATTERS REQUIRED BY GOVERNMENT AUDITING STANDARDS

Spencer Township Lucas County 630 N. Mielke Road, P.O. Box 28 Holland, Ohio 43528-0028

To the Board of Trustees:

We have audited the financial statements of Spencer Township, Lucas County, (the Township) as of and for the years ended December 31, 2005 and 2004, and have issued our report thereon dated August 25, 2006, wherein we noted the Township followed accounting practices the Auditor of State prescribes rather than accounting principles generally accepted in the United States of America. We also noted that the Township uses the Auditor of State's Uniform Accounting Network (UAN) to process its financial transactions. *Government Auditing Standards* considers this service to impair the Auditor of State's independence to audit the Township because the Auditor of State designed, developed, implemented, and, as requested, operates UAN. We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in the Comptroller General of the United States' *Government Auditing Standards*.

Internal Control Over Financial Reporting

In planning and performing our audit, we considered the Township's internal control over financial reporting to determine our auditing procedures to express our opinion on the financial statements and not to opine on the internal control over financial reporting. Our consideration of the internal control would not necessarily disclose all matters in the internal control over financial reporting that might be material weaknesses. A material weakness is a reportable condition in which the design or operation of one or more of the internal control components does not reduce to a relatively low level the risk that misstatements caused by error or fraud in amounts material to the financial statements we audited may occur and not be timely detected by employees when performing their assigned functions. We noted no matters involving the internal control over financial reporting and its operation that we consider material weaknesses. In a separate letter to the Township's management dated August 25, 2006, we reported other matters involving internal control over financial reporting we did not deem reportable conditions.

One Government Center / Room 1420 / Toledo, OH 43604-2246 Telephone: (419) 245-2811 (800) 443-9276 Fax: (419) 245-2484 Spencer Township Lucas County Independent Accountants' Report on Internal Control Over Financial Reporting and on Compliance and Other Matters Required by *Government Auditing Standards* Page 2

Compliance and Other Matters

As part of reasonably assuring whether the Township's financial statements are free of material misstatement, we tested its compliance with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could directly and materially affect the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit and, accordingly, we do not express an opinion. The results of our tests disclosed an instance of noncompliance or other matters we must report under *Government Auditing Standards* which is described in the accompanying schedule of findings as item 2005-001. In a separate letter to the Township's management dated August 25, 2006, we reported other matters related to noncompliance we deemed immaterial.

We intend this report solely for the information and use of management and the township board of trustees. It is not intended for anyone other than these specified parties.

Betty Montgomery Auditor of State

Butty Montgomery

August 25, 2006

SCHEDULE OF FINDINGS DECEMBER 31, 2005 AND 2004

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

FINDING NUMBER 2005 - 001

Ohio Revised Code § 5705.38(A), provides in part, that on or about the first day of each fiscal year an appropriation measure is to be passed. If the taxing authority wants to postpone the passage of the annual appropriation measure until an amended certificate is received from the county budget commission based upon the actual year-end balances, it may pass a temporary appropriation measure for meeting the ordinary expenses until April 1.

Ohio Revised Code § 5705.41 (B) prohibits a subdivision from making any expenditure unless it has been appropriated. For fiscal year 2004, no appropriations were passed by the Township Board of Trustees. In 2005 audit adjustments to the General and Special Revenue Funds for expenditures not recorded created negative variances in those fund types, of \$50,002 and \$161,085, respectively.

Monitoring budget versus actual expenditures is an important tool of the budget process. Expenditures exceeding authorized levels of spending may ultimately lead to deficit balances within funds.

We recommend the Township pass its annual appropriation measure by the required date in accordance with the above stated requirements, and the Township monitor the budget versus actual expenditures.

Client Response:

No response was received from the Township.



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SPENCER TOWNSHIP LUCAS COUNTY

CLERK'S CERTIFICATION

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

CLERK OF THE BUREAU

Susan Babbitt

CERTIFIED SEPTEMBER 26, 2006