ORANGE TOWNSHIP

DAYTON REGION, SHELBY COUNTY

REGULAR AUDIT

FOR THE YEARS ENDED DECEMBER 31, 2008 - 2007



Mary Taylor, CPA Auditor of State

Board of Trustees Orange Township 1801 Bulle Road Sidney, Ohio 45365

We have reviewed the *Independent Auditors' Report* of Orange Township, Shelby County, prepared by Manning & Associates CPAs, LLC, for the audit period January 1, 2007 through December 31, 2008. Based upon this review, we have accepted these reports in lieu of the audit required by Section 117.11, Revised Code. The Auditor of State did not audit the accompanying financial statements and, accordingly, we are unable to express, and do not express an opinion on them.

The financial statements in the attached report are presented in accordance with a regulatory basis of accounting prescribed or permitted by the Auditor of State. Due to a February 2, 2005 interpretation from the American Institute of Certified Public Accountants (AICPA), modifications were required to the *Independent Auditors' Report* on your financial statements. While the Auditor of State 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. The attached report includes an opinion relating to GAAP presentation and measurement requirements, but does not imply the statements are misstated under the non-GAAP regulatory basis. The *Independent Auditors' Report* also includes an opinion on the financial statements using the regulatory format the Auditor of State permits.

Our review was made in reference to the applicable sections of legislative criteria, as reflected by the Ohio Constitution, and the Revised Code, policies, procedures and guidelines of the Auditor of State, regulations and grant requirements. Orange Township is responsible for compliance with these laws and regulations.

Mary Jaylor

Mary Taylor, CPA Auditor of State

October 8, 2009

88 E. Broad St. / Fifth Floor / Columbus, OH 43215-3506 Telephone: (614) 466-4514 (800) 282-0370 Fax: (614) 466-4490 www.auditor.state.oh.us This Page is Intentionally Left Blank.

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MANNING & ASSOCIATES CPAS, LLC 6105 NORTH DIXIE DRIVE DAYTON, OHIO 45414

INDEPENDENT AUDITORS' REPORT

Orange Township Shelby County 1801 Bulle Road Sidney, Ohio 45365

To the Board of Trustees:

We have audited the accompanying financial statements of Orange Township, Shelby County, (the Township), as of and for the years ended December 31, 2008 and 2007. 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. We believe that 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.

Instead of the combined funds the accompanying financial statements present, GAAP requires presenting entity wide statements and also presenting the Township's larger (i.e major) funds separately. 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 GAAP presentation requirements. The Auditor of State permits, but does not require townships to reformat their statements. The Township has elected not to follow GAAP statement formatting requirements. 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, 2008 and 2007, 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, 2008 and 2007, or its changes in financial position for the years then ended.

Orange Township Shelby County Independent Auditors' Report Page 2

Also, in our opinion, the financial statements referred to above present fairly, in all material respects, the combined fund cash balances of Orange Township, Shelby County, as of December 31, 2008 and 2007, and its combined cash receipts and disbursements for the years then ended on the accounting basis Note 1 describes.

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 a report dated July 31, 2009, 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.

Manning & Associates CPAs, LLC Dayton, Ohio

July 31, 2009

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COMBINED STATEMENT OF CASH RECEIPTS, CASH DISBURSEMENTS, AND CHANGES IN FUND CASH BALANCES ALL GOVERNMENTAL FUND TYPES FOR THE YEAR ENDED DECEMBER 31, 2008

GOVERNMENTAL FUND TYPES

		General		Special Revenue		Total (Memorandum Only)
Cash Receipts:	¢	0 220	¢	() (55	¢	69.075
Property and Other Local Taxes	\$	8,320	\$	60,655	\$	68,975
Licenses, Permits and Fees		1,300		0		1,300
Intergovernmental Receipts		144,668		100,087		244,755
Special Assessments		0		1,371		1,371
Earnings on Investments		854		1,644		2,498
Miscellaneous		265	· _	3,904	-	4,169
Total Cash Receipts		155,407		167,661	_	323,068
Cash Disbursements:						
General Government		36,774		9,311		46,085
Public Safety		7,879		32,666		40,545
Public Works		0		151,094		151,094
Health		2,610		2,610		5,220
Capital Outlay		0		41,683	_	41,683
Total Cash Disbursements		47,263		237,364	_	284,627
Total Receipts Over/(Under) Disbursements		108,144		(69,703)	_	38,441
Other Financing Receipts/Disbursements						
Transfers In		0		70,000		70,000
Transfers Out		(70,000)		0		(70,000)
Total Other Finanicing Receipts/Disbursements		(70,000)		70,000	_	0
Excess of Cash Receipts and Other Financing						
Receipts Over/(Under) Cash Disbursements and						
Other Financing Disbursements		38,144	· _	297	_	38,441
Fund Cash Balances, January 1		14,627		106,381	_	121,008
Fund Cash Balances, December 31	\$	52,771	\$	106,678	\$	159,449

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, 2007

GOVERNMENTAL FUND TYPES

							Total
	General		Special Revenue		Capital Projects		(Memorandum Only)
Cash Receipts:				_		•	
Property and Other Local Taxes \$	8,291	\$	60,550	\$	0	\$	68,841
Charges for Services	0		175		0		175
Licenses, Permits and Fees	1,350		0		0		1,350
Intergovernmental Receipts	23,712		101,922		23,027		148,661
Special Assessments	0		1,308		0		1,308
Earnings on Investments	1,914		4,269		0		6,183
Miscellaneous	547	<u> </u>	778	_	0	-	1,325
Total Cash Receipts	35,814		169,002		23,027	-	227,843
Cash Disbursements:							
General Government	33,659		5,113		0		38,772
Public Safety	6,759		30,383		0		37,142
Public Works	0		128,002		0		128,002
Health	5,278		0		0		5,278
Capital Outlay	0		19,393	_	23,027	-	42,420
Total Cash Disbursements	45,696	<u> </u>	182,891		23,027	-	251,614
Total Receipts Over/(Under) Disbursements	(9,882)		(13,889)		0	-	(23,771)
Fund Cash Balances, January 1	24,509	<u> </u>	120,270		0	-	144,779
Fund Cash Balances, December 31 \$	14,627	\$	106,381	\$	0	\$	121,008

The Notes to the Financial Statements are an integral part of this statement.

NOTES TO THE FINANCIAL STATEMENTS FOR THE YEARS ENDED DECEMBER 31, 2008 AND 2007

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 Orange Township, Shelby County, Ohio (the Township), as a body corporate and politic. A publiclyelected three-member Board of Township Trustees directs the Township. The Township provides road and bridge maintenance, and contracts with the City of Sidney to provide fire protection services and the Fletcher-Brown Township EMS, City of Sidney Fire, and Houston Rescue Squad to provide 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. The Township recognizes receipts when received in cash rather then 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. Cash and Investments

The Township's accounting basis includes investments as assets. This basis does not record disbursements for investment purchases or receipts for investment sales. This basis records gains or losses at the time of sale as receipts or disbursements, respectively.

D. 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:

General Fund:

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

NOTES TO THE FINANCIAL STATEMENTS FOR THE YEARS ENDED DECEMBER 31, 2008 AND 2007

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)

D. Fund Accounting (Continued)

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:

Road and Bridge Fund - This fund receives property tax money for constructing, maintaining, and repairing Township roads and bridges.

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

Motor Vehicle License Tax Fund – This fund receives license tax money to pay for constructing, maintaining, and repairing Township roads.

Capital Projects Funds:

These funds account for receipts restricted to acquiring or constructing major capital projects (except those financed through trust funds). The Township had the following significant capital project fund:

Public Works Commission Projects – This fund receives loan and grant proceeds from the Ohio Public Works Commission for major construction or improvements to Township roads.

E. Budgetary Process

The Ohio Revised Code requires that each fund (except certain agency funds) be budgeted annually.

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. Unencumbered appropriations lapse at year end.

NOTES TO THE FINANCIAL STATEMENTS FOR THE YEARS ENDED DECEMBER 31, 2008 AND 2007

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)

E. Budgetary Process (Continued)

Estimated Resources

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

Encumbrances

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

A summary of 2008 and 2007 budgetary activity appears in Note 3.

F. Property, Plant and Equipment

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

2. EQUITY IN POOLED CASH AND DEPOSITS

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

	<u>2008</u>	<u>2007</u>
Demand Deposits	<u>\$159,449</u>	<u>\$121,008</u>

Deposits: Deposits are insured by the Federal Depository Insurance Corporation, or collateralized by the financial institution's public entity deposit pool.

NOTES TO THE FINANCIAL STATEMENTS FOR THE YEARS ENDED DECEMBER 31, 2008 AND 2007

3. BUDGETARY ACTIVITY

Budgetary activity for the year ending December 31, 2008 was as follows: 2008 Budgeted vs. Actual Receipts

2008 Budgeted vs. Actual Receipts						
		Budgeted		Actual		
Fund Type		Receipts		Receipts		Variance
General	\$	149,315	\$	155,407	\$	6,092
Special Revenue		211,554		237,661		26,107
Total	\$	360,869	\$	393,068	\$	32,199

2008 Budgeted vs. Actual Budgetary Basis Expenditures

	Appropriation	Budgetary	
Fund Type	Authority	Expenditures	Variance
General	\$ 163,842	\$ 117,263	\$ 46,579
Special Revenue	317,935	237,364	80,571
Total	\$ 481,777	\$ 354,627	\$ 127,150

Budgetary activity for the year ending December 31, 2007 was as follows:

2007 Budgeted vs. Actual Receipts						
		Budgeted	Actual			
Fund Type		Receipts	Receipts		Variance	
General	\$	31,700 \$	35,814	\$	4,114	
Special Revenue		153,350	169,002		15,652	
Capital Projects		23,027	23,027		0	
Total	\$	208,077 \$	227,843	\$	19,766	

2007 Budgeted vs. Actual Budgetary Basis Expenditures

	Appropriation		Budgetary		
Fund Type	Authority		Expenditures		Variance
General	\$ 53,427	\$	45,696	\$	7,731
Special Revenue	260,605		182,891		77,714
Capital Projects	23,027	_	23,027	_	0
Total	\$ 337,059	\$	251,614	\$	85,445

NOTES TO THE FINANCIAL STATEMENTS FOR THE YEARS ENDED DECEMBER 31, 2008 AND 2007

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 make semiannual payment, the first half is due December 31. The second half payment is due the following June 20.

Public utilities are also taxed on personal and real property located within the Township. Tangible personal property tax is assessed by the property owners, who must file a list of such property to the County be 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. 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 this plans' benefits, which include postretirement healthcare and survivor and disability benefits.

The Ohio Revised Code also prescribes contribution rates. For 2008 and 2007, OPERS members contributed 10 percent and 9.5 percent, respectively, of their gross salaries and the Township contributed an amount equaling 14 percent and 13.85 percent, respectively, of participants' gross salaries. The Township has paid all contributions required through December 31, 2008.

6. CAPITAL LEASES

The Township entered into a lease agreement for the lease/purchase of a 2006 dump truck with snowblade. Lease payments are due annually in the amount of \$19,393, including interest at 6.43%.

The Township also leases a 2008 Ford F-150 Truck. Lease payments are due annually in the amount of \$22,291, including interest. Future minimum lease payments are as follows:

<u>Year Ending</u>	Payment
2009	\$ 41,684
2010	22,291
Total minimum Lease Payments	\$ 63,975
Less amount representing interest	(5,341)
Present Value of Lease Payments	<u>\$ 58,634</u>

Under the basis of accounting utilized by the Township, the capital assets are not reflected on the financial statements.

NOTES TO THE FINANCIAL STATEMENTS FOR THE YEARS ENDED DECEMBER 31, 2008 AND 2007

6. RISK MANAGEMENT

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 Township 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 governments pay annual contributions to fund OTARMA. OTARMA pays judgments, settlements and other expenses resulting from covered claims that exceed the members' deductibles.

Casualty Coverage

For an occurrence prior to January 1, 2006 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. For an occurrence on or subsequent to January 1, 2006, the Pool retains casualty risk up to \$350,000 per occurrence. Claims exceeding \$350,000 are reinsured with APEEP in an amount not to exceed \$2,650,000 for each claim and \$10,000,000 in the aggregate per year. Governments can elect up to \$10,000,000 in additional coverage 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 (for claims prior to January 1, 2006) or \$3,000,000 (for claims on or after January 1, 2006) as noted above.

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.

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 stop-loss coverage based upon the combined members' total insurable values. 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 2006 was \$1,901,127.

NOTES TO THE FINANCIAL STATEMENTS FOR THE YEARS ENDED DECEMBER 31, 2008 AND 2007

7. RISK MANAGEMENT (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 government.

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

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, 2007 and 2006:

	<u>2007</u>	<u>2006</u>
Assets Liabilities	\$ 43,210,703 (13,357,837)	\$42,042,275 (12,120,661)
Retained Earnings	\$ 29,852,866	\$29,921,614

MANNING & ASSOCIATES CPAS, LLC 6105 NORTH DIXIE DRIVE DAYTON, OHIO 45414

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

Orange Township Shelby County 8347 State Route 705 Sidney, Ohio 45365

To the Board of Trustees:

We have audited the financial statements of the Orange Township, Shelby County, (the Township) as of and for the years ended December 31, 2008 and 2007, and have issued our report thereon dated July 31, 2009, wherein we noted the Township followed accounting practices the Auditor of State prescribes or permits rather than accounting principles generally accepted in the United States of America. 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 as a basis for designing our audit procedures for expressing our opinion on the financial statements, but not to opine on the effectiveness of the Township's internal control over financial reporting. Accordingly, we have not opined on the effectiveness of the Township's internal control over financial reporting.

A control deficiency exists when the design or operation of a control does not allow management or employees, in performing their assigned functions, to prevent or detect misstatements on a timely basis. A significant deficiency is a control deficiency, or combination of control deficiencies, that adversely affects the Township's ability to initiate, authorize, record, process, or report financial data reliably in accordance with its applicable accounting basis, such that there is more than a remote likelihood that the Township's internal control will not prevent or detect a more-than-inconsequential financial statement misstatement.

A material weakness is a significant deficiency, or combination of significant deficiencies resulting in more than a remote likelihood that the Township's internal control will not prevent or detect a material financial statement misstatement.

Our consideration of the internal control over financial reporting was for the limited purpose described in the first paragraph of this section and would not necessarily identify all internal control deficiencies that might be significant deficiencies or material weaknesses. We did not identify any deficiencies in internal control over financial reporting that we consider material weaknesses, as defined above.

We noted certain matters that we reported to the Township's management in a separate letter dated July 31, 2009.

Orange Township, Shelby County 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 such an opinion. The results of our tests disclosed no instances of noncompliance that are required to be reported under *Government Auditing Standards*.

We did note certain noncompliance or other matters that we reported to the Township's management in a separate letter dated July 31, 2009.

We intend this report is intended solely for the information and use of the management and Board of Trustees. We intend it for no one other than these specified parties.

Manning & Associates CPAs, LLC Dayton, Ohio

July 31, 2009

SCHEDULE OF PRIOR AUDIT FINDINGS DECEMBER 31, 2008 AND 2007

			Not Corrected, Partially Corrected;
			Significantly Different Correction Action
Finding	Finding	Fully	Taken; or Finding No Longer Valid;
Number	Summary	Corrected?	Explain
2006-001	ORC 531.10 - Failure to create formal		
	change orders before paying more than	Yes	
	the bid amount for a project in 2005		
2006-002	ORC 5705.36 - Estimated receipts	Yes	
	exceeding actual receipts		
2006-003	Misclassification of transactions requiring	Yes	
	adjustments to the Annual Report		





ORANGE TOWNSHIP

SHELBY 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.

Susan Babbett

CLERK OF THE BUREAU

CERTIFIED OCTOBER 19, 2009

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