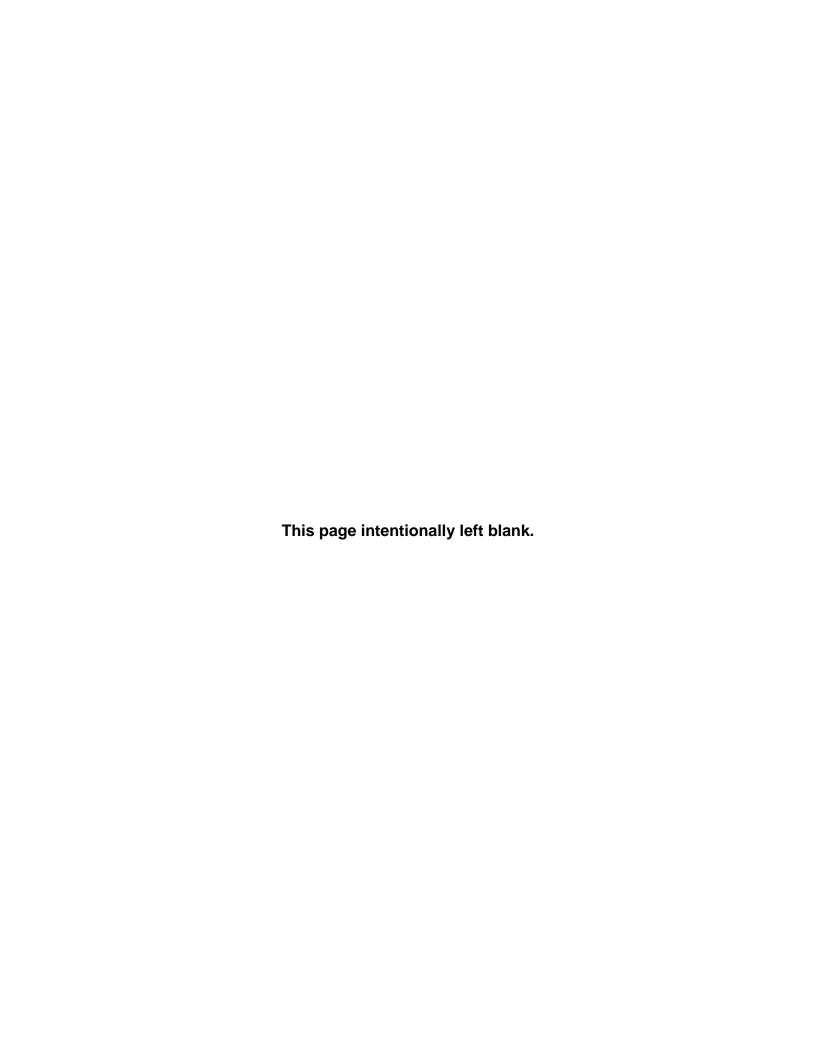




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### Dave Yost · Auditor of State

Village of Chilo Clermont County P.O. Box 23 Chilo, Ohio 45112

To the Village Council:

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 an 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 adverse 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.

**Dave Yost** Auditor of State

October 2, 2012

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### INDEPENDENT ACCOUNTANTS' REPORT

Village of Chilo Clermont County P.O. Box 23 Chilo, Ohio 45112

To the Village Council:

We have audited the accompanying financial statements of the Village of Chilo, Clermont County, Ohio (the Village), as of and for the years ended December 31, 2011 and 2010. These financial statements are the responsibility of the Village'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 our audit provides a reasonable basis for our opinion.

As described more fully in Note 1, the Village 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 require presenting entity wide statements and also presenting the Village's larger (i.e. major) funds separately. While the Village 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 Villages to reformat their statements. The Village 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, 2011 and 2010 do not present fairly, in conformity with accounting principles generally accepted in the United States of America, the financial position of the Village as of December 31, 2011 and 2010, 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 as of December 31, 2011 and 2010, and its combined cash receipts and disbursements for the years then ended on the accounting basis Note 1 describes.

Village of Chilo Clermont County Independent Accountants' Report Page 2

As described in Note 1, during 2011 the Village adopted Governmental Accounting Standards Board Statement No. 54, Fund Balance Reporting and Governmental Fund Type Definitions.

In accordance with *Government Auditing Standards*, we have also issued our report dated October 2, 2012, on our consideration of the Village'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.

**Dave Yost** Auditor of State

October 2, 2012

# COMBINED STATEMENT OF RECEIPTS, DISBURSEMENTS AND CHANGES IN FUND BALANCES (CASH BASIS) ALL GOVERNMENTAL FUND TYPES FOR THE YEAR ENDED DECEMBER 31, 2011

	General	Special Revenue	Totals (Memorandum Only)
Cash Receipts	<b>.</b>		<b>4</b>
Property and Other Local Taxes	\$1,780	E 0E4	\$1,780
Intergovernmental Earnings on Investments	17,892 83	5,051	22,943 83
Miscellaneous	2,667		2,667
Miscellarieous	2,007		2,007
Total Cash Receipts	22,422	5,051	27,473
Cash Disbursements			
Current:			
Security of Persons and Property	4,663		4,663
Leisure Time Activities	1,520	225	1,520
Community Environment Basic Utility Services	3,743	335	335 3,743
Transportation	3,743	137	3,743 137
General Government	8,129	137	8,129
General Geveniment	0,120		0,120
Total Cash Disbursements	18,055	472	18,527
Excess of Receipts Over (Under) Disbursements	4,367	4,579	8,946
Net Change in Fund Cash Balances	4,367	4,579	8,946
Fund Cash Balances, January 1	6,821	18,110	24,931
Fund Cash Balances, December 31			
Nonspendable	0	0	0
Restricted	0	22,689	22,689
Committed	0	0	0
Assigned	0	0	0
Unassigned (Deficit)	11,188	0	11,188
Fund Cash Balances, December 31	\$11,188	\$22,689	\$33,877

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, 2010

	Governmental	_	
	General	Special Revenue	Totals (Memorandum Only)
Cash Receipts:			
Property and Local Taxes	\$2,248	\$0	\$2,248
Intergovernmental	17,936	5,273	23,209
Earnings on Investments	213		213
Miscellaneous	2,275		2,275
Total Cash Receipts	22,672	5,273	27,945
Cash Disbursements:			
Current:			
Security of Persons and Property	6,311		6,311
Leisure Time Activities	2,355		2,355
Community Environment	0	82	82
Basic Utility Service	4,430		4,430
Transportation	10	11,100	11,110
General Government	12,055		12,055
Total Cash Disbursements	25,161	11,182	36,343
Total Receipts Over/(Under) Disbursements	(2,489)	(5,909)	(8,398)
Excess of Cash Receipts and Other Financing Receipts Over/(Under) Cash Disbursements			
and Other Financing Disbursements	(2,489)	(5,909)	(8,398)
Fund Cash Balances, January 1	9,310	24,019	33,329
Fund Cash Balances, December 31	\$6,821	\$18,110	\$24,931

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

### NOTES TO THE FINANCIAL STATEMENTS DECEMBER 31, 2011 AND 2010

### 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 the the Village of Chilo, Clermont County, Ohio (the Village), as a body corporate and politic. A publicly-elected six-member Council directs the Village. The Village provides general governmental services, including public health and welfare. The Village contracts with the Clermont County Sheriff's department and Franklin Township to provide security of persons and property, fire and EMS services.

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

### **B.** Accounting Basis

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

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

### C. Deposits and Investments

The Village has an interest bearing checking account and a certificate of deposit which is valued at cost.

### D. Fund Accounting

The Village uses fund accounting to segregate cash and investments that are restricted as to use. The Village 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 private-purpose trusts or for capital projects) that are restricted to expenditure for specific purposes. The Village had the following significant Special Revenue Funds:

<u>Street Construction, Maintenance and Repair Fund</u> - This fund receives gasoline tax and motor vehicle tax money for constructing, maintaining, and repairing Village streets.

### NOTES TO THE FINANCIAL STATEMENTS DECEMBER 31, 2011 AND 2010 (Continued)

### 1. Summary of Significant Accounting Policies (Continued)

<u>State Highway Fund</u> – This fund receives gasoline tax and motor vehicle tax money for constructing, maintaining, and repairing state highways.

<u>Permissive Motor Vehicle Fund</u> – This fund receives motor vehicle tax money for constructing, maintaining, and repairing village streets.

### E. 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 object level of control and appropriations may not exceed estimated resources. The Village Council must annually approve appropriation measures and subsequent amendments. The County Budget Commission must also approve the annual appropriation measure. Appropriations lapse at year end

### 2. Estimated Resources

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

### 3. Encumbrances

The Ohio Revised Code requires the Village to reserve (encumber) appropriations when individual commitments are made. Encumbrances outstanding at year end are carried over, and need not be reappropriated. The Village did not encumber all commitments required by Ohio law.

A summary of 2011 and 2010 budgetary activity appears in Note 3.

#### F. Fund Balance

For December 31, 2011, fund balance is divided into five classifications based primarily on the extent to which the Village must observe constraints imposed upon the use of its governmental-fund resources. The classifications are as follows:

### 1. Nonspendable

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

#### 2. Restricted

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

### NOTES TO THE FINANCIAL STATEMENTS DECEMBER 31, 2011 AND 2010 (Continued)

### 1. Summary of Significant Accounting Policies (Continued)

#### 3. Committed

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

### 4. Assigned

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

### 5. Unassigned

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

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

### G. Property, Plant, and Equipment

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

### 2. Equity in Pooled Deposits and Investments

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

	2011	2010
Demand deposits	\$29,682	\$20,736
Certificates of deposit	4,196	4,196
Total deposits	\$33,878	\$24,932

**Deposits:** Deposits are insured by the Federal Depository Insurance Corporation.

### NOTES TO THE FINANCIAL STATEMENTS DECEMBER 31, 2011 AND 2010 (Continued)

### 3. Budgetary Activity

Budgetary activity for the years ending December 31, 2011 and 2010 follows:

	Budgeted	Actual	
Fund Type	Receipts	Receipts	Variance
General	\$23,257	\$22,422	(\$835)
Special Revenue	4,602	5,051	449
Total	\$27,859	\$27,473	(\$386)

2011 Budgeted vs. Actual Budgetary Basis Expenditures

	Appropriation	Budgetary	
Fund Type	Authority	Expenditures	Variance
General	\$30,285	\$18,055	\$12,230
Special Revenue	17,335	472	16,863
Total	\$47,620	\$18,527	\$29,093

2010 Budgeted vs. Actual Receipts

	Budgeted	Actual	
Fund Type	Receipts	Receipts	Variance
General	\$19,880	\$22,672	\$2,792
Special Revenue	3,205	5,273	2,068
Total	\$23,085	\$27,945	\$4,860

2010 Budgeted vs. Actual Budgetary Basis Expenditures

	Appropriation	Budgetary	
Fund Type	Authority	Expenditures	Variance
General	\$22,840	\$25,161	(\$2,321)
Special Revenue	10,240	11,182	(942)
Total	\$33,080	\$36,343	(\$3,263)

Contrary to Ohio law, the Village: did not certify the availability of funds for certain commitments; incurred expenditures in excess of appropriations in 2010; did not maintain the required journals and ledgers, and appropriated amounts in excess of available resources in 2010.

### NOTES TO THE FINANCIAL STATEMENTS DECEMBER 31, 2011 AND 2010 (Continued)

### 4. Property Tax

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

Public utilities are also taxed on personal and real property located within the Village.

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 Village.

### 5. Retirement Systems

All employees and officials who do not participate in the Public Employees Retirement System (PERS) should pay into Social Security. The Village only has the Village Council, Mayor, and Fiscal Officer which are all elected positions. One of the officials has elected to participate in PERS. Social Security and PERS withholdings began during 2011 from the public officials pay. Four Council members were paid \$300 each in 2011. In 2010, four Council members were paid \$60 and one \$25. The total payroll for 2011 and 2010 was \$6,000 and \$5,065, respectively. No 1099's were issued in either year.

### 6. Risk Management

#### **Commercial Insurance**

The Village has obtained commercial insurance for the following risks:

- Comprehensive property and general liability;
- Vehicles; and
- Errors and omissions.

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

Village of Chilo Clermont County P.O. Box 23 Chilo, Ohio 45112

To the Village Council:

We have audited the accompanying financial statements of the Village of Chilo, Clermont County, Ohio (the Village), as of and for the years ended December 31, 2011 and 2010, and have issues our report thereon dated October 2, 2012, wherein we noted the Village followed accounting practices prescribed rather than accounting principles generally accepted in the United State of America. We also noted that the Village adopted Governmental Accounting Standards Board Statement No. 54, Fund Balance Reporting and Governmental Fund Type Definitions. 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 Village's internal control over financial reporting as a basis for designing our audit procedures for the purpose of expressing our opinion on the financial statements, but not for the purpose of opining on the effectiveness of the Village's internal control over financial reporting. Accordingly, we have not opined on the effectiveness of the Village's internal control over financial reporting.

A deficiency in internal control exists when the design or operation of a control does not allow management or employees, when performing their assigned functions, to prevent, or detect and timely correct misstatements. A material weakness is a deficiency or combination of internal control deficiencies resulting in more than a reasonable possibility that a material misstatement of the Village's financial statements will not be prevented, or detected and timely corrected.

Our consideration of internal control over financial reporting was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control over financial reporting that might be deficiencies, 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.

### **Compliance and Other Matters**

As part of reasonably assuring whether the Village'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 instances of noncompliance or other matters we must report under *Government Auditing Standards* which are described in the accompanying schedule of findings as items 2011-01 through 2011-03.

Village of Chilo Clermont County Independent Accountants' Report on Internal Control Over Financial Reporting and on Compliance and Other Matters Required by *Government Auditing Standards* Page 2

We did note certain matters not requiring inclusion in this report that we reported to the Village's management in a separate letter dated October 2, 2012.

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

We intend this report solely for the information and use of management, Village Council, and others within the Village. We intend it for no one other than these specified parties.

**Dave Yost** Auditor of State

October 2, 2012

### SCHEDULE OF FINDINGS DECEMBER 31, 2011 AND 2010

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

### **FINDING NUMBER 2011-01**

### **Noncompliance Citation**

Ohio Rev. Code, § 5705.41(D), prohibits a subdivision or taxing entity from making any contract or ordering any expenditure of money unless a certificate signed by the fiscal officer is attached thereto. The fiscal officer must certify that the amount required to meet any such contract or expenditure has been lawfully appropriated and is in the treasury, or is in the process of collection to the credit of an appropriate fund free from any previous encumbrance.

There are several exceptions to the standard requirement stated above that a fiscal officer's certificate must be obtained prior to a subdivision or taxing authority entering into a contract or order involving the expenditure of money. The main exceptions are: "then and now" certificates, blanket certificates, and super blanket certificates, which are provided for in sections 5705.41(D)(1) and 5705.41(D)(3), respectively, of the Ohio Revised Code.

- 1. "Then and Now" Certificate If the fiscal officer can certify that both at the time that the contract or order was made ("then"), and at the time that the fiscal officer is completing the certification ("now"), that sufficient funds were available or in the process of collection, to the credit of a proper fund, properly appropriated and free from any previous encumbrance, the Village can authorize the drawing of a warrant for the payment of the amount due. The Village has thirty days from the receipt of the "then and now" certificate to approve payment by ordinance or resolution.
  - Amounts of less than \$3,000 may be paid by the fiscal officer without a resolution or ordinance upon completion of the "then and now" certificate, provided that the expenditure is otherwise lawful. This does not eliminate any otherwise applicable requirement for approval of expenditures by the Village.
- 2. Blanket Certificate Fiscal officers may prepare "blanket" certificates for 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 against any specific line item account over a period not running beyond the end of the current fiscal year. The blanket certificates may, but need not, be limited to a specific vendor. Only one blanket certificate may be outstanding at one particular time for any one particular line item appropriation.
- 3. Super Blanket Certificate The Village may also make expenditures and contracts for any amount from a specific line-item appropriation account in a specified fund upon certification of the fiscal officer for most professional services, fuel, oil, food items, and any other specific recurring and reasonably predictable operating expense. This certification is not to extend beyond the current year. More than one super blanket certificate may be outstanding at a particular time for any line item appropriation.

Eleven of fourteen transactions tested in 2011 (42%) and in 2010 (35%), were not properly encumbered where the expenditure was made prior to obtaining a purchase order. Failure to properly certify the availability of funds can result in overspending funds and negative cash fund balances.

Village of Chilo Clermont County Schedule of Findings Page 2

### FINDING NUMBER 2011-01 (Continued)

Unless the exceptions noted above are used, prior certification is not only required by statute but is a key control in the disbursement process to assure that purchase commitments receive prior approval. To improve controls over disbursements and to help reduce the possibility of the Village's funds exceeding budgetary spending limitations, we recommend that the fiscal officer certify that the funds are or will be available prior to obligation by the Village. When prior certification is not possible, "then and now" certification should be used or Blanket certificates.

We recommend the Village officials obtain the Fiscal Officer's certification of the availability of funds prior to the commitment being incurred. The most convenient certification method is to use purchase orders that include the certification language 5705.41(D) requires to authorize disbursements. The Fiscal Officer should sign the certification at the time the Village incurs a commitment, and only when the requirements of 5705.41(D) are satisfied.

### Officials' Response:

The Village is attempting to use and 'then and now' certificates when applicable.

### **FINDING NUMBER 2011-02**

### **Noncompliance Citation**

**Ohio Rev. Code, § 5705.41(B),** states no subdivision or taxing unit is to expend money unless it has been appropriated. During 2010, the following funds total expenditures exceeded total appropriations:

Fund	Appropriations	Expenditures	Variance
General	\$22,840	\$25,161	\$(2,321)
Special Revenue - Street Construction, Maintenance & Repair	5,120	11,000	(5,880)
Special Revenue - Building	0	82	( 82)

Failure to properly monitor expenditures within appropriations can result in overspending and negative fund balances.

We recommend the Village officials monitor actual expenses to budgetary activity submitted and approved by the County Budget Commission.

### Officials' Response:

When necessary, the Village will file amended certificates of estimated resources and appropriations as needed to ensure disbursements are within the amounts legally appropriated.

Village of Chilo Clermont County Schedule of Findings Page 3

### **FINDING NUMBER 2011-03**

### **Noncompliance Citation**

Ohio Rev. Code, § 5705.39, requires appropriations to be limited by estimated revenue. This section provides, in part, that total appropriations from each fund shall not exceed the total estimated revenue available for expenditure therefrom. No appropriation measure is effective until the county auditor files a certificate that the total appropriations from each fund do not exceed the total official estimate or amended official estimate.

Total appropriations exceeded total estimated resources in the following fund:

Fund	Appropriations	Available Resources	Variance
	FF F		
State Highway – December 31, 2010	\$5,120	\$4,991	\$(129)

We recommend the Village monitor estimated receipts and obtain appropriation amendments when required.

### Officials' Response:

When necessary, the Village will file amended certificates of estimated resources and appropriations as needed to ensure compliance.

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### SCHEDULE OF PRIOR AUDIT FINDINGS DECEMBER 31, 2011 AND 2010

Finding Number	Finding Summary	Fully Corrected?	Not Corrected, Partially Corrected; Significantly Different Corrective Action Taken; or Finding No Longer Valid; <i>Explain</i>
2009-001	ORC 117.38, annual reports not filed with AOS.	Yes	Corrected
2009-002	ORC 733.28, maintain certain accounting records	Yes	Corrected
2009-003	ORC 5705.41(D), prior certification	No	Not Corrected, reissued as finding 2011-01
2009-004	ORC 5705.38(A), appropriation measure not passed by first of year.	Yes	Corrected





### **VILLAGE OF CHILO**

### **CLERMONT 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 NOVEMBER 27, 2012