

**ALGODONES MUTUAL DOMESTIC
WATER ASSOCIATION
INDEPENDENT ACCOUNTANTS' REPORT
ON APPLYING AGREED-UPON PROCEDURES
FOR THE YEAR ENDED DECEMBER 31, 2011**

**ALGONDONES MUTUAL DOMESTIC WATER ASSOCIATION
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DECEMBER 31, 2011**

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**ALGONDONES MUTUAL DOMESTIC WATER ASSOCIATION
OFFICIAL ROSTER
DECEMBER 31, 2011**

Board of Directors

Louis Padilla, President

Marvin Mendelow, Vice-President

John Arango, Treasurer

Eric Buenaventa, Secretary

Elias Archibeque, Member

Principal Employees (On Contract)

Adrian Archibeque, Meter Reader

Lori Dominguez, Billing Assistant

Jacob Maes, System Operator

Kubiak & Melton, LLC

CERTIFIED PUBLIC ACCOUNTANTS

Independent Accountants' Report for Applying Agreed-Upon Procedures

To: Louis Padilla, President
Algodones Mutual Domestic Water Association
and
Honorable Hector H. Balderas
New Mexico State Auditor

We have performed the procedures enumerated below, which were agreed to by the Algodones Mutual Domestic Water Association (AMDWA), and the New Mexico State Auditor's Office, solely to assist in determining if AMDWA is in compliance with New Mexico State Audit Rule, Tier 4, as of December 31, 2011. AMDWA is the responsible party and the subject matter is the responsibility of AMDWA. This agreed upon procedures engagement was conducted in accordance with attestation standards established by the American Institute of Certified Public Accountants. The sufficiency of these procedures is solely the responsibility of the parties specified in this report. Consequently, we make no representation regarding the sufficiency of the procedures described below either for the purpose for which this report has been requested or for any other purpose.

1. Cash

Procedures

a) Determine whether bank reconciliations are being performed in a timely manner and whether all bank and investment statements for the fiscal year are complete and on-hand.

Results:

Bank reconciliations are included as part of the monthly board meetings. We reviewed to ensure they were included in the directors' packets. No exceptions were noted. The reconciliations reviewed were all within 10 calendar days of the subsequent month. Reconciliations are completed timely.

b) Perform a random test of bank reconciliations for accuracy. Also, trace ending balances to the general ledger, supporting documentation and the financial reports submitted to DFA-Local Government Division (DFA-LGD).

We selected four months to test: June, 2011, March, 2011, December, 2011, and November, 2011.

Results:

Reconciliations for all four months were complete and tied to the general ledger.

c) Determine whether the local public body’s financial institutions have provided it with the 50% of pledged collateral on all uninsured deposits as required by Section 6-10-17 NMSA 1978, NM Public Money Act, if applicable.

Results:

It was determined that the average balance in all accounts is below \$250,000 in all accounts; therefore, additional procedures were not performed.

2. Capital Assets

Procedures

Verify that the local public body is performing a yearly inventory as required by Section 12-6-10 NMSA 1978.

Results:

The procedures performed showed that the annual physical inventory was taken.

3. Revenue

Procedures

Identify the nature and amount of revenue from sources by reviewing the budget, agreements, rate schedules, and underlying documentation.

- a.) Perform an analytical review; test actual revenue compared to budgeted revenue for the year for each type of revenue.

	<u>Actual</u>	<u>Budget</u>	<u>Variance</u>
Water User Fees	\$ 50,404	\$ 81,300	\$ (30,896)
Interest and Dividends	14	130	(116)
	<u>\$ 50,418</u>	<u>\$ 81,430</u>	<u>\$ (31,012)</u>

Results:

All revenues are considered reasonable.

- b) Select a sample of revenue based on auditor judgment using the following attributes:

1) Amount recorded in the general ledger agrees to the supporting documentation and the bank statement.

2) Proper recording of classification, amount, and period per review of supporting documentation and the general ledger. Perform this revenue work on the same accounting

basis that the local public body keeps its accounting records on, cash basis, modified accrual basis, or accrual basis.

Results:

We tested 15 revenue transactions for the year ended December 31, 2011. No exceptions were noted in testing the attributes shown above.

4. Expenditures

Procedures

Select a sample of cash disbursements based on auditor judgment using the following attributes:

- a) Determine that amount recorded as disbursed agrees to adequate supporting documentation. Verify that amount, payee, date and description agree to the vendor's invoice, purchase order, contract and cancelled checks, as appropriate.
- b) Determine that disbursements were properly authorized and approved in compliance with the budget, legal requirements and established policies and procedures.
- c) Determine that the bid process (or request for proposal process if applicable), purchase orders, contracts and agreements were processed in accordance with the New Mexico Procurement Code (Section 13-1-28 through 13-1-99 NMSA 1978) and State Purchasing Regulations (1.4.1 NMAC) and Regulations Governing the Per Diem and Mileage Act (2.42.2 NMAC).

Results:

We selected a sample of 26 expenditure transactions for the year ended December 31, 2011. See Finding FS 2011-05, on supporting documentation for expenditure transactions.

5. Journal Entries

Procedures

If non-routine journal entries, such as adjustments or reclassifications, are posted to the general ledger, test significant items for the following attributes:

- a) Journal entries appear reasonable and have supporting documentation.
- b) The local public body has procedures that require journal entries to be reviewed and there is evidence the reviews are being performed.

Results:

Our performance of the agreed upon procedures showed no non-routine journal entries for the year ended December 31, 2011; therefore additional procedures were not performed.

6. Budget

Procedures

Obtain the original fiscal year budget and all budget amendments made throughout the fiscal year and perform the following:

a) Verify, through a review of the minutes and correspondence, that the original budget and subsequent budget adjustments were approved by the local public body's governing body and DFA-LGD.

Results:

We reviewed the final version of the budget for the year ended December 31, 2011. It was determined, through communication with the Board, that the budget was never formally approved by the Board. It was also determined that the budget was never submitted to the Department of Finance and Administration – Local Government Division, for approval. See finding FS 2011-01, Budget not formally approved.

In the course of performing our agreed upon procedures, we found that the Board had not submitted the DFA Quarterly reports as required. See finding FS 2011-03.

b) Determine if the total actual expenditures exceeded the final budget at the legal level of budgetary control; if so, report a compliance finding.

Results:

Our review of the budgeted expenditures compared to the actual expenditures at the level of budgetary control showed the actual expenditures exceeding the budgeted expenditures by \$24. See finding FS 2011-02.

c) From the original and final approved budgets and general ledger, prepare a schedule of revenues and expenditures – budget and actual on the budgetary basis used by the local public body (cash, accrual or modified accrual basis) for each individual fund.

Results:

See attached Statement of Revenues and Expenditures – Budget and Actual.

Other Procedures

If information comes to the IPA's attention (regardless of materiality) indicating any fraud, illegal acts, noncompliance, or any internal control deficiencies, disclose in the report as required by Section, 12- 6-6 NMSA 1978. The findings must include the required content per Section 2.2.2.10 (l) (3) (C) NMAC.

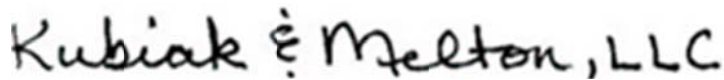
Results:

The report (see finding 2011-04) was not submitted to the Office of the State Auditor within five months after the end of the fiscal year, as required.

We were not engaged to and did not conduct an audit, the objective of which would be the expression of an opinion on the Tier 4 Agreed Upon Procedures. Accordingly, we do not express such an opinion. Had we performed additional procedures, other matters might have come to our attention that would have been reported to you.

This report is intended solely for the information and use of management and others within AMDWA, the State Auditor, the Department of Finance and Administration – Local Government Division, and the New Mexico State Legislature and is not intended to be and should not be used by anyone other than these specified parties.

Kubiak & Melton, LLC

A handwritten signature in black ink that reads "Kubiak & Melton, LLC". The signature is written in a cursive, slightly slanted style.

Albuquerque, New Mexico
July 11, 2014

**STATE OF NEW MEXICO
ALGODONES MUTUAL DOMESTIC WATER ASSOCIATION
SCHEDULE OF REVENUES AND EXPENSES –
BUDGET AND ACTUAL (MODIFIED ACCRUAL BASIS)
FOR THE YEAR ENDED DECEMBER 31, 2011**

	<u>Original Budget</u>	<u>Final Budget</u>	<u>Actual - Budget Basis</u>	<u>Variance - Favorable (Unfavorable)</u>
Revenues:				
Water User Fees	\$ 81,300	\$ 81,300	\$ 50,404	\$ (30,896)
Interest and Dividends	130	130	14	(116)
Total Revenues	<u>81,430</u>	<u>81,430</u>	<u>50,418</u>	<u>(31,012)</u>
Expenditures:				
Current:				
System Operation and Maintenance	33,260	33,260	33,468	(208)
Management	5,222	5,222	5,062	160
Board Expenses	1,050	1,050	1,026	24
Total Expenditures	<u>39,532</u>	<u>39,532</u>	<u>39,556</u>	<u>(24)</u>
Excess of Revenues Over Expenditures	<u>\$ 41,898</u>	<u>\$ 41,898</u>	<u>\$ 10,862</u>	<u>\$ (30,988)</u>

**ALGODONES MUTUAL DOMESTIC WATER ASSOCIATION
SCHEDULE OF FINDINGS AND RESPONSES
DECEMBER 31, 2011**

FS 2011-01 – The 2011 Budget not formally approved by the Board nor DFA – Local Government Division.

Condition

The agreed upon procedures mandate approval of the budget, first by the Board and then by the Department of Finance and Administration (DFA) – Local Government Division.

Criteria

A budget for the year is only valid if approved using the procedure described above.

Cause

The Board did not make the budget approval process a priority during the year ended December 31, 2011.

Effect

Lack of an approved budget calls into question the management oversight of the Board regarding the budget process and also leads to lack of attention to comparison of budget amounts with actual amounts, neutralizing a key planning function of the Board.

Recommendation

The Board should implement a formal budget approval process internally. Following that, the Board should task a Board member with the responsibility of submitting the Board-approved budget to DFA by the deadline.

Management Response

The Board agrees with the recommendation. Formal approval of a budget will take place by the Board. After this, the Budget will be submitted to DFA – Local Government Division for approval.

**ALGODONES MUTUAL DOMESTIC WATER ASSOCIATION
SCHEDULE OF FINDINGS AND RESPONSES
DECEMBER 31, 2011**

FS 2011-02 – Actual Expenditures Exceeded Budget

Condition

The total actual expenditures exceeded the final budget by \$24 at the total fund level, the legal level of budgetary control.

Criteria

Actual expenditures should not exceed final budgeted expenditures at the legal level of budgetary control.

Cause

The Board never adopted a formally approved budget and provided insufficient oversight in tracking expenditures.

Effect

The budgeted expenditures were exceeded, resulting in the Board being in violation of regulations, as well as sound budgeting practices.

Recommendation

The Board should review budget and actual expenditure reports periodically throughout the year. When issues arise, the Board should take measures to alleviate the problems.

Management Response

The Board concurs with the finding. Periodic reviews of budget and actual expenditures will take place during the year to ensure no overexpenditures are made.

**ALGODONES MUTUAL DOMESTIC WATER ASSOCIATION
SCHEDULE OF FINDINGS AND RESPONSES
DECEMBER 31, 2011**

FS 2011-03 – Quarterly reports to DFA were not submitted.

Condition

The quarterly reports of cash balances were not submitted to DFA – Local Government Division.

Criteria

Financial reports are required to be sent quarterly to DFA Local Government Division.

Cause

The Board did not prioritize the submission of these reports.

Effect

The reports were never submitted to DFA, as they should have been.

Recommendation

The Board should prioritize the timely and accurate submission of financial reports to DFA.

Management Response

The Board was unaware of this responsibility and will make sure all reports to DFA are submitted accurately and timely from now on.

**ALGODONES MUTUAL DOMESTIC WATER ASSOCIATION
SCHEDULE OF FINDINGS AND RESPONSES
DECEMBER 31, 2011**

FS 2011-04 – Late submission of report

Condition

The Tier 4 Agreed Upon Procedures report for the year ended December 31, 2011, was submitted more than two years late.

Criteria

Tier 4 reports are required to be submitted to the Office of the State Auditor within five months after the end of the fiscal year.

Cause

The Board did not contract with an IPA to conduct the Agreed Upon Procedures for 2011 until 2014.

Effect

The Agreed Upon Procedures report for the year ended December 31, 2011 is over two years late.

Recommendation

The Board should contract with an IPA on a yearly basis to ensure that the required annual report is submitted timely to the Office of the State Auditor

Management Response

The Board concurs with the finding. Currently, an IPA firm is under contract to complete the reports for 2011, 2012 and 2013.

**ALGODONES MUTUAL DOMESTIC WATER ASSOCIATION
SCHEDULE OF FINDINGS AND RESPONSES
DECEMBER 31, 2011**

FS 2011-05 – Supporting documentation for expenditures

Condition

Testwork on a sample of expenditures performed under the Agreed Upon Procedures showed 5 instances of lack of approval or lack of supporting documentation. Documentation for one transaction was unavailable.

Criteria

Tier 4 Agreed Upon Procedures mandate that expenditure transactions be properly approved and have adequate documentation supporting the transactions. The Board should retain all supporting documentation for expenditure transactions in alignment with State Records and Archives Guidelines.

Cause

Lack of suitable organization of documents.

Effect

Of the 26 expenditure transactions tested, there were a total of six exceptions. The total dollar value of these exceptions was \$4,863.

Recommendation

Once a month, when the bank statements are reconciled, the Board should verify the existence of adequate supporting documentation for all receipts and disbursements. For expenditure transactions, documents should be filed by vendor, for easy location.

Management Response

The Board concurs with the finding. The Board will take the necessary steps to ensure that adequate supporting documentation is kept and filed appropriately.

**ALGODONES MUTUAL DOMESTIC WATER ASSOCIATION
EXIT CONFERENCE
DECEMBER 31, 2011**

An exit conference was held on July 11, 2014 to discuss the agreed upon procedures.

Attending were the following:

John Arango, Treasurer, Algodones Mutual Domestic Water Association
Daniel Trujillo, CPA, CFE, Kubiak & Melton, LLC