

# **Accounting & Auditing Services, LLC**

**Financial Audits + Agreed Upon Procedures + Tax + Consulting**

**San Luis-Cabazon Mutual Domestic Water Association**

**Independent Accountant's Report on Applying Agreed-Upon Procedures**

**For the Fiscal Year Ending June 30, 2019**

**San Luis-Cabazon Mutual Domestic Water Association**  
**Table of Contents**  
**Fiscal Year Ending June 30, 2019**

	<u>Page</u>
Table of Contents	i
Official Roster	ii
Independent Accountant's Report	1
Schedule of Findings and Responses	7
Schedule of Revenues and Expenditures – Budget and Actual	21
Copy of Year-End Financial Report to DFA-LGD	22
Exit Conference	23

**San Luis-Cabazon Mutual Domestic Water Association  
Official Roster  
Fiscal Year Ending June 30, 2019**

**Board of Directors**

Joey Dominguez, President

Michael Tachias, Vice President

Dolores Montoya, Treasurer

Arnold Tachias, Secretary

April Mares, Board Member

David Dominguez, Board Member

Paul Madrid, Board Member

## Independent Accountant's Report on Applying Agreed-Upon Procedures

Members of the Board of Directors  
San Luis-Cabazon Mutual Domestic Water Association  
Bernalillo, New Mexico  
and  
Brian S. Colón, New Mexico State Auditor  
Santa Fe, New Mexico

I have performed the procedures enumerated below for the San Luis-Cabazon Mutual Domestic Water Association (Association) for the year ended June 30, 2019, solely to assist in determining compliance with the provisions of the Audit Act for a Tier 4 entity per Section 12-6-3.B (4) NMSA 1978, Section 2.2.2.16 NMAC and Section 6-6-2 (A) NMSA 1978. The procedures were agreed to by the Association through the New Mexico Office of the State Auditor. The Association's management is responsible for its accounting records and the subject matter. 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. Our procedures and findings are as follows

1. Verify the local public body's revenue calculation and tier determination documented on the form provided at [www.osanm.org](http://www.osanm.org) under "Tiered System Reporting Main Page."

Based on the Association's bank statements, total revenues (bank deposits) for the fiscal year ending June 30, 2019 were approximately \$59,863. Based on this information, the Association was properly determined to be a Tier 4 entity since their revenues were between \$50,000 and \$250,000 and they did not receive or expend a capital outlay appropriation during the fiscal year ending June 30, 2019.

2. Cash

- 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.

The Association has one checking account and one savings account at Wells Fargo Bank. The bank account statements for the fiscal year were complete and on hand. However, the Association did not perform or document any bank account reconciliations for the fiscal year. See Finding 2014-001 on p. 7.

# Accounting & Auditing Services, LLC

Financial Audits + Agreed Upon Procedures + Tax + Consulting

P.O. Box 24164  
Santa Fe, NM 87502  
Phone: 505.920.4024  
[nmauditors@gmail.com](mailto:nmauditors@gmail.com)

- b. Test at least 30% of the bank reconciliations for accuracy. Also, trace ending balances to the general ledger, supporting documentation and the financial reports submitted to DFA-Local Government Division.

These procedures could not be fully performed since the Association did not perform the monthly bank account reconciliations and did not maintain a general ledger. See Finding 2014-001 on p. 7 and Finding 2014-003 on p. 9. Also, the cash balances per the bank statements did not agree with the cash balances on the Association's quarterly financial reports to DFA-LGD. See Finding 2017-001 on p. 16.

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

The checking and savings account balances of the Association were fully insured by the FDIC during the fiscal year. Therefore, pledged collateral from Wells Fargo Bank was not required.

### 3. Capital Assets

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

The Association did not perform a yearly capital asset inventory for the fiscal year ending June 30, 2019. See Finding 2014-002 on p. 8.

### 4. Revenues

- a. Identify the nature and amount of revenue from sources by reviewing the budget, agreements, rate schedules, and underlying documentation. Perform an analytical review; test actual revenue compared to budgeted revenue for the year for each type of revenue.

The revenue sources of the Association consist of water usage fees and payments from the Cabezon Cattle Association for access fees and a shared electric bill.

Only limited analytical review procedures could be performed since the Association did not maintain a general ledger to record, classify and report its revenue transactions for the fiscal year ending June 30, 2018 and 2019. See Finding 2014-003 on p. 9. Actual water sales revenues (cash receipts) for FY19 were \$7,175 more than budgeted revenues. The current President of the Association stated that water sales

# Accounting & Auditing Services, LLC

Financial Audits + Agreed Upon Procedures + Tax + Consulting

P.O. Box 24164  
Santa Fe, NM 87502  
Phone: 505.920.4024  
[nmauditors@gmail.com](mailto:nmauditors@gmail.com)

revenue is projected based on a flat rate of \$36 per month on metered accounts; when members use more water, actual revenues go up. Actual miscellaneous revenues (cash receipts) for FY19 were \$8,924 less than budgeted miscellaneous revenues. The current President explained that the Cabezon Cattle Association did not pay their \$7,500 access fee in FY19 or reimburse the Association for their portion of the electric bill which is being litigated in court.

- b. Select a sample of revenue equal to at least 30% of the total dollar amount and test the following attributes:
  - i. Amount recorded in the general ledger agrees to the supporting documentation and the bank statement.

A sample of revenues (deposits) totaling \$20,371.24 was selected and tested which amounted to approximately 34% of total revenues during the fiscal year. For the items tested, the Association provided supporting documentation for the amounts deposited in their bank account. However, the cash receipts tested were not classified and recorded in a general ledger. See Finding 2014-003 on p. 9.

- ii. 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.

This procedure could not be performed since the Association did not classify and record its revenue transactions in a general ledger. See Finding 2014-003 on p. 9.

## 5. Expenditures

- a. Select a sample of cash disbursements equal to at least 30% of the total dollar amount and test the following attributes:
  - i. Determine that the amount recorded as disbursed agrees to adequate supporting documentation. Verify that amount, payee, date and description agree to vendor's invoice, purchase order, contract and canceled check, as appropriate.

A sample of 27 cash disbursements (bank withdrawals) totaling \$21,579.64 were selected and tested which amounted to 32% of the total cash disbursements during the fiscal year of approximately \$66,766. For 25 cash

# Accounting & Auditing Services, LLC

Financial Audits + Agreed Upon Procedures + Tax + Consulting

P.O. Box 24164  
Santa Fe, NM 87502  
Phone: 505.920.4024  
[nmauditors@gmail.com](mailto:nmauditors@gmail.com)

disbursements tested, the amounts recorded as disbursed agreed with the supporting documentation, and the amount, payee, date and description of the purchase agreed with the vendor's invoice and canceled check. The Association does not use purchase order forms. However, for 2 cash disbursements totaling \$2,279.45, the Association could not provide an invoice or other documentation to support the cash disbursements. Also, the Association did not classify and record its cash disbursements and expenditures in a general ledger. See Finding 2014-003 on p. 9 and Finding 2014-005 on p. 11.

- ii. Determine that disbursements were properly authorized and approved in compliance with the budget, legal requirements and established policies and procedures.

It could not be determined if the cash disbursements tested were properly authorized and approved since the Association did not have any written procurement policies and procedures. See Finding 2014-007 on p. 12. Also, the Association did not comply with its approved budget since their actual expenditures in fiscal year 2019 exceeded budgeted expenditures by \$17,304. See Finding 2017-002 on p. 19 and the Schedule of Revenues and Expenditures – Budget and Actual on p. 21.

- iii. 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 13-1-199 NMSA 1978), State Purchasing Regulations (1.4.1 NMAC) and Regulations Governing the Per Diem and Mileage Act (2.42.2 NMAC).

None of the cash disbursements tested exceeded the amounts requiring an invitation for bids or requests for proposals. No cash disbursements for per diem and mileage were noted. The rest of this procedure could not be performed since the Association does not have any procurement policies and procedures. See Finding 2014-007 on p. 12.

## 6. Journal Entries

- a. Test all non-routine journal entries, adjustments, and reclassifications posted to the general ledger for the following attributes:
  - i. Journal entries appear reasonable and have supporting documentation.

The Association's Office Administrator stated that she was unaware of any non-routine journal entries, adjustments or reclassifications that were posted to the Association's accounting system (Quickbooks) in fiscal year 2019.

- ii. The local public body has procedures that require journal entries to be reviewed and there is evidence the reviews are being performed.

The Association does not have a procedure in place for management to review and approve journal entries. See Finding 2014-008 on p. 13.

## 7. Budgets

- a. Obtain the original fiscal year budget and all budget amendments made throughout the fiscal year and perform the following test work:
  - i. 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.

The Association's Board of Directors adopted and approved its budget for FY19 during a board meeting on May 24, 2018 (Resolution #5.24.18-1) which was approved by DFA-LGD in a letter to the Association dated August 21, 2018.

- ii. Determine if the total actual expenditures exceeded the final budget at the legal level of budgetary control; if the answer is yes, report a compliance finding.

According to the Association's fiscal year-end quarterly report to DFA-LGD, actual expenditures for the fiscal year ending June 30, 2019 exceeded the final approved budget by \$17,304 at the total fund level. See Finding 2017-002 on p. 19, the Schedule of Revenues and Expenditures – Budget and Actual on p. 21, and the year-end financial report submitted to DFA-LGD on p. 22.

- iii. 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.

The Association did not maintain a general ledger to record, classify and report its revenue and expenditure transactions for the fiscal year. Therefore, the Association's quarterly report for the fiscal year ending June 30, 2019 was used to prepare the Schedule of Revenue and Expenditures – Budget and Actual.



# Accounting & Auditing Services, LLC

Financial Audits + Agreed Upon Procedures + Tax + Consulting

P.O. Box 24164  
Santa Fe, NM 87502  
Phone: 505.920.4024  
[nmauditors@gmail.com](mailto:nmauditors@gmail.com)

See p. 21-22. However, the total revenues and expenditure amounts the Association reported in its fiscal year-end quarterly report to DFA-LGD do not agree with the total cash receipts (deposits) and cash disbursements reported on the bank statements. See Finding 2017-001 on p. 16.

## 8. Other

- a. If information comes to the IPA's attention (regardless of materiality) indicating any fraud, illegal acts, noncompliance, or any internal control deficiencies, such instances must be disclosed in the report as required by Section 12-6-6 NMSA 1978. The findings must include all required content detailed in Section 2.2.2.10 (L) NMAC.

The Association did not hire a CPA to perform these agreed-upon procedures and submit this report to the New Mexico Office of the State Auditor by the required due dates. See Finding 2014-009 on p. 15.

We were not engaged to and did not conduct an examination or review, the objective of which would be the expression of an opinion or conclusion, respectively, on the subject matter. Accordingly, we do not express such an opinion or conclusion. 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 with the Association, the New Mexico Office of the State Auditor, the New Mexico 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.

*Accounting & Auditing Services, LLC*

Accounting & Auditing Services, LLC

Santa Fe, New Mexico

April 22, 2020

**San Luis-Cabezon Mutual Domestic Water Association  
Schedule of Findings and Responses  
Fiscal Year Ending June 30, 2019**

**Status of Prior Year Findings**

Finding 2014-001. No Bank Account Reconciliations – Repeated.

Finding 2014-002 – No Capital Asset Inventory at Fiscal Year-End – Repeated.

Finding 2014-003. No General Ledger to Record Financial Transactions and Account Balances – Repeated.

Finding 2014-004. Missing Revenue Records – Resolved.

Finding 2014-005. Missing Expense Records – Revised and Repeated.

Finding 2014-007. No Written Procurement Policies and Procedures – Repeated.

Finding 2014-008. No Review Procedure for Journal Entries – Repeated.

Finding 2014-009. Late Agreed-Upon Procedures Contract and Report – Repeated.

Finding 2017-001. Inaccurate Quarterly Reports to DFA-LGD – Revised and Repeated.

Finding 2017-002 – Actual Expenditures Exceeded the Approved Budget – Revised and Repeated.

**Current Year Findings**

**Finding 2014-001. No Bank Account Reconciliations**

**Condition**

Management of the Association did not perform any bank account reconciliations during the fiscal year ending June 30, 2019.

During the fiscal year, management did not make any progress to correct this prior year-finding.

**Criteria**

It is a prudent business practice to perform monthly bank accounts reconciliations to verify that all monetary transactions are accurately recorded and accounted for by the bank and the Association.

**San Luis-Cabezon Mutual Domestic Water Association**  
**Schedule of Findings and Responses**  
**Fiscal Year Ending June 30, 2019**

Effect

Without bank account reconciliations, recording errors and fraud schemes could have gone undetected and uncorrected.

Cause

The current Board President stated that because of a lack of training and an accounting background, the Office Administrator did not fully utilize the Association's accounting system (Quickbooks) to perform and document the monthly bank account reconciliations.

Recommendation

The Association's Board of Directors should provide training to its Office Administrator or hire a qualified independent contractor to utilize its Quickbooks accounting system to perform and document the monthly bank account reconciliation shortly after the bank statements are received, but no later than the end of the following month.

Management's Response

The Association will consult with an Accounting Professional to train the Office Administrator to perform monthly bank reconciliations. The board will establish a policy and procedure for the Office Administrator outlining a timeline of 10 working days to perform the bank reconciliation after the statement is received. The policy will be developed and adopted by the board of directors in June 2020, which will go into effect beginning with the bank statements for June 2020.

**Finding 2014-002 – No Capital Asset Inventory at Fiscal Year-End**

Condition

For the fiscal year ending June 30, 2019, the Association did not perform and document a physical inventory of its capital assets and have the results of the physical inventory certified by its Board of Directors.

During the fiscal year, management did not make any progress to correct this prior year-finding.

Criteria

Section 12-6-10.A NMSA 1978 states: "Annual Inventory. The governing authority of each agency shall, at the end of each fiscal year, conduct a physical inventory of movable chattels

**San Luis-Cabazon Mutual Domestic Water Association**  
**Schedule of Findings and Responses**  
**Fiscal Year Ending June 30, 2019**

and equipment costing more than five thousand dollars (\$5,000) and under the control of the governing authority. Upon completion, the inventory shall be certified by the governing authority as to correctness.”

Effect

The Association is not accounting for its capital assets which could be subject to loss or misuse.

Cause

The Board of Directors has neglected to comply with the state law.

Recommendation

At the end of each fiscal year, the Association should perform and document a physical inventory of its capital assets in accordance with Section 12-6-10.A NMSA 1978. For each capital asset, the description of the asset, date acquired, cost, location, useful life, and ending balance of its capital assets should be recorded on a capital asset listing. The results of the inventory shall be recorded in a written inventory report, certified as to correctness and approved by the Association’s Board of Directors.

Management’s Response

The Association will develop a policy that outlines the year-end capital asset inventory procedure which will be performed by the Field Operations Specialist during the last two weeks of June 2020. We will develop an excel spread sheet and document the physical inventory of the capital assets in accordance with Section 12-6-10.A NMSA 1978. We will include the following on the inventory report: description of the asset, date acquired, cost, location, and useful life, and ending balance. The annual inventory report will be certified and approved by the Board of Director’s after the end of each fiscal year in July 2020.

**Finding 2014-003. No General Ledger to Record Financial Transactions and Account Balances**

Condition

For the fiscal year ending June 30, 2019, the Association did not record all of its financial transactions (cash receipts/revenues, cash disbursements/expenditures, assets, liabilities, fund equity, etc.) in an accounting system or general ledger.

**San Luis-Cabezon Mutual Domestic Water Association**  
**Schedule of Findings and Responses**  
**Fiscal Year Ending June 30, 2019**

During the fiscal year, management did not make any progress to correct this prior year-finding.

Criteria

The Board of Directors is responsible for adopting sound accounting policies and procedures. The Board of Directors is responsible for the Association's financial statements. In accordance with generally accepted accounting principles issued by the Governmental Accounting Standards Board, all financial transactions and account balances should be accurately recorded and accounted for.

Effect

The Association was unable to provide any financial reports that detailed, summarized and totaled its revenue and expenditure transactions and account balances, or its assets, liabilities and fund equity account balances. Reporting errors (intentional or unintentional), misuse of public funds, and fraud schemes could occur and not be detected if all the financial transactions during the fiscal year are not accurately recorded and accounted for.

Cause

The current Board President stated that because of a lack of training and an accounting background, the Office Administrator did not fully utilize the Association's accounting system (Quickbooks) to process and record all of the Association's financial transactions and account balances.

Recommendation

The Association's Board of Directors should provide training to its Office Administrator or hire a qualified independent contractor to accurately classify, record, summarize and report all of its revenue and expenditure transactions and account balances (assets, liabilities and fund equity) in their accounting system (Quickbooks) in accordance with generally accepted accounting principles.

Management's Response

The Association's Board of Directors will provide training for the Office Administrator and consult with an Accounting Professional during the next two months (May and June 2020) to ensure the Association establishes a complete general ledger effective July 1, 2020. We will ensure the Office Administrator has more training in Quickbooks to accurately classify, record, summarize and report all of its revenue and expenditure transactions and account balances (assets, liabilities and fund equity) in our accounting system.

**San Luis-Cabezon Mutual Domestic Water Association**  
**Schedule of Findings and Responses**  
**Fiscal Year Ending June 30, 2019**

**Finding 2014-005. Missing Expense Records**

Condition

For the fiscal year ending June 30, 2019, 26 cash disbursements totaling \$21,579.64 were selected and tested. Out of the items tested, the Association was unable to provide invoices or expense receipts for 2 cash disbursements totaling \$2,279.45. The Association does not have documentation showing that the goods or services were received.

During the fiscal year, management did not make any progress to correct this prior year-finding.

Criteria

In accordance with the State Audit Rule, Section 2.2.210.D(2) NMAC, the Association shall maintain adequate accounting records. It is a prudent business practice to establish a sound procurement policy and maintain complete documentation for all expenditures and cash disbursements.

Section 13-1-158 NMSA of the State Procurement Code states: No warrant, check or other negotiable instrument shall be issued in payment for any purchase of services, construction, or items of tangible personal property unless the using agency certifies that the services, construction or items of tangible personal property have been received.

Effect

Recording errors and fraud schemes could occur and go undetected if invoices and receiving reports aren't obtained, filed and safeguarded. Fraud schemes and the misuse of public funds could occur if the usage of debit cards to purchase goods and services is not controlled and accounted for.

Cause

The Board of Directors has not developed and implemented adequate internal controls to collect, maintain and safeguard its records for all expenditures and cash disbursements. Also, the Board of Directors did not implement adequate internal controls over the usage of its debit card.

Recommendation

To prevent missing invoices in the future, the Association's Board of Directors and Office Administrator should improve their filing system. The Association should file and safeguard

**San Luis-Cabezon Mutual Domestic Water Association**  
**Schedule of Findings and Responses**  
**Fiscal Year Ending June 30, 2019**

the supporting documentation for all cash disbursements and expenditures for at least 5 years after the end of the fiscal year in which the expenditure transaction occurred.

The Office Administrator should not process an invoice for payment until an employee or board member certifies that the goods or services have been received. The Office Administrator should ensure that a receiving report is adequately documented and attached to each invoice.

After an invoice is processed for payment, the Office Administrator should record the date paid, amount paid, and check number on every invoice and expense receipt. If a debit card is used to make the purchase, the debit card charge receipt should also be attached to the related invoices and expense receipts.

To prevent unauthorized debit card charges, the Association's Board of Directors should develop and implement written policies and procedures to control the usage of debit cards for the purchase of certain goods and services. The Office Administrator should accurately classify and record all debit card expenditures in the general ledger.

**Management's Response**

Effective May 1, 2020, the Association's Board of Directors will establish a policy for the Office Administrator and the Field Operations Specialist to improve its records keeping system. The Association will incorporate a digital archiving mechanism to ensure copies are archived for 5 years. Invoices will not be paid until a certification form is completed acknowledging the receipt of goods or services. Receiving reports will be attached to all invoices. Each invoice and expense receipt will have the following content recorded: date, amount paid, and check number. If a debit card is used to make a purchase, the charge receipt will be attached to the related invoice and expense receipt. The board will develop policy and procedures to control the usage of debit cards for the purchase of certain goods and services. Effective July 1, 2020, the Office Administrator will accurately classify and record all debit card expenditures in the general ledger.

**Finding 2014-007. No Written Procurement Policies and Procedures**

**Condition**

The Association does not have any written procurement policies and procedures to control and account for the purchase of goods and services.

During the fiscal year, management did not make any progress to correct this prior year-finding.

**San Luis-Cabezon Mutual Domestic Water Association**  
**Schedule of Findings and Responses**  
**Fiscal Year Ending June 30, 2019**

Criteria

Adequate procurement policies and procedures provide for the fair and equal treatment of all persons involved in public procurement, maximize the purchasing value of public funds and provide safeguards for maintaining a procurement system of quality and integrity.

Effect

Without any written procurement policies and procedures, there is a lack of internal control over purchases and cash disbursements. Therefore, the Association is at risk of fraud and misuse of its cash balance. Also, the Association may not be obtaining the best price for its goods and services.

Cause

The Association's Board of Directors has neglected to establish written procurement policies and procedures.

Recommendation

The Board of Directors should establish and implement written procurement policies and procedures to initiate, authorize, process, approve, record and report the purchase and payment for goods and services. The procurement policy should include a record retention policy whereas all procurement documentation shall be filed, retained and safeguarded for at least five years after the end of the fiscal year in which the procurement occurred.

Management's Response

The Board of Directors will establish and implement written procurement policies and procedures to initiate, authorize, process, record, and report the purchase and payment for goods and services. The procurement policy will include record retention policy whereas all procurement documentation will be filed by the Office Administrator, retained, and safeguarded for at least five years after the end of the fiscal year in which the procurement occurred. The board will adopt this policy in June 2020 and implemented effective July 1, 2020.

**Finding 2014-008. No Review Procedure for Journal Entries**

Condition

The Association does not have a procedure in place requiring management to review and approve all non-routine journal entries posted to the general ledger.



**San Luis-Cabezon Mutual Domestic Water Association**  
**Schedule of Findings and Responses**  
**Fiscal Year Ending June 30, 2019**

During the fiscal year, management did not make any progress to correct this prior year-finding.

Criteria

For proper internal control over the account balances and financial statements, written documentation and evidence of reviews and approvals should be maintained for all non-standard journal entries to the general ledger.

Effect

Inaccurate or unauthorized adjustments to the general ledger could go undetected by management. A fraud or embezzlement scheme could occur without the review and approval of non-standard journal entries to the general ledger.

Cause

Management of the Association stated they were unaware of the need to establish a procedure to review and approve all non-routine journal entries posted to their accounting system.

Recommendation

The Association's Board of Directors should develop and implement a procedure requiring its Office Administrator to maintain written documentation and explanations to support all non-routine journal entries, adjusting journal entries, and reclassifications that are posted and recorded in the Association's accounting system. The Board of Directors should also develop a procedure for management to review and approve all non-routine journal entries, adjusting journal entries, and reclassifications that are posted to the accounting system.

Management's Response

The Association's Board of Directors will develop and implement a procedure for its Office Administrator to maintain written documentation and explanations to support all non-routine journal entries, adjusting journal entries and reclassification that are posted and recorded in the Association's accounting system. The Board of Directors will also develop a procedure for management to review and approve all non-routine journal entries, adjusting journal entries and reclassifications that are posted to the accounting system. The board will adopt this policy by the end of June 2020 and implement it effective July 1, 2020.

**San Luis-Cabezon Mutual Domestic Water Association  
Schedule of Findings and Responses  
Fiscal Year Ending June 30, 2019**

**Finding 2014-009. Late Agreed-Upon Procedures Contract and Report**

Condition

For the fiscal year ending June 30, 2019, the Association did not submit the Tier 4 agreed-upon procedures contract information and this report to the NM Office of the State Auditor by the required due dates.

During the fiscal year, management did not make any progress to correct this prior year-finding.

Criteria

According to State Audit Rule 2019, Section 2.2.2.16.B (4) NMAC, "if a local public body's annual revenue is greater than \$50,000 but less than \$250,000, then the local public body shall procure the services of an IPA for the performance of a Tier 4 agreed-upon procedures engagement in accordance with the audit contract for a Tier 4 agreed-upon procedures engagement."

According to State Audit Rule 2019, Section 2.2.2.8.F(8)(e) NMAC, the Association should have hired a CPA firm and submitted the unsigned Tier 4 contract to the New Mexico Office of the State Auditor by July 30, 2019. The signed contract for these agreed-upon procedures was submitted to the NM Office of the State Auditor on February 12, 2020.

According to State Audit Rule 2019, Section 2.2.2.9.A(1)(j) NMAC, this agreed-upon procedures report should have been submitted to the New Mexico Office of the State Auditor by December 15, 2019.

Effect

Since this agreed-upon procedures report is very late, the users of the agreed-upon procedures report did not receive timely information about the results of the agreed-upon procedures.

Cause

The current Board President stated that it was a lack of understanding of the audit rule. New board members were elected in July 2013 and the Board didn't know that Tier 4 agreed-upon procedures were required if annual revenues exceeded \$50,000.

Recommendation

**San Luis-Cabezon Mutual Domestic Water Association**  
**Schedule of Findings and Responses**  
**Fiscal Year Ending June 30, 2019**

For the fiscal year ending June 30, 2020 and future fiscal years, the Association shall determine its total revenues and state funded capital outlay award expenditures and apply the criteria noted in Section 2.2.2.16.B NMAC to determine if agreed-upon procedures are required; if so, the Association should submit the contract information to the NM Office of the State Auditor by July 30 as required by State Audit Rule 2020, Section 2.2.2.8.F(8)(e) NMAC, and ensure that the agreed-upon procedures report is submitted to the NM Office of the State Auditor by December 15 as required by State Audit Rule 2020, Section 2.2.2.8.A(1)(g) NMAC.

Management's Response

For the fiscal year ending June 30, 2020 and future fiscal years, the Office Administrator will determine its total revenues and state funded capital outlay award expenditures and apply the criteria noted in Section 2.2.2.16.B NMAC to determine if agreed-upon procedures are required. The Association will then hire a CPA firm and submit the contract information to the NM Office of the State auditor by July 30 as required by State Audit Rule 2020, Section 2.2.2.8.F(8)(e) NMAC, and ensure that the agreed-upon procedures report is submitted to the Office of the State Auditor by December 15.

**Finding 2017-001. Inaccurate Quarterly Reports to DFA-LGD**

Condition

For the fiscal year ending June 30, 2019, the cash balances reported on the Association's bank statements did not agree with the quarterly financial reports submitted to the New Mexico Department of Finance & Administration, Local Government Division (DFA-LGD) as follows:

**San Luis-Cabezon Mutual Domestic Water Association  
Schedule of Findings and Responses  
Fiscal Year Ending June 30, 2019**

Quarterly report for period ending 9/30/18:	
Bank balance per bank statements	\$ 20,000
Cash balance per quarterly report to DFA-LGD	<u>6,758</u>
Difference	<u>\$ 26,758</u>

Quarterly report for period ending 12/31/18:	
Bank balance per bank statements	\$ 22,608
Cash balance per quarterly report to DFA-LGD	<u>(4,198)</u>
Difference	<u>\$ 26,806</u>

Quarterly report for period ending 3/31/19:	
Bank balance per bank statements	\$ 22,703
Cash balance per quarterly report to DFA-LGD	<u>(11,515)</u>
Difference	<u>\$ 34,218</u>

Quarterly report for period ending 6/30/19:	
Bank balance per bank statements	\$ 25,027
Cash balance per quarterly report to DFA-LGD	<u>24,946</u>
Difference	<u>\$ 81</u>

Also, the total revenue (bank deposits) and expenditure (cash disbursements) amounts reported on the Association's bank statements did not agree with the fiscal year-end quarterly report submitted to DFA-LGD as follows:

Total revenues per year-end report to DFA-LG	\$ 63,487
Total deposits per bank statements	<u>59,863</u>
Difference	<u>\$ 3,624</u>

Total expenditures per year-end report to DFA	\$ 70,466
Total cash disbursements per bank statement	<u>66,766</u>
Difference	<u>\$ 3,700</u>

During the fiscal year, management did not make any progress to correct this prior year-finding.

Criteria

As required by Section 6-6-2.F NMSA 1978, the Association should submit accurate quarterly financial reports to DFA-LGD.

**San Luis-Cabezon Mutual Domestic Water Association**  
**Schedule of Findings and Responses**  
**Fiscal Year Ending June 30, 2019**

Effect

The Association is not preparing the quarterly reports in accordance with the DFA-LGD's requirements. Inaccurate financial reports mislead the users of the financial information. Financial reporting errors conceal the accurate account balances of the Association. The Association is susceptible to fraud and embezzlement schemes if accurate financial reports are not prepared.

Cause

It appears that the Association did not include the cash balances in its savings bank account in the quarterly reports to DFA-LGD which caused most of the differences noted above. Also, the Association does not record all of its financial transactions in their accounting system (Quickbooks). The Board of Directors did not detect the reporting differences when the quarterly financial reports were reviewed during the monthly board meetings. The Board President stated that it was a lack of knowledge of how the reports were supposed to be completed, and a lack of training and complete misunderstanding of what is required of DFA-LGD.

Recommendation

The Association's Office Administrator should obtain sufficient training to prepare and submit accurate quarterly reports to DFA-LGD. The Office Administrator should report all of the bank account balances in the quarterly reports to DFA-LGD, and should not include any interbank account transfers as revenues or expenditures. The Office Administrator should ensure that the quarterly financial reports agree with the Association's general ledger, cash receipts and disbursements journal, check registers, bank statements and bank reconciliations. If there are differences, the Office Administrator should investigate and correct the differences, and report all adjusting journal entries to the Board of Directors. Before the Office Administrator submits the quarterly reports to DFA-LGD, the Board of Directors should review the quarterly reports to ensure that the cash, revenue and expenditure amounts in the quarterly reports agree with the general ledger reports, check registers, bank statements and bank reconciliations.

Management's Response

The Association's Office Administrator will obtain training and Technical Assistance from DFA-LGD staff by June 30, 2020. The Office Administrator will report all of the bank account balances in the quarterly reports to DFA-LGD and will not include interbank account transfers as revenues and expenditures in the quarterly reports. Effective July 1, 2020, the

**San Luis-Cabezon Mutual Domestic Water Association**  
**Schedule of Findings and Responses**  
**Fiscal Year Ending June 30, 2019**

Office Administrator will ensure that the quarterly financial reports agree with the Association's general ledger, cash receipts, and disbursements journal, check registers, bank statements and bank reconciliations. If there are differences, the Office Administrator will investigate and correct the differences, and report all adjusting journal entries to the Board of Directors.

**Finding 2017-002 – Actual Expenditures Exceeded the Approved Budget**

Condition

For the fiscal year ending June 30, 2019, the Association's actual expenditures exceeded the approved budget by \$17,304.

During the fiscal year, management did not make any progress to correct this prior year-finding.

Criteria

According to state law, Section 6-6-6 NMSA 1978, "When any budget for a local public body has been approved and received by a local public body, it is binding upon all officials and governing authorities, and no governing authority or official shall allow or approve claims in excess thereof, and no official shall pay any check or warrant in excess thereof, and the allowances or claims or checks or warrants so allowed or paid shall be a liability against the officials so allowing or paying those claims or warrants, and recovery for the excess amounts so allowed or paid may be had against the bondsmen of those officials."

Effect

Excessive spending can create financial problems for the Association. Claims against the officials of the Association could occur for future non-compliance with Section 6-6-6 NMSA 1978.

Cause

Management of the Association did not adequately monitor its budget during the fiscal year and process a budget adjustment request to ensure that total expenditures did not exceed budgeted expenditures during the fiscal year.

Recommendation

The Board of Directors should implement a monitoring procedure to ensure that total expenditures do not exceed budgeted expenditures during the fiscal year. If it is forecasted

**San Luis-Cabezon Mutual Domestic Water Association**  
**Schedule of Findings and Responses**  
**Fiscal Year Ending June 30, 2019**

that total expenditures will exceed the approved budget, the Office Administrator should prepare and submit a budget adjustment request to the Board of Directors and DFA-LGD for approval before the end of the fiscal year.

Management's Response

The Association was a respondent to a lawsuit and thus the legal fees contributed to the excessive expenditures. Effective May 1, 2020, the Office Administrator will monitor actual expenditures to ensure that total expenditures do not exceed budgeted expenditures during the fiscal year. If it is forecasted that total expenditures will exceed the approved budget, the Office Administrator will prepare and submit a budget adjustment request to the Board of Directors and DFA-LGD for approval before the end of the fiscal year.

**San Luis-Cabezon Mutual Domestic Water Association**  
**Schedule of Revenues and Expenditures**  
**Budget and Actual (Non-GAAP Cash Basis)**  
**For the Fiscal Year Ending June 30, 2019**

	<u>Original Budget</u>	<u>Final Budget</u>	<u>Actual</u>	<u>Variance Favorable (Unfavorable)</u>
<b>Revenues:</b>				
Water Sales	\$ 44,568	\$ 44,568	\$ 51,743	\$ 7,175
Membership and Meter Sales	-	-	-	-
Late Fees and Penalties	-	-	-	-
Gross Receipts Tax	-	-	-	-
Miscellaneous - Other	12,600	12,600	3,676	(8,924)
<b>Total Revenues</b>	<u>\$ 57,168</u>	<u>\$ 57,168</u>	<u>\$ 55,419</u>	<u>\$ (1,749)</u>
<b>Expenditures:</b>				
Salaries - Operator, Bookkeeper, Other	\$ 9,600	\$ 9,600	\$ 15,600	\$ (6,000)
Electricity	6,200	6,200	6,375	(175)
Gas, Water, Sewer, Telephone	1,530	1,530	2,869	(1,339)
System Parts and Supplies	2,000	2,000	8,364	(6,364)
System Repairs and Maintenance	200	200	-	200
Vehicle Expenses	400	400	1,701	(1,301)
Office and Administrative Expenses	2,600	2,600	1,708	892
Professional Services - Legal	1,400	1,400	3,053	(1,653)
Insurance	1,300	1,300	-	1,300
Dues, Fees, Permits, Licenses	20	20	565	(545)
Gross Receipts Tax/Water Conservation Fee	3,080	3,080	2,374	706
Training	600	600	375	225
Miscellaneous	450	450	3,700	(3,250)
USDA Loan Payments	22,032	22,032	22,032	-
<b>Total Expenditures</b>	<u>\$ 51,412</u>	<u>\$ 51,412</u>	<u>\$ 68,716</u>	<u>\$ (17,304)</u>



INSTRUCTIONS: Cells in which are meant to be filled out are explained below. All other columns are locked and not meant to be filled out.									
Fill out the Approved Budget, 1st Qtr, 2nd Qtr, 3rd Qtr, 4th Qtr columns.									
Enter Cash, Savings, CDs and Investments under the "APPROVED BUDGET" column, as of the beginning of year, July 1st. <i>THESE AMOUNTS DO NOT CHANGE THROUGHOUT THE YEAR.</i>									
Fill out Reserves (if reserve amounts change throughout the year under the "Year to Date(YTD) Totals" column.									
<b>MDWCA Name :</b>		San Luis-Cabezon MDWCA							
<b>Mailing Address :</b>									
<b>Email Address :</b>									
<b>Phone Number :</b>									
<b>Fiscal Year :</b>		2018-2019							
		Due Oct. 31	Due Jan 31	Due April 30	Due July 31				
	<b>APPROVED BUDGET</b>	<b>1st QR: July-Sept</b>	<b>2nd QR: Oct - Dec</b>	<b>3rd QR: Jan - March</b>	<b>4th QR: April - June</b>	<b>Year to Date(YTD) Totals</b>	<b>YTD (over)/under BUDGET</b>	<b>% of Budget</b>	
<b>Beginning balances:</b>	<b>Cash</b>	3,929							
	<b>Savings</b>	27,996							
	<b>CDs</b>								
	<b>Investments</b>								
	<b>Beginning Balance TOTAL</b>	31,925							
<b>REVENUES</b>									
	Water Sales (Water Use Fees)	44,568	10,044	16,200	11,933	13,565	51,743	(7,175)	116%
	Connection/Reconnection Charges						0	0	-
	Membership and Meter Sales (Utility Service Fees)						0	0	-
	Late Fees and Penalties (Other Fines and Forfeits)						0	0	-
	Gross Receipts Tax (Other State shared taxes)						0	0	-
	Other Operating Revenue (miscellaneous - other)	12,600	1,353	53	2,225	45	3,676	8,924	29%
	Savings		4,669	899	2,500		8,068	(8,068)	-
	<b>TOTAL</b>	57,168	16,066	17,152	16,658	13,611	63,487	(6,319)	111%
<b>EXPENDITURES</b>									
	Salaries - Operator, Bookkeeper, etc.	9,600	6,075	4,570	1,840	3,115	15,600	(6,000)	163%
	Employee Benefits and Expenses						0	0	-
	Electricity	6,200	1,594	1,535	1,732	1,514	6,375	(175)	103%
	Other Utilities - Gas, Water, Sewer, Telephone	1,530	682	780	726	682	2,869	(1,339)	188%
	System Parts and Supplies	2,000	5,401	714	2,249	0	8,364	(6,364)	418%
	System Repairs and Maintenance	200					0	200	0%
	Vehicle Expenses	400	755	46	900	0	1,701	(1,301)	425%
	Office and Administrative Expenses	2,600	393	314	579	423	1,708	892	66%
	Professional Services - Accounting, Engineering, Legal	1,400	250	1,442	611	750	3,053	(1,653)	218%
	Insurance	1,300	0				0	1,300	0%
	Dues, Fees, Permits and Licenses	20	140	125	253	45	565	(545)	2823%
	Taxes - Gross Receipts Tax, Water Conservation Fee	3,080	776	473	734	391	2,374	706	77%
	Training	600	0	0		375	375	225	63%
	Miscellaneous-Savings	450	300	400	2,700	300	3,700	(3,250)	822%
<b>Loans</b>									
	Annual debt service - Loan 1	22,032	5,508	5,508	5,508	5,508	22,032	0	100%
	Annual debt service - Loan 2						0	0	-
	Miscellaneous Expense-Raffles		1,750				1,750		
	<b>TOTAL</b>	51,412	23,624	15,906	17,832	13,104	70,466	(17,304)	137%
	<b>Ending Balance</b>	37,681					24,946		
	<b>LESS: Operating Reserve</b>								
	<b>Emergency Reserve</b>								
	<b>Capital Improvement Reserve</b>								
	<b>Debt Reserve</b>								
	<b>Ending Available Cash Balance</b>	37,681					24,946		

**San Luis-Cabazon Mutual Domestic Water Association**  
**Exit Conference**  
**Fiscal Year Ending June 30, 2019**

On April 22, 2020, the following officials held an exit conference and discussed the results of the agreed upon procedures and the contents of this report:

San Luis-Cabazon MDWA

Joey Dominguez, President  
Diane Montoya, Office Administrator

Accounting & Auditing Services, LLC

Steve B. Archibeque, CPA, Audit Manager