

LEA COUNTY SOLID WASTE AUTHORITY

FINANCIAL STATEMENTS
with
REPORT OF INDEPENDENT CERTIFIED PUBLIC ACCOUNTANTS

Year Ended June 30, 2008



JOHNSON, MILLER & CO.

*Certified Public Accountants
A Professional Corporation*

An Independent Member of BDO Seidman Alliance

LEA COUNTY SOLID WASTE AUTHORITY

FINANCIAL STATEMENTS
with
REPORT OF INDEPENDENT CERTIFIED PUBLIC ACCOUNTANTS

Year Ended June 30, 2008

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**OFFICIAL ROSTER
JUNE 30, 2008**

BOARD MEMBERS

Pat Wise	Chairman	Lovington
Todd Randall	Vice Chairman	Hobbs
Gregg Fulfer	Member	Lea County
Monty Newman	Member	Hobbs
Terry Bettis	Member	Eunice
Robert Wallach	Member	Hobbs
Alton Dunn	Member	Jal
Rhonda Jones	Member	Lovington
Doris McDonald	Member	Tatum



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Certified Public Accountants

A Professional Corporation

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Hobbs, New Mexico

Midland, Texas

Odessa, Texas

REPORT OF INDEPENDENT CERTIFIED PUBLIC ACCOUNTANTS ON BASIC FINANCIAL STATEMENTS AND SUPPLEMENTAL INFORMATION

Mr. Hector H. Balderas
New Mexico State Auditor
The Office of Management and Budget and
Authority Chairman, Board of Directors and
Citizens of Lea County
Lovington, New Mexico

We have audited the accompanying basic financial statements of Lea County Solid Waste Authority (the Authority), as of and for the year ended June 30, 2008, as listed in the table of contents. We also audited the budgetary comparison schedules presented as supplemental information as of and for the year ended June 30, 2008, as listed in the table of contents. These financial statements are the responsibility of the Authority'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 Government Auditing Standards, issued by the Comptroller General of the United States. Those standards require that we plan and perform the audit to obtain reasonable assurance about 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 basic financial statement presentation. We believe that our audit provides a reasonable basis for our opinion.

In our opinion, the basic financial statements referred to above present fairly, in all material respects, the financial position of Lea County Solid Waste Authority as of and for the year ended June 30, 2008, and the changes in its financial position and its cash flows for the year then ended in conformity with accounting principles generally accepted in the United States of America. In our opinion, the Schedule of Revenues and Expenses- Budget and Actual presents fairly in all material respects, the respective budgetary comparison of the Authority for the year ended June 30, 2008, in accordance with the budgetary basis described in NOTE A5.

In accordance with *Government Auditing Standards*, we have also issued a report dated December 1, 2008 on our consideration of the Authority's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts and grant agreements and other matters. The purpose of that report is to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on the internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* and should be considered in assessing the results of our audit.

Mr. Hector H. Balderas
New Mexico State Auditor
The Office of Management and Budget and
Authority Chairman, Board of Directors and
Citizens of Lea County
Lovington, New Mexico

Management's Discussion and Analysis on pages 5-8 is not a required part of the basic financial statements but is supplemental information required by accounting principles generally accepted in the United States of America. We have applied certain limited procedures, which consisted principally of inquiries of management regarding the methods of measurement and presentation of the supplemental information. However, we did not audit the information and express no opinion on it.

Johnson, Miller & Co.

Hobbs, New Mexico
December 1, 2008

MANAGEMENT'S DISCUSSION AND ANALYSIS

Our discussion and analysis of the Lea County Solid Waste Authority's (the Authority) financial performance provides an overview of the Authority's financial activities for the fiscal year ended June 30, 2008. This information is presented in conjunction with audited financial statements that follow this section.

Financial Highlights

- The Authority's total assets increased by \$593,024 while total liabilities increased by \$46,484 resulting in total net assets increasing \$546,540
- The Authority's operating expenses in fiscal year 2007-2008 increased by \$584,127 from the prior year due to the increase in waste materials received.
- As of the close of the current fiscal year, the Authority reported ending net assets of \$1,266,531.
- Revenue increased by \$616,162 from the prior year and fell below budgeted amounts by \$554,379 due to fewer waste materials received than expected.

Overview of the Financial Statements

The financial statements presented herein include all of the activities of the Authority.

The Authority's basic financial statements are comprised of two components: 1) fund financial statement and 2) notes to basic financial statements. This report also contains supplementary information in addition to the basic financial statements.

Financial Statements

The financial statements present the financial picture of the Authority from the economic resources measurement focus using the accrual basis of accounting.

The statement of net assets presents information on all of the Authority's assets and liabilities, with the difference between the two reported as net assets. Over time, increases and decreases in net assets may serve as a useful indicator of whether the financial position of the Authority is improving or deteriorating.

The statement of changes in fund net assets presents information showing how the Authority's net assets changed during the most recent fiscal year. All changes in net assets are reported as soon as the underlying event, giving rise to the change occurs, regardless of the timing of related cash flows. Thus, revenues and expenses are reported in this statement for some items that will only result in cash flows in future fiscal periods.

The financial statements reflect that the Authority is principally supported by user fees that are intended to recover all or a significant portion of their (business-type activity). The business-type activity includes addressing the immediate and future solid waste needs of the citizens of Lea County.

Fund financial statements

The Authority's basic services are reported in one unrestricted fund, which focuses on how money flows in to and out of the fund and the balance left at year-end that is available for spending. The fund is reported using the accrual basis of accounting. The statements provide a detailed short-term view of the Authority's general operations and the basic services it provides.

MANAGEMENT'S DISCUSSION AND ANALYSIS (continued)

Notes to basic financial statements

The notes provide additional information that is essential to a full understanding of the data provided in the financial statements. The notes to basic financial statements can be found on pages 12-18 of this report.

Financial Analysis

Net assets may serve over time as a useful indicator of an entity's financial position. As of June 30, 2008, the net assets are at a surplus balance.

Net Assets

To begin our analysis, a summary of the Authority's Statement of Net Assets is presented in Table A-1.

Table A-1
Condensed Statements of Net Assets

	FY 2008	FY 2007	Dollar Change
Current and Other Assets	\$ 1,299,974	\$ 1,814,882	\$ (514,908)
Capital Assets	2,276,924	1,168,992	1,107,932
Total Assets	3,576,898	2,983,874	593,024
Current Liabilities	272,208	179,146	93,062
Long-term Liabilities	2,038,159	2,084,737	(46,578)
Total Liabilities	2,310,367	2,263,883	46,484
Invested in capital assets, net of related debt	336,032	(870,330)	1,206,362
Unrestricted	930,499	1,590,321	(659,822)
Total Net Assets	\$ 1,266,531	\$ 719,991	\$ 546,540

As can be seen from the table above, net assets increased from \$719,991 in the prior year to \$1,266,531 in fiscal year 2008 due to the normal operations of the Authority.

MANAGEMENT'S DISCUSSION AND ANALYSIS (continued)

Net Assets (continued)

**Table A-2
Condensed Statements of Revenues,
Expenses and Changes in Net Assets**

	FY 2008	FY 2007	Dollar Change
Operating revenues	\$ 2,527,525	\$ 1,911,363	\$ 616,162
Operating expenses	1,361,911	777,784	584,127
Depreciation expense	550,065	762,851	(212,786)
Non Operating exp	69,009	94,998	(25,989)
Total expense	1,980,985	1,635,633	345,352
Change in net assets	546,540	275,730	270,810
Beginning net asset	719,991	444,261	275,730
Ending net assets	\$ 1,266,531	\$ 719,991	\$ 546,540

As can be seen from the table above, the Change in Net Assets for fiscal year 2008 was \$270,810 more than for the fiscal year 2007 due to higher revenues earned during fiscal year 2008.

While the Statement of Net Assets shows the change in financial position of net assets, the Statement of Revenues, Expenses and Changes in Net Assets provides answers as to the nature and source of these changes.

Capital Assets

All capital assets are for the landfill, in the current year, construction in process is for the creation of a new cell.

Long-Term Debt

All long-term debt is directly related to the landfill. In the current year the loan payable due to Lea County decreased by \$74,995, while the accrued closure/postclosure costs increased by \$31,966.

MANAGEMENT'S DISCUSSION AND ANALYSIS (continued)

Budgetary Highlights

The Authority adopts an annual Operating Budget following public workshops and a public hearing. The Operating Budget includes proposed expenses and the means of financing them.

A fiscal year 2008 budget comparison and analysis is presented in Table A-3

**Table A-3
Budget vs. Actual
Year Ended June 30, 2008**

	Original Budget	Final Budget	Actual Amounts	Variance
Revenues				
Charges for services	\$ 3,100,000	\$ 3,100,000	\$ 2,545,621	\$ (554,379)
Total Revenues	\$ 3,100,000	3,100,000	2,545,621	(554,379)
Expenses				
Operational	1,507,091	1,507,091	1,264,748	242,343
Capital Outlay:				
Construction-in-process	1,318,250	1,383,250	1,657,997	(274,747)
Loan repayments	200,000	200,000	167,439	32,561
Total expenses	3,025,341	3,090,341	3,090,184	157
Operating (Loss) Income	\$ 74,659	\$ 9,659	\$ (544,563)	\$ (554,222)

Significant Variances between Budget and Actual

The budget amount to charges for services of \$3,100,000 was based on the anticipated increase in waste materials and after review of last year's actual revenue. The actual revenue varies from the budget amount due to fewer waste materials received than expected. The actual expenses vary only slightly from budgeted amounts.

Economic Factors and Next Year's Budget

The Board of Trustees of the Authority considered many factors when setting the fiscal year 2008 budget. One of those factors is the local economy and the impact our fees have on the community.

Authority Contact Information

This financial report is designed to provide our customers and creditors with a general overview of the Authority's finances and to demonstrate the Authority's accountability for the funds it receives. Anyone having questions regarding this report or desiring additional information may contact Jim Burke at Lea County Solid Waste Authority, 110 N Main, Lovington, NM 88260 or by phone at 575-396-8653.

LEA COUNTY SOLID WASTE AUTHORITY

STATEMENT OF NET ASSETS

	<u>June 30, 2008</u>
ASSETS	
Cash	\$ 1,076,075
Accounts receivable	<u>223,899</u>
Total current assets	1,299,974
Capital assets (NOTE B)	<u>2,276,924</u>
TOTAL ASSETS	<u>\$ 3,576,898</u>
LIABILITIES AND NET ASSETS	
LIABILITIES	
Accounts payable	\$ 193,664
Current portion of long term debt (NOTE F)	<u>78,544</u>
Total current liabilities	272,208
Accrued closure and post closure costs (NOTE E)	175,811
Long term debt (NOTE F)	<u>1,862,348</u>
Total long term liabilities	<u>2,038,159</u>
TOTAL LIABILITIES	<u>2,310,367</u>
NET ASSETS	
Invested in capital assets, net of related debt	336,032
Unrestricted	<u>930,499</u>
Total net assets	<u>1,266,531</u>
TOTAL LIABILITIES AND NET ASSETS	<u>\$ 3,576,898</u>

The accompanying notes are an integral part of these statements.

LEA COUNTY SOLID WASTE AUTHORITY

STATEMENT OF REVENUES, EXPENSES AND CHANGES IN FUND NET ASSETS

	Year Ended June 30, 2008
OPERATING REVENUES	
Charges for services	\$ 2,527,525
Total operating revenues	2,527,525
OPERATING EXPENSES	
Operational expenses	1,329,945
Depreciation expense	550,065
Closure and postclosure care costs (Note E)	31,966
Total operating expenses	1,911,976
Operating income	615,549
NON-OPERATING EXPENSES	
Interest expense	69,009
Total non-operating expenses	69,009
CHANGE IN NET ASSETS	546,540
NET ASSETS AT BEGINNING OF YEAR	719,991
NET ASSETS AT END OF YEAR	\$ 1,266,531

The accompanying notes are an integral part of these statements.

LEA COUNTY SOLID WASTE AUTHORITY

STATEMENT OF CASH FLOWS

	<u>Year Ended June 30, 2008</u>
OPERATING ACTIVITIES	
Cash received from customers	\$ 2,545,621
Cash paid to suppliers	(1,221,797)
Cash paid to employees	(42,951)
Interest paid	(92,444)
Net cash provided by operating activities	<u>1,188,429</u>
INVESTING ACTIVITIES	
Cash paid for purchase of assets	(1,657,997)
Net cash (used) by investing activities	<u>(1,657,997)</u>
FINANCING ACTIVITIES	
Loan Repayment	(74,995)
Net cash (used) by financing activities	<u>(74,995)</u>
Net (decrease) in cash	(544,563)
Cash at beginning of year	<u>1,620,637</u>
Cash at end of year	<u>\$ 1,076,075</u>
Reconciliation of net operating income to net cash provided by operating activities:	
Operating income	\$ 615,549
Adjustments to reconcile net operating income to net cash provided by operating activities:	
Depreciation expense	550,065
Changes in assets and liabilities:	
Receivables, net	(29,655)
Accrued closure costs	31,966
Accounts payable	112,948
Interest payments	(92,444)
Net cash provided by operating activities	<u>\$ 1,188,429</u>

The accompanying notes are an integral part of these statements.

LEA COUNTY SOLID WASTE AUTHORITY

NOTES TO THE FINANCIAL STATEMENTS

NOTE A – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

1. ORGANIZATION

Lea County Solid Waste Authority (the Authority) was established on March 6, 1995 under a joint powers agreement entered into by and between the County of Lea, the Cities of Lovington, Jal, Eunice, Tatum, and Hobbs. It was the desire of the parties to form a solid waste disposal authority in order to collectively address the immediate and future solid waste disposal needs of the citizens of Lea County.

2. REPORTING ENTITY

In evaluating how to define the government for financial reporting purposes, management has considered all potential component units. The decision to include a potential component unit in the reporting entity was made by applying the criteria set forth in accounting principles generally accepted in the United States of America. Organizations that are legally separate, tax-exempt entities and that meet *all* of the following criteria should be discretely presented as component units. These criteria are:

1. The economic resources received or held by the separate organization are entirely or almost entirely for the direct benefit of the primary government, its component units, or its constituents.
2. The primary government, or its component units, is entitled to, or has the ability to otherwise access, a majority of the economic resources received or held by the separate organization.
3. The economic resources received or held by an *individual organization* that the specific primary government, or its component units, is entitled to, or has the ability to otherwise access, are significant to that primary government.

Based upon the application of these criteria, there are no potential component units included in the Authority's reporting entity, and the Authority is not a component unit of any other entity.

3. FINANCIAL STATEMENT PRESENTATION, BASIS OF ACCOUNTING, AND MEASUREMENT FOCUS

Fund Accounting:

The accounts of the Association are organized on the basis of fund type, of which there is only one fund which is considered an enterprise fund.

Enterprise Funds: (Unrestricted Funds)

Unrestricted funds are used to account for operations of the Association that are financed and operated in a manner similar to private business enterprises where the intent is that the costs, including depreciation, of providing goods and services to the general public on a continuing basis, be financed or recovered primarily through user charges.

LEA COUNTY SOLID WASTE AUTHORITY

NOTES TO FINANCIAL STATEMENTS

NOTE A – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (continued)

Basis of Accounting:

Basis of accounting refers to when revenues and expenditures or expenses are recognized in the accounts and reported in the financial statements. Basis of accounting relates to the timing of the measurements made, regardless of the measurement focus applied.

The Authority has the option to apply all Financial Accounting Standards Board (FASB) pronouncements issued after November 30, 1989, unless FASB conflicts with Governmental Accounting Standards Board (GASB) pronouncements. The Association has elected not to apply FASB pronouncements issued after the applicable date.

Measurement Focus:

The unrestricted funds (enterprise funds) are accounted for using the economic resources measurement focus and the accrual basis of accounting. Revenues are recognized in the period they are earned.

4. CAPITAL ASSETS

Capital assets of the Authority are recorded at cost. Outlays for capital assets in excess of \$5,000 are capitalized. Information technology equipment, including software, is depreciated in accordance with NMAC 2.20.1.9 C (5). Capital assets will be depreciated once the assets are placed in service using the straight line method over the following estimated useful lives:

<u>Assets</u>	<u>Years</u>
Buildings	40
Permits	30
Site Improvements	15
Cells	6
Chipper	6

The Authority's policy is to capitalize interest incurred during construction as part of the historical cost of capital assets.

5. BUDGET

The annual budget is adopted based on the cash basis of accounting.

Annual budgets of the Association are prepared prior to June 1 and must be approved by the resolution of the Board, and submitted for approval by the State of New Mexico. Once the budget has been formally approved, any amendments must also be approved by the Board and the State.

Budgeted amounts are as originally adopted, or as amended by the Board and approved by the State. Budgets for all fund types are adopted on a basis consistent with accounting principles generally accepted in the United States of America. The schedule of budgeted revenues and expenditures presents comparisons of legally adopted budgets with actual data on a budgetary basis. The legal level of budgetary control is the fund level.

LEA COUNTY SOLID WASTE AUTHORITY

NOTES TO FINANCIAL STATEMENTS

NOTE A – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (continued)

6. USE OF ESTIMATES

The preparation of financial statements in conformity with accounting principles generally accepted in the United States of America requires management to make estimates that affect the reporting amounts of assets, liabilities, revenues and expenses, and the disclosure of contingent assets and liabilities. Actual results could differ from these estimates.

7. CASH AND CASH EQUIVALENTS

Cash and cash equivalents include cash held by the Authority's fiscal agent, Lea County. These funds are included in those insured and collateralized by Lea County according to the schedules included in the separately issued financial statements of the County.

8. ACCOUNTS RECEIVABLE

Accounts receivable results from charges to customers for waste disposal services. Management considers accounts receivable at June 30, 2008 to be fully collectible.

9. REVENUE

Operating revenue includes activities that have the characteristics of an exchange transaction, such as charges for services.

Non-operating revenue includes activities that have the characteristics of non-exchange transactions. The Authority does not typically have non-operating revenues.

10. NET ASSETS

Restricted assets are assets which have third-party limitation on their use. When both restricted and unrestricted resources are available for use, it is the Authority's policy to use restricted resources first, then unrestricted resources as they are needed.

Invested in capital assets, net of related debt represents the cost of capital assets less accumulated depreciation less debt used to finance capital assets.

LEA COUNTY SOLID WASTE AUTHORITY

NOTES TO THE FINANCIAL STATEMENTS

NOTE B – CAPITAL ASSETS

The following is a summary of changes in capital assets:

	Balance June 30, 2007	Additions	Deletions	Balance June 30, 2008
Assets not subject to depreciation:				
Land	\$ 17,000	\$ -	\$ -	\$ 17,000
Cell 3-Construction in process	19,734	1,657,997	-	1,677,731
Total non-deprecable assets	36,734	1,657,997	-	1,694,731
Assets subject to depreciation:				
Permit	353,114	-	-	353,114
Buildings	199,975	-	-	199,975
Site Improvements	232,140	-	-	232,140
Chipper	24,111	-	-	24,111
Cell 1	1,989,225	-	-	1,989,225
Cell 2	803,936	-	-	803,936
Cell 2b	1,041,332	-	-	1,041,332
	<u>4,643,833</u>	<u>-</u>	<u>-</u>	<u>4,643,833</u>
Total capital assets	4,680,567	1,657,997	-	6,338,564
Less accumulated depreciation:				
Permit	(39,232)	(4,904)	-	(44,136)
Buildings	(39,992)	(4,999)	-	(44,991)
Site Improvements	(123,807)	(15,477)	-	(139,284)
Chipper	(16,411)	(4,019)	-	(20,430)
Cell 1	(1,989,225)	-	-	(1,989,225)
Cell 2	(803,936)	-	-	(803,936)
Cell 2b	(498,972)	(520,666)	-	(1,019,638)
	<u>(3,511,575)</u>	<u>(550,065)</u>	<u>-</u>	<u>(4,061,640)</u>
Net capital assets	\$ 1,168,992	\$ 1,107,932	\$ -	\$ 2,276,924

Assets are being depreciated over a period of 6 to 40 years using the straight line method. Land and construction in process are not being depreciated. Depreciation expense for the year was \$550,065.

LEA COUNTY SOLID WASTE AUTHORITY

NOTES TO THE FINANCIAL STATEMENTS

NOTE C – RELATED PARTY TRANSACTIONS

Lea County, fiscal agent to the Authority, advanced funds to the Authority under the terms of the Fiscal Agent Agreement entered into by the Authority during a prior year. The agreement allows for the loan of up to \$2.2 million for the construction of a solid waste facility.

The loan, bearing interest at 4.65% annum, is being repaid from the net revenues of the Authority. Repayment terms are to be determined by the members of the Authority on an annual basis. The loan is secured by the gross revenue of the Authority and the real estate and solid waste facility.

Accounts receivable at year end includes amounts receivable from the members as follows:

<u>Authority Member</u>	<u>Related Party Receivable</u>
City of Hobbs	\$ 19,720
City of Lovington	4,442
City of Eunice	3,125
Town of Tatum	2,093
City of Jal	1,195
	<u>\$ 30,575</u>

NOTE D– RISK MANAGMENT

The Authority is exposed to various risks of loss related to torts; theft of, damage to and destruction of assets; errors and omissions; and natural disasters for which the contractor constructing the solid waste facility carries commercial insurance protecting the contractor and the Authority. Liabilities are reported when it is probable that a loss has occurred and the amount of the loss can be reasonably estimated. As of June 30, 2008, the Authority did not have any probable risks of loss.

LEA COUNTY SOLID WASTE AUTHORITY

NOTES TO THE FINANCIAL STATEMENTS

NOTE E – LANDFILL CLOSURE AND POSTCLOSURE CARE

State and federal laws and regulations require that the Authority place a final cover on its landfill when closed and perform certain maintenance and monitoring functions at the landfill site for thirty years after closure of the Lea County Landfill. An expense provision and the related liability are being recognized based on the future closure and postclosure care costs that will be incurred near or after the date the landfill no longer accepts waste. Based upon a joint powers agreement between the members of the Authority, the closure and postclosure care costs will be shared in the following percentages:

<u>Authority Member</u>	<u>Percentage</u>
City of Hobbs	52.20
City of Lovington	16.71
Town of Tatum	1.37
City of Eunice	4.79
City of Jal	3.86
Lea County	21.07

The recognition of these landfill closure and postclosure care costs is based on the amount of landfill used during the year. The landfill began accepting waste on July 1, 1999. The total estimated liability for landfill closure costs is \$393,250 as of June 30, 2008, which is based on the cumulative capacity of 5,699,000 cubic yards to be used over its estimated life of 36 years. It is estimated that an additional \$405,900 of postclosure care costs will be recognized over 30 years after the landfill is closed. The estimated total current cost of the landfill closure and postclosure care of \$799,150 is based on the amount that would be paid if all equipment, facilities, and services required to close, monitor, and maintain the landfill were acquired as of June 30, 2008. However, the actual cost of closure and postclosure care may be higher due to inflation, changes in technology, or changes in state and federal landfill laws and regulations.

The following calculation details the current amount recognized for landfill closure and postclosure care reflected in the financial statements of the Authority:

Estimated landfill closure cost	\$ 393,250
Estimated landfill postclosure care cost	<u>405,900</u>
Total estimated closure and postclosure costs	<u>\$ 799,150</u>
Total capacity used to date (1,228,409 cubic yards) as a % of total capacity (5,699,000 cubic yards)	22%
Estimated closure and postclosure care cost	\$ 175,811
Prior year recognized	<u>143,845</u>
Estimated liability increase for the year ended June 30, 2008	<u>\$ 31,966</u>

The members of the Authority are required by the State of New Mexico Environmental Regulation Board to demonstrate financial assurance for the closure and postclosure costs.

LEA COUNTY SOLID WASTE AUTHORITY

NOTES TO THE FINANCIAL STATEMENTS

NOTE F – LONG TERM DEBT

The Authority has a note payable to Lea County in quarterly payments bearing interest at 4.65%, maturing December 31, 2025, secured by the Lea County Landfill. The long-term liability for the year ended June 30, 2008 is as follows:

	June 30, 2007	Additions	Reductions	June 30, 2008	Due Within One Year
Note payable Lea County	2,015,887 \$	-	74,995 \$	1,940,892	78,544

The annual debt service requirements to maturity, including principal and interest for long-term debt as of June 30, 2008, are as follows:

Year Ending June 30,	Principal	Interest
2009	\$ 78,544	\$ 88,895
2010	82,260	85,179
2011	86,153	81,286
2012	90,229	77,210
2013	94,498	72,940
2014-2018	543,947	292,847
2019-2023	685,406	151,788
2024-2025	279,855	13,164
Total	\$ 1,940,892	\$ 863,309

LEA COUNTY SOLID WASTE AUTHORITY

**SCHEDULE OF REVENUES AND EXPENSES -
BUDGET AND ACTUAL (NON-GAAP BASIS)
YEAR ENDED JUNE 30, 2008**

	Original Budget	Final Budget	Actual Amounts	Variance Positive (Negative)
Revenues				
Charges for services	\$ 3,100,000	\$ 3,100,000	2,545,621	\$ (554,379)
Total revenues	3,100,000	3,100,000	2,545,621	(554,379)
Expenses				
Operational expenses	1,507,091	1,507,091	1,264,748	242,343
Capital Outlay:				
Construction-in-process	1,318,250	1,383,250	1,657,997	(274,747)
Loan repayment	200,000	200,000	167,439	32,561
Total expenses	3,025,341	3,090,341	3,090,184	157
Excess (deficiency) of revenues over (under) expenses	74,659	9,659	(544,563)	\$ (554,222)
Other financing sources (uses)				
Prior year cash balance	1,620,637	1,620,637	-	
Total other financing sources (uses)	1,620,637	1,620,637	-	
Net change in fund balance	\$ 1,695,296	\$ 1,630,296	(544,563)	
Reconciliation to GAAP Basis:				
Depreciation			(550,065)	
Decrease in receivables, net			29,655	
Increase in accrued closure costs			(31,966)	
Increase in accounts payable			(112,948)	
Increase in capital asset			1,657,997	
Principal repayment			74,995	
Decrease in accrued liabilities			23,435	
Change in Net Assets			\$ 546,540	



JOHNSON, MILLER & CO.

Certified Public Accountants

A Professional Corporation

An Independent Member Of BDO Seidman Alliance

Hobbs, New Mexico

Midland, Texas

Odessa, Texas

**REPORT ON INTERNAL CONTROL OVER FINANCIAL REPORTING AND ON COMPLIANCE
AND OTHER MATTERS BASED ON AN AUDIT OF FINANCIAL STATEMENTS PERFORMED
IN ACCORDANCE WITH GOVERNMENT AUDITING STANDARDS**

Hector H. Balderas
New Mexico State Auditor
The Office of Management and Budget and
County Manager, Board of Commissioners and
Citizens of Lea County
Lovington, New Mexico

We have audited the basic financial statements of the business-type activities of Lea County Solid Waste Authority (the Authority), as of and for the year ended June 30, 2008. We have also audited the budgetary comparison statements presented as supplementary information as of and for the year ended June 30, 2008, as listed in the table of contents, and have issued our report thereon dated December 1, 2008. 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 *Government Auditing Standards*, issued by the Comptroller General of the United States.

Internal Control Over Financial Reporting

In planning and performing our audit, we considered the Authority's internal control over financial reporting as a basis for designing our auditing procedures for the purpose of expressing our opinions on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the Authority's internal control over financial reporting. Accordingly, we do not express an opinion on the effectiveness of the Authority's internal control over financial reporting.

Our consideration of internal control over financial reporting was for the limited purpose described in the preceding paragraph and would not necessarily identify all deficiencies in internal control over financial reporting that might be significant deficiencies or material weaknesses. However, as discussed below, we identified certain deficiencies in internal control over financial reporting that we consider to be significant deficiencies.

A control deficiency exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent or detect misstatements on a timely basis. A significant deficiency is a control deficiency, or combination of control deficiencies, that adversely affects the entity's ability to initiate, authorize, record, process, or report financial data reliably in accordance with generally accepted accounting principles such that there is more than a remote likelihood that a misstatement of the entity's financial statements that is more than inconsequential will not be prevented or detected by the agency's internal control. We consider the deficiency described at 08-01 in the accompanying schedule of findings and responses to be significant deficiencies in internal control over financial reporting.

A material weakness is a significant deficiency, or combination of significant deficiencies, that results in more than a remote likelihood that a material misstatement of the financial statements will not be prevented or detected by the agency's internal control.

Our consideration of the internal control over financial reporting was for the limited purpose described in the first paragraph of this section and would not necessarily identify all deficiencies in the internal control that might be significant deficiencies and, accordingly, would not necessarily disclose all significant deficiencies that are also considered to be material weaknesses. However, we believe that none of the significant deficiencies described above is a material weakness.

Hector H. Balderas
New Mexico State Auditor
The Office of Management and Budget and
County Manager, Board of Commissioners and
Citizens of Lea County
Lovington, New Mexico

Compliance and Other Matters

As part of obtaining reasonable assurance about whether the Authority's financial statements are free of material misstatement, we performed tests of its compliance with certain provisions of laws (including New Mexico State Auditor Ruling 2.2.2 NMAC), regulations, contracts, and grant agreements, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit and, accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards*.

The agency's response to the findings identified in our audit is described in the accompanying schedule of findings and responses. We did not audit the agency's response and, accordingly, we express no opinion of it.

This report is intended solely for the information and use of the Board of Commissioners, management, New Mexico State Auditor and federal awarding agencies and pass-through entities- City of Hobbs, Town of Tatum, City of Lovington, City of Eunice, City of Jal, Lea County- the New Mexico Legislature, and the New Mexico Department of Finance and Administration and is not intended to be and should not be used by anyone other than these specified parties.

Johnson, Miller & Co.

Hobbs, New Mexico
December 1, 2008

**LEA COUNTY SOLID WASTE AUTHORITY
STATE OF NEW MEXICO**

AUDIT FINDINGS

YEAR ENDED JUNE 30, 2008

Prior Year Findings

There were no prior year findings.

Current Year Findings

08-01

Preparation of the Financial Statements

SCHEDULE OF FINDINGS AND QUESTIONED COSTS

FINDING 08-1

Condition Found:	The financial statements and related disclosures are not being prepared by the Authority.
Criteria:	The County's system of internal control should include controls over financial statement preparation, including footnote disclosure.
Effect:	Insufficient controls over the preparation of financial statements and related disclosures limits the County's ability to prevent or detect a misstatement in its financial statements.
Cause:	The County does not have the personnel or time to prepare the financial statements and related disclosures.
Recommendation:	We recommend the County's management and personnel receive training on financial reporting.
Agency Response:	Lea County has elected to continue to have our Auditor prepare the financial statements. However, the management of Lea County realizes that it should have better internal controls and oversight over the preparation of the financial statements, therefore Lea County has taken steps to correct this problem. Jim Burke, the Finance Director, has already registered to attend the New Mexico Government Finance Officers Association Annual Conference. This conference will begin December 3, 2008. One of the sessions of this conference is Reviewing and Understanding Financial Statements . Jim will continue to attend the training offered by NMGFOA, the State Auditor's Office, NM Association of Counties Finance Affiliate and continuing professional education courses sponsored by Johnson, Miller & Company. With this education Jim will be better prepared to oversee, review and explain the financial statements to other members of management.

LEA COUNTY SOLID WASTE AUTHORITY

OTHER DISCLOSURES

For the fiscal year ended June 30, 2008

FINANCIAL STATEMENT PRESENTATION

The financial statements of the Lea County Solid Waste Authority were prepared from the original books and records provided by the management of this entity by Johnson Miller & Co., CPA's.

EXIT CONFERENCE

An exit conference was conducted on December 1, 2008 in which the contents of this report were discussed with the following:

Association Officials

Todd Randall, Vice Chairman
Jim Burke, Finance Director
Michael Beverly, County Manager

Auditors

David Wheat, CPA

LEA COUNTY SOLID WASTE AUTHORITY

Mr. Hector H. Balderas
New Mexico State Auditor
The Office of Management and Budget and
Authority Chairman, Board of Directors and
Citizens of Lea County
Lovington, New Mexico

PASSED ADJUSTMENTS

The State Auditor's Rule 2.2.2.10 AA (2) states that the auditor must present a list of passed adjustments to the agency management and governing board representatives and a copy of the list must be attached to the audit report submitted to the State Auditor for review.

No passed adjustments were made during the audit for Lea County Solid Waste Authority, New Mexico for the year ended June 30, 2008.