FINANCIAL STATEMENTS AND INDEPENDENT AUDITOR'S REPORT DECEMBER 31, 2022



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INDEPENDENT AUDITOR'S REPORT

Town Commission Town of Newell Newell, South Dakota

Report on the Financial Statements

Opinions

We have audited the accompanying modified cash basis financial statements of the governmental activities, the business-type activities, and each major fund of the Town of Newell (the City), Butte County, South Dakota, as of and for the year ended December 31, 2022, and the related notes to the financial statements, which collectively comprise the City's basic financial statements as listed in the table of contents.

In our opinion, the financial statements referred to above present fairly, in all material respects, the respective modified cash basis financial position of the governmental activities, the business-type activities, and each major fund of the City, as of December 31, 2022, and the respective changes in modified cash basis financial position, for the year then ended in accordance with the modified cash basis of accounting as described in Note 1.

Basis for Opinions

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. Our responsibilities under those standards are further described in the Auditor's Responsibilities for the Audit of the Financial Statements section of our report. We are required to be independent of the City and to meet our other ethical responsibilities, in accordance with the relevant ethical requirements relating to our audit. We believe that the evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinions.

Emphasis of Matter Regarding Basis of Accounting

We draw attention to Note 1 of the financial statements, which describes the basis of accounting. The financial statements are prepared on the modified cash basis of accounting, which is a basis of accounting other than accounting principles generally accepted in the United States of America. Our opinions are not modified with respect to this matter.

Responsibilities of Management for the Financial Statements

Management is responsible for the preparation and fair presentation of the financial statements in accordance with the modified cash basis of accounting as described in Note 1; this includes determining that the modified cash basis of accounting is an acceptable basis for the presentation of the financial statements in the circumstances. Management is also responsible for the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

Auditor's Responsibilities for the Audit of the Financial Statements

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinions. Reasonable assurance is a high level of assurance but is not absolute assurance and there is not a guarantee that an audit conducted in accordance with generally accepted auditing standards and *Government Auditing Standards* will always detect a material misstatement when it exists. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as a fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control. Misstatements, including omissions, are considered material if there is a substantial likelihood that, individually or in the aggregate, they would influence the judgment made by a reasonable user based on the financial statements.

In performing an audit in accordance with generally accepted auditing standards and Government Auditing Standards, we:

- Exercise professional judgment and maintain professional skepticism throughout the audit.
- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, and design and perform procedures responsive to those risks. Such procedures include examining, on a test basis, evidence regarding the amounts and disclosures in the financial statements.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the City's internal control. Accordingly, no such opinion is expressed.
- Evaluate the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluate the overall presentation of the financial statements.
- Conclude whether, in our judgment, there are conditions or events, considered in the aggregate, that raise substantial doubt about the City's ability to continue as a going concern for a reasonable period of time.

We are required to communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit, significant audit findings, and certain other internal control matters that we identified during the audit.

Report on Other Legal and Regulatory Requirements

In accordance with Government Auditing Standards, we have also issued our report dated April 5, 2024 on our consideration of the City'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 solely 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 effectiveness of the City's internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with Government Auditing Standards in considering the City's internal control over financial reporting and compliance.

KETEL THORSTENSON, LLP Certified Public Accountants

atal Morstenam LLP

April 5, 2024

TOWN OF NEWELL

STATEMENT OF NET POSITION - MODIFIED CASH BASIS DECEMBER 31, 2022

	Governmental Activities		siness-Type Activities	Total	
Assets					
Cash and Certificates of Deposit	\$	1,487,306	\$ 224,469	\$ 1,711,775	
Restricted Cash and Certificates of Deposit		-	5,412	5,412	
TOTAL ASSETS	\$	1,487,306	\$ 229,881	\$ 1,717,187	
Net Position Restricted for:					
Cemetery Perpetual Care:					
Expendable	\$	25,597	\$ -	\$ 25,597	
Nonexpendable		50,000	\$ -	50,000	
Library		6,447	-	6,447	
Debt Service		-	5,412	5,412	
Unrestricted		1,405,262	224,469	1,629,731	
TOTAL NET POSITION	\$	1,487,306	\$ 229,881	\$ 1,717,187	

The accompanying notes are an integral part of this statement.

TOWN OF NEWELL

STATEMENT OF ACTIVITIES - MODIFIED CASH BASIS FOR THE YEAR ENDED DECEMBER 31, 2022

			Prog Reve					•	pense) Reven s in Net Posit	
		Ch	arges for		perating		C.	_	mary Govern	
			vices and		rants and	Gove	ernmental		siness-Type	
	Disbursements	Reim	bursements	Coı	ntributions	Ac	ctivities		Activities	Total
Functions/Programs										
Primary Government:										
Governmental Activities:										
General Government	\$ 144,887	\$	182,182	\$	54,585	\$	91,880	\$	-	\$ 91,880
Public Safety	103,504		3,285		-	(100,219)		-	(100,219)
Public Works	337,148		500		-	(336,648)		-	(336,648)
Culture and Recreation	65,398		-		-		(65,398)		-	(65,398)
Economic Development	18,532		-		-		(18,532)		-	(18,532)
Total Governmental Activities	669,469		185,967		54,585	(428,917)		-	(428,917)
Business-Type Activities:										
Liquor	420,884		500,097		_		_		79,213	79,213
Water	158,772		182,451		_		_		23,679	23,679
Sewer	85,936		82,703		_		_		(3,233)	(3,233)
Irrigation	5,922		17,132		_		_		11,210	11,210
Total Business-Type Activities	671,514		782,383		-		-		110,869	110,869
T I I D I	Ф. 4.240.002	ф	0<0.250	ф	5.4.505		(400 04 5)		110.060	(210.040)
Total Primary Government	\$ 1,340,983	\$	968,350	\$	54,585	(428,917)		110,869	(318,048)
General Revenues:										
Taxes:										
Property Taxes							209,080		-	209,080
Sales Taxes							314,168		-	314,168
Gross Receipts Business Tax							869		-	869
State Shared Revenues							51,571		-	51,571
County Shared Receipts							4,891		-	4,891
Unrestricted Investment Earnings							367		153	520
Miscellaneous Revenue					_		18,699		-	18,699
Total General Revenues							599,645		153	599,798
Change in Net Position							170,728		111,022	281,750
Net Position - December 31, 2021						1,	316,578		118,859	1,435,437
Net Position - December 31, 2022					•	\$ 1,	487,306	\$	229,881	\$ 1,717,187

BALANCE SHEET GOVERNMENTAL FUND - MODIFIED CASH BASIS DECEMBER 31, 2022

						Cemetery Perpetual		Totals
		General Library				Care	G	overnmental
		 Fund		Fund		Fund		Funds
Assets	;							
101	Cash	\$ 1,293,209	\$	6,447	\$	31,883	\$	1,331,539
104	Certificates of Deposit	112,053		-		43,714		155,767
TOTA	AL ASSETS	\$ 1,405,262	\$	6,447	\$	75,597	\$	1,487,306
-								
Fund	Balance							
263	8 Nonspendable							
263.5	Perpetual Care Cemetery	\$ -	\$	-	\$	50,000	\$	50,000
264	4 Restricted	-		-		-		-
264	Perpetual Care Cemetery	-		-		25,597		25,597
264.05	5 Library	-		6,447		-		6,447
266	6 Assigned	-		-		-		-
266	Fire Department	187,544		_		_		187,544
267	Museum	2,620		_		-		2,620
267	Unassigned	1,215,098		_		-		1,215,098
Total	Fund Balance	1,405,262		6,447		75,597		1,487,306
TOTA	AL FUND BALANCE	\$ 1,405,262	\$	6,447	\$	75,597	\$	1,487,306

TOWN OF NEWELL

STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCE GOVERNMENTAL FUNDS - MODIFIED CASH BASIS FOR THE YEAR ENDED DECEMBER 31, 2022

					C	Cemetery		
					P	erpetual		Total
		(General	Library		Care	Gov	vernmental
			Fund	Fund		Fund		Funds
Revenu	ie:							
	Taxes:							
311	General Property Taxes	\$	207,859	\$ -	\$	-	\$	207,859
313	General Sales and Use Taxes		314,168	-		-		314,168
314	Gross Receipts Business Tax		869	-		-		869
319	Penalties and Interest - Delinquent Taxes		1,221	-		-		1,221
320	Licenses and Permits		3,040	-		-		3,040
	Intergovernmental Revenue:							
331	Federal Grants		54,585	-		-		54,585
	State Shared Revenue:							
335.01	Franchise Tax		3,394	-		-		3,394
335.03	Liquor Tax Reversion		4,585	-		-		4,585
335.04	Motor Vehicle Licenses		13,574	-		-		13,574
335.08	Local Highway and Bridge		30,018	-		-		30,018
338	County Shared Revenue		1,342	-		-		1,342
339	Other Intergovernmental Revenue		3,549	-		-		3,549
	Charges for Goods and Services:							
341	General Government		165,108	-		26		165,134
348	Cemetery		100	-		400		500
349	Other		13,557	3,491		-		17,048
350	Fines and Forfeits		245	-		-		245
	Miscellaneous Revenue:							
361	Earnings on Deposits and Investments		258	-		109		367
362	Rents and Cable Franchise		5,105	-		-		5,105
367	Contributions and Donations		250	-		-		250
369	Other		13,344	-		-		13,344
Total F	Revenue		836,171	3,491		535		840,197

STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCE GOVERNMENTAL FUNDS - MODIFIED CASH BASIS FOR THE YEAR ENDED DECEMBER 31, 2022

				Cemetery	
		General Fund	Library Fund	Perpetual Care Fund	Total Governmental Funds
Expen	ditures:				
	General Government:				
411	Mayor and Council	7,748	-	-	7,748
414	Financial Administration	66,757	-	-	66,757
419	Other	70,382	-	-	70,382
	Public Safety:				
421	Police	51,283	-	-	51,283
422	Fire	52,221	-	_	52,221
	Public Works:				
431	Highway and Streets	228,310	-	_	228,310
432	Sanitation	96,714	-	_	96,714
437	Cemeteries	12,075	-	49	12,124
	Culture and Recreation:				
452	Parks	27,120	-	-	27,120
455	Library	27,160	3,706	_	30,866
458	Museum	7,412	-	_	7,412
	Conservation and Development:				
465	Economic Development and Assistance	18,532	-	_	18,532
Total	Expenditures	665,714	3,706	49	669,469
Net C	hange in Fund Balance	170,457	(215)	486	170,728
Fund I	Balance, December 31, 2021	1,234,805	6,662	75,111	1,316,578
Fund	Balance, December 31, 2022	\$ 1,405,262	\$ 6,447	\$ 75,597	\$ 1,487,306

STATEMENT OF NET POSITION PROPRIETARY FUNDS - MODIFIED CASH BASIS DECEMBER 31, 2022

	Liquor Fund		Water Fund		Sewer Fund		Irrigation Fund		Totals	
Assets										
101 Cash	\$	38,661	\$ (24,049)	\$	79,949	\$	22,727	\$	117,288	
104 Certificates of Deposit		19,814	-		87,367		-		107,181	
107.1 Restricted Cash		-	-		5,412		-		5,412	
TOTAL ASSETS	\$	58,475	\$ (24,049)	\$	172,728	\$	22,727	\$	229,881	
Net Position										
253.2 Restricted Net Position	\$	-	\$ -	\$	5,412	\$	-	\$	5,412	
253.9 Unrestricted Net Position		58,475	(24,049)		167,316		22,727		224,469	
TOTAL NET POSITION (DEFICIT)	\$	58,475	\$ (24,049)	\$	172,728	\$	22,727	\$	229,881	

TOWN OF NEWELL

STATEMENT OF REVENUES, EXPENSES, AND CHANGES IN FUND NET POSITION PROPRIETARY FUNDS - MODIFIED CASH BASIS FOR THE YEAR ENDED DECEMBER 31, 2022

		 Liquor Fund	Water Fund	Sewer Fund	Ir	rigation Fund	Totals
Operati	ing Revenue:						
380	Charges for Goods and Services	\$ 500,097	\$ 182,451	\$ 82,703	\$	17,132	\$ 782,383
Operati	ing Expenses:						
480	Personal Services	129,697	44,633	30,723		-	205,053
480.5	Other Current Expense	53,481	56,436	29,149		5,922	144,988
426.2	Materials (Cost of Goods Sold)	237,706	-	-		-	237,706
485	Capital Assets	-	27,757	23,809		-	51,566
Total O	perating Expenses	420,884	128,826	83,681		5,922	639,313
-	ing Income (Loss)	79,213	53,625	(978)		11,210	143,070
Nonope	rating Revenue (Expense):						
361	Investment Earnings	67	-	86		-	153
470	Debt Service	-	(29,946)	(2,255)		-	(32,201)
Total N	onoperating Revenue (Expense)	67	(29,946)	(2,169)		-	(32,048)
Change	in Net Position	79,280	23,679	(3,147)		11,210	111,022
Net Pos	ition (Deficit) - December 31, 2021	(20,805)	(47,728)	175,875		11,517	118,859
	OSITION (DEFICIT) - EMBER 31, 2022	\$ 58,475	\$ (24,049)	\$ 172,728	\$	22,727	\$ 229,881

NOTES TO FINANCIAL STATEMENTS DECEMBER 31, 2022

(1) Summary of Significant Accounting Policies

As discussed further below, these financial statements are presented on a modified cash basis of accounting. The modified cash basis of accounting differs from accounting principles generally accepted in the United States of America (GAAP). GAAP includes all relevant Governmental Accounting Standards Board (GASB) pronouncements.

Reporting Entity

The reporting entity of the Town of Newell (the City) consists of the primary government (which includes all of the funds, organizations, institutions, agencies, departments, and offices that make up the legal entity, plus those funds for which the primary government has a fiduciary responsibility, even though those fiduciary funds may represent organizations that do not meet the criteria for inclusion in the financial reporting entity); those organizations for which the primary government is financially accountable; and other organizations for which the nature and significance of their relationship with the primary government are such that their exclusion would cause the financial reporting entity's financial statements to be misleading or incomplete.

Basis of Presentation

Government-wide Financial Statements:

The Statement of Net Position – Modified Cash Basis and Statement of Activities – Modified Cash Basis display information about the reporting entity as a whole. They include all funds of the reporting entity. The statements distinguish between governmental and business-type activities. Governmental activities generally are financed through taxes, intergovernmental revenues, and other non-exchange revenues. Business-type activities are financed in whole or in part by fees charged to external parties for goods or services.

The Statement of Activities – Modified Cash Basis presents a comparison between direct expenses and program revenues for each segment of the business-type activities of the City and for each function of the City's governmental activities. Direct expenses are those that are specifically associated with a program or function and, therefore, are clearly identifiable to a particular function. Program revenues include (a) charges paid by recipients of goods and services offered by the programs and (b) grants and contributions that are restricted to meeting the operational or capital requirements of a particular program. Revenues that are not classified as program revenues, including all taxes, are presented as general revenues.

Fund Financial Statements:

Fund financial statements of the reporting entity are organized into funds, each of which is considered to be a separate accounting entity. Each fund is accounted for by providing a separate set of self-balancing accounts that constitute its assets, liabilities, fund equity, revenues, and expenditures/expenses. Funds are organized into two major categories: governmental and proprietary. An emphasis is placed on major funds within the governmental and proprietary categories.

A fund is considered major if it is the primary operating fund of the City or it meets the following criteria:

- 1. Total assets, liabilities, revenues, or expenditures/expenses of the individual governmental or enterprise fund are at least ten percent of the corresponding total for all funds of that category or type, and
- 2. Total assets, liabilities, revenues, or expenditures/expenses of the individual governmental or enterprise fund are at least five percent of the corresponding total for all governmental and enterprise funds combined, or
- 3. Management has elected to classify one or more governmental or enterprise funds as major for consistency in reporting from year to year, or because of public interest in the fund's operations.

NOTES TO FINANCIAL STATEMENTS DECEMBER 31, 2022

(1) Summary of Significant Accounting Policies

Basis of Presentation

Fund Financial Statements:

The funds of the City financial reporting entity are described below:

Governmental Funds:

General Fund – The general fund is the general operating fund of the City. It is used to account for all financial resources except those required to be accounted for in another fund. The general fund is always considered to be a major fund.

Special Revenue Funds – special revenue funds are used to account for the proceeds of specific revenue sources (other than trusts for individuals, private organizations, or other governments or for major capital projects) that are legally restricted to expenditures for specified purposes. The City has the following special revenue fund:

Library Fund – to account for fines and similar charges, deposited in a library board bank account subject to checks by the librarian for library purposes (SDCL 14-2-42 and AGR 82-33). This fund is also used to account for library operations and is subsidized by General Fund and property taxes from the county. This is a major fund.

Permanent Funds – permanent funds are used to account for assets that are permanently set aside and from which only the income from its investments can be used for its stated legal purpose. The City has the following permanent fund:

Cemetery Perpetual Care Fund – A fund allowed by SDCL 9-31-18 to account for payments received for perpetual care of cemeteries. The payments are permanently set aside and only the income from the investments can be used for the care and maintenance of the cemetery. This is a major fund.

Proprietary Funds:

Enterprise Funds – Enterprise funds are used to account for operations (a) that are financed and operated in a manner similar to private business enterprises, where the intent of the governing body is that the costs (expenses, including depreciation) of providing goods or services to the general public on a continuing basis be financed or recovered primarily through user charges; or (b) where the governing body has decided that periodic determination of revenues earned, expenses incurred, and/or net income is appropriate for capital maintenance, public policy, management control, accountability, or other purposes.

Proprietary Funds include:

Liquor Fund – Financed primarily by the sale of liquor; this fund accounts for the operation of the City liquor store and bar. This is a major fund.

Water Fund – Financed primarily by user charges; this fund accounts for the construction and operation of the City waterworks system and related facilities (SDCL 9-47-1). This is a major fund.

NOTES TO FINANCIAL STATEMENTS DECEMBER 31, 2022

(1) Summary of Significant Accounting Policies

Basis of Presentation

Proprietary Funds:

Sewer Fund – Financed primarily by user charges; this fund accounts for the construction and operation of the City's sanitary sewer system and related facilities (SDCL 9-48-2). This is a major fund.

Irrigation Fund - A fund established to account for the City's water irrigation services. This is a major fund.

Measurement Focus and Basis of Accounting

Measurement focus is a term used to describe how transactions are recorded within the various financial statements. Basis of accounting refers to when revenues and expenditures or expenses are recognized in the accounts and reported in the financial statements, regardless of the measurement focus.

Measurement Focus:

Government-wide Financial Statements:

In the government-wide Statement of Net Position and Statement of Activities, both governmental and business-type activities are presented using the economic resources measurement focus, applied within the limitations of the modified cash basis of accounting as defined below.

Fund Financial Statements:

In the fund financial statements, the current financial resources measurement focus or the economic resources measurement focus is used and applied within the limitations of the modified cash basis of accounting.

Basis of Accounting:

All financial statements are presented using the modified cash basis of accounting. Under the cash basis of accounting, the statement of financial position reports only cash and cash equivalents. Under the cash basis of accounting, transactions are recorded in the accounts when cash and/or cash equivalents are received or disbursed, and assets and liabilities are recognized to the extent that cash has been received or disbursed.

The acceptable modification to the cash basis of accounting implemented by the City in these financial statements is recording of investments arising from cash transactions.

As a result of the use of the modified cash basis of accounting, certain assets and their related revenues (such as accounts receivable and revenue for billed or provided services not yet collected) and certain liabilities and their related expenses (such as accounts payable and expenses for goods or services received but not yet paid, and accrued expenses and liabilities) are not recorded in these financial statements.

If the City applied GAAP, the fund financial statements for governmental funds would use the modified accrual basis of accounting, while the government-wide financial statements and fund financial statements for proprietary fund types would use the accrual basis of accounting.

NOTES TO FINANCIAL STATEMENTS DECEMBER 31, 2022

(1) Summary of Significant Accounting Policies

Capital Assets

Capital assets include land, buildings, improvements other than buildings, furnishings and equipment, construction/development in progress, infrastructure, intangible lease assets, and all other tangible or intangible assets that are used in operations and that have initial useful lives extending beyond a single reporting period. Infrastructure assets are long-lived capital assets that normally are stationary in nature and normally can be preserved for significantly greater number of years than most capital assets.

As discussed in Note 1 above, the government-wide Statement of Net Position and Statement of Activities and the fund financial statements are presented using a modified cash basis of accounting. Capital asset purchases are expensed when paid.

Long-Term Liabilities

Long-term liabilities include but are not limited to Revenue Bonds and Notes Payable.

As discussed in Note 1 above, the government-wide Statement of Net Position and Statement of Activities and the fund financial statements are presented using the modified cash basis of accounting. Any outstanding long-term debt or long-term liabilities are not reported on the financial statements of the City. The City reports the principal and interest payments on long-term debt as Debt Service expenditures.

Program Revenues

Program revenues derive directly from the program itself or from parties other than the City's taxpayers or citizenry, as a whole. Program revenues are classified into three categories, as follows:

- 1. Charges for services These arise from charges to customers, applicants, or others who purchase, use, or directly benefit from the goods, services, or privileges provided, or are otherwise directly affected by the services
- 2. Program-specific operating grants and contributions These arise from mandatory and voluntary non-exchange transactions with other governments, organizations, or individuals that are restricted for use in a particular program.
- 3. Program-specific capital grants and contributions These arise from mandatory and voluntary non-exchange transactions with other governments, organizations, or individuals that are restricted for the acquisition of capital assets for use in a particular program.

Proprietary Funds Revenue and Expense Classification

In the proprietary fund's Statement of Revenues, Expenses, and Changes in Fund Net Position – Modified Cash Basis, revenues and expenses are classified as operating or non-operating revenues and expenses. Operating revenues and expenses directly relate to the purpose of the fund.

Cash

The City pools the cash resources of its funds for cash management purposes. The proprietary funds essentially have access to the entire amount of their cash resources on demand. Non-negotiable certificates of deposit with an original maturity of greater than three months are not included in cash.

NOTES TO FINANCIAL STATEMENTS DECEMBER 31, 2022

(1) Summary of Significant Accounting Policies

Equity Classifications

Government-wide Financial Statements:

Equity is classified as net position and is displayed in two components, as follows:

- 1. Restricted Net Position Consists of net position with constraints placed on their use either by (a) external groups such as creditors, grantors, contributors, or laws and regulations of other governments; or (b) law through constitutional provisions or enabling legislation.
- 2. Unrestricted Net Position All other net position that do not meet the definition of restricted.

Fund Financial Statements:

The City classifies governmental fund balance as follows:

- 1. Nonspendable Includes fund balance amounts that cannot be spent either because it is not in spendable form or because of legal or contractual constraints.
- Restricted Includes fund balance amounts that are constrained for specific purposes which are externally
 imposed by providers, such as creditors or amounts constrained due to constitutional provisions or enabling
 legislation.
- 3. Committed Includes fund balance amounts that are constrained for specific purposes that are internally imposed by the government through formal action of the City Commission and does not lapse at year-end.
- 4. Assigned Includes fund balance amounts that are intended to be used for specific purposes that are neither considered restricted or committed. Fund balance may be assigned by the City Commission, Mayor, or Finance Officer.
- 5. Unassigned Includes positive fund balance within the General Fund which has not been classified within the above-mentioned categories and negative fund balances in other governmental funds.

Proprietary fund equity is classified the same as in the government-wide financial statements.

The City uses restricted amounts first when both restricted and unrestricted net position or fund balances are available unless there are legal documents/contracts that prohibit doing this, such as a grant agreement requiring dollar-for-dollar spending. Additionally, the City would first use committed, then assigned, and lastly unassigned amounts of unrestricted fund balance when expenditures are made.

The City does not have a formal minimum fund balance policy.

Subsequent Events

The City has assessed subsequent events through April 5, 2024, the date which the financial statements were available to be issued.

NOTES TO FINANCIAL STATEMENTS DECEMBER 31, 2022

(2) Deposits and Investments

The City follows the practice of aggregating the cash assets of various funds to maximize cash management efficiency and returns. Various restrictions on deposits and investments are imposed by statutes. These restrictions are summarized below:

Deposits – The City's cash deposits are made in qualified public depositories as defined by SDCL 4-6A-1, 9-22-6, 9-22-6.1 and 9-22-6.2, and may be in the form of demand or time deposits. Qualified depositories are required by SDCL 4-6A-3 to maintain at all times, segregated from their other assets, eligible collateral having a value equal to at least 100 percent of the public deposit accounts which exceed deposit insurance such as the FDIC and NCUA. In lieu of pledging eligible securities, a qualified public depository may furnish irrevocable standby letters of credit issued by Federal Home Loan Banks accompanied by written evidence of that bank's public debt rating which may not be less than "AA", or a qualified public depository may furnish a corporate surety bond of a corporation duly authorized to do business in South Dakota.

Investments – In general, SDCL 4-5-6 permits City funds to be invested in (a) securities of the United States and securities guaranteed by the United States government either directly or indirectly including, without limitation, United States treasury bills, notes, bonds, and other obligations issued or directly or indirectly guaranteed by the United States government, or otherwise directly or indirectly backed by the full faith and credit of the United States government; provided that, for other than permanent, trust, retirement, building, and depreciation reserve funds, such securities shall either mature within eighteen months from the date of purchase or be redeemable at the option of the holder within eighteen months from the date of purchase; or (b) repurchase agreements fully collateralized by securities described in (a) and meeting the requirements of § 4-5-9, if the repurchase agreements are entered into only with those primary reporting dealers that report to the Federal Reserve Bank of New York and with the one hundred largest United States commercial banks, as measured by domestic deposits; or (c) in shares of an open-end, no-load fund administered by an investment company registered under the Federal Investment Company Act of 1940, whose shares are registered under the Federal Securities Act of 1933 and whose only investments are in securities described in (a) and repurchase agreements described in (b).

Also, SDCL 4-5-9 requires investments to be in the physical custody of the City or deposited with any bank or trust account designated by the City as its fiscal agent.

State law allows income from deposits and investments to be credited to either the General Fund or the fund making the investment. The City's policy is to credit all income from investments to the fund making the investment, except for the Cemetery Perpetual Care Fund income, which is credited to the General Fund as required by SDCL 9-32-18.

The City categorizes its fair value measurements within the fair value hierarchy established by generally accepted accounting principles. The hierarchy is based on the valuation inputs used to measure the fair value of the asset. Level 1 inputs are quoted prices in active markets for identical assets; Level 2 inputs are significant other observable inputs; Level 3 inputs are significant unobservable inputs.

Interest Rate Risk:

The City has no investment policy to minimize interest rate risk, which is the risk that the market value of securities in the portfolio will fall due to changes in market interest rates.

Credit Risk:

State law limits eligible investments for the City, as discussed above. The City has no investment policy that would further limit its investment choices.

NOTES TO FINANCIAL STATEMENTS DECEMBER 31, 2022

(2) Deposits and Investments

Custodial Credit Risk:

The risk that, in the event of a depository failure, the City's deposits may not be returned to it. The City does not have a policy for custodial credit risk. The bank balances at December 31, 2022 are as follows:

	<u>Ba</u>	ank Balance
Insured - FDIC	\$	483,813
Uninsured, collateralized in accordance with SDCL 4-6A-3		1,256,597
Total Deposits	\$	1,740,410

Concentration of Credit Risk:

The City has no investment policy that limits the amount that may be invested in any one issuer. Investments issued or explicitly guaranteed by the U.S Government and investments in mutual funds, external investment pools, and other pooled investments are excluded from this requirement.

(3) Property Taxes

Property taxes attach as an enforceable lien on property as of January 1 of each year. Taxes are levied on or before October 1 and payable in two installments before April 30 and October 31 of the following year. The county bills and collects the taxes and remits them to the City. The City is permitted by several state statutes to levy varying amounts of taxes per \$1,000 of taxable valuation on taxable real property in the City.

(4) Long-Term Debt

A summary of the changes in long-term debt for the year ending December 31, 2022, is as follows:

	_	Balance 2/31/2021	Additions Repayments			_	Balance 2/31/2022	Due Within One Year		
Business-Type Activities:										
2009 Water Project Bond	\$	91,430	\$	-	\$	2,133	\$	89,297	\$	2,174
2010 Drinking Water SRF #1		292,331		-		11,533		280,798		11,795
2013 Drinking Water SRF #2		29,341		-		8,902		20,439		9,013
Total Business-Type Activities		413,102		-		22,568		390,534		22,982
Total Primary Government	\$	413,102	\$	-	\$	22,568	\$	390,534	\$	22,982

Long-term debt at December 31, 2022, is comprised of the following:

Revenue Bonds 2009 Water Project Bond, matures 2048, interest at 3.625 percent, due in monthly installments of \$451. Financed through the Water and Sewer Funds.	\$ 89,297
Series 2010 Drinking Water SRF #1, matures January 2042, interest at 2.25 percent, due in quarterly installments of \$4,503. Financed through the Water Fund.	280,798
Series 2013 Drinking Water SRF #2, matures April 2025, interest at 1.25 percent, due in quarterly installments of \$2,307. Financed through the Sewer Fund.	20,439
Total Long-Term Debt	\$ 390,534

NOTES TO FINANCIAL STATEMENTS DECEMBER 31, 2022

(4) Long-Term Debt

The annual requirements to amortize long-term debt outstanding at December 31, 2022, are as follows:

	Total									
	 Interest	Principal								
2023	\$ 9,671	\$	22,982							
2024	9,211		23,441							
2025	8,763		16,969							
2026	8,391		15,035							
2027	8,017		15,409							
2028-2032	34,128		83,000							
2033-2037	23,211		93,917							
2038-2042	10,865		92,752							
2043-2047	3,240		23,820							
2048	118		3,209							
Total	\$ 115,615	\$	390,534							

Business-type Activities

The City has pledged future revenues of the Water and Sewer Funds for the retirement of debt issues associated with those funds through the maturity dates listed above. All debt secured by pledged revenues funded capital projects and improvements. The current principal balance plus interest at the stated applicable rate over the life of the debt represents the amount of future revenue pledged.

Below is a comparison by fund of principal and interest payments and total pledged revenue for the current year:

	Water Fund	<u> </u>	sewer Fund
Current Year Principal and Interest	\$ 29,946	\$	2,255
Pledged Revenue	182,451		82,703

The City is required to comply with various debt covenants on both SRF Drinking Water and Clean Water debt. At December 31, 2022, the City was in compliance with all covenants.

(5) Retirement Plan – South Dakota Retirement System

All employees, working more than 20 hours per week during the year, participate in the SDRS, a cost sharing, multiple employer defined benefit pension plan administered by SDRS to provide retirement benefits for employees of the State of South Dakota and its political subdivisions. The SDRS provides retirement, disability, and survivors' benefits. The right to receive retirement benefits vests after three years of credited service. Authority for establishing, administering and amending plan provisions are found in SDCL 3-12. The SDRS issues a publicly available financial report that includes financial statements and required supplementary information. That report may be obtained at http://www.sdrs.sd.gov/publications/ or by writing to the SDRS, P.O. Box 1098, Pierre, SD 57501-1098 or by calling (605) 773-3731.

NOTES TO FINANCIAL STATEMENTS DECEMBER 31, 2022

(5) Retirement Plan – South Dakota Retirement System

Benefits Provided:

SDRS has four classes of members: Class A general members, Class B public safety and judicial members, Class C Cement Plant Retirement Fund members, and Class D Department of Labor and Regulation members.

Members that were hired before July 1, 2017, are Foundation members. Class A Foundation members and Class B Foundation members who retire after age 65 with three years of contributory service are entitled to an unreduced annual retirement benefit. An unreduced annual retirement benefit is also available after age 55 for Class A Foundation members where the sum of age and credited service is equal to or greater than 85 or after age 55 for Class B Foundation judicial members where the sum of age and credited service is equal to or greater than 80. Class B Foundation public safety members can retire with an unreduced annual retirement benefit after age 55 with three years of contributory service. An unreduced annual retirement benefit is also available after age 45 for Class B Foundation public safety members where the sum of age and credited service is equal to or greater than 75. All Foundation retirements that do not meet the above criteria may be payable at a reduced level. Class A and B eligible spouses of Foundation members will receive a 60 percent joint survivor benefit when the member dies.

Members that were hired on/after July 1, 2017, are Generational members. Class A Generational members and Class B Generational judicial members who retire after age 67 with three years of contributory service are entitled to an unreduced annual retirement benefit. Class B Generational public safety members can retire with an unreduced annual retirement benefit after age 57 with three years of contributory service. At retirement, married Generational members may elect a single-life benefit, a 60 percent joint and survivor benefit, or a 100 percent joint and survivor benefit. All Generational retirement benefits that do not meet the above criteria may be payable at a reduced level. Generational members will also have a variable retirement account (VRA) established, in which they will receive up to 1.5 percent of compensation funded by part of the employer contribution. VRAs will receive investment earnings based on investment returns.

Legislation enacted in 2017 established the current Cost-of-Living Adjustment (COLA) process. At each valuation date:

- Baseline actuarial accrued liabilities will be calculated assuming the COLA is equal to long-term inflation assumption of 2.25 percent.
- If the fair value of assets is greater or equal to the baseline actuarial accrued liabilities, the COLA will be:
 - The increase in the 3rd quarter CPI-W, no less than 0.5% and no greater than 3.5%.
- If the fair value of assets is less than the baseline actuarial accrued liabilities, the COLA will be:
 - O The increase in the 3rd quarter CPI-W, no less than 0.5% and no greater than a restricted maximum such that, that if the restricted maximum is assumed for future COLAs, the fair value of assets will be greater or equal to the accrued liabilities.

Legislation enacted in 2021 reduced the minimum COLA from 0.5 percent to 0.0 percent.

All benefits except those depending on the Member's Accumulated Contributions are annually increased by COLA.

Contributions:

Per SDCL 3-12, contribution requirements of the active employees and the participating employers are established and may be amended by the SDRS Board. Covered employees are required by state statute to contribute the following percentages of their salary to the plan; Class A Members, 6.0% of salary; Class B Judicial Members, 9.0% of salary; and Class B Public Safety Members, 8.0% of salary. State statute also requires the employer to contribute an amount equal to the employee's contribution. State statute also requires the employer to contribute an amount equal to the employee's contribution. The City's share of contributions to the SDRS for the fiscal years ended December 31, 2022, 2021, and 2020 were \$12,636, \$14,370, and \$12,395, respectively, equal to the required contributions each year.

NOTES TO FINANCIAL STATEMENTS DECEMBER 31, 2022

(5) Retirement Plan – South Dakota Retirement System

Contributions:

Under GAAP, the City is required to record its share of the SDRS net pension asset or liability, related deferred balances and its share of net pension revenue or expense rather than recording the City's required retirement contributions, noted above. As of June 30, 2022, SDRS is 100.1 percent funded and accordingly has a net pension asset. The City's share of the net pension asset at June 30, 2022 was .00882 percent. Based on the modified-cash basis reporting of the City, the City does not record this pension activity.

(6) Risk Management

The City is exposed to various risks of loss related to torts; theft of, damage to, and destruction of assets; errors and omissions; injuries to employees; and natural disasters. During the year ended December 31, 2022, the City managed its risks as follows:

Employee Health Insurance:

The City purchases health insurance for its employees from a commercial insurance carrier. Settled claims resulting from these risks have not exceeded the liability coverage during the past three years.

The City does not carry additional health insurance coverage to pay claims in excess of this upper limit. Settled claims resulting from these risks have not exceeded the liability coverage during the past three years.

Liability Insurance:

The City joined the South Dakota Public Assurance Alliance (SDPAA), a public entity risk pool currently operating as a common risk management and insurance program for South Dakota local government entities. The objective of the SDPAA is to administer and provide risk management services and risk sharing facilities to the members and to defend and protect the members against liability, to advise members on loss control guidelines and procedures, and provide them with risk management services, loss control and risk reduction information and to obtain lower costs for that coverage. The City's responsibility is to promptly report to and cooperate with the SDPAA to resolve any incident which could result in a claim being made by or against the City. The City pays a Members' Annual Operating Contribution, to provide liability coverage detailed below, under an occurrence-made policy and the premiums are accrued based on the ultimate cost of the experience to date of the SDPAA member, based on their exposure or type of coverage. The City pays an annual premium to the pool to provide coverage for general liability, vehicle coverage, wrongful acts, and errors and omissions of public officials.

Effective October 5, 2021, the SDPAA adopted a new policy on member departures. Departing members will no longer be eligible for any partial refund of the calculated portion of their contributions which was previously allowed. The prior policy provided the departing member with such a partial refund because the departing member took sole responsibility for all claims and claims expenses whether reported or unreported at the time of their departure from the SDPAA. With such partial refund being no longer available, the SDPAA will now assume responsibility for all reported claims of a departing member pursuant to the revised IGC.

Based on the modified cash basis reporting of the City, the SDPAA deposit has not been recorded historically and the effects of the new SDPAA policy did not impact the City's financial statements.

The City does not carry additional insurance to cover claims in excess of the upper limit. Settled claims resulting from these risks have not exceeded the liability coverage during the past three years.

NOTES TO FINANCIAL STATEMENTS DECEMBER 31, 2022

(6) Risk Management

Worker's Compensation:

The City joined the South Dakota Municipal League Worker's Compensation Fund (the Fund), a public entity risk pool currently operating as a common risk management and insurance program for South Dakota local government entities. The objective of the Fund is to formulate, develop, and administer, on behalf of the member organizations, a program of worker's compensation coverage, to obtain lower costs for that coverage, and to develop a comprehensive loss control program. The City's responsibility is to initiate and maintain a safety program to give its employees safe and sanitary working conditions and to promptly report to and cooperate with the Fund to resolve any worker's compensation claims. The City pays an annual premium to the Fund to provide worker's compensation coverage for its employees. Coverage limits are set by state statute. The Fund pays the first \$650,000 of any claim per individual. The Fund has reinsurance, which covers up to statutory limits in addition to a separate combined employer liability limit of \$2,000,000 per incident. The City does not carry additional insurance to cover claims in excess of the upper limit. Settled claims resulting from these risks have not exceeded the liability coverage during the past three years.

Unemployment Benefits:

The City has elected to be self-insured and retain all risk for liabilities resulting from claims for unemployment benefits.

During the year ended December 31, 2022, no claims for unemployment benefits were paid. At December 31, 2022, no claims had been filed for unemployment benefits and none are anticipated in the next fiscal year.

OTHER REPORTS



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INDEPENDENT AUDITOR'S 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

Town Commission Town of Newell Newell, South Dakota

We have audited, in accordance with the 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, the modified cash basis financial statements of the governmental activities, the business-type activities, and each major fund of the Town of Newell (the City) as of and for the year ended December 31, 2022, and the related notes to the financial statements, which collectively comprise the City's basic financial statements, and have issued our report thereon dated April 5, 2024.

Report on Internal Control over Financial Reporting

In planning and performing our audit of the financial statements, we considered the City's internal control over financial reporting (internal control) as a basis for designing audit procedures that are appropriate in the circumstances 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 City's internal control. Accordingly, we do not express an opinion on the effectiveness of the City's internal control.

A *deficiency in internal control* 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 and correct, misstatements on a timely basis. A *material weakness* is a deficiency, or a combination of deficiencies, in internal control such that there is a reasonable possibility that a material misstatement of the City's financial statements will not be prevented, or detected and corrected, on a timely basis. A *significant deficiency* is a deficiency, or a combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance.

Our consideration of internal control was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control that might be material weaknesses or significant deficiencies and therefore, material weaknesses or significant deficiencies may exist that were not identified. We identified certain deficiencies in internal control, described in the accompanying Schedule of Findings as #2022-001, #2022-002, and #2022-003, that we consider to be material weaknesses.

Report on Compliance and Other Matters

As part of obtaining reasonable assurance about whether the City's financial statements are free from material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a direct and material effect on the financial statements. 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*.

City's Response to Findings

Government Auditing Standards requires the auditor to perform limited procedures on the City's response to the findings identified in our audit and described in the accompanying Schedule of Findings. The City's response was not subjected to the other auditing procedures applied in the audit of the financial statements and, accordingly, we express no opinion on the response.

Purpose of this Report

The purpose of this report is solely to describe the scope of our testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the City's internal control or on compliance. This report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the City's internal control and compliance. Accordingly, this communication is not suitable for any other purpose. As required by South Dakota Codified Law 4-11-11, this report is a matter of public record and its distribution is not limited.

KETEL THORSTENSON, LLP Certified Public Accountants

April 5, 2024

SCHEDULE OF FINDINGS FOR THE YEAR ENDED DECEMBER 31, 2022

MATERIAL WEAKNESSES

#2022-001 FINDING: Financial Statement Preparation

Condition and Cause: We were requested to draft the modified cash basis financial statements and related footnote disclosures as part of our regular audit services. Auditing standards require auditors to communicate this situation to the City Commission as an internal control deficiency. Ultimately, it is management's responsibility to provide for the preparation of the City's statements and footnotes, and the responsibility of the auditor to determine the fairness and presentation of those statements. From a practical standpoint, we do both for the City at the same time in connection with our audit. This is not unusual for cities of your size.

Criteria and Effect: It is our responsibility to inform the City Commission that this deficiency could result in a material misstatement to the financial statements that would not have been prevented or detected by the City's management.

Repeat Finding from Prior Year: 2021-01

Recommendation: We have instructed management to review a draft of the auditor prepared financials in detail for accuracy; we have answered any questions they might have, and have encouraged research of any accounting guidance in connection with the adequacy and appropriateness of classification and disclosure in the City's financial statements. We are satisfied that the appropriate steps have been taken to provide the City with the completed financial statements. It is the responsibility of management and the City Commission to make the decision whether to accept the degree of risk associated with this condition because of cost or other considerations.

Views of Responsible Officials: See City's Corrective Action Plan.

#2022-002 FINDING: Segregation of Duties

Condition and Cause: The City has a general lack of segregation of duties in the finance office. Specifically:

- The Finance Officer has access to the general ledger, processes disbursements, and has check signing authority.
- The Finance Officer receives payments, posts payments to the general ledger, and can adjust customer accounts.
- Journal entries are posted by the Finance Officer, but are not reviewed.
- There is an overall lack of segregation of duties at the library, fire department, and museum. The respective staff receives and opens mail, makes deposits, and processes disbursements. Activity is not recorded in the City's general ledger throughout the year.

Criteria and Effect: Internal controls should be in place to provide reasonable assurance that all financial transactions are reviewed and approved before payments are made and reports are generated. Controls also need to be in place to ensure all revenue is processed and recorded correctly. Proper segregation of duties and functions assures adequate control over safeguarding of assets and the reliability of financial records and reporting. The effectiveness of the internal control system relies on enforcement by management.

Repeat Finding from Prior Year: No.

SCHEDULE OF FINDINGS FOR THE YEAR ENDED DECEMBER 31, 2022

MATERIAL WEAKNESSES

#2022-002 FINDING: Segregation of Duties

Recommendations:

- We recommend a member of the Town Commission review the bank statements, including cancelled check
 copies, and adjustments to customer accounts, in detail, to mitigate the risk of misappropriated cash
 receipts and disbursements.
- All journal entries should be reviewed by a second individual before posting to the system.
- Library, fire department, and museum internal controls and segregation of duties should be established and monitored, no different than any other department of the City. Where possible, the same individual should not open the mail, make deposits, and process disbursements. Additionally, all transactions should be recorded in the general ledger monthly.

Views of Responsible Officials: See City's Corrective Action Plan.

#2022-003 FINDING: Audit Adjustments

Condition and Cause: During the course of our engagement, we proposed audit adjustments that were approved and recorded.

Criteria and Effect: These adjustments were not identified as a result of the City's existing internal controls.

Repeat Finding from Prior Year: No

Recommendation: We recommend the following:

- Library, fire department, and museum activity should be recorded monthly.
- Net position and fund balance accounts should be established and maintained during the year.
- Activity for the museum memorial should be reported in the General Fund.

Views of Responsible Officials: See City's Corrective Action Plan.

MANAGEMENT RESPONSE



SUMMARY SCHEDULE OF PRIOR YEAR AUDIT FINDINGS FOR THE YEAR ENDED DECEMBER 31, 2022

The City respectfully submits the following summary schedule of prior audit findings from December 31, 2021 Schedule of Findings. The findings are numbered consistently with the numbers assigned in the 2021 Schedule of Findings.

2021-01 FINDING: Preparation of Financial Statement

Status: It is more cost effective for the City to hire Ketel Thorstenson, LLP, a public accounting firm, to prepare the full disclosure financial statements as a part of the annual audit process. The City has designated a member of management to review the draft financial statements and accompanying notes to the financial statements.

Initial Year Report: N/A

Reasons for Recurrence and Corrective Action Plan: As the City has accepted the risk associated with the auditor's preparing of the financial statements; it is repeated in 2022, see Corrective Action Plan.



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TOWN OF NEWELL

CORRECTIVE ACTION PLAN FOR THE YEAR ENDED DECEMBER 31, 2022

The City respectfully submits the following corrective action plan from the December 31, 2022 Schedule of Findings. The findings are numbered consistently with the numbers assigned in the 2022 Schedule of Findings.

Finding 2022-001: Financial Statement Preparation

Responsible Official: Sheila Smith, Finance Officer

Corrective Action Plan: The City has accepted the risk associated with Finding #2022-001 regarding the preparation of the financial statements and will continue to have the independent auditor prepare the annual financial statements.

Anticipated Completion Date: Ongoing

Finding 2022-002: Segregation of Duties

Responsible Official: Sheila Smith, Finance Officer

Corrective Action Plan: The City attempts to maintain proper segregation of duties with the staff who are available. The City will continually monitor internal control and segregate duties to the best of their ability. The City will begin recording all activity in the library, fire department, and museum.

Anticipated Completion Date: Ongoing

Finding 2022-003: Audit Adjustments

Responsible Official: Sheila Smith, Finance Officer

Corrective Action Plan: The City will make every effort to perform year-end adjusting entries prior to the annual audit

Anticipated Completion Date: Ongoing