



Financial Statements
December 31, 2019 and 2018

Community Water Facility Loan Fund

COMMUNITY WATER FACILITY LOAN FUND

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Independent Auditor's Report

The Industrial Commission and
the Legislative Assembly
Community Water Facility Loan Fund
Bismarck, North Dakota

Report on the Financial Statements

We have audited the accompanying financial statements of the Community Water Facility Loan Fund (the Fund), an enterprise fund of the State of North Dakota, as of and for the years ended December 31, 2019 and 2018, and the related notes to the financial statements, which collectively comprise the Fund's basic financial statements as listed in the table of contents.

Management's Responsibility for the Financial Statements

Management is responsible for the preparation and fair presentation of these financial statements in accordance with accounting principles generally accepted in the United States of America; this includes 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 Responsibility

Our responsibility is to express an opinion on these financial statements based on our audits. We conducted our audits 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 audits to obtain reasonable assurance about whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the Fund's preparation and fair presentation of the financial statements 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 Fund's internal control. Accordingly, we express no such opinion. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

Opinion

In our opinion, the financial statements referred to above present fairly, in all material respects, the respective financial position of the Fund, as of December 31, 2019 and 2018, and the respective changes in its financial position and its cash flows thereof for the years then ended in accordance with accounting principles generally accepted in the United States of America.

Emphasis of Matter

As discussed in Note 1, the financial statements of the Fund are intended to present the financial position, the changes in financial position and cash flows of only that portion of the State of North Dakota that is attributable to the transactions of the Fund. They do not purport to, and do not, present fairly the financial position of the State of North Dakota as of December 31, 2019 and 2018, and the changes in its financial position and cash flows for the years then ended in conformity with accounting principles generally accepted in the United States of America. Our opinion is not modified with respect to this matter.

Other Matters

Required Supplementary Information

Accounting principles generally accepted in the United States of America require that the management's discussion and analysis on pages 3 through 6 be presented to supplement the basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board, who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. We have applied certain limited procedures to the required supplementary information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

Other Reporting Required by Government Auditing Standards

In accordance with *Government Auditing Standards*, we have also issued a report dated February 20, 2020 on our consideration of the Fund's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts, 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 Fund'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 Fund's internal control over financial reporting and compliance.



Bismarck, North Dakota
February 20, 2020

**COMMUNITY WATER FACILITY LOAN FUND
MANAGEMENT'S DISCUSSION AND ANALYSIS
DECEMBER 31, 2019, 2018 AND 2017
(Dollars in Thousands)**

The management discussion and analysis of the Community Water Facility Loan Fund's (the Fund) financial performance provides an overview of the Fund's financial activities for the fiscal years ended December 31, 2019, 2018 and 2017. Please read it in conjunction with the financial statements of the Fund.

FINANCIAL HIGHLIGHTS:

The purpose of this revolving Fund is to provide supplementary financing in conjunction with federal monies received directly by the community for construction, enlargement, extension, or other improvement of community water facilities. The water system loan and/or grant program is administered by Rural Utilities Services (RUS), one of the departments of Rural Development, which is an agency of USDA. The loans made by this Fund are subject to a Memorandum of Understanding dated April 25, 2005 between the Bank of North Dakota and RUS.

There were no new loans made by the Fund in 2019 or 2018. There was one new loan for \$1,575 made by the Fund in 2017. The Fund is able to make a loan for up to 50% of the total cost of the project. The current interest rate to be charged based on North Dakota statute is 3%.

There are currently 48 loans outstanding. The gross amount of outstanding loans is \$20,116 with an allowance for loan losses of \$286, for net loans of \$19,830, a decrease of \$1,228 from the prior year.

Cash available for investment in loans at the end of calendar years 2019, 2018 and 2017 was \$15,779, \$14,005 and \$12,628, respectively. There were no loan commitments outstanding as of December 31, 2019.

REQUIRED FINANCIAL STATEMENTS:

The Fund is an enterprise fund and uses the accrual basis of accounting. The basic financial statements include the statement of net position, statement of revenues, expenses, and changes in fund net position, and statement of cash flows. The statement of net position provides readers the assets and deferred outflows of resources and liabilities and deferred inflows of resources of the Fund, with the differences between the two reported as net position. The statement of revenues, expenses, and changes in fund net position identifies the operating performance of the Fund for the calendar year. The statement of cash flows identifies cash flows from operating activities, non-capital financing activities, and investing activities, and provides answers to such questions as where did the cash come from, what was cash used for, and what was the change in the cash balance during the reporting period.

COMMUNITY WATER FACILITY LOAN FUND
MANAGEMENT'S DISCUSSION AND ANALYSIS – CONTINUED
DECEMBER 31, 2019, 2018 AND 2017
(Dollars in Thousands)

CONDENSED STATEMENTS OF NET POSITION
DECEMBER 31, 2019, 2018 AND 2017

	<u>2019</u>	<u>2018</u>	<u>2017</u>
CURRENT ASSETS			
Cash deposits	\$ 15,779	\$ 14,005	\$ 12,628
Loans, current portion	618	744	786
Interest receivable	272	275	281
	<u>16,669</u>	<u>15,024</u>	<u>13,695</u>
NON CURRENT LOANS, NET	<u>19,212</u>	<u>20,314</u>	<u>21,092</u>
	<u>\$ 35,881</u>	<u>\$ 35,338</u>	<u>\$ 34,787</u>
CURRENT LIABILITIES	<u>\$ 25</u>	<u>\$ 27</u>	<u>\$ 28</u>
NET POSITION - UNRESTRICTED	<u>35,856</u>	<u>35,311</u>	<u>34,759</u>
	<u>\$ 35,881</u>	<u>\$ 35,338</u>	<u>\$ 34,787</u>

Cash Deposits

Cash deposits available for lending were \$15,779, \$14,005 and \$12,628 as of December 31, 2019, 2018 and 2017, respectively. Cash deposits increased during 2019, 2018 and 2017 due to loan payments received.

Loans

On an aggregate basis, the net loan portfolio decreased by \$1,228 or 5.8%. There were no new loans made during 2019 or 2018. There was one new loan made during 2017 for \$1,575. There were no delinquent or nonaccrual loans as of December 31, 2019, 2018 and 2017. There were no loan charge-offs during 2019, 2018 and 2017.

Net Position

At December 31, 2019, 2018 and 2017, net position was \$35,856, \$35,311 and \$34,759, respectively. Loans are funded directly from the net position of the Fund. The Fund is directed by the North Dakota Industrial Commission. The Bank of North Dakota supervises and administers the Fund and the loans made by the Fund.

**COMMUNITY WATER FACILITY LOAN FUND
MANAGEMENT'S DISCUSSION AND ANALYSIS – CONTINUED
DECEMBER 31, 2019, 2018 AND 2017
(Dollars in Thousands)**

**CONDENSED STATEMENTS OF REVENUES, EXPENSES AND CHANGES IN FUND NET POSITION
YEARS ENDED DECEMBER 31, 2019, 2018 AND 2017**

	<u>2019</u>	<u>2018</u>	<u>2017</u>
OPERATING REVENUES	\$ 620	\$ 653	\$ 667
OPERATING EXPENSES	<u>109</u>	<u>115</u>	<u>117</u>
OPERATING INCOME	511	538	550
NONOPERATING REVENUES			
Investment income	<u>34</u>	<u>14</u>	<u>6</u>
CHANGE IN NET POSITION	545	552	556
TOTAL NET POSITION, BEGINNING OF YEAR	<u>35,311</u>	<u>34,759</u>	<u>34,203</u>
TOTAL NET POSITION, END OF YEAR	<u>\$ 35,856</u>	<u>\$ 35,311</u>	<u>\$ 34,759</u>

Revenue

Revenue is from interest accrued on loans outstanding. The interest rates earned on these loans range from 2% to 3%.

Expenses

There are only two expenditures incurred by this Fund. Bank of North Dakota is paid an administrative fee of 1/2% of the outstanding loan balances. The other expenditure is to have an independent audit performed of the financial records.

Nonoperating Revenue

Nonoperating revenue represents interest earned on the cash balance.

Changes in Net Position

At December 31, 2019, net position was \$35,856, an increase of 1.5%. At December 31, 2018, net position was \$35,311, an increase of 1.6%. At December 31, 2017, net position was \$34,759, an increase of 1.6%.

**COMMUNITY WATER FACILITY LOAN FUND
MANAGEMENT'S DISCUSSION AND ANALYSIS – CONTINUED
DECEMBER 31, 2019, 2018 AND 2017
(Dollars in Thousands)**

CONTACTING THE FUND'S FINANCIAL MANAGEMENT

This financial report is designed to provide our citizens, customers, and creditors with a general overview of the Fund's finances and to demonstrate the Fund's accountability for the money it receives. If you have any questions about this report or need additional financial information, contact Bank of North Dakota, P.O. Box 5509, Bismarck, North Dakota 58506-5509.

COMMUNITY WATER FACILITY LOAN FUND
STATEMENTS OF NET POSITION
DECEMBER 31, 2019 AND 2018
(Dollars in Thousands)

	<u>2019</u>	<u>2018</u>
ASSETS		
Current Assets		
Cash deposits at the Bank of North Dakota	\$ 15,779	\$ 14,005
Loans, current portion	618	744
Interest receivable	<u>272</u>	<u>275</u>
Total current assets	<u>16,669</u>	<u>15,024</u>
Noncurrent Assets		
Loans, net of allowance for loan losses of \$286 in 2019 and 2018	<u>19,212</u>	<u>20,314</u>
Total assets	<u><u>\$ 35,881</u></u>	<u><u>\$ 35,338</u></u>
LIABILITIES		
Current Liabilities		
Due to the Bank of North Dakota	<u>\$ 25</u>	<u>\$ 27</u>
NET POSITION		
Unrestricted	<u>35,856</u>	<u>35,311</u>
Total liabilities and net position	<u><u>\$ 35,881</u></u>	<u><u>\$ 35,338</u></u>

COMMUNITY WATER FACILITY LOAN FUND
STATEMENTS OF REVENUES, EXPENSES, AND CHANGES IN FUND NET POSITION
YEARS ENDED DECEMBER 31, 2019 AND 2018
(Dollars in Thousands)

	<u>2019</u>	<u>2018</u>
OPERATING REVENUES		
Interest on loans	<u>\$ 620</u>	<u>\$ 653</u>
OPERATING EXPENSES		
Administrative fees	103	109
Audit expenses	<u>6</u>	<u>6</u>
Total operating expenses	<u>109</u>	<u>115</u>
OPERATING INCOME	511	538
NONOPERATING REVENUES		
Interest on deposits	<u>34</u>	<u>14</u>
CHANGE IN NET POSITION	545	552
TOTAL NET POSITION, BEGINNING OF YEAR	<u>35,311</u>	<u>34,759</u>
TOTAL NET POSITION, END OF YEAR	<u><u>\$ 35,856</u></u>	<u><u>\$ 35,311</u></u>

COMMUNITY WATER FACILITY LOAN FUND
STATEMENTS OF CASH FLOWS
YEARS ENDED DECEMBER 31, 2019 AND 2018
(Dollars in Thousands)

	<u>2019</u>	<u>2018</u>
OPERATING ACTIVITIES		
Payment of administrative fees to the Bank of North Dakota	\$ (105)	\$ (110)
Payment of audit expenses	<u>(6)</u>	<u>(6)</u>
NET CASH USED FOR OPERATING ACTIVITIES	<u>(111)</u>	<u>(116)</u>
INVESTING ACTIVITIES		
Deposit interest income received from the Bank of North Dakota	34	14
Loan interest received	623	659
Proceeds from principal collections on loans	<u>1,228</u>	<u>820</u>
NET CASH FROM INVESTING ACTIVITIES	<u>1,885</u>	<u>1,493</u>
NET CHANGE IN CASH	1,774	1,377
CASH, BEGINNING OF YEAR	<u>14,005</u>	<u>12,628</u>
CASH, END OF YEAR	<u>\$ 15,779</u>	<u>\$ 14,005</u>
RECONCILIATION OF OPERATING INCOME TO NET CASH USED FOR OPERATING ACTIVITIES		
Operating income	\$ 511	\$ 538
Adjustments to reconcile operating income to net cash used for operating activities		
Reclassification of loan interest income to other activities	(620)	(653)
Decrease in due to the Bank of North Dakota	<u>(2)</u>	<u>(1)</u>
NET CASH USED FOR OPERATING ACTIVITIES	<u>\$ (111)</u>	<u>\$ (116)</u>

COMMUNITY WATER FACILITY LOAN FUND
NOTES TO FINANCIAL STATEMENTS
DECEMBER 31, 2019 AND 2018
(Dollars in Thousands)

NOTE 1 - SIGNIFICANT ACCOUNTING POLICIES

Nature of Operations

Section 6-09.5 of the North Dakota Century Code (NDCC) established the Community Water Facility Loan Fund (the Fund). The purpose of the Fund is to provide supplementary financing in conjunction with federal monies received directly by the community for the construction, enlargement, extension, or other improvement of community water facilities. The Fund is a revolving fund, and all monies transferred into the Fund, interest earned on the Fund monies, and collections of interest and principal on Fund loans are used for the purpose of the Fund.

The Bank of North Dakota supervises and administers the Fund and the loans made by the Fund. In 2005, the Bank of North Dakota entered into a Memorandum of Understanding with Rural Utilities Services (RUS), one of the departments of Rural Development, which is an agency of USDA. The Memorandum provides guidance for processing combined loans between the Fund and RUS. The Fund has a pro rata lien on loans made under the Memorandum.

All loans made by the Fund are made in combination with loans and/or grants made by RUS. NDCC states that all loans from the Fund shall not exceed 50% of the cost of a community water facility project. Such loans must bear interest at a rate of 3% per annum. Principal and interest payments on a loan may be deferred for up to three years to provide for a community water facility to become self-supporting.

Reporting Entity

In accordance with Governmental Accounting Standards Board (GASB) Statement No. 61, *The Financial Reporting Entity: Omnibus*, the Fund should include all component units over which the Fund exercises such aspects as (1) appointing a voting majority of an organization's governing body and (2) has the ability to impose its will on that organization, or (3) the potential for the organization to provide specific financial benefits to, or impose specific financial burdens on, the Fund.

Based on that criteria, no organizations were determined to be part of the Fund. The Fund is included as part of the primary government in the State of North Dakota's reporting.

Fund Accounting

The Fund is an enterprise fund and uses the accrual basis of accounting. Under the accrual basis of accounting, revenues are recorded when earned and expenses are recorded at the time liabilities are incurred.

Basis of Accounting and Measurement Focus

The accounting and financial reporting treatment applied to a fund is determined by its measurement focus. All enterprise funds are accounted for using the economic resources measurement focus. With this measurement focus, all assets and liabilities associated with the operation of these funds are included on the statement of net position. Net position is segregated into net investment in capital assets, restricted, and unrestricted components. The statements of revenues, expenses and changes in fund net position present increases (e.g., revenues) and decreases (e.g., expenses) in total net position. The statements of cash flows present the cash flows for operating activities, non-capital financing activities, and investing activities.

COMMUNITY WATER FACILITY LOAN FUND
NOTES TO FINANCIAL STATEMENTS
DECEMBER 31, 2019 AND 2018
(Dollars in Thousands)

Use of Estimates

In preparing financial statements in conformity with generally accepted accounting principles in the United States of America, management is required to make estimates and assumptions that affect the reported amounts of assets and liabilities as of the date of the statement of net position and the reported amounts of revenues and expenses during the reporting period. Actual results could differ from those estimates. Material estimates that are particularly susceptible to significant change in the near-term relate to the determination of the allowance for loan losses.

Significant Group Concentrations of Credit Risk

All of the Fund's business is with customers within the State of North Dakota. Concentrations of credit risk are present in the construction and operation of community water facilities.

Cash

The Fund considers all cash and time deposits with original maturities of three months or less to be cash for the purpose of reporting cash flows.

Loans

Loans are stated at their outstanding unpaid principal balance. Interest income on loans is accrued at a specific rate of 2%-3% on the unpaid principal balance.

The accrual of interest on loans is discontinued when, in management's opinion, the borrower may be unable to meet payments as they become due. When interest accrual is discontinued, all unpaid accrued interest is reversed. Interest income is subsequently recognized only to the extent cash payments are received.

Allowance for Loan Losses

The Fund uses the allowance method in providing for loan losses. Accordingly, the allowance is increased by the current year's provision for loan losses charged to operations and reduced by net charge-offs.

The adequacy of the allowance for loan losses and the provisions for loan losses charged to operations are based on management's evaluation of a number of factors, including recent loan loss experience, continuous evaluation of the loan portfolio quality, current and anticipated economic conditions, and other pertinent factors. Loans are charged to the allowance when management believes the collection of the principal is doubtful.

Credit Related Financial Instruments

In the ordinary course of business, the Fund has entered into commitments to extend credit. Such financial instruments are recorded when they are funded.

Operating and Non-Operating Revenues

Operating revenues consist of interest income on the loans. All other revenues are classified as non-operating.

COMMUNITY WATER FACILITY LOAN FUND
NOTES TO FINANCIAL STATEMENTS
DECEMBER 31, 2019 AND 2018
(Dollars in Thousands)

NOTE 2 - DEPOSITS

The carrying value and bank balance of the Fund’s cash deposits at December 31, 2019 and 2018 was \$15,779 and \$14,005, respectively. Of the bank amounts, none were covered by depository insurance and all are uncollateralized. These monies are deposited in the Bank of North Dakota and are guaranteed by the State of North Dakota (NDCC Section 6-09-10).

Custodial and Concentration of Credit Risk

Custodial credit risk for deposits is the risk that, in the event of the failure of a depository financial institution, the Fund will not be able to recover deposits or will not be able to recover collateral securities that are in the possession of an outside party. The Fund does not have a formal policy that limits custodial credit risk for deposits. None of the Fund’s deposits are covered by depository insurance. The Fund’s deposits are uncollateralized and all of the deposits are deposited in the Bank of North Dakota and are guaranteed by the State of North Dakota (NDCC Section 6-09-10).

NOTE 3 - LOANS

A description of Fund loans is included under “Nature of Operations” in Note 1. A summary of the balances of loans follows:

	<u>2019</u>	<u>2018</u>
Loans, current portion	\$ 618	\$ 744
Loans, noncurrent portion	<u>19,498</u>	<u>20,600</u>
Total loans	20,116	21,344
Allowance for loan losses	<u>(286)</u>	<u>(286)</u>
Total loans, net	<u>\$ 19,830</u>	<u>\$ 21,058</u>

Changes in the balances of loans follows:

	<u>Amount</u>
Balance, December 31, 2017	\$ 22,164
Principal collections	<u>(820)</u>
Balance, December 31, 2018	21,344
Principal collections	<u>(1,228)</u>
Balance, December 31, 2019	<u>\$ 20,116</u>

COMMUNITY WATER FACILITY LOAN FUND
NOTES TO FINANCIAL STATEMENTS
DECEMBER 31, 2019 AND 2018
(Dollars in Thousands)

Changes in allowance for loan losses are as follows:

	<u>2019</u>	<u>2018</u>
Balance, beginning of year	\$ 286	\$ 286
Provision for loan losses	<u>-</u>	<u>-</u>
Balance, end of year	<u>\$ 286</u>	<u>\$ 286</u>

There were no impaired loans as of December 31, 2019 and 2018. There were no loans on nonaccrual status and no loans 90 days or more past due as of December 31, 2019 and 2018.

NOTE 4 - RELATED PARTY TRANSACTIONS

The Fund is supervised and administered by the Bank of North Dakota. All cash accounts are deposited in the Bank of North Dakota.

The annual administrative fees charged by the Bank are equivalent to one-half percent of the outstanding loans. Administrative fee expense charged by the Bank totaled \$103 and \$109 for the years ended December 31, 2019 and 2018, respectively. The Fund owed the Bank \$25 and \$27 as of December 31, 2019 and 2018, respectively.

NOTE 5 - LOAN COMMITMENTS

The Fund is a party to credit related financial instruments with off-balance-sheet risk in the normal course of business to meet the financing needs of its customers. These financial instruments include commitments to extend credit. Such commitments involve, to varying degrees, elements of credit risk in excess of the amount recognized in the statements of net position.

The Fund's exposure to credit loss is represented by the contractual amount of these commitments. The Fund follows the same credit policies in making commitments as it does for on-balance-sheet instruments. There were no outstanding commitments for 2019 or 2018.

Commitments to extend credit are agreements to lend to a customer as long as there is no violation of any condition established in the contract. Commitments generally have fixed expiration dates or other termination clauses. Since some of the commitments may expire without being drawn upon, the total commitment amounts do not necessarily represent future cash requirements.

COMMUNITY WATER FACILITY LOAN FUND
NOTES TO FINANCIAL STATEMENTS
DECEMBER 31, 2019 AND 2018
(Dollars in Thousands)

NOTE 6 - RISK MANAGEMENT

The Fund is exposed to various risks of loss related to torts and errors and omissions. The Fund is administered by the Bank of North Dakota and, therefore, is eligible to the same funds/pools established by the State for risk management issues. These include:

The 1995 Legislative Session established the Risk Management Fund (RMF), an internal service fund, to provide a self-insurance vehicle for funding the liability exposures of State Agencies resulting from the elimination of the State's sovereign immunity. The RMF manages the tort liability of the State, its agencies' employees, and the University System. All State agencies participating in the RMF and their fund contribution was determined using a projected cost allocation approach. The statutory liability of the State is limited to a total of \$250 per person and \$1,000 per occurrence.

The State Bonding Fund currently provides the Fund with blanket employee fidelity bond coverage in the amount of \$2,000. The State Bonding Fund does not currently charge any premium for this coverage.

There have been no significant reductions in insurance coverage from the prior year and settled claims resulting from these risks have not exceeded insurance coverage.



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*

The Industrial Commission and
the Legislative Assembly
Community Water Facility Loan Fund
Bismarck, North Dakota

We have audited 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, the financial statements of the Community Water Facility Loan Fund (the Fund), an enterprise fund of the State of North Dakota, as of and for the year ended December 31, 2019, and the related notes to the financial statements, which collectively comprise the Fund’s basic financial statements and have issued our report thereon dated February 20, 2020.

Internal Control over Financial Reporting

In planning and performing our audit of the financial statements, we considered the Fund’s internal control over financial reporting (internal control) to determine the audit procedures that are appropriate in the circumstances for the purpose of expressing our opinion on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the Fund’s internal control. Accordingly, we do not express an opinion on the effectiveness of the Fund’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 entity’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 over financial reporting was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control over financial reporting that might be material weaknesses or significant deficiencies. Given these limitations, during our audit we did not identify any deficiencies in internal control over financial reporting that we consider to be material weaknesses. However, material weaknesses may exist that have not yet been identified.

Compliance and Other Matters

As part of obtaining reasonable assurance about whether the Fund'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 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*.

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 Fund'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 entity's internal control and compliance. Accordingly, this communication is not suitable for any other purpose.

The image shows a handwritten signature in black ink that reads "Eide Bailly LLP". The signature is written in a cursive, professional style.

Bismarck, North Dakota
February 20, 2020



**Community Water Facility Loan Fund
Auditor's Specific Comments Requested by the North Dakota Legislative Audit and
Fiscal Review Committee
Year Ended December 31, 2019**

The Industrial Commission and
the Legislative Assembly
Community Water Facility Loan Fund
Bismarck, North Dakota

The Legislative Audit and Fiscal Review Committee requires that certain items be addressed by independent certified public accountants performing audits of state agencies. The items and our responses are as follows:

1. What type of opinion was issued on the financial statements?

Unmodified

2. Was there compliance with statutes, laws, rules, and regulations under which the agency was created and is functioning?

Yes

3. Was internal control adequate and functioning effectively?

Yes

4. Were there any indications of lack of efficiency in financial operations and management of the agency?

No

5. Has action been taken on findings and recommendations included in prior year audit reports?

There were no prior year findings or recommendations.

6. Was a management letter issued? If so, provide a summary below, including any recommendations and the management response.

No

Audit Committee Communications:

1. Identify any significant changes in accounting policies, any management conflicts of interest, any contingent liabilities, or any significant unusual transactions.

None

2. Identify any significant accounting estimates and the process used by management to determine those estimates.

Management's estimate of the allowance for loan losses is based on management's evaluation of a number of factors, including recent loan loss experience, continuous evaluation of the loan portfolio quality, current and anticipated economic conditions, and other pertinent factors. We evaluated key factors and assumptions used to develop the allowance for loan losses in determining that it is reasonable in relation to the financial statements taken as a whole.

3. Identify any significant audit adjustments.

None

4. Identify any disagreements with management, whether or not resolved to the auditor's satisfaction, relating to financial accounting, reporting, or auditing matter that could be significant to the financial statements.

None

5. Identify any significant difficulties encountered in performing the audit.

None

6. Identify any major issues discussed with management prior to retention.

None

7. Identify any management consultations with other accountants about auditing and accounting matters.

None

8. Identify any high-risk information technology systems critical to operations based on the auditor's overall assessment of the importance of the system to the agency and its mission or whether any exceptions identified in the six audit report questions addressed above are directly related to the operations of an information technology system.

Based on the audit procedures performed, the Fund's critical information technology system is the Fiserv system. There were no exceptions identified that were directly related to this application.

This report is intended solely for the information and use of the Governor of North Dakota and the Legislative Assembly, Legislative Audit and Fiscal Review Committee, Bank of North Dakota Advisory Board and management, and is not intended to be, and should not be, used by anyone other than these specified parties.

Eide Bailly LLP

Bismarck, North Dakota
February 20, 2020



February 20, 2020

The Industrial Commission and
the Legislative Assembly
Community Water Facility Loan Fund
Bismarck, North Dakota

We have audited the financial statements of the Community Water Facility Loan Fund (the Fund) as of and for the year ended December 31, 2019, and have issued our report thereon dated February 20, 2020. Professional standards require that we advise you of the following matters relating to our audit.

Our Responsibility in Relation to the Financial Statement Audit under Generally Accepted Auditing Standards and *Government Auditing Standards*

As communicated in our engagement letter dated January 6, 2020, our responsibility, as described by professional standards, is to form and express an opinion about whether the financial statements that have been prepared by management with your oversight are presented fairly, in all material respects, in accordance with accounting principles generally accepted in the United States of America. Our audit of the financial statements does not relieve you or management of its respective responsibilities.

Our responsibility, as prescribed by professional standards, is to plan and perform our audit to obtain reasonable, rather than absolute, assurance about whether the financial statements are free of material misstatement. An audit of financial statements includes consideration of internal control over financial reporting as a basis for designing audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control over financial reporting. Accordingly, as part of our audit, we considered the internal control of the Fund solely for the purpose of determining our audit procedures and not to provide any assurance concerning such internal control.

We are also responsible for communicating significant matters related to the audit that are, in our professional judgment, relevant to your responsibilities in overseeing the financial reporting process. However, we are not required to design procedures for the purpose of identifying other matters to communicate to you.

Planned Scope and Timing of the Audit

We conducted our audit consistent with the planned scope and timing we previously communicated to you.

Compliance with All Ethics Requirements Regarding Independence

The engagement team, others in our firm, as appropriate, our firm, and other firms utilized in the engagement, if applicable, have complied with all relevant ethical requirements regarding independence.

Qualitative Aspects of the Entity's Significant Accounting Practices

Significant Accounting Policies

Management has the responsibility to select and use appropriate accounting policies. A summary of the significant accounting policies adopted by the Fund is included in Note 1 to the financial statements. There have been no initial selection of accounting policies and no changes in significant accounting policies or their application during 2019. No matters have come to our attention that would require us, under professional standards, to inform you about (1) the methods used to account for significant unusual transactions and (2) the effect of significant accounting policies in controversial or emerging areas for which there is a lack of authoritative guidance or consensus.

Significant Accounting Estimates

Accounting estimates are an integral part of the financial statements prepared by management and are based on management's current judgments. Those judgments are normally based on knowledge and experience about past and current events and assumptions about future events. Certain accounting estimates are particularly sensitive because of their significance to the financial statements and because of the possibility that future events affecting them may differ markedly from management's current judgments.

The most sensitive accounting estimate affecting the financial statements is:

Management's estimate of the allowance for loan losses is based on management's evaluation of a number of factors, including recent loan loss experience, continuous evaluation of the loan portfolio quality, current and anticipated economic conditions, and other pertinent factors. We evaluated the key factors and assumptions used to develop the allowance for loan losses and determined that it is reasonable in relation to the basic financial statements taken as a whole.

Financial Statement Disclosures

Certain financial statement disclosures involve significant judgment and are particularly sensitive because of their significance to financial statement users. There are no sensitive disclosures affecting the Fund's financial statements.

Significant Difficulties Encountered during the Audit

We encountered no significant difficulties in dealing with management relating to the performance of the audit.

Uncorrected and Corrected Misstatements

For purposes of this communication, professional standards require us to accumulate all known and likely misstatements identified during the audit, other than those that we believe are trivial, and communicate them to the appropriate level of management. Further, professional standards require us to also communicate the effect of uncorrected misstatements related to prior periods on the relevant classes of transactions, account balances or disclosures, and the financial statements as a whole. There were no corrected or uncorrected misstatements identified as a result of audit procedures.

Disagreements with Management

For purposes of this letter, professional standards define a disagreement with management as a matter, whether or not resolved to our satisfaction, concerning a financial accounting, reporting, or auditing matter, which could be significant to the financial statements or the auditor's report. No such disagreements arose during the course of the audit.

Representations Requested from Management

We have requested certain written representations from management, which are included in the management representation letter dated February 20, 2020.

Management's Consultations with Other Accountants

In some cases, management may decide to consult with other accountants about auditing and accounting matters. Management informed us that, and to our knowledge, there were no consultations with other accountants regarding auditing and accounting matters.

Other Significant Matters, Findings, or Issues

In the normal course of our professional association with the Fund, we generally discuss a variety of matters, including the application of accounting principles and auditing standards, operating and regulatory conditions affecting the entity, and operating plans and strategies that may affect the risks of material misstatement. None of the matters discussed resulted in a condition to our retention as the Fund's auditors.

Modification of the Auditor's Report

We have made the following modification to our auditor's report to add an Emphasis of Matter paragraph.

As discussed in Note 1, the financial statements of the Fund are intended to present the financial position, the changes in financial position and cash flows of only that portion of the State of North Dakota that is attributable to the transactions of the Fund. They do not purport to, and do not, present fairly the financial position of the State of North Dakota as of December 31, 2019 and 2018, and the changes in its financial position and cash flows for the years then ended in conformity with accounting principles generally accepted in the United States of America. Our opinion is not modified with respect to this matter.

This report is intended solely for the information and use of the Governor of North Dakota and the Legislative Assembly, Legislative Audit and Fiscal Review Committee, Bank of North Dakota Advisory Board and management of the Fund, and is not intended to be and should not be used by anyone other than these specified parties.

Eide Bailly LLP

Bismarck, North Dakota