



OFFICE OF AUDITOR OF STATE
STATE OF IOWA

Rob Sand
Auditor of State

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NEWS RELEASE

Contact: Pam Bormann
515/281-5834

FOR RELEASE

March 5, 2025

Auditor of State Rob Sand today released an agreed-upon procedures report on the City of Nashua, Iowa, for the period July 1, 2023 through June 30, 2024. The agreed-upon procedures engagement was performed pursuant to Chapter 11.6 of the Code of Iowa.

Sand reported seven findings related to the receipt and disbursement of taxpayer funds. They are found on pages 9 through 11 of this report. The findings address issues such as a lack of segregation of duties, disbursements exceeding budgeted amounts and the lack of reporting for unclaimed property. Sand provided the City with recommendations to address each of the findings.

Five of the findings discussed above are repeated from the prior year. The City Council has a fiduciary responsibility to provide oversight of the City's operations and financial transactions. Oversight is typically defined as the "watchful and responsible care" a governing body exercises in its fiduciary capacity.

A copy of the agreed-upon procedures report is available for review on the Auditor of State's website at [Audit Reports – Auditor of State](#).

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CITY OF NASHUA

**AUDITOR OF STATE'S INDEPENDENT REPORT
ON APPLYING AGREED-UPON PROCEDURES**

**FOR THE PERIOD
JULY 1, 2023 THROUGH JUNE 30, 2024**

City of Nashua



OFFICE OF AUDITOR OF STATE
STATE OF IOWA

State Capitol Building
Des Moines, Iowa 50319-0006
Telephone (515) 281-5834

Rob Sand
Auditor of State

February 12, 2025

Officials of the City of Nashua
Nashua, Iowa

Dear Honorable Mayor and Members of the City Council:

I am pleased to submit to you the agreed-upon procedures report for the City of Nashua, Iowa, for the period July 1, 2023 through June 30, 2024. The agreed-upon procedures engagement was performed pursuant to Chapter 11.6 of the Code of Iowa and in accordance with attestation standards established by the American Institute of Certified Public Accountants and the standards for attestation engagements contained in Government Auditing Standards.

I appreciate the cooperation and courtesy extended by the officials and employees of the City of Nashua throughout the agreed-upon procedures engagement. If I or this office can be of any further assistance, please contact me or my staff at 515-281-5834.

Sincerely,

A handwritten signature in black ink that reads "Rob Sand". The signature is stylized and cursive.

Rob Sand
Auditor of State

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City of Nashua

Officials

(Before January 2024)

<u>Name</u>	<u>Title</u>	<u>Term Expires</u>
Alex Anthofer	Mayor	(Resigned Nov 2023)
Hal Kelleher III (Appointed Dec 2023)	Mayor	Nov 2025
Jacob Johnson (Appointed Mar 2023)	Council Member	Nov 2023
Tim Malven (Appointed Jan 2022)	Council Member	Nov 2023
Hal Kelleher III	Council Member	(Resigned Dec 2023)
Samantha Johnson	Council Member	Jan 2024
Ernest Wilshire	Council Member	Jan 2026
John Ott	City Clerk/Treasurer	Indefinite
David Skilton	Attorney	Indefinite

(After January 2024)

<u>Name</u>	<u>Title</u>	<u>Term Expires</u>
Hal Kelleher III (appointed Dec 2023)	Mayor	Nov 2025
Peggy Hall (appointed Feb 2024)	Council Member	Nov 2025
Ernest Wilshire	Council Member	Jan 2026
Jacob Johnson	Council Member	Jan 2028
Samantha Johnson	Council Member	Jan 2028
Daniel Zwansiger	Council Member	Jan 2028
John Ott	City Clerk/Treasurer	Indefinite
David Skilton	Attorney	Indefinite

City of Nashua



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Rob Sand
Auditor of State

Auditor of State's Independent Report on Applying Agreed-Upon Procedures

To the Honorable Mayor and Members of the City Council:

We performed the procedures below, which were established at Iowa Code Chapter 11.6, to provide oversight of Iowa cities. Accordingly, we have applied certain procedures to selected accounting records and related information of the City of Nashua for the period July 1, 2023 through June 30, 2024, including procedures related to the City's compliance with certain Code of Iowa requirements identified below. The City of Nashua's management, which agreed to the performance of the procedures performed, is responsible for compliance with these requirements and for the City's records.

This agreed-upon procedures engagement was conducted in accordance with attestation standards established by the American Institute of Certified Public Accountants and the standards for attestation engagements contained in Government Auditing Standards, issued by the Comptroller General of the United States. The City of Nashua's management has agreed to and acknowledged that the procedures performed are appropriate to meet the intended purpose to report, in accordance with Chapter 11.6 of the Code of Iowa, recommendations pertaining to selected accounting records and related information of the City including the City's compliance with certain Code of Iowa requirements. This report may not be suitable for any other purpose. The procedures performed may not address all the items of interest to a user of this report and may not meet the needs of all users of this report and, as such, users are responsible for determining whether the procedures performed are appropriate for their purposes.

The procedures we performed are summarized as follows:

1. We observed selected City Council meeting minutes for compliance with Chapters 21, 372.13(6) and 380 of the Code of Iowa.
2. We obtained an understanding of the City's internal controls to determine if proper control procedures were in place and incompatible duties, from a control standpoint, were not performed by the same employee.
3. We observed surety bond coverage for compliance with Chapter 64 of the Code of Iowa.
4. We obtained and observed the City Clerk's financial reports and selected bank reconciliations to determine whether the bank balances properly reconciled to the general ledger account balances, journal entries and monthly financial reports provided to the City Council.
5. We scanned City funds for consistency with the City Finance Committee's recommended Uniform Chart of Accounts (COA) and to determine required funds and fund balances were properly maintained and accurately accounted for.
6. We observed the City's fiscal year 2024 Annual Financial Report to determine whether it was completed timely and accurately reflected the City's financial information.
7. We scanned investments to determine compliance with Chapter 12B of the Code of Iowa.
8. We observed depository resolutions, the City's investment policy and reporting of unclaimed property to the State of Iowa to determine compliance with Chapters 12C.2, 12B.10B and 556.1(12) of the Code of Iowa.

9. We scanned debt, including general obligation and revenue bonds/notes, and related transactions for proper authorization and compliance with Chapters 75, 384 and 403.9 of the Code of Iowa and to determine whether the debt and related proceeds and repayments were properly accounted for.
10. We scanned selected tax increment financing (TIF) transactions, including receipts, disbursements and transfers, for compliance and accurate accounting, including compliance with the TIF reporting requirements of Chapter 384.22 of the Code of Iowa.
11. We observed the City's TIF debt certification forms filed with the County Auditor, including requests for collection of reduced TIF amounts and to decertify certain TIF obligations, as applicable, for proper support and compliance with Chapter 403.19(6) of the Code of Iowa.
12. We traced selected receipts for accurate accounting and consistency with the recommended COA.
13. We traced voter approved levies to proper authorization in accordance with Chapter 384.12 of the Code of Iowa.
14. We traced selected disbursements to proper approval, adequate supporting documentation, accurate accounting and consistency with the recommended COA and compliance with the public purpose criteria established by Article III, Section 31 of the Constitution of the State of Iowa.
15. We traced transfers between funds to proper authorization and accurate accounting and to determine whether transfers were proper.
16. We traced selected payroll and related transactions to proper authorization and accurate accounting and determined whether payroll was proper.
17. We observed the annual certified budget for proper authorization, certification and timely amendment.

Based on the performance of the procedures described above, we identified various findings and recommendations for the City. Our findings and recommendations are described in the Detailed Findings and Recommendations section of this report. Unless reported in the Detailed Findings and Recommendations, no exceptions were noted during the performance of the specific procedures listed above.

We were engaged by the City of Nashua's management to perform this agreed-upon procedures engagement and conducted our engagement in accordance with attestation standards established by the American Institute of Certified Public Accountants and the standards for attestation engagements contained in Government Auditing Standards, issued by the Comptroller General of the United States. We were not engaged to and did not conduct an examination or review engagement, the objective of which would be the expression of an opinion or conclusion, respectively, on specific accounting records and related information of the City, including compliance with specific Code of Iowa requirements. Accordingly, we do not express such an opinion or conclusion. Had we performed additional procedures, other matters might have come to our attention that would have been reported to you.

We are required to be independent of the City of Nashua and to meet our other ethical responsibilities, in accordance with the relevant ethical requirements related to our agreed-upon procedures engagement.

The purpose of this report is to report, in accordance with Chapter 11.6 of the Code of Iowa, certain agreed-upon procedures and the resulting findings and recommendations pertaining to selected accounting records and related information of the City, including the City's compliance with certain Code of Iowa requirements. This report is not suitable for any other purpose.

We would like to acknowledge the many courtesies and assistance extended to us by personnel of the City of Nashua during the course of our agreed-upon procedures engagement. Should you have any questions concerning any of the above matters, we shall be pleased to discuss them with you at your convenience.

A handwritten signature in black ink that reads "Pam Bormann". The signature is written in a cursive style with a large, stylized initial "P".

Pam Bormann, CPA
Deputy Auditor of State

February 12, 2025

Detailed Findings and Recommendations

City of Nashua

Detailed Findings and Recommendations

For the period July 1, 2023 through June 30, 2024

(A) Segregation of Duties – Management is responsible for establishing and maintaining internal control. A good system of internal control provides for adequate segregation of duties so no one individual handles a transaction from its inception to completion. In order to maintain proper internal control, duties should be segregated so the authorization, custody and recording of transactions are not under the control of the same employee. This segregation of duties helps prevent losses from employee error or dishonesty and maximizes the accuracy of the City's financial statements. Generally, one individual has control over each of the following areas for the City:

- (1) Accounting system – performing all general accounting functions, including journal entries and having custody of City assets.
- (2) Cash – reconciling bank accounts and initiating and recording cash receipt and disbursement transactions.
- (3) Investments – investing, recordkeeping, custody and reconciling earnings.
- (4) Long-term debt – recordkeeping, compliance and debt payment processing.
- (5) Receipts – opening mail, collecting, depositing, recording, reconciling and posting.
- (6) Utility receipts – billing, collecting, depositing, posting and reconciling.
- (7) Disbursements – purchasing, invoice processing, check writing, mailing, recording and reconciling.
- (8) Payroll – recordkeeping, preparing and distributing.
- (9) Computer system – performing all general accounting functions and controlling all data input and output.

For the Water Over the Dam Committee, one individual has control over each of the following areas:

- (1) Cash and investments – handling and recording cash and investing.
- (2) Receipts – collecting, depositing, posting and reconciling.
- (3) Disbursements – posting, reconciling and check writing.

For the Welcome Center, one individual has access to cash and records sales transactions.

Recommendation – We realize segregation of duties is difficult with a limited number of employees. However, the City, the Water Over the Dam Committee and the Welcome Center should review their control procedures to obtain the maximum internal control possible under the circumstances utilizing currently available staff, including elected officials. Independent reviews of reconciliations should be documented by the signature or initials of the reviewer and the date of the review.

City of Nashua

Detailed Findings and Recommendations

For the period July 1, 2023 through June 30, 2024

- (B) Reconciliation of Utility Billings, Collections and Delinquent Accounts – Utility billings, collection and delinquent accounts were reconciled throughout the year. However, there was no evidence the reconciliation was reviewed by an independent person.

Recommendation – The City Council or other independent person designated by the City Council should review the reconciliations and monitor delinquent accounts. The review should be documented by the signature or initials of the reviewer and the date of the review.

- (C) Certified Budget – Disbursements during the year ended June 30, 2024 exceeded the amount budgeted in the community and economic development function. In addition, disbursements exceeded the amount budgeted prior to the budget amendment in the capital projects function. Chapter 384.20 of the Code of Iowa states, in part, “Public monies may not be expended or encumbered except under an annual or continuing appropriation.”

Recommendation – The budget should have been amended in accordance with Chapter 384.18 of the Code of Iowa before disbursements were allowed to exceed the budget.

- (D) Unclaimed Property – Chapter 556.11 of the Code of Iowa requires the City to report and remit outstanding obligations, including checks, trusts and bonds held for more than two years, to the Office of Treasurer of State annually. At June 30, 2024, there were twenty-seven outstanding checks which have been outstanding for over two years.

Recommendation – Outstanding obligations should be reviewed annually and items over two years should be remitted to the Office of Treasurer of State, as required.

- (E) Bank Reconciliations – Although monthly bank reconciliations were prepared for the City’s accounts and were reviewed by an independent person, the review is not considered sufficient as the reviewer does not scan bank statements and canceled checks or the outstanding transaction register for unusual items. In addition, reconciling items were not traced to supporting documentation.

We also noted the outstanding transaction register for June 2024 included seven transactions totaling \$18,506 in pending deposits which were dated prior to June 2024. Due to the nature of deposits recorded as reconciling items, these items usually are deposited early in the following month.

Recommendation – The City Council or other independent person designated by the City Council should review the reconciliations in detail. The review should include scanning of bank statements and canceled checks and the outstanding transaction register for unusual items. In addition, reconciling items should be traced to supporting documentation. The review should be documented by the signature or initials of the reviewer and the date of the review.

The City should work with their software provider to resolve the outdated pending deposits.

City of Nashua

Detailed Findings and Recommendations

For the period July 1, 2023 through June 30, 2024

- (F) Interfund Transfers – Section 545-2 of the City Finance Committee Rules requires “A fund transfer resolution must be completed for all transfers between funds and must include a clear statement of reason or purpose for the transfer, the name of the fund from which the transfer is originating, the name of the fund into which the transfer is to be received, and the dollar amount to be transferred.” Three transfers made during the year ended June 30, 2024, exceeded the amounts approved by resolution. In addition, the resolution approving budgeted transfers did not include a clear statement of reason or purpose for each transfer, as required.

Recommendation – The City should ensure all interfund transfers are made by resolution, the amounts approved in the resolution agree with the amounts transferred and the resolutions include all the information required by Section 545-2 of the City Finance Committee Rules.

- (G) Venmo – The City’s Water Over the Dam Committee uses a Venmo account to receive donations and collect payments for various events. Use of Venmo presents significant risks as it allows users to change the bank account assigned to the device at any time, through the Venmo app. The use of the Venmo account was not properly approved by the City Council and no formal policies exist.

Recommendation – The City should implement a policy and written procedures for usage of these types of electronic payment systems. A reconciliation of Venmo’s daily activity to the deposit detail and accounting records should be performed. In addition, someone independent from the collection process should be reviewing the Venmo transactions and the reconciliations. This review should be documented by the signature or initials of the independent reviewer and the date of the review.

City of Nashua

Staff

This engagement was performed by:

Pamela J. Bormann, CPA, Deputy
Lesley R. Geary, CPA, Manager
Jared A. Marshall, Staff Auditor
Therese A. Berning, Staff Auditor