

**Lower Brushy Creek  
Water Control and  
Improvement District**

**Financial Statements  
and Supplemental Information  
as of and for the Year Ended  
September 30, 2022 and  
Independent Auditors' Report**

# Lower Brushy Creek Water Control and Improvement District

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**Annual Filing Affidavit**

The State of Texas

County of Williamson

I, Edmond Komandosky  
(Name of Duly Authorized District Representative)

of the Lower Brushy Creek Water Control and Improvement District

hereby swear, or affirm, that the District named above has reviewed and approved at a meeting of the Board of Directors of the District on the 16<sup>th</sup> day of January, 2023, its annual audit report for the fiscal year ended September 30, 2022, and that copies of the annual audit report have been filed in the District's office, located at 601 Quail Valley Drive, Suite 112, Georgetown, Texas, 78626.

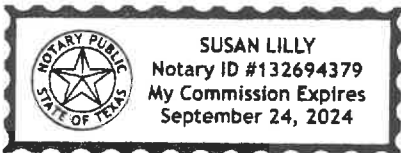
The annual filing affidavit and the attached copy of the annual audit report are being submitted to the Texas Commission on Environmental Quality in satisfaction of all annual filing requirements within Section 49.194 of the Texas Water Code and to the Texas Comptroller of Public Accounts in satisfaction of the annual filing requirements of Section 140.008 of the Texas Local Government Code.

Date: January 16, 2023.

By: Edmond S. Komandosky  
(Signature of District Representative)

Edmond S. Komandosky, Board President  
(Typed Name and Title of District Representative)

Sworn to and subscribed to before me this 16<sup>th</sup> day of January, 2023.



(SEAL)

Susan Lilly  
(Signature of Notary)

Susan Lilly  
(Printed Name of Notary)

My Commission Expires On: 9-24-24  
Notary Public in and for the State of Texas.



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## **Independent Auditors' Report**

To the Board of Directors of  
Lower Brushy Creek Water Control and Improvement District:

### **Report on the Audit of the Financial Statements**

#### **Opinions**

We have audited the financial statements of the governmental activities and the General Fund of Lower Brushy Creek Water Control and Improvement District (the "District"), as of and for the year ended September 30, 2022, and the related notes to the financial statements, which collectively comprise the District's basic financial statements as listed in the table of contents.

In our opinion, the accompanying financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities and the General Fund of the District as of September 30, 2022, and the respective changes in financial position and the respective budgetary comparison for the General Fund for the year then ended in accordance with accounting principles generally accepted in the United States of America.

#### **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 Auditors' Responsibilities for the Audit of the Financial Statements section of our report. We are required to be independent of the District, and to meet our other ethical responsibilities, in accordance with the relevant ethical requirements relating to our audit. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinions.

Affiliated Company

ML&R WEALTH MANAGEMENT LLC

*"A Registered Investment Advisor"*

*This firm is not a CPA firm*

## **Responsibilities of Management for the Financial Statements**

Management is responsible for the preparation and fair presentation of the financial statements in accordance with accounting principles generally accepted in the United States of America, and 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.

In preparing the financial statements, management is required to evaluate whether there are conditions or events, considered in the aggregate, that raise substantial doubt about the District's ability to continue as a going concern for twelve months beyond the financial statement date, including any currently known information that may raise substantial doubt shortly thereafter.

## **Auditors' 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 auditors' report that includes our opinions. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore 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 fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control. Misstatements 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 audit 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 District'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 District'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 internal control-related matters that we identified during the audit.

### **Required Supplementary Information**

Accounting principles generally accepted in the United States of America require that the management's discussion and analysis be presented to supplement the basic financial statements. Such information is the responsibility of management and, 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.

### **Supplementary Information**

Our audit was conducted for the purpose of forming opinions on the financial statements that collectively comprise the District's basic financial statements. The supplemental information required by the Texas Commission on Environmental Quality (the "TCEQ") listed in the table of contents and the schedule of expenditures of state awards, as required by the State of Texas Uniform Grant Management Standards, which includes the State of Texas Single Audit Circular, are presented for purposes of additional analysis and are not a required part of the basic financial statements. Such information is the responsibility of management and was derived from and relates directly to the underlying accounting and other records used to prepare the basic financial statements. The information has been subjected to the auditing procedures applied in the audit of the basic financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the basic financial statements or to the basic financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, the supplemental information required by the TCEQ listed in the table of contents and the schedule of expenditures of state awards are fairly stated, in all material respects, in relation to the basic financial statements as a whole.

## **Other Reporting Required by *Government Auditing Standards***

In accordance with *Government Auditing Standards*, we have also issued our report dated January 16, 2023 on our consideration of the District'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 District'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 District's internal control over financial reporting and compliance.

*Maxwell Locke + Ritter LLP*

Austin, Texas  
January 16, 2023

# Lower Brushy Creek Water Control and Improvement District

## Management's Discussion & Analysis For the Year Ended September 30, 2022

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In accordance with Governmental Accounting Standards Board ("GASB") Statement No. 34, the management of Lower Brushy Creek Water Control and Improvement District (the "District") offers the following narrative on the financial performance of the District for the year ended September 30, 2022. Please read it in connection with the District's financial statements that follow.

For purposes of GASB Statement No. 34, the District is considered a special purpose government. This allows the District to present the required fund and government-wide statements in a single schedule. The requirement for fund financial statements that are prepared on the modified accrual basis of accounting is met with the "General Fund" column. An adjustment column includes those entries needed to convert to the full accrual basis government-wide statements. Government-wide statements are comprised of the Statement of Net Position and the Statement of Activities.

### Financial Highlights

- The assets of the District at September 30, 2022 were \$12,147,655, and exceeded liabilities by \$12,098,937.
- Total net position increased \$3,552,405 for the year ended September 30, 2022.
- The General Fund had fund balance of \$616,851 at September 30, 2022, an increase of \$200,336 from the prior year.

### Overview of the Basic Financial Statements

The District's reporting is comprised of two parts:

- *Management's Discussion and Analysis* (this section)
- *Basic Financial Statements*
  - *Statement of Net Position and Governmental Fund Balance Sheet*
  - *Statement of Activities and Governmental Fund Revenues, Expenditures, and Changes in Fund Balance*
  - *Statement of Revenues, Expenditures, and Changes in Fund Balance - Budget and Actual - General Fund*
  - *Notes to Basic Financial Statements*

Other supplementary information is also included.

The *Basic Financial Statements* are designed to provide readers with an overview of the District's finances, in a manner similar to the private sector business.



The *Statement of Net Position and Governmental Fund Balance Sheet* presents information on all the District’s assets, deferred outflows of resources, liabilities, and deferred inflows of resources with the difference reported as net position. The statement of net position can be found on page 11 of the report and includes a column (titled “General Fund”) that represents a balance sheet prepared using the modified accrual basis of accounting. The adjustments column converts those balances to a balance sheet that more closely reflects a private-sector business. Over time, increases or decreases in the District’s net position will indicate financial health.

The *Statement of Activities and Governmental Fund Revenues, Expenditures, and Changes in Fund Balance* represents information showing how the District’s net position changed during the most recent fiscal year which and a column (titled “General Fund”) that derives the change in fund balance resulting from current year revenues, expenditures, and other financing sources or uses. These amounts are prepared using the modified accrual basis of accounting. The adjustments column converts those activities to full accrual, a basis that more closely represents the income statement of a private-sector business. All changes in net position are reported as soon as the underlying event giving rise to the change occurs, regardless of the timing of related cash flows. Thus, revenues and expenses are reported in this statement for some items that will only result in cash flows in future fiscal periods and some expenses are resulting from cash flows from prior periods. The increase or decrease in net position may serve as an indicator of the effect of the District’s current year operations on its financial position. The *Statement of Activities and Governmental Fund Revenues, Expenditures, and Changes in Fund Balance* can be found on page 12 of this report.

The *Statement of Revenues, Expenditures, and Changes in Fund Balance - Budget and Actual - General Fund* presents a comparison statement between the District’s adopted budget to its actual results.

The *Notes to Basic Financial Statements* provide additional information that is essential to a full understanding of the information presented in the *Statement of Net Position and Governmental Fund Balance Sheet* and the *Statement of Activities and Governmental Fund Revenues, Expenditures, and Changes in Fund Balance*.

Other supplementary information schedules required by the Texas Commission on Environmental Quality are presented immediately following the *Notes to Basic Financial Statements*.

### Statement of Net Position

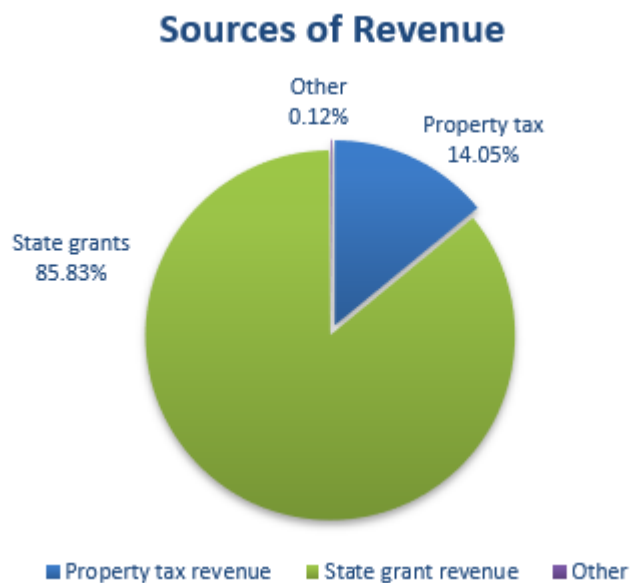
	Governmental Activities		
	2022	2021	% Change
Current assets	\$ 682,360	\$ 1,031,918	(34%)
Capital assets	11,465,305	8,124,078	41%
Total assets	\$ 12,147,665	\$ 9,155,996	33%
Current liabilities	\$ 48,728	\$ 609,464	(92%)
Total liabilities	48,728	609,464	(92%)
Net investment in capital assets	11,465,305	8,124,078	41%
Unrestricted	633,632	422,454	50%
Total net position	\$ 12,098,937	\$ 8,546,532	42%

The District's total assets were \$12,147,665 as of September 30, 2022. Of this amount, \$11,465,305 was accounted for by capital assets. The District had outstanding liabilities of \$48,728 as of September 30, 2022, which represent current liabilities.

The District's primary source of revenue are property taxes and state grant revenues. The Statement of Activities for the years ended September 30, 2022 and 2021 are summarized as follows:

	Governmental Activities		
	2022	2021	% Change
<b>Revenues:</b>			
Property taxes	\$ 585,502	\$ 487,613	20%
Federal grant revenue	-	323,437	(100%)
State grant revenue	3,575,927	1,919,482	86%
Other	4,833	190	2,444%
<b>Total revenues</b>	<b>4,166,262</b>	<b>2,730,722</b>	<b>53%</b>
<b>Expenses:</b>			
Operating expenses	439,805	454,323	(3%)
Depreciation	174,052	119,951	45%
<b>Total expenses</b>	<b>613,857</b>	<b>574,274</b>	<b>7%</b>
<b>Change in net position</b>	<b>3,552,405</b>	<b>2,156,448</b>	<b>65%</b>
<b>Beginning net position</b>	<b>8,546,532</b>	<b>6,390,084</b>	<b>34%</b>
<b>Ending net position</b>	<b>\$ 12,098,937</b>	<b>\$ 8,546,532</b>	<b>42%</b>

Operating revenues were \$4,166,262 for the fiscal year ended September 30, 2022, of which property taxes provided \$585,502 and state grants provided \$3,575,927. Total expenses were \$613,857 for the fiscal year ended September 30, 2022. Net position increased \$3,552,405 primarily due to an increase in state grant revenue during the fiscal year.



## Financial Analysis of Governmental Fund

	2022	2021
Cash	\$ 1,829	\$ 70,811
Temporary investments	642,292	422,799
Due from other governments	21,458	532,369
Taxes receivable	16,781	5,939
Total assets	\$ 682,360	\$ 1,031,918
Total liabilities	\$ 48,728	\$ 609,464
Total deferred inflows of resources	\$ 16,781	\$ 5,939
Unassigned fund balance	616,851	416,515
Total fund balance	616,851	416,515
Total liabilities, deferred inflows of resources, and fund balance	\$ 682,360	\$ 1,031,918

The *General Fund* pays for daily operating expenditures. At September 30, 2022, the District's governmental fund reported a fund balance of \$616,851, which is an increase of \$200,336 from the prior year. When comparing actual to budget, actual revenues were less than budgeted by \$460,190 due to total grant revenue being less than expected. Actual expenditures were lower than budgeted by \$742,816 primarily due to capital outlay costs associated with state grants being less than expected. More detailed information about the District's budgetary comparison is presented in the *Basic Financial Statements*.

### Capital Assets Activity

At September 30, 2022 and 2021, the District had the following capital assets in operation:

	2022	2021
Earthen dams	\$ 14,252,642	\$ 9,121,278
Construction in progress	-	1,616,085
Subtotal	14,252,642	10,737,363
Accumulated depreciation	(2,787,337)	(2,613,285)
Total	\$ 11,465,305	\$ 8,124,078

More detailed information about the District's capital assets is presented in the *Notes to Basic Financial Statements*.

### Currently Known Facts, Decisions, or Conditions

The adopted budget for 2023 projects an increase in the fund balance of the General Fund of \$4,441. When compared to the 2022 budget, revenues are expected to decrease by approximately 76% in fiscal year 2023. Expenditures are expected to decrease by approximately 77% in 2023 when compared to the 2022 budget.

## **Requests for Information**

This financial report is designed to provide a general overview of the District's finances and to demonstrate the District's accountability for the funds it receives. Questions concerning any of the information provided in this report or requests for additional financial information should be addressed to the District at P.O. Box 467, Georgetown, Texas 78627.

# Lower Brushy Creek Water Control and Improvement District

## Statement of Net Position and Governmental Fund Balance Sheet September 30, 2022

	General Fund	Adjustments (Note 2)	Statement of Net Position
<b>Assets:</b>			
Cash	\$ 1,829	\$ -	\$ 1,829
Temporary investments	642,292	-	642,292
Due from other governments	21,458	-	21,458
Taxes receivable	16,781	-	16,781
Capital assets (net of accumulated depreciation)- Earthen dams	-	11,465,305	11,465,305
Total assets	<u>\$ 682,360</u>	11,465,305	12,147,665
<b>Liabilities-</b>			
Current liabilities-			
Accounts payable	48,728	-	48,728
Total liabilities	48,728	-	48,728
<b>Deferred Inflows of Resources-</b>			
Deferred revenue - property taxes	16,781	(16,781)	-
Total deferred inflows of resources	16,781	(16,781)	-
<b>Fund Balance/Net Position:</b>			
Fund balance-			
Unassigned	616,851	(616,851)	-
Total fund balance	616,851	(616,851)	-
Total liabilities, deferred inflows of resources and fund balance	<u>\$ 682,360</u>		
Net position:			
Net investment in capital assets		11,465,305	11,465,305
Unrestricted		633,632	633,632
Total net position		<u>\$ 12,098,937</u>	<u>\$ 12,098,937</u>

The notes to the financial statements are an integral part of this statement.

## Lower Brushy Creek Water Control and Improvement District

### Statement of Activities and Governmental Fund Revenues, Expenditures, and Changes in Fund Balance Year Ended September 30, 2022

	General Fund	Adjustments (Note 2)	Statement of Activities
Revenues:			
Property taxes	\$ 574,660	\$ 10,842	\$ 585,502
State grant revenue	3,575,927	-	3,575,927
Other	4,833	-	4,833
Total revenues	4,155,420	10,842	4,166,262
Expenditures/expenses:			
Current:			
Maintenance and repairs	120,696	-	120,696
Professional fees	35,430	-	35,430
General manager	72,000	-	72,000
Engineering fees	167,727	-	167,727
Administrative	10,048	-	10,048
Tax collection	3,066	-	3,066
Directors' fees	6,000	-	6,000
Insurance	1,331	-	1,331
Other	23,507	-	23,507
Capital outlay	3,515,279	(3,515,279)	-
Depreciation	-	174,052	174,052
Total expenditures/expenses	3,955,084	(3,341,227)	613,857
Excess of revenues over expenditures	200,336	(200,336)	-
Change in net position	-	3,552,405	3,552,405
Fund balance/net position:			
Beginning of year	416,515	8,130,017	8,546,532
End of year	\$ 616,851	\$ 11,482,086	\$ 12,098,937

The notes to the financial statements are an integral part of this statement.

## Lower Brushy Creek Water Control and Improvement District

### Statement of Revenues, Expenditures, and Changes in Fund Balance - Budget and Actual - General Fund Year Ended September 30, 2022

	Original Budget	Final Budget	Actual	Variance
<b>Revenues:</b>				
Property taxes	\$ 570,000	\$ 570,000	\$ 574,660	\$ 4,660
State grant revenue	4,250,810	4,045,010	3,575,927	(469,083)
Other	600	600	4,833	4,233
Total revenues	4,821,410	4,615,610	4,155,420	(460,190)
<b>Expenditures:</b>				
<b>Current:</b>				
Maintenance and repairs	370,000	250,000	120,696	129,304
Professional fees	50,300	50,300	35,430	14,870
General manager	72,000	72,000	72,000	-
Engineering fees	215,000	215,000	167,727	47,273
Administrative	50,000	50,000	10,048	39,952
Tax collection	9,200	9,200	3,066	6,134
Directors' fees	7,500	7,500	6,000	1,500
Insurance	2,000	2,000	1,331	669
Other	37,900	37,900	23,507	14,393
Capital outlay	4,004,000	4,004,000	3,515,279	488,721
Total expenditures	4,817,900	4,697,900	3,955,084	742,816
Excess (deficiency) of revenues over (under) expenditures	3,510	(82,290)	200,336	282,626
<b>Fund balance:</b>				
Beginning of year	416,515	416,515	416,515	-
End of year	\$ 420,025	\$ 334,225	\$ 616,851	\$ 282,626

The notes to the financial statements are an integral part of this statement.

# Lower Brushy Creek Water Control and Improvement District

## Notes to Basic Financial Statements Year Ended September 30, 2022

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### 1. Summary of Significant Accounting Policies

Brushy Creek Water Control and Improvement District No. 1 of Williamson and Milam Counties was created November 1, 1956 by the State Board of Engineers (predecessor to the Texas Water Rights Commission) and operated pursuant to Chapters 49 and 51 of the Texas Water Code. In a November 2001 election, the voters of the district approved a proposal to split the district into two entities: Brushy Creek Water Control and Improvement District No. 1A of Williamson and Milam Counties and Brushy Creek Water Control and Improvement District No. 1B of Williamson and Milam Counties. The assets of the former district were allocated among the new entities. The Board of Directors of Brushy Creek Water Control and Improvement District No. 1B of Williamson and Milam Counties held its first meeting on February 4, 2002. On September 7, 2010, the Texas Commission on Environmental Quality approved a request by Brushy Creek Water Control and Improvement District No. 1B of Williamson and Milam Counties to change its name to Lower Brushy Creek Water Control and Improvement District (the “District”).

The reporting entity of the District encompasses those activities and functions over which the District’s elected officials exercise significant oversight or control. The District is governed by a five member Board of Directors (the “Board”) which has been elected by District residents or appointed by the Board. The District is not included in any other governmental “reporting entity” as defined by the Governmental Accounting Standards Board (“GASB”), since Board members are elected by the public and have decision making authority, the power to designate management, the responsibility to significantly influence operations, and primary accountability for fiscal matters. In addition, there are no component units which are included in the District’s reporting entity.

#### Government-Wide and Fund Financial Statements

For purposes of GASB Statement No. 34, the District is considered a special purpose government. This allows the District to present the required fund and government-wide statements in a single schedule. The requirement for fund financial statements that are prepared on the modified accrual basis of accounting is met with the “General Fund” column. An adjustment column includes those entries needed to convert to the full accrual basis government-wide statements. Government-wide statements are comprised of the statement of net position and the statement of activities.

The statement of activities demonstrates the degree to which the expenses are offset by program revenues. Program revenues include charges to customers or applicants who purchase, use, or directly benefit from goods, services, or privileges provided by the District. Taxes and other items not properly included among program revenues are reported instead as general revenues.



## **Measurement Focus, Basis of Accounting, and Financial Statement Presentation**

The government-wide financial statements are reported using the economic resources measurement focus and the accrual basis of accounting. Revenues are recorded when earned and expenses are recorded when a liability is incurred, regardless of the timing of related cash flows. Property taxes are recognized as revenues in the year for which they are levied. Grants are recognized as revenue as soon as all eligibility requirements imposed by the provider have been met. Amounts reported as program revenues include charges to customers or applicants for goods, services, or privileges provided. Internally dedicated resources are reported as general revenues rather than as program revenues. Likewise, general revenues include all taxes.

Governmental fund financial statements are reported using the current financial resources measurement focus and the modified accrual basis of accounting. Revenues are recognized as soon as they are both measurable and available. Revenues are considered to be available when they are collectible within the current period or soon enough thereafter to pay liabilities of the current period. For this purpose, the District considers revenues to be available if they are collected within sixty days of the end of the current fiscal period. Expenditures generally are recorded when a liability is incurred, as under accrual accounting.

Major revenue sources considered susceptible to accrual includes interest income. No accrual for property taxes collected within sixty days of year end has been made as such amounts are deemed immaterial; delinquent property taxes at year end are reported as deferred inflows of resources.

The District reports the following major governmental fund -

The General Fund includes financial resources used for general operations. It is a budgeted fund, and any unassigned fund balance is considered resources available for current operations.

## **Budgets and Budgetary Accounting**

Formal budgetary integration is employed as a management control device for the General Fund. The budget is proposed by the District's General Manager for the fiscal year commencing the following October 1, and is adopted on a basis consistent with generally accepted accounting principles.

## **Assets, Deferred Outflows of Resources, Liabilities, Deferred Inflows of Resources, and Net Position or Equity**

Investments - Investments throughout the year consisted of investments in an external local government investment pool. The external local government investment pool is recognized at amortized cost as permitted by GASB Statement No. 79, *Certain External Investment Pools and Pool Participants*. The District is entitled to invest any and all of its funds in obligations of, or guaranteed by, the United States of America or its agencies, certificates of deposit, and certain public fund investment pools. The District's investment policies and types of investments are governed by Section 2256 of the Government Code ("Public Funds Investment Act"). The District's management believes that it complied with the requirements of the Public Funds Investment Act and the District's investment policies. The District accrues interest on temporary investments based on the terms and effective interest rates of the specific investments.

Capital Assets - Capital assets, which include earthen dams, are reported in the governmental activities columns in the government-wide financial statements. Capital assets are defined by the District as assets with an initial, individual cost of at least \$5,000. Such assets are recorded at historical cost if purchased or estimated acquisition value at the date of donation if donated. The costs of normal maintenance and repairs that do not add to the value of the assets or materially extend assets' lives are not capitalized. Capital assets are depreciated using the straight line method over the following estimated useful lives: earthen dams - fifty years.

Ad Valorem Property Taxes - Property taxes, penalties, and interest are reported as revenue in the fiscal year in which they become available to finance expenditures of the District. Allowances for uncollectibles within the General Fund are based upon historical experience in collecting property taxes. Uncollectible personal property taxes are periodically reviewed and written off, but the District is prohibited from writing off real property taxes without specific statutory authority from the Texas Legislature.

Fund Balance - The District complies with GASB Statement No. 54, *Fund Balance Reporting and Governmental Fund Type Definitions*, which establishes fund balance classifications that comprise a hierarchy based primarily on the extent to which a government is bound to observe constraints imposed upon the use of the resources reported in the governmental fund. See Note 9 for additional information on those fund balance classifications.

Deferred Outflows and Inflows of Resources - The District complies with GASB Statement No. 63, *Financial Reporting of Deferred Outflows of Resources, Deferred Inflows of Resources, and Net Position*, which provides guidance for reporting the financial statement elements of deferred outflows of resources, which represent the consumption of the District's net position that is applicable to a future reporting period, and deferred inflows of resources, which represent the District's acquisition of net position applicable to a future reporting period.

The District complies with GASB Statement No. 65, *Items Previously Reported as Assets and Liabilities*, which establishes accounting and financial reporting standards that reclassify, as deferred outflows of resources or deferred inflows of resources, certain items that were previously reported as assets and liabilities and recognizes, as outflows of resources or inflows of resources, certain items that were previously reported as assets and liabilities.

Fair Value Measurements - The District complies with GASB Statement No. 72, *Fair Value Measurement and Application*, which defines fair value as the price that would be received to sell an asset or paid to transfer a liability in an orderly transaction. Fair value accounting requires characterization of the inputs used to measure fair value into a three-level fair value hierarchy as follows:

- Level 1 inputs are based on unadjusted quoted market prices for identical assets or liabilities in an active market the entity has the ability to access.
- Level 2 inputs are observable inputs that reflect the assumptions market participants would use in pricing the asset or liability developed based on market data obtained from sources independent from the entity.
- Level 3 inputs are unobservable inputs that reflect the entity's own assumptions about the assumptions market participants would use in pricing the asset or liability developed based on the best information available.

There are three general valuation techniques that may be used to measure fair value:

- Market approach - uses prices generated by market transactions involving identical or comparable assets or liabilities
- Cost approach - uses the amount that currently would be required to replace the service capacity of an asset (replacement cost)
- Income approach - uses valuation techniques to convert future amounts to present amounts based on current market expectations

Use of Estimates - The preparation of financial statements, in conformity with generally accepted accounting principles, requires management to make estimates and assumptions that affect the reported amount of assets and liabilities, disclosure of contingent assets and liabilities at the date of the financial statements, and the reported amounts of revenues and expenditures during the reporting period. Actual results could differ from those estimates.

### **Change in Accounting Principle for Recently Adopted Accounting Pronouncement**

In June 2017, the GASB issued GASB Statement No. 87, *Leases*, effective for fiscal years beginning after June 15, 2021. The objective of GASB Statement No. 87 is to improve accounting and financial reporting for leases by governments by requiring recognition of certain lease assets and liabilities that previously were classified as operating leases and recognized as inflows of resources or outflows of resources based on the payment provisions of the contract. GASB Statement No. 87 establishes a single model for lease accounting based on the foundational principle that leases are financings of the right to use an underlying asset. Under GASB Statement No. 87, a lessee is required to recognize a lease liability and an intangible right-to-use asset, and a lessor is required to recognize a lease receivable and deferred inflow of resources. These changes had no impact on the District's financial statements for the year ended September 30, 2022.

### **Recently Issued Accounting Pronouncement**

In May 2020, the GASB issued GASB Statement No. 96, *Subscription-Based Information Technology Arrangements*, effective for fiscal years beginning after June 15, 2022. The objective of GASB Statement No. 96 is to improve accounting and financial reporting by establishing a definition for a subscription-based information technology arrangement ("SBITA") and providing uniform guidance for accounting and financial reporting for transactions that meet that definition. GASB Statement No. 96 will require a government to report a right-to-use subscription asset as an intangible asset and a corresponding subscription liability for a SBITA, and also require certain disclosures about the SBITA. GASB Statement No. 96 also provides capitalization criteria for outlays other than subscription payments, including implementation costs of a SBITA. Management is evaluating the effects that the full implementation of GASB Statement No. 96 will have on its financial statements for the year ended September 30, 2023.

## 2. Reconciliation of Government-Wide and Fund Financial Statements

Amounts reported for governmental activities in the statement of net position are different because:

Governmental fund total fund balance	\$ 616,851
Capital assets used in governmental activities are not current financial resources and are therefore not reported in the governmental fund balance sheet	11,465,305
Deferred tax revenue is not available to pay for current-period expenditures and, therefore, is deferred in the governmental fund balance sheet	<u>16,781</u>
Total net position	<u><u>\$ 12,098,937</u></u>

Amounts reported for governmental activities in the statement of activities are different because:

Excess of revenues over expenditures	\$ 200,336
Governmental funds report capital outlays as expenditures. However, in the statement of activities, the cost of those assets is allocated over their estimated useful lives as depreciation expense:	
Capital outlay	3,515,279
Depreciation expense	(174,052)
Revenues in the statement of activities that do not provide current financial resources are not reported as revenues in the funds.	
Change in deferred tax revenue	<u>10,842</u>
Change in net position	<u><u>\$ 3,552,405</u></u>

## 3. Cash and Temporary Investments

The District's deposits are required to be secured in the manner provided by law for the security of the funds. At September 30, 2022, such deposits were not entirely covered by Federal Deposit Insurance Corporation insurance or secured by collateral pledged by the depository and were exposed to custodial credit risk.

The Public Funds Investment Act authorizes the District to invest in funds under a written investment policy. The District's deposits and investments are invested pursuant to the investment policy, which is approved annually by the Board. The primary objectives of the District's investment strategy, in order of priority, are safety, liquidity, and yield.

The District is entitled to invest in obligations of the United States, the State of Texas and their agencies, or any state, county, city and any other political subdivisions of any state rated by a nationally recognized investment rating firm with a rating not less than A or its equivalent, certificates of deposit of state or national banks or savings and loan associations within the State, prime domestic bankers' acceptances, commercial paper with a stated maturity of 270 days or less from the date of its issuance, fully collateralized repurchase agreements, no-load money market mutual funds regulated by the United States Securities and Exchange Commission, and eligible public funds investment pools.

At September 30, 2022, the District had investments in an external local governmental investment pool, Texas Local Governmental Investment Pool ("TexPool"), totaling \$642,292. The funds invested in TexPool have a weighted average maturity of one day and a Standard & Poor's rating of AAAM.

Although TexPool is not registered with the SEC as an investment company, it operates in a manner consistent with the SEC's Rule 2a-7 of the Investment Company Act of 1940. These investments are stated at amortized cost in accordance with GASB Statement No. 31, *Accounting and Financial Reporting for Certain Investments and for External Investment Pools*.

TexPool is overseen by the Texas State Comptroller of Public Accounts, who is the sole officer, director, and shareholder of the Texas Treasury Safekeeping Trust Company which is authorized to operate TexPool. TexPool also has an advisory board to advise on TexPool's investment policy. This board is made up equally of participants and nonparticipants who do not have a business relationship with TexPool. Federated Investors manages daily operations of TexPool under a contract with the Comptroller and is the investment manager for the pool. TexPool's investment policy stipulates that it must invest in accordance with the Public Funds Investment Act.

In accordance with GASB Statement No. 79, the external local government investment pool does not have any limitations and restrictions on withdrawals such as notice periods or maximum transaction amounts. This pool does not impose any liquidity fees or redemption gates.

**Credit Risk** - At September 30, 2022, investments were included in an external local governmental investment pool with a rating from Standard & Poor's in compliance with the District's investment policy.

**Custodial Credit Risk** - Deposits are exposed to custodial credit risk if they are not covered by depository insurance and the deposits are uncollateralized, collateralized with securities held by the pledging financial institution, or collateralized with securities held by the pledging financial institution's trust department or agent but not in the District's name. Investment securities are exposed to custodial credit risk if the securities are uninsured, are not registered in the name of the District, and are held by either the counterparty or the counterparty's trust department or agent but not in the District's name.

**Interest Rate Risk** - The District considers the holdings in the external local governmental investment pool to have a one day weighted average maturity due to the fact that the share position can usually be redeemed each day at the discretion of the shareholders, unless there has been a significant change in value. At September 30, 2022, the District was not exposed to significant interest rate risk.

#### 4. Property Taxes

The Texas Water Code authorizes the District to levy a tax each October 1 on the assessed value listed as of the prior January 1 for all real and business personal property located within its boundaries. Assessed values are established annually by the Williamson Central Appraisal District. District property tax revenues are recognized when levied to the extent that they are collected in the current year. The uncollected balance is reported as deferred revenue. Taxes receivable are due January 1 and are delinquent if received after January 31 and are subject to penalty and interest charges.

In September 2021, the District levied a tax rate of \$0.019139 per \$100 of assessed valuation to finance the operating expenditures of the District. The total 2021 tax levy was \$575,650 based on a taxable valuation of \$2,998,986,220.

#### 5. Due from Other Governments

The District participates in federal and state programs from which it receives grants to partially or fully fund rehabilitation, maintenance and repair of earthen dams. These amounts are reported in the basic financial statements as Due from Other Governments and are summarized below at September 30, 2022.

State grants	<u>\$ 21,458</u>
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#### 6. Capital Assets

Capital assets activity for the year ended September 30, 2022 was as follows:

	Balance September 30, 2021	Additions	Deletions/ Transfers	Balance September 30, 2022
Capital assets, not being depreciated-				
Construction in progress	\$ 1,616,085	3,515,279	(5,131,364)	-
Total capital assets, not being depreciated	<u>1,616,085</u>	<u>3,515,279</u>	<u>(5,131,364)</u>	<u>-</u>
Capital assets, being depreciated-				
Earthen dams	9,121,278	-	5,131,364	14,252,642
Total capital assets, being depreciated	<u>9,121,278</u>	<u>-</u>	<u>5,131,364</u>	<u>14,252,642</u>
Less accumulated depreciation for-				
Earthen dams	(2,613,285)	(174,052)	-	(2,787,337)
Total accumulated depreciation	<u>(2,613,285)</u>	<u>(174,052)</u>	<u>-</u>	<u>(2,787,337)</u>
Total capital assets, being depreciated, net	<u>6,507,993</u>	<u>(174,052)</u>	<u>5,131,364</u>	<u>11,465,305</u>
Capital assets, net	<u>\$ 8,124,078</u>	<u>3,341,227</u>	<u>-</u>	<u>11,465,305</u>

## 7. Risk Management

The District is exposed to various risks of losses related to torts; theft of, damage to, and destruction of assets; errors and omissions; and natural disasters. The District has obtained coverage from commercial insurance companies and the Texas Municipal League Intergovernmental Risk Pool (“TML Pool”) to effectively manage its risk. All risk management activities are accounted for in the General Fund. Expenditures and claims are recognized when it is probable that a loss has occurred and the amount of the loss can be reasonably estimated. In determining claims, events that might create claims, but for which none have been reported, are considered.

The TML Pool was established by various political subdivisions in Texas to provide self-insurance for its members and to obtain lower costs for insurance. TML Pool members pay annual contributions to obtain the insurance. Annual contribution rates are determined by the TML Pool board. Rates are estimated to include all claims expected to occur during the policy including claims incurred but not reported. The TML Pool has established claims reserves for each of the types of insurance offered. Although the TML Pool is a self-insured risk pool, members are not contingently liable for claims filed above the amount of the fixed annual contributions. If losses incurred are significantly higher than actuarially estimated, the TML Pool adjusts the contribution rate for subsequent years. Members may receive returns of contributions if actual results are more favorable than estimated.

## 8. Commitments and Contingencies

The District participates in federal and state financial assistance programs and these programs are subject to financial and compliance audits. The amounts, if any, of expenditures which may be disallowed by the granting agencies cannot be determined at this time, although the District expects such amounts, if any, to be immaterial.

## 9. Fund Balances

The District complies with GASB Statement No. 54, *Fund Balance Reporting and Governmental Fund Type Definitions*, which establishes fund balance classifications that comprise a hierarchy based primarily on the extent to which a government is bound to observe constraints imposed upon the use of the resources reported in the governmental funds. Those fund balance classifications are described below.

Nonspendable - Amounts that cannot be spent because they are either not in a spendable form or are legally or contractually required to be maintained intact.

Restricted - Amounts that can be spent only for specific purposes because of constraints imposed by external providers, or imposed by constitutional provisions or enabling legislation.

Committed - Amounts that can only be used for specific purposes pursuant to approval by formal action by the Board.

Assigned - For the General Fund, amounts that are appropriated by the Board that are to be used for specific purposes. For all other governmental funds, any remaining positive amounts not previously classified as nonspendable, restricted or committed.

Unassigned - Amounts that are available for any purpose; these amounts can be reported only in the District's General Fund.

The detail of the fund balance is included in the Governmental Fund Balance Sheet on page 11.

Fund balance of the District may be committed for a specific purpose by formal action of the Board, the District's highest level of decision-making authority. Commitments may be established, modified, or rescinded only through a resolution approved by the Board. The Board may also assign fund balance for a specific purpose.

In circumstances where an expenditure is to be made for a purpose for which amounts are available in multiple fund balance classifications, the order in which resources will be expended is as follows: restricted fund balance, committed fund balance, assigned fund balance, and lastly, unassigned fund balance.



# Lower Brushy Creek Water Control and Improvement District

## Index of Supplemental Schedules Required by the Texas Commission on Environmental Quality Year Ended September 30, 2022

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Schedule Included		
Yes	No	
<u>X</u>	<u>        </u>	TSI-0 Notes Required by the Water District Accounting Manual
<u>        </u>	<u>X</u>	TSI-1 Schedule of Services and Rates
<u>X</u>	<u>        </u>	TSI-2 Schedule of General Fund Expenditures
<u>X</u>	<u>        </u>	TSI-3 Schedule of Temporary Investments
<u>X</u>	<u>        </u>	TSI-4 Analysis of Taxes Levied and Receivable
<u>        </u>	<u>X</u>	TSI-5 Long-Term Debt Service Requirements by Years
<u>        </u>	<u>X</u>	TSI-6 Analysis of Changes in Long-Term Bonded Debt
<u>X</u>	<u>        </u>	TSI-7 Comparative Schedule of Revenues and Expenditures - General Fund - Five Years Ended September 30, 2022
<u>X</u>	<u>        </u>	TSI-8 Board Members, Key Personnel and Consultants

# Lower Brushy Creek Water Control and Improvement District

## TSI-0 Notes Required by the Water District Accounting Manual Year Ended September 30, 2022

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The notes which follow are not necessarily required for fair presentation of the audited basic financial statements of the District which are contained in the preceding section of this report. They are presented in conformity with requirements of the Texas Commission on Environmental Quality to assure disclosure of specifically required facts.

(A) Creation of District

See Note 1 to basic financial statements.

(B) Contingent Liabilities

See Note 8 to basic financial statements.

(C) Pension Coverage

Not applicable.

(D) Pledge of Revenues

Not applicable.

(E) Compliance with Debt Service Requirements

Not applicable.

(F) Redemption of Bonds

Not applicable.

# Lower Brushy Creek Water Control and Improvement District

## TSI-2 Schedule of General Fund Expenditures Year Ended September 30, 2022

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Personnel Expenditures (including benefits)	\$	-
Professional Fees:		
Auditing		15,500
Legal		3,730
Engineering		167,727
Financial Advisor		-
Purchased Services For Resale -		
Bulk Water and Wastewater Service Purchases		-
Contracted Services:		
Bookkeeping		4,200
General Manager		72,000
Appraisal District		3,066
Tax Collector		-
Other Contracted Services		12,000
Utilities		-
Repairs and Maintenance		120,696
Administrative Expenditures:		
Directors' Fees		6,000
Office Supplies		2,720
Insurance		1,331
Other Administrative Expenses		30,835
Capital Outlay:		
Capitalized Assets		3,515,279
Expenditures not Capitalized		-
Tap Connection Expenditures		-
Solid Waste Disposal		-
Fire Fighting		-
Parks and Recreation		-
Other Expenditures		-
Total expenditures	\$	<u>3,955,084</u>

Number of persons employed by the District: 0 Full-Time 5 Part-Time  
(Does not include independent contractors or consultants)

# Lower Brushy Creek Water Control and Improvement District

## TSI-3 Schedule of Temporary Investments September 30, 2022

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<u>Funds</u>	<u>Identification or Certificate Number</u>	<u>Interest Rate</u>	<u>Maturity Date</u>	<u>Balance at 9/30/22</u>	<u>Accrued Interest Receivable at 9/30/22</u>
General Fund- TexPool	7968100001	Variable	N/A	\$ 642,292	\$ -
Total				<u>\$ 642,292</u>	<u>\$ -</u>

# Lower Brushy Creek Water Control and Improvement District

## TSI-4 Analysis of Taxes Levied and Receivable Year Ended September 30, 2022

	Maintenance Taxes
Taxes receivable, September 30, 2021	\$ 5,939
2021 Original tax levy	575,650
Adjustments	14,573
Total to be accounted for	596,162
Tax collections:	
Current year	577,127
Prior years	2,254
Total collections	579,381
Taxes receivable, September 30, 2022	\$ 16,781
Taxes receivable, by years:	
2021	\$ 13,419
2020	2,061
2019	1,301
Taxes receivable, September 30, 2022	\$ 16,781

	2021	2020	2019
Property valuations-			
Land, improvements, and personal property	\$ 2,998,986,220	\$ 2,482,549,033	\$ 2,204,485,361
Tax rates per \$100 valuation:			
Maintenance tax rates	0.019139	0.0200	0.0200
Debt service tax rates	-	-	-
Total tax rates per \$100 valuation	\$ 0.0191	\$ 0.0200	\$ 0.0200
Original tax levy	\$ 575,650	\$ 484,742	\$ 440,890
Percent of taxes collected to taxes levied	97.7%	99.6%	99.7%

## Lower Brushy Creek Water Control and Improvement District

### TSI-7 Comparative Schedule of Revenues and Expenditures - General Fund Five Years Ended September 30, 2022

	Amounts					Percent of Fund Total Revenues				
	2022	2021	2020	2019	2018	2022	2021	2020	2019	2018
General fund revenues:										
Property taxes	\$ 574,660	485,925	440,284	-	-	13.7 %	17.7	35.1	-	-
Federal grant revenue	-	323,437	428,856	403,990	669,521	-	11.9	34.2	45.1	51.7
State grant revenue	3,575,927	1,919,482	384,263	443,487	574,425	86.1	70.3	30.6	49.5	44.4
Other	4,833	190	1,400	48,674	50,000	0.2	0.1	0.1	5.4	3.9
<b>Total revenues</b>	<b>4,155,420</b>	<b>2,729,034</b>	<b>1,254,803</b>	<b>896,151</b>	<b>1,293,946</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>
General fund expenditures:										
Current:										
Maintenance and repairs	120,696	193,244	163,348	216,490	211,238	2.9	7.1	13.0	24.2	16.3
Professional fees	35,430	31,767	30,230	34,133	3,177	0.9	1.2	2.4	3.8	0.2
General manager	72,000	40,676	36,000	31,500	-	1.7	1.5	2.9	3.5	-
Engineering fees	167,727	155,686	55,478	21,436	18,000	4.0	5.7	4.4	2.4	1.4
Election expenses	-	-	536	14,044	6,092	-	-	0.1	1.6	0.5
Administrative	10,048	11,529	9,612	2,573	1,847	0.2	0.4	0.8	0.3	0.1
Tax collection	3,066	6,995	6,573	-	-	0.1	0.3	0.5	-	-
Directors' fees	6,000	4,400	3,800	1,050	2,050	0.1	0.2	0.3	0.1	0.2
Insurance	1,331	964	963	963	963	0.1	0.1	0.1	0.1	0.1
Other	23,507	9,062	4,110	2,606	222	0.6	0.3	0.3	0.3	0.1
Capital outlay	3,515,279	2,113,068	659,778	598,120	1,030,032	84.6	77.4	52.6	66.7	79.6
<b>Total expenditures</b>	<b>3,955,084</b>	<b>2,567,391</b>	<b>970,428</b>	<b>922,915</b>	<b>1,273,621</b>	<b>95.2</b>	<b>94.2</b>	<b>77.4</b>	<b>103.0</b>	<b>98.5</b>
Excess (deficiency) of revenues over (under) expenditures	\$ 200,336	161,643	284,375	(26,764)	20,325	4.8 %	5.8	22.6	(3.0)	1.5

# Lower Brushy Creek Water Control and Improvement District

## TSI-8 Board Members, Key Personnel and Consultants September 30, 2022

Complete District Mailing Address:

P.O. Box 467

Georgetown, Texas 78627

District Business Telephone Number:

n/a

Submission date of the most recent  
District Registration Form:  
(TWC Sections 36.054 and 49.054)

April 19, 2022

Limit on fees of office that a director  
may receive during a fiscal year:

\$7,200

(Set by Board Resolution - TWC Sections 49.060)

Name	Term of Office Elected & Expires or Date Hired	Fees of Office Paid 9/30/2022	Expense Reimbursements 9/30/2022	Title at 9/30/2022
<b>Board Members:</b>				
Edmond S. Komandosky	Elected 6/20 - 5/24	\$ 1,400	\$ 172	President
Scott A. Ging	Elected 6/22 - 5/26	\$ 1,300	\$ -	Vice President
Monica P. Masters	Elected 6/20 - 5/24	\$ 1,200	\$ -	Secretary
Mike Schneider	Elected 6/22 - 5/26	\$ 900	\$ -	Treasurer
Allen R. David	Elected 6/22 - 5/26	\$ 1,200	\$ -	Director
<b>Consultants:</b>				
Clarno Consulting, LLC	2010	\$ 72,000	\$ 6,000	General Manager
Freese-Nichols, Inc.	2019	\$ 42,763	\$ -	Engineer
Hejl & Schroeder, P.C.	2012	\$ 2,980	\$ -	Attorney
Clark L. Jackson, CPA, P.C.	2002	\$ 4,200	\$ -	Bookkeeper
Maxwell Locke & Ritter LLP	2018	\$ 15,500	\$ -	Auditor
Williamson County Tax Assessor Collector	2019	\$ 3,662	\$ -	Tax Collector



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Round Rock: 411 West Main Street, Suite 300

Round Rock, TX 78664

## **Independent Auditors' 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***

To the Board of Directors of  
Lower Brushy Creek Water Control and Improvement District:

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 financial statements of the governmental activities and the General Fund of Lower Brushy Creek Water Control and Improvement District (the "District"), as of and for the year ended September 30, 2022, and the related notes to the financial statements, which collectively comprise the District's basic financial statements, and have issued our report thereon dated January 16, 2023.

### **Report on Internal Control Over Financial Reporting**

In planning and performing our audit of the financial statements, we considered the District'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 District's internal control. Accordingly, we do not express an opinion on the effectiveness of the District'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.

Affiliated Company

ML&R WEALTH MANAGEMENT LLC

*"A Registered Investment Advisor"*

*This firm is not a CPA firm*



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. Given these limitations, during our audit we did not identify any deficiencies in internal control that we consider to be material weaknesses. However, material weaknesses or significant deficiencies may exist that were not identified.

### **Report on Compliance and Other Matters**

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

### **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 entity'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.

*Maxwell Locke + Ritter LLP*

Austin, Texas  
January 16, 2023



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## **Independent Auditors' Report on Compliance for the Major State Program and Report on Internal Control Over Compliance Required by the State of Texas Uniform Grant Management Standards**

The Board of Directors of  
Lower Brushy Creek Water Control and Improvement District:

### **Report on Compliance for the Major State Program**

#### **Opinion on the Major State Program**

We have audited Lower Brushy Creek Water Control and Improvement District's (the "District") compliance with the types of compliance requirements described in the State of Texas Uniform Grant Management Standards ("UGMS"), which includes the State of Texas Single Audit Circular, that could have a direct and material effect on the District's major state program for the year ended September 30, 2022. The District's major state program is identified in the summary of auditors' results section of the accompanying schedule of findings and questioned costs.

In our opinion, the District complied, in all material respects, with the types of compliance requirements referred to above that could have a direct and material effect on each of its major state program for the year ended September 30, 2022.

#### **Basis for Opinion on the Major State Program**

We conducted our audit of compliance in accordance with auditing standards generally accepted in the United States of America; the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States; and UGMS. Our responsibilities under those standards and UGMS are further described in the Auditors' Responsibilities for the Audit of Compliance section of our report.

We are required to be independent of the District and to meet our other ethical responsibilities, in accordance with relevant ethical requirements relating to our audit. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion on compliance for the major state program. Our audit does not provide a legal determination of the District's compliance with the compliance requirements referred to above.

Affiliated Company

ML&R WEALTH MANAGEMENT LLC

*"A Registered Investment Advisor"*

*This firm is not a CPA firm*

## **Responsibilities of Management for Compliance**

Management is responsible for compliance with the requirements referred to above and for the design, implementation, and maintenance of effective internal control over compliance with the requirements of laws, statutes, regulations, rules, and provisions of contracts or grant agreements applicable to the District's state programs.

## **Auditors' Responsibilities for the Audit of Compliance**

Our objectives are to obtain reasonable assurance about whether material noncompliance with the compliance requirements referred to above occurred, whether due to fraud or error, and express an opinion on the District's compliance based on our audit. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with generally accepted auditing standards, *Government Auditing Standards*, and UGMS will always detect material noncompliance when it exists. The risk of not detecting material noncompliance resulting from fraud is higher than for that resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control. Noncompliance with the compliance requirements referred to above is considered material if there is a substantial likelihood that, individually or in the aggregate, it would influence the judgment made by a reasonable user of the report on compliance about the District's compliance with the requirements of the major state program as a whole.

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

- Exercise professional judgment and maintain professional skepticism throughout the audit.
- Identify and assess the risks of material noncompliance, whether due to fraud or error, and design and perform audit procedures responsive to those risks. Such procedures include examining, on a test basis, evidence regarding the District's compliance with the compliance requirements referred to above and performing such other procedures as we considered necessary in the circumstances.
- Obtain an understanding of the District's internal control over compliance relevant to the audit in order to design audit procedures that are appropriate in the circumstances and to test and report on internal control over compliance in accordance with UGMS, but not for the purpose of expressing an opinion on the effectiveness of the District's internal control over compliance. Accordingly, no such opinion is expressed.

We are required to communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit and any significant deficiencies and material weaknesses in internal control over compliance that we identified during the audit.

## Report on Internal Control Over Compliance

*A deficiency in internal control over compliance* exists when the design or operation of a control over compliance does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, noncompliance with a type of compliance requirement of a state program on a timely basis. *A material weakness in internal control over compliance* is a deficiency, or a combination of deficiencies, in internal control over compliance, such that there is a reasonable possibility that material noncompliance with a type of compliance requirement of a state program will not be prevented, or detected and corrected, on a timely basis. *A significant deficiency in internal control over compliance* is a deficiency, or a combination of deficiencies, in internal control over compliance with a type of compliance requirement of a state program that is less severe than a material weakness in internal control over compliance, yet important enough to merit attention by those charged with governance.

Our consideration of internal control over compliance was for the limited purpose described in the Auditors' Responsibilities for the Audit of Compliance section above and was not designed to identify all deficiencies in internal control over compliance that might be material weaknesses or significant deficiencies in internal control over compliance. Given these limitations, during our audit we did not identify any deficiencies in internal control over compliance that we consider to be material weaknesses, as defined above. However, material weaknesses or significant deficiencies in internal control over compliance may exist that were not identified.

Our audit was not designed for the purpose of expressing an opinion on the effectiveness of internal control over compliance. Accordingly, no such opinion is expressed.

The purpose of this report on internal control over compliance is solely to describe the scope of our testing of internal control over compliance and the results of that testing based on the requirements of UGMS. Accordingly, this report is not suitable for any other purpose.

*Maxwell Locke + Ritter LLP*

Austin, Texas  
January 16, 2023

# Lower Brushy Creek Water Control and Improvement District

## Schedule of Expenditures of State Awards Year Ended September 30, 2022

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<b>State Grantor/ Pass-Through Grantor/ Program Title</b>	<b>Direct or Pass-Through Entity Identifying Number</b>	<b>Total Expenditures</b>
<b><u>Texas State Soil and Water Conservation Board</u></b>		
Watershed Rehabilitation Program	LBRUSHY18-UG-ESF-548-21	\$ 3,557,375
Flood Control Operations & Maintenance	P2022-601-0001	<u>18,552</u>
<b>Total Texas State Soil and Water Conservation Board</b>		<u>3,575,927</u>
<b>Total Expenditures of State Awards</b>		<u>\$ 3,575,927</u>

The accompanying notes are an integral part of this schedule.

# Lower Brushy Creek Water Control and Improvement District

## Notes to the Schedule of Expenditures of State Awards Year Ended September 30, 2022

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### 1. Basis of Presentation

The accompanying schedule of expenditures of state awards (the “Schedule”) includes the state award activity of Lower Brushy Creek Water Control and Improvement District (the “District”) under programs of the state government for the year ended September 30, 2022. The information in this Schedule is presented in accordance with the requirements of the State of Texas Uniform Grant Management Standards (“UGMS”). Because the Schedule presents only a selected portion of the operations of the District, it is not intended to and does not present the financial position, change in net position, or cash flows of the District.

### 2. Summary of Significant Accounting Policies

#### Basis of Accounting

The Schedule includes the state activity of the District and is presented on the modified accrual basis of accounting. Under the modified accrual basis of accounting, revenues are recognized in the accounting period in which they become available and measurable, and expenditures in the accounting period in which the liability is incurred, if measurable. Such expenditures are recognized following the cost principles contained in UGMS, wherein certain types of expenditures are not allowable or are limited to reimbursement.

#### Relationship to Basic Financial Statements

Expenditures of state awards are reported in the District’s basic financial statements in the General Fund.

# Lower Brushy Creek Water Control and Improvement District

## Schedule of Findings and Questioned Costs Year Ended September 30, 2022

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### Section I - Summary of Auditors' Results

#### Financial Statements

Type of auditors' report issued on whether the financial statements were prepared in accordance with GAAP:

Unmodified

Internal control over financial reporting:

- Material weakness(es) identified?  yes  no
- Significant deficiency(ies) identified?  yes  none reported

Noncompliance material to financial statements noted?

yes  no

#### State Awards

Internal control over the major state program:

- Material weakness(es) identified?  yes  no
- Significant deficiency(ies) identified?  yes  none reported

Type of auditors' report issued on compliance for the major state program-

Watershed Rehabilitation Program

Unmodified

Any audit findings disclosed that are required to be reported in accordance with UGMS?

yes  no

Identification of the major state program-

<b>Name of State Program</b>
Watershed Rehabilitation Program

Dollar threshold used to distinguish between type A and type B programs:

\$300,000

Auditee qualified as low-risk auditee?

yes  no

# Lower Brushy Creek Water Control and Improvement District

## Schedule of Findings and Questioned Costs

Year Ended September 30, 2022

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### Section II - Financial Statement Findings

There were no findings required to be reported in accordance with *Government Auditing Standards* for the year ended September 30, 2022. There was one finding required to be reported in accordance with *Government Auditing Standards* for the year ended September 30, 2021. Refer to the Summary Schedule of the Prior Audit Finding for the current status of the finding reported.

### Section III - State Award Findings and Questioned Costs

There were no findings or questioned costs required to be reported in accordance with UGMS for the years ended September 30, 2022 and 2021.





## **LOWER BRUSHY CREEK WCID**

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### **Summary Schedule of the Prior Audit Finding (Auditee Prepared)**

**Year Ended September 30, 2022**

#### **Finding 2021-001**

**Condition:** The District's deposits were not fully collateralized by FDIC insurance or pledged collateral at September 30, 2021.

**Status of Planned Corrective Action:** District management worked with their depository bank to ensure that the District's deposits are fully collateralized and pledged securities are held when the District's deposit balances exceed insurance provided by the FDIC. The District's deposits were fully collateralized by FDIC insurance or pledged collateral at September 30, 2022.