

**THE NORTH COUNTRY ALLIANCE**  
**LOCAL DEVELOPMENT CORPORATION**  
**INVESTMENT, DEPOSIT AND INTERNAL CONTROLS POLICIES**

**I. INVESTMENT AND DEPOSIT POLICY**

A. Introduction

1. Scope – This investment and deposit policy applies to all monies and other financial resources available for investment and deposit on behalf of The North Country Alliance Local Development Corporation (the "Corporation") or on behalf of any other entity or individual.
2. Objectives – The primary objectives of the Corporation's investment activities are, in priority order:
  - a. to conform to all applicable federal, state and other legal requirements (legal);
  - b. to adequately safeguard principal (safety);
  - c. to provide sufficient liquidity to meet all operating requirements (liquidity); and
  - d. to obtain a reasonable rate of return (yield).
3. Prudence – All participants in the investment process and all participants responsible for depositing the Corporation's funds shall seek to act responsibly as custodians of the public trust and shall avoid any transaction that might impair confidence in the Corporation to govern effectively.

Investments and deposits shall be made with judgment and care, under circumstances then prevailing, which persons of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the safety of the principal as well as the probable income to be derived.

All participants involved in the investment process and all participants responsible for depositing the Corporation's funds shall refrain from personal business activity that could conflict with proper execution of the investment program or the deposit of the Corporation's funds or which could impair their ability to make impartial investment decisions.

4. Diversification – It is the policy of the Corporation to diversify its deposits and investments by financial institution, by investment instrument, and by maturity scheduling.
5. Internal Controls
  - a. All money's collected by an officer, employee (if applicable), or an agent of the Corporation shall be

immediately deposited in such depositories and designated by the Corporation for the receipt of such funds.

- b. The Corporation shall maintain or cause to be maintained a proper record of all book, notes, securities or other evidences of indebtedness held by the Corporation for investment and deposit purposes.
- c. The Corporation is responsible for establishing and maintaining an internal control structure to provide reasonable, but not absolute, assurance that: (i) deposits and investments are safeguarded against loss from unauthorized use or disposition, (ii) transactions are executed in accordance with management's authorization and recorded properly and (iii) all deposits, investments and transactions are managed in compliance with applicable laws and regulations.
- d. In addition to the above, see Exhibit B attached hereto for the procedures to provide an internal control structure to preserve the assets of the organization.

#### 6. Designation of Depositories

The Corporation shall designate as depositories of its money those banks and trust companies authorized to serve as such pursuant to applicable law.

### B. Investment Policy

#### 1. Permitted Investments

Pursuant to Section 512 of the Not-For-Profit Corporation Law (“N-PCL”), the Corporation is authorized to invest moneys not required for immediate expenditure for terms not to exceed its projected cash flow needs in the following types of investments:

- a. Special time deposit accounts;\*
- b. Certificates of deposit;\*
- c. Obligations of the United States of America;\*\*
- d. Obligations guaranteed by agencies of the United States of America where payment of principal and interest are guaranteed by the United States of America;\*\*
- e. Obligations of the State of New York;\*

\* Special time deposit accounts and certificates of deposit are permitted investments provided that (1) they shall be payable within such time as the

proceeds shall be needed to meet expenditures for which the moneys were obtained and (2) they are collateralized in the same manner as set forth in Section VII (C) below for deposits of public funds.

\*\* All investment obligations shall be payable or redeemable at the option of the Corporation within such times as the proceeds will be needed to meet expenditures for purposes for which the moneys were provided and, in the case of obligations purchased with the proceeds of bonds or notes, shall be payable or redeemable at the option of the Corporation within two years of the date of purchase.

## 2. Authorized Financial Institutions and Dealers

The Corporation shall maintain a list of financial institutions and dealers approved for investment purposes and establish appropriate limits to the amount of investments which can be made with each financial institution or dealer. All financial institutions with which the local government conducts business must be credit worthy. Such listing shall be evaluated at least annually.

## 3. Purchase of Investments

The Corporation may contract for the purchase of investments:

- a. Directly, including through a repurchase agreement, from an authorized trading partner.
- b. By participation in a cooperative investment program with another authorized governmental entity pursuant to the N-PCL where such program meets all the requirements set forth in the Office of the State Comptroller Opinion No. 88-46, and the specific program has been authorized by the governing board.
- c. By utilizing an ongoing investment program with an authorized trading partner pursuant to a contract authorized by the governing board.

All purchased obligations, unless registered or inscribed in the name of the local government, shall be purchased through, delivered to and held in the custody of a bank or trust company. Such obligations shall be purchased, sold or presented for redemption or payment by such bank or trust company only in accordance with prior written authorization from the officer authorized to make the investment. All such transactions shall be confirmed in writing to the Corporation by the bank or trust company shall be held pursuant to a written custodial agreement as described in the N-PCL.

The custodial agreement shall provide that securities held by the bank or trust company, as agent of and custodian for, the local government, will be kept separate and apart from the general assets of the custodial bank or trust company and will not, in any

circumstances, be commingled with or become part of the backing for any other deposit or other liabilities. The agreement shall describe how the custodian shall confirm the receipt and release of the securities. Such agreement shall include all provisions necessary to provide the Corporation a perfected interest in the securities.

#### 4. Repurchase Agreements

Repurchase agreements are authorized subject to the following restrictions:

- a. All repurchase agreements must be entered into subject to a Master Repurchase Agreement.
- b. Trading partners are limited to banks or trust companies authorized to do business in New York State and primary reporting dealers.
- c. Obligations shall be limited to obligations of the United States of America and obligations guaranteed by agencies of the United States of America.
- d. No substitution of securities will be allowed.
- e. The custodian shall be a party other than the trading partner.

### C. Deposit Policy

#### 1. Collateralization of Deposits

All deposits of the Corporation, including certificates of deposit and special time deposits, in excess of the amount insured under the provisions of the Federal Deposit Insurance Act shall be secured:

- a. By pledge of “eligible securities” with an aggregate “market value” as provided by the N-PCL, equal to the aggregate amount of deposits from the categories designated in Exhibit A attached hereto.
- b. By an eligible “irrevocable letter of credit” issued by a qualified bank other than the bank with the deposits in favor of the government for a term not to exceed 90 days with an aggregate value equal to 140% of the aggregate amount of deposits and the agreed upon interest, if any. A qualified bank is one whose commercial paper and other unsecured short-term debt obligations are rated in one of the three highest rating categories by at least on nationally recognized statistical rating organization or by a bank that is in compliance with applicable federal minimum risk- based capital requirements.
- c. By an eligible surety bond payable to the government for an

amount at least equal to 100% of the aggregate amount of deposits and the agreed upon interest, if any, executed by an insurance company authorized to do business in New York State, whose claims-paying ability is rated in the highest rating category by at least two nationally recognized statistical rating organizations. The terms and conditions of any eligible surety shall be approved by the governing board.

## 2. Safekeeping and Collateralization

Eligible securities used for collateralizing deposits shall be held by the depository bank or trust company subject to security and custodial agreements.

The security agreement shall provide that eligible securities are being pledged to secure local government deposits together with agreed upon interest, if any and any costs or expenses arising out of the collection of such deposits upon default. It shall also provide the conditions under which the securities may be sold, presented for payment, substituted or released and the events, which will enable the local government to exercise its rights against the pledged securities. In the event that the securities are not registered or inscribed in the name of the local government, such securities shall be delivered in a form suitable for transfer or with an assignment in blank to the Corporation or its custodial bank.

The custodial agreement shall provide that securities held by the bank or trust company, or agent of and custodian for, the local government, will be kept separate and apart from the general assets of the custodial bank or trust company and will not, in any circumstances, be commingled with or become part of backing for any other deposit or other liabilities. The agreement should also describe that the custodian shall confirm the receipt, substitution or release of the securities. The agreement shall provide for the frequency of revaluation of eligible securities and for the substitution of securities when a change in the rating of a security may cause ineligibility. Such agreement shall include all provisions necessary to provide the Corporation a perfected interest in the securities.

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**EXHIBIT A**

**SCHEDULE OF ELIGIBLE SECURITIES**

The Corporation has all deposits with Watertown Savings Bank, Watertown, New York. All funds are fully collateralized.

- (1) Obligations issued, or fully insured or guaranteed as to the payment of principal and interest by the United States of America, an Agency thereof or a United States government sponsored corporation.
- (2) Obligations issued or fully guaranteed by the International Bank for Reconstruction and Development, the Inter-American Development Bank, the Asian Development Bank and the African Development Bank.
- (3) Obligations partially insured or guaranteed by any Corporation of the United States of America, at a proportion of the Market Value of the obligation that represents the amount of the insurance or guaranty.
- (4) Obligations issued or fully insured or guaranteed by the State of New York, obligations issued by a municipal corporation, school district or district corporation or such State or obligations of any public benefit corporation which under a specific State statute may be accepted as security for deposit of public moneys.
- (5) Obligations issued by states (other than the State of New York) of the United States rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization.
- (6) Obligations of Puerto Rico rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization.
- (7) Obligations of countries, cities and other governmental entities of a state other than the State of New York having the power to levy taxes that are backed by the full faith and credit of such governmental entity and rated in one of the three highest categories by at least one nationally recognized statistical rating organization.
- (8) Obligations of domestic corporations rated one of the two highest rating categories by at least one nationally recognized statistical rating organization.
- (9) Any mortgage related securities, as defined in the Securities Exchange Act of 1934, as amended, which may be purchased by banks under the limitations established by bank regulatory agencies.
- (10) Commercial paper and bankers' acceptances issued by a bank, other than the Bank, rated in the highest short term category by at least one nationally recognized statistical rating organization and having maturities of not longer than 60 days from the date they are pledged.
- (11) Zero Coupon obligations of the United States government marketed as "Treasury strips".

## **EXHIBIT B**

### **THE NORTH COUNTRY ALLIANCE LOCAL DEVELOPMENT CORPORATION FINANCIAL INTERNAL CONTROL SYSTEM**

These procedures are developed to provide an internal control structure to preserve the assets of The North Country Alliance Local Development Corporation (the "Corporation"). Procedures shall be reviewed at least annually by the independent auditors who will make recommendations to the Board of Directors for suggested changes. Interim changes may be recommended by the Board of Directors; however, such changes shall not be implemented until approved by independent auditors and the board.

The North Country Alliance currently contracts with an independent third-party (the "Contractor") to provide financial management of its funds and loan portfolio. The Contractor conforms to its own internal controls policy and has various qualified staff performing financial duties in order to satisfy the requirements for segregation of duties. The conformance is verified by the Corporation's Certified Public Accountant during the annual review process.

The following are daily procedures for processing receipt of funds and disbursements:

#### **RECEIPT OF FUNDS:**

The Contractor shall receive and open the daily mail and enter all cash and check payments into the receipts ledger. He/she shall make copies of the checks received and file same in the folder.

The Contractor deposits all funds daily with the financial institution. Any checks that are not deposited the same day are locked in a fire proof cabinet until the check can be deposited.

Upon completion of the deposit Contractor shall enter the deposit into the General Ledger. A subsidiary ledger is kept by the Contractor that manages amortization schedules for all loans receivable. Deposits for loan payments will be posted to the subsidiary ledger against the appropriate loan. A report is generated to confirm the breakdown of each payment received for principal, interest and fees received, if any, and is used to input the deposit into the General Ledger.

All bank accounts are reconciled monthly and must agree with the General Ledger. Bank accounts shall be reconciled by the Contractor. The receipts ledger is compared to cash and checks received to confirm accuracy. Discrepancies between checks received and posted shall be investigated at once and reported to the Board of Directors if not reconciled.

#### **CASH DISBURSEMENTS:**

All purchases must be made according to the purchasing policy.

All invoices received shall be reviewed and verified for accuracy and completeness, and approved by the Contractor. The Contractor shall review all invoices and enter them in the General Ledger as payables. The Contractor cuts the checks for payment.

The Corporation's Treasurer and President are the only authorized signor's on the Corporation's accounts. All checks to pay invoices must be signed by either the Treasurer, or the President.

In order to transfer funds between bank accounts the Corporation requires that the Treasurer or President authorize the transfer of funds. A form has been created by the Corporation called the Authorization to Transfer Funds. This is executed by the Treasurer or President when there is a need to transfer funds. Per the Board of Directors, the Contractor was given the ability to transfer funds for regular monthly transfers where the Corporation receives payments as a pass-thru to be paid to another lender. In these instances, the Corporation receives funds that it then pays to the other lender per a legal agreement (Participation Agreement) executed at the loan closing.

All Corporation checks are kept in a fire-proof, locked cabinet until needed.

**FINANCIAL STATEMENTS:**

Financial statements and supporting schedules are prepared monthly by the Contractor and delivered to the Corporation's Treasurer. The Treasurer reviews the financial statements and presents them to the Board of Directors at its monthly meetings. The reports provided include:

- Income Statement and Balance Sheet
- Check Detail Report
- Funds Financial Summary
- Detailed Activity on All Loans Receivable (Includes amount, rate, term, status, balance)
- Special reports as requested by the board.

All investment of funds must be in accordance with the Investment Policy. Investment activities shall be reported to the board monthly. All investment decisions must have the Treasurer's approval after review for compliance with current investment policies.

Action	Date
Adopted	2/21/2018
Reviewed w/no changes	3/20/2019