

# COMPLIANCE AUDIT

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## Lower Allen Fire Co. No. 1 Relief Association Cumberland County, Pennsylvania For the Period January 1, 2019, to December 31, 2021

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January 2023



Commonwealth of Pennsylvania  
Department of the Auditor General

Timothy L. DeFoor • Auditor General



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**TIMOTHY L. DEFOOR  
AUDITOR GENERAL**

Mr. Michael T. Wilson, President  
Lower Allen Fire Co. No. 1  
Relief Association  
Cumberland County

We have conducted a compliance audit of the Lower Allen Fire Co. No. 1 Relief Association (relief association) for the period January 1, 2019, to December 31, 2021. The audit was conducted pursuant to authority derived from Article VIII, Section 10 of the Constitution of the Commonwealth of Pennsylvania; Section 403 of The Fiscal Code, 72 P.S. § 403; and the Volunteer Firefighters' Relief Association Act ("VFRA Act"), see 35 Pa.C.S. § 7418.

The objective of the audit was to determine if the relief association complied with applicable state laws, contracts, bylaws, and administrative procedures as they relate to the receipt of state aid and the expenditure of relief association funds. Our audit was limited to the areas related to the objective identified above and was not, nor was it required to be, conducted in accordance with Government Auditing Standards issued by the Comptroller General of the United States.

Relief association officers are responsible for establishing and maintaining effective internal controls to provide reasonable assurance that the relief association's administration of state aid and accumulated relief funds complies with applicable state laws, contracts, bylaws, and administrative procedures, including the safeguarding of assets. Relief association officers are responsible for complying with applicable state laws, contracts, bylaws, and administrative procedures. It is our responsibility to perform procedures to obtain sufficient, appropriate evidence to the extent necessary to satisfy the audit objective. We believe that our audit provides a reasonable basis for our conclusions.

Based on our audit procedures, we conclude that, for the period January 1, 2019, to December 31, 2021, the relief association, in all significant respects, complied with applicable state laws, contracts, bylaws, and administrative procedures as they relate to the receipt of state aid and the expenditure of relief association funds, except as noted in the finding listed below and discussed later in this report.

Finding – Failure To Secure Ownership In Jointly Purchased Equipment

The contents of this report were discussed with the management of the relief association and, where appropriate, their response has been included in the report. We would like to thank the relief association officials for the cooperation extended to us during the conduct of the audit.

A handwritten signature in black ink that reads "Timothy L. DeFoor". The signature is written in a cursive style with a long horizontal line extending to the left of the first letter.

Timothy L. DeFoor  
Auditor General  
January 4, 2023

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## BACKGROUND

Pursuant to Article VIII, Section 10 of the Constitution of the Commonwealth of Pennsylvania, Section 403 of The Fiscal Code<sup>1</sup>, and the Volunteer Firefighters' Relief Association Act<sup>2</sup> ("VFRA Act"), the Department of the Auditor General's duty is to audit the accounts and records of every volunteer firefighters' relief association to determine that funds received under the Foreign Fire Insurance Tax Distribution Law<sup>3</sup> (commonly referred to as Act 205) are properly expended.

The relief association is a charitable organization that was formed primarily to afford financial protection to volunteer firefighters and to encourage individuals to participate in volunteer fire service.

The VFRA Act governs the overall operation of volunteer firefighters' relief associations. Relief association bylaws define the specific operational procedures by which relief associations conduct business. To fulfill its primary purpose, the VFRA Act authorizes specific types of expenditures and prescribes appropriate volunteer firefighters' relief association investment options. Within the parameters established by the VFRA Act, it is the responsibility of relief associations to choose investments in a proper and prudent manner.

Volunteer firefighters' relief associations receive public tax monies, and the association officers therefore have a responsibility to the public to conduct the association's financial affairs in a businesslike manner and to maintain sufficient financial records to support the propriety of all association transactions. Volunteer firefighters' relief association officers are also responsible for ensuring that the association operates in accordance with applicable state laws, contracts, bylaws, and administrative procedures.

Act 205 sets forth the computation of the Foreign Fire Insurance Tax Distribution paid to each applicable municipality throughout the Commonwealth of Pennsylvania. The amount of the distribution is based upon the population of each municipality and the market value of real estate within the municipality. Upon receipt of this distribution, the municipality must allocate the funds to the volunteer firefighters' relief association of the fire service organization or fire service organizations that is or are recognized as providing the service to the municipality.

The relief association was allocated state aid from the following municipality:

| <u>Municipality</u>  | <u>County</u> | <u>2019</u> | <u>2020</u> | <u>2021</u> |
|----------------------|---------------|-------------|-------------|-------------|
| Lower Allen Township | Cumberland    | \$98,700    | \$99,369    | \$89,392    |

<sup>1</sup> 72 P.S. § 403 (as last amended by Act 44 of 2017).

<sup>2</sup> 35 Pa.C.S. § 7411 *et seq.* See specifically, 35 Pa.C.S. § 7418 (amended by Act 91 of 2020).

<sup>3</sup> 53 P.S. § 895.701 *et seq.* (Act 205 of 1984, as amended by Act 119 of 1990).

## BACKGROUND – (Continued)

Based on the relief association’s records, its total cash and investments as of December 31, 2021, were \$1,525,592, as illustrated below:

|                            |                     |
|----------------------------|---------------------|
| Cash                       | \$ 185,264          |
| Fair Value of Investments  | <u>1,340,328</u>    |
| Total Cash and Investments | <u>\$ 1,525,592</u> |

Based on the relief association’s records, its total expenditures for the period January 1, 2019, to December 31, 2021, were \$401,190, as noted below. The accuracy of these expenditures was evaluated as part of the Department’s audit to conclude on the relief association’s compliance with applicable state laws, contracts, bylaws, and administrative procedures as they relate to the receipt of state aid and the expenditure of relief association funds.<sup>4</sup> **The scope of the Department’s audit does not include the issuance of an opinion on the accuracy of these amounts.**

### Expenditures:

|                               |                   |
|-------------------------------|-------------------|
| Benefit Services:             |                   |
| Insurance premiums            | \$ 64,038         |
| Relief benefits               | <u>1,531</u>      |
| Total Benefit Services        | <u>\$ 65,569</u>  |
| Fire Services:                |                   |
| Equipment purchased           | \$ 284,193        |
| Equipment maintenance         | 46,258            |
| Training expenses             | <u>4,205</u>      |
| Total Fire Services           | <u>\$ 334,656</u> |
| Administrative Services:      |                   |
| Bond premiums                 | \$ 940            |
| Other administrative expenses | <u>25</u>         |
| Total Administrative Services | <u>\$ 965</u>     |
| Total Expenditures            | <u>\$ 401,190</u> |

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<sup>4</sup> Accuracy was evaluated for a selection of transactions based on dollar amount, category, and/or random selection.

## **BACKGROUND – (Continued)**

The volunteer firefighters' relief association and the affiliated fire service organization are separate, legal entities. The relief association is affiliated with the following fire service organization:

Lower Allen Fire Co. No. 1

LOWER ALLEN FIRE CO. NO. 1 RELIEF ASSOCIATION  
FINDING AND RECOMMENDATION

**Finding – Failure To Secure Ownership Interest In Jointly Purchased Equipment**

Condition: On February 10, 2020, the relief association paid \$15,672 for four gas meters. The affiliated fire company obtained a PEMA grant for \$14,248 for the same gas meters. The relief association received and deposited \$14,248 in PEMA grant monies from the affiliated fire company for the purchase of the gas meters on September 29, 2020. The relief association has properly recorded the equipment purchased on the relief association’s equipment roster, thereby indicating the relief association’s ownership of equipment; however, there was no formal written agreement provided to specify the relief association’s percentage of ownership.

Criteria: Section 7418(a) of the VFRA Act states:

The Office of Auditor General shall have the power and its duty shall be to audit the accounts and records of every volunteer firefighters’ relief association receiving money under Chapter 7 of the Act of December 18, 1984 (P.L. 1005, No. 205), known as the Municipal Pension Plan Funding Standard and Recovery Act, as far as may be necessary to satisfy the Auditor General that the money received was or is being expended for no purpose other than that authorized by this subchapter. Copies of all audits shall be furnished to the Governor.

Prudent business practice dictates that the relief association should secure its proportional ownership interest in the equipment purchased by the relief association by executing a formal written agreement that enumerates the relief association’s proportional share of the cost of the equipment. Such agreement shall specify that the relief association shall receive its prorated share of the proceeds upon sale of the equipment, in the event the equipment is ever sold.

Cause: The relief association officials did not know it was necessary to execute a formal written agreement with the affiliated fire company to secure the relief association’s ownership interest in the jointly purchased equipment.

Effect: The failure to adequately secure the proportional share of ownership interest in the jointly purchased equipment places the relief association’s ownership interest at greater risk.

Recommendation: We recommend that the relief association officials execute a formal written agreement with the affiliated fire company that enumerates the relief association’s proportional ownership interest in the equipment as well as stipulating that the proportionate sales proceeds shall revert to the relief association in the event the equipment is ever sold. If such action is not taken, we recommend that the relief association be reimbursed \$1,424. For further guidance, please refer to the Auditor General’s publication, MANAGEMENT GUIDELINES FOR VOLUNTEER FIREFIGHTERS’ RELIEF ASSOCIATIONS.



LOWER ALLEN FIRE CO. NO. 1 RELIEF ASSOCIATION  
FINDING AND RECOMMENDATION

**Finding – Continued**

Management's Response: Relief association management agreed with the finding as presented at the audit exit conference and provided a formal written agreement with the affiliated fire company, executed on December 14, 2022.

Auditor's Conclusion: We reviewed the documentation verifying the execution of an ownership agreement between the relief association and the affiliated fire company for the jointly purchased equipment. Compliance for ownership agreements related to equipment purchases made during the next audit period will be subject to verification through our next audit.

LOWER ALLEN FIRE CO. NO. 1 RELIEF ASSOCIATION  
REPORT DISTRIBUTION LIST

This report was initially distributed to the following:

**The Honorable Joshua D. Shapiro**  
Governor  
Commonwealth of Pennsylvania

Lower Allen Fire Co. No. 1 Relief Association Governing Body:

**Mr. Michael T. Wilson**  
President

**Ms. Rebecca Maher**  
Vice President

**Ms. Pam Tkac**  
Secretary

**Mr. David Murdoch**  
Treasurer

A report was also distributed to the following municipality, which allocated foreign fire insurance tax monies to this relief association:

**Ms. Helen Grundon**  
Secretary  
Lower Allen Township

This report is a matter of public record and is available online at [www.PaAuditor.gov](http://www.PaAuditor.gov). Media questions about the report can be directed to the Pennsylvania Department of the Auditor General, Office of Communications, 229 Finance Building, Harrisburg, PA 17120; via email to: [news@PaAuditor.gov](mailto:news@PaAuditor.gov).