

LAIRDSVILLE COMMUNITY VOLUNTEER FIRE COMPANY FIREMAN'S RELIEF ASSOCIATION

LYCOMING COUNTY

COMPLIANCE AUDIT REPORT

FOR THE PERIOD

JANUARY 1, 2009 TO DECEMBER 31, 2012

COMMONWEALTH OF PENNSYLVANIA

EUGENE A. DEPASQUALE - AUDITOR GENERAL

DEPARTMENT OF THE AUDITOR GENERAL





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EUGENE A. DEPASQUALE AUDITOR GENERAL

Mr. Dean Temple, President LAIRDSVILLE COMMUNITY VOLUNTEER FIREFIGHTERS' RELIEF ASSOCIATION Lycoming County

We have conducted a compliance audit of the Lairdsville Community Volunteer Firefighters' Relief Association pursuant to authority derived from Article VIII, Section 10 of the Constitution of the Commonwealth of Pennsylvania, Section 403 of The Fiscal Code, Act of April 9, 1929, (P.L. 343, No. 176), and mandated by the Volunteer Firefighters' Relief Association Act, as consolidated by the Act of November 23, 2010 (P.L. 1181, No. 118), at 35 Pa.C.S. § 7411 *et seq.*, for the period January 1, 2009 to December 31, 2012.

We conducted this compliance audit in accordance with *Government Auditing Standards* applicable to performance audits, issued by the Comptroller General of the United States. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our audit results and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our audit results and conclusions based on our audit objectives.

The objectives of the audit were:

- 1. To determine if the volunteer firefighters' relief association took appropriate corrective action to address the findings contained in our prior audit report; and
- 2. To determine if the volunteer firefighters' relief association received state aid and expended state aid and accumulated relief funds in compliance with applicable state laws, contracts, bylaws and administrative procedures.

Our audit was limited to the areas related to the objectives identified above.

Volunteer firefighters' relief association officers are responsible for establishing and maintaining effective internal controls to provide reasonable assurance that the Lairdsville Community Volunteer Firefighters' 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. In conducting our audit, we obtained an understanding of the volunteer firefighters' relief association's internal controls as they relate to the association's compliance with those requirements and that we considered to be significant within the context of the audit objectives, and assessed whether those significant controls were properly designed and implemented. Our audit procedures also included tests of documentary evidence supporting the Lairdsville Community Volunteer Firefighters' Relief Association's recorded financial transactions, tests of the physical existence of inventories, interviews of selected officials and direct confirmation of the Lairdsville Community Volunteer Firefighters' Relief Association's cash, investments, and certain other assets and liabilities as of December 31, 2012, with the custodians of the funds, debtors, creditors, and financial institutions to the extent necessary to satisfy the audit objectives. Additionally, we performed procedures to provide a reasonable assurance of detecting instances of violations of legal and regulatory requirements or violations of provisions of contracts that are significant within the context of the audit objectives.

The results of our audit, for the period January 1, 2009 to December 31, 2012, found the Lairdsville Community Volunteer Firefighters' Relief Association took appropriate corrective action to address the finding contained in our prior audit report. In addition, the results of our audit found the Lairdsville Volunteer Firefighters' Relief Association did not, in all significant respects, receive state aid and expend state aid and accumulate relief funds in compliance with applicable state laws, contracts, bylaws and administrative procedures as noted in the findings listed below and discussed later in this report. Therefore, the Lairdsville Volunteer Firefighters' Relief Association will be subject to the potential withholding of its upcoming state aid distribution, as discussed in the Potential Withhold of State Aid section of this report. The results of our tests also indicated the Lairdsville Community Volunteer Firefighters' Relief Association expended funds as presented in the Accompanying Expenditure Information and, as of December 31, 2012, had a cash balance of \$6,653 and an investment balance with a fair value of \$21,856.

Finding No. 1 – Undocumented Expenditures

Finding No. 2 – Unauthorized Expenditures

Finding No. 3 – Duplicate Payment on Equipment Purchase

Finding No. 4 – Inadequate Signatory Authority for the Disbursement of Funds

Finding No. 5 - Inadequate Relief Association Bylaws

Finding No. 6 - Inadequate Financial Record-Keeping

Finding No. 7 - Failure to Maintain a Complete and Accurate Equipment

Roster

The contents of this report were discussed with the management of the Lairdsville Community Volunteer Firefighters' Relief Association and, where appropriate, their responses have been included in the report.

April 2, 2014

EUGENE A. DEPASQUALE

Eugent: O-Purger

Auditor General

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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, Act of April 9, 1929, (P.L. 343, No. 176), and the Volunteer Firefighters' Relief Association Act, as consolidated by the Act of November 23, 2010, (P.L. 1181, No. 118), at 35 Pa.C.S. § 7411 *et seq.*, 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, Act of December 18, 1984, (P.L. 1005, No. 205), as amended, 53 P.S. § 895.701 *et seq.* (commonly referred to as Act 205), are properly expended.

The Lairdsville Community Volunteer Fire Company Fireman's Relief Association, herein referred to as the Lairdsville Community Volunteer Firefighters' 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.

Act 118 governs the overall operation of the volunteer firefighters' relief association. The relief association's bylaws define the specific operational procedures by which the volunteer firefighters' relief association conducts business. To fulfill its primary purpose, Act 118 authorizes specific types of expenditures and prescribes appropriate volunteer firefighters' relief association investment options. Within the parameters established by Act 118, it is the responsibility of the volunteer firefighters' relief association 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, which is or are recognized as providing the service to the municipality.

BACKGROUND – (Continued)

The Lairdsville Community Volunteer Firefighters' Relief Association was allocated state aid from the following municipalities:

Municipality	County	2009	2010	2011	2012
Franklin Township	Lycoming	\$5,501	\$6,191	\$9,657	\$5,529
Moreland Township	Lycoming	\$3,161	\$3,558	\$5,263	\$3,020
Penn Township	Lycoming	\$1,389	\$1,564	\$2,538	\$1,472

The volunteer firefighters' relief association and the affiliated fire service organization are separate, legal entities. The Lairdsville Community Volunteer Firefighters' Relief Association is affiliated with the following fire service organization:

Lairdsville Community Volunteer Fire Company

<u>Finding No. 1 – Undocumented Expenditures</u>

<u>Condition</u>: The relief association was unable to provide adequate supporting documentation for the following expenditures made during the current audit period:

Date	Check No.	Payee Description	Amount	
02/16/2010	142437	Training vendor	\$	420
03/22/2010	145260	Equipment vendor		4,284
04/23/2010	145363	Equipment vendor		1,395
05/24/2010	145432	Equipment vendor		3,289
08/04/2010	101	Equipment vendor		84
09/23/2010	108	Equipment vendor		164
02/21/2011	118	Training vendor	\$	210
10/24/2011	130	Equipment vendor		47
01/02/2012	138	Training vendor		770
02/06/2012	142	Training vendor		70
02/20/2012	143	Training vendor		152
08/20/2012	157	Training vendor		300
		Total	\$	11,185

Criteria: Act 118 at 35 Pa.C.S. § 7418(a) 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), [FN1] 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.

Without adequate supporting documentation, such as invoices, this department is unable to determine whether relief association funds were expended for purposes authorized by Act 118. Furthermore, prudent business practice dictates that supporting documentation be maintained to evidence the propriety of all financial transactions.

Finding No. 1 – (Continued)

<u>Cause</u>: Relief association officials failed to establish adequate internal control procedures to ensure supporting documentation is maintained for all expenditures.

Effect: Lack of supporting documentation, such as invoices, made it impossible to determine if the expenditures were made in accordance with Act 118 at 35 Pa.C.S. § 7416(f). In addition, the failure to maintain adequate supporting documentation for relief association expenditures can lead to an increased risk of errors occurring and funds being misappropriated. Furthermore, the relief association's future state aid allocations may be withheld until the finding recommendation is complied with.

Recommendation: We recommend the relief association provide this department with adequate supporting documentation, such as invoices, to ensure the propriety of the expenditures or that the relief association be reimbursed \$11,185 for the undocumented expenditures. We also recommend that the relief association officials maintain supporting documentation for all future expenditures. For further guidance, please refer to the Auditor General's publication, MANAGEMENT GUIDELINES FOR VOLUNTEER FIREFIGHTERS' RELIEF ASSOCIATIONS.

Management's Response: Relief association management did not provide a response.

<u>Auditor's Conclusion</u>: Due to the potential withhold of state aid, the relief association's compliance with the finding recommendation will be monitored subsequent to the release of the audit report and through our next audit of the VFRA.

Finding No. 2 – Unauthorized Expenditures

<u>Condition</u>: The relief association expended funds for the following items during the current audit period that are not authorized by Act 118:

Date	Check No.	Description		Amount
06/10/2010 08/01/2011	145471 126	Fire company bond policy premium Fire company bond policy premium	\$	303 318
		Total	\$	621

Finding No. 2 – (Continued)

<u>Criteria</u>: Act 118 at 35 Pa.C.S. § 7416(f)(11) states:

The funds of any volunteer firefighters' relief association may be spent:

(1) To pay for such normal and reasonable running expenses as may be appropriate to the businesslike conduct of the affairs of the association, including legal fees, rental or purchase of offices, payment of reasonable compensation of employees and purchase of office equipment and supplies.

Costs associated with expenditures for affiliated fire company's bond policy premiums do not qualify as authorized volunteer firefighters' relief association expenditures; consequently, these disbursements are not authorized under Act 118.

<u>Cause</u>: Relief association officials were unaware that the aforementioned expenditures for the fire company's bond premiums were not authorized by Act 118.

<u>Effect</u>: As a result of these improper expenditures, relief association funds were not available for investment purposes, or to pay for expenditures authorized by Act 118.

Recommendation: We recommend the relief association be reimbursed \$621 for the unauthorized expenditures and that relief association officials become familiar with Act 118 at 35 Pa.C.S. § 7416(f) to aid them in determining the propriety of future expenditures. For further guidance, please refer to the Auditor General's publication, MANAGEMENT GUIDELINES FOR VOLUNTEER FIREFIGHTERS' RELIEF ASSOCIATIONS.

Management's Response: Relief association management did not provide a response.

<u>Finding No. 3 – Duplicate Payment On Equipment Expenditures</u>

<u>Condition</u>: On October 24, 2011, the relief association expended \$2,558 for the payment of two invoices. On January 2, 2012, the relief association erroneously made a duplicate payment amounting to \$2,558 for the same expenditure. The second payment is considered an unauthorized disbursement because no goods or services were received for the payment. However, on February 22, 2012, the vendor issued a \$2,031 reimbursement check to the relief association, resulting in a difference of \$527.

<u>Criteria</u>: Adequate accounting and internal control procedures should be implemented to prevent duplicate payment of invoices.

<u>Cause</u>: The volunteer firefighters' relief association failed to establish internal control procedures which would require that all invoices or other billing documents be canceled or otherwise effectively marked to prevent duplicate payments.

<u>Effect</u>: As a result of this erroneous payment, the relief association was unable to use these funds for other general operating expenses or for investment purposes.

Recommendation: We recommend the relief association be reimbursed \$527 for the erroneous duplicate payment or provide documentation to support the expenditure. The relief association should consider contacting the vendor to recover the duplicate payment. In addition, the relief association should establish accounting and internal control procedures to monitor future relief association expenditures. For further guidance, please refer to the Auditor General's publication, MANAGEMENT GUIDELINES FOR VOLUNTEER FIREFIGHTERS' RELIEF ASSOCIATIONS.

Management's Response: Relief association management did not provide a response.

<u>Finding No. 4 – Inadequate Signatory Authority for the Disbursement of Funds</u>

Condition: During the current audit engagement, we identified 8 checks out of 63 checks drawn on the relief association's checking account that contained the signatures of two officers; however, one of the signatures was not that of the relief association treasurer, pursuant to Act 118 and the relief association bylaws. Issuing checks without the signature of the relief association treasurer negates the relief association's internal control over the disbursement process. An additional check was issued with only the signature of the relief association's treasurer again, failing to satisfy the requirements of Act 118 and the relief association's bylaws.

Criteria: Act 118 at 35 Pa.C.S. § 7415(c)(3) states, in part:

The bylaws shall require that the signatures of at least two officers, one of whom shall be the disbursing officer, shall be required to bind the association by formal contract or to issue a negotiable instrument.

In addition, Arcticle VI, section 1 of the relief association's bylaws states:

"The signatures of at least two officers, one of whom shall be the Treasurer, shall be required for the issuance of relief association checks...issued by the association.

Furthermore, prudent business practice dictates that the relief association has sufficient internal control procedures in place to ensure the signatures of at least two relief association officials, one being that of the treasurer, are included on all negotiable instruments. Adequate internal control procedures require that checks be signed only after the propriety of the expenditures have been determined and the payee, date, and amount to be paid has been confirmed. Additionally, responsible relief association officers should compare this information with supporting documentation, such as invoices, contract, etc., prior to approving the checks.

<u>Cause</u>: Relief association officials neglected to establish adequate internal control procedures which require the signatures of at least two officers on all negotiable instruments.

<u>Effect</u>: As a result of the relief association officer issuing checks without the signature of the treasurer, assets were placed at greater risk as expenditures were being made without a second required signatory authorization.

Finding No. 4 – (Continued)

<u>Recommendation</u>: We recommend the relief association officials establish adequate internal control procedures to ensure that the signatures of at least two officers, one of whom shall be the treasurer, are included on all relief association negotiable instruments as defined by Act 118. For further guidance, please refer to the Auditor General's publication, MANAGEMENT GUIDELINES FOR VOLUNTEER FIREFIGHTERS' RELIEF ASSOCIATIONS.

Management's Response: Relief association management did not provide a response.

<u>Finding No. 5 – Inadequate Relief Association Bylaws</u>

<u>Condition</u>: The existing bylaws of the Lairdsville Volunteer Firefighters' Relief Association do not contain all of the provisions required by Act 118 at 35 Pa.C.S. § 7415(c). Specifically, the bylaws do not address the procedures to be followed in electing relief association officers or the relief association officer positions available to be filled and the respective duties such officers are to perform.

Criteria: Act 118 at 35 Pa.C.S. § 7415(c)(1) states, that the relief association's bylaws shall:

(1) Specify the requirements for securing membership, voting rights of different classes of members, if there be different classes, and conditions under which membership may be terminated.

<u>Cause</u>: Relief association officials were unaware of the mandatory bylaw provisions established by Act 118. The relief association bylaws state that the relief association will have the same officers as the affiliated fire company. In addition, the election of the officers and the procedures the officers are to follow are the same as that of the fire company. However, relief association bylaws need to be able to stand on their own.

<u>Effect</u>: As a result of the mandatory provisions not being included in the bylaws, the relief association may have conducted its affairs without proper authorization.

<u>Recommendation</u>: We recommend that relief association officials review and update the bylaws governing their organization so that the bylaws meet the requirements set forth in Act 118 and properly authorize the operating procedures of the relief association. For further guidance, please refer to the Auditor General's publication, MANAGEMENT GUIDELINES FOR VOLUNTEER FIREFIGHTERS' RELIEF ASSOCIATIONS.

Management's Response: Relief association management did not provide a response.

<u>Finding No. 6 – Inadequate Financial Record-Keeping System</u>

<u>Condition</u>: The relief association's financial record-keeping system does not provide effective control over cash receipts, disbursements, and monetary assets, and does not meet the minimum requirements of maintaining financial records established by this department. The following are the noted deficiencies:

- A journal was not maintained to record the receipts and disbursements of the relief association savings account for the years 2010, 2011 and 2012;
- The checkbook register maintained for the checking account did not record all of the income nor accurately record all of the expenses;
- Ledgers were not utilized to record the transactions of the relief association accounts; and
- Documentation to support various expenditures was not available for examination at the time of the audit (as disclosed in Finding No. 1).

<u>Criteria</u>: Act 118 at 35 Pa.C.S. § 7415(a) states:

A volunteer firefighters' relief association may be a body corporate, governed by a charter and bylaws or an unincorporated association of individuals governed by bylaws and a constitution. In either case, it must provide for taking and preserving minutes of all meetings and maintenance of such books of account as may be necessary and appropriate to afford a permanent record of its fiscal affairs.

In addition, an adequate system of accounting and record keeping is a prerequisite for sound administration of relief association assets.

<u>Cause</u>: Relief association officials were unaware of their various record-keeping responsibilities.

<u>Effect</u>: The failure of relief association officials to maintain adequate records prohibits the membership from effectively monitoring the relief association's financial operations.

<u>Recommendation</u>: We recommend the relief association establish and maintain a financial record-keeping system that meets the minimum record-keeping requirements of this department. For further guidance, please refer to the Auditor General's publication, MANAGEMENT GUIDELINES FOR VOLUNTEER FIREFIGHTERS' RELIEF ASSOCIATIONS.

Management's Response: Relief association management did not provide a response.

Finding No. 7 – Failure to Maintain a Complete and Accurate Equipment Roster

<u>Condition</u>: The relief association officials did not maintain a complete and accurate roster of equipment owned by the relief association. Even though the relief association had previously maintained rosters of equipment purchased, officials failed to provide a roster containing any of the equipment purchased during the current audit period. In addition, there was no indication that a physical inventory of equipment was conducted on an annual basis, nor whether such inventory accounted for all of the relief association's owned equipment.

<u>Criteria</u>: Prudent business practice dictates the relief association should establish adequate internal control procedures to ensure the maintenance of a cumulative equipment roster of all items purchased by the relief association in order to provide an effective accounting control over the relief association's equipment. A cumulative equipment roster of all relief association equipment should include the following:

- Types of equipment purchased;
- Dates of purchase;
- Unit costs:
- Names of suppliers;
- Serial numbers, if applicable;
- Current locations of items;
- Final dispositions of sold or damaged equipment; and
- Evidence of the performance and results of an annual physical inventory.

<u>Cause</u>: Relief association officials failed to establish adequate internal control procedures over equipment requiring the maintenance of a cumulative equipment roster and the performance of an annual physical inventory of equipment.

<u>Effect</u>: The failure to properly record equipment purchases in a detailed equipment roster prevents officials from effectively monitoring the relief association's equipment purchases. In addition, the failure to maintain a detailed equipment roster and perform an annual physical inventory of equipment prevents adequate accountability for, and safeguarding of, relief association equipment.

Finding No. 7 – (Continued)

<u>Recommendation</u>: We recommend the relief association officials maintain a cumulative equipment roster of all relief association owned equipment. Furthermore, the relief association should ensure it performs an annual physical inventory of all operable equipment and that the completion of the inventory be sufficiently documented. For further guidance, please refer to the Auditor General's publication, MANAGEMENT GUIDELINES FOR VOLUNTEER FIREFIGHTERS' RELIEF ASSOCIATIONS.

Management's Response: Relief association management did not provide a response.

LAIRDSVILLE VOLUNTEER FIREFIGHTERS' RELIEF ASSOCIATION POTENTIAL WITHHOLD OF STATE AID

A condition such as that reported by Finding No. 1 contained in this audit report may lead to a total withholding of state aid in the future unless that finding is corrected. However, such action will not be considered if sufficient documentation is provided within 60 days to verify compliance with this department's recommendations. Such documentation should be submitted by the volunteer firefighters' relief association to: Department of the Auditor General, Bureau of Municipal Pension & VFRA Audits, Room 316-D Finance Building, Harrisburg, PA 17120.

LAIRDSVILLE VOLUNTEER FIREFIGHTERS' RELIEF ASSOCIATION ACCOMPANYING EXPENDITURE INFORMATION FOR THE PERIOD JANUARY 1, 2009 TO DECEMBER 31, 2012

Act 118 at 35 Pa.C.S. § 7412 states: a volunteer firefighters' relief association is an organization formed primarily for the purpose of affording financial protection to volunteer firefighters against the consequences of misfortune suffered as a result of their participation in the fire service. The organization may contain within its membership the members of one or more fire companies and may serve secondary purposes, as set forth in this subchapter, but only if adequate provisions have been first made to serve the primary purpose.

Act 118 at 35 Pa.C.S. § 7416 authorizes the investment of relief association funds and outlines the types of benefits and services that can be provided with volunteer firefighters' relief association funds.

Furthermore, all expenditures must be properly authorized as prescribed in the volunteer firefighters' relief association bylaws and approved at an association meeting.

USES OF FUNDS:

Benefit Services:		
Insurance premiums	\$	871
Fire Services:		
Equipment purchased	\$	86,365
Equipment maintenance		12,991
Training expenses		690
Fire prevention materials		1,051
Total Fire Services		101,097
Administrative Services:		
Other administrative expenses	\$	157
Transfer of Assets	\$	20,000
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Other Expenditures:		
Undocumented Expenditures	\$	11,185
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LAIRDSVILLE VOLUNTEER FIREFIGHTERS' RELIEF ASSOCIATION REPORT DISTRIBUTION LIST

This report was initially distributed to the following:

The Honorable Tom Corbett Governor Commonwealth of Pennsylvania

Lairdsville Community Volunteer Firefighters' Relief Association Governing Body:

Mr. Dean Temple President

Mr. Raymond Woodside Vice President

Ms. Lillian Foust Secretary

Ms. Sandra Peterman Treasurer

The following municipalities allocated foreign fire insurance tax monies to this relief association and received a copy of this report.

Ms. Raine K. Ohnmeiss, Secretary Ms. Susan J. Liuzza, Secretary

Franklin Township Moreland Township

Ms. Brenda Dorman, Secretary Penn Township

This report is a matter of public record and is available online at www.auditorgen.state.pa.us. Media questions about the report can be directed to the Pennsylvania Department of the Auditor General, Office of Communications, 231 Finance Building, Harrisburg, PA 17120; via email to: news@auditorgen.state.pa.us.