

**CITY OF BEAVER FALLS EMPLOYEES' PENSION PLAN**

**BEAVER COUNTY**

**COMPLIANCE AUDIT REPORT**

**FOR THE PERIOD**

**JANUARY 1, 2010, TO DECEMBER 31, 2011**





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## BACKGROUND

On December 18, 1984, the Pennsylvania Legislature adopted the Municipal Pension Plan Funding Standard and Recovery Act (P.L. 1005, No. 205, as amended, 53 P.S. § 895.101 et seq.). The act established mandatory actuarial reporting and funding requirements and a uniform basis for the distribution of state aid to Pennsylvania's public pension plans. Section 402(j) of Act 205 specifically requires the Auditor General, as deemed necessary, to make an audit of every municipality which receives general municipal pension system State aid and of every municipal pension plan and fund in which general municipal pension system State aid is deposited.

Pension plan aid is provided from a 2 percent foreign casualty insurance premium tax, a portion of the foreign fire insurance tax designated for paid firefighters and any investment income earned on the collection of these taxes. Generally, municipal pension plans established prior to December 18, 1984, are eligible for state aid. For municipal pension plans established after that date, the sponsoring municipality must fund the plan for three plan years before it becomes eligible for state aid. In accordance with Act 205, a municipality's annual state aid allocation cannot exceed its actual pension costs.

In addition to Act 205, the City of Beaver Falls Employees' Pension Plan is also governed by implementing regulations adopted by the Public Employee Retirement Commission published at Title 16, Part IV of the Pennsylvania Code and applicable provisions of various other state statutes including, but not limited to, the following:

Act 317 - The Third Class City Code, Act of June 23, 1931 (P.L. 932, No. 317), as amended, 53 P.S. § 35101 et seq.

The City of Beaver Falls Employees' Pension Plan is a single-employer defined benefit pension plan locally controlled by the provisions of Ordinance No. 1101, as amended, adopted pursuant to Act 317. The plan is also affected by the provisions of collective bargaining agreements between the city and its nonuniformed employees.





The Honorable Mayor and City Council  
City of Beaver Falls  
Beaver County  
Beaver Falls, PA 15010

We have conducted a compliance audit of the City of Beaver Falls Employees' Pension Plan for the period January 1, 2010, to December 31, 2011. The audit was conducted pursuant to authority derived from Section 402(j) of Act 205 and in accordance with the standards applicable to performance audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States. Those standards require that we plan and perform our audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

The objectives of the audit were:

1. To determine if municipal officials took appropriate corrective action to address the finding contained in our prior audit report; and
2. To determine if the pension plan was administered in compliance with applicable state laws, regulations, contracts, administrative procedures, and local ordinances and policies.

Our audit was limited to the areas related to the objectives identified above. Our methodology addressed determinations about the following:

- Whether state aid was properly determined and deposited in accordance with Act 205 requirements.
- Whether employer contributions are determined and deposited in accordance with the plan's governing document and applicable laws and regulations.
- Whether employee contributions are required and, if so, are determined, deducted and deposited into the pension plan and are in accordance with the plan provisions and applicable laws and regulations.

- Whether benefit payments, if any, represent payments to all (and only) those entitled to receive them and are properly determined in accordance with applicable laws and regulations.
- Whether obligations for plan benefits are accurately determined in accordance with plan provisions and based on complete and accurate participant data; and whether actuarial valuation reports are prepared and submitted to the Public Employee Retirement Commission (PERC) in accordance with state law and selected information provided on these reports is accurate, complete and in accordance with plan provisions to ensure compliance for participation in the state aid program.
- Whether benefit payments have only been made to living recipients, based on the Social Security numbers found in the pension records for retirees and beneficiaries.
- Whether the pension plan is in compliance with state regulations for distressed municipalities.

The City of Beaver Falls contracted with an independent certified public accounting firm for annual audits of its basic financial statements which are available at the city's offices. Those financial statements were not audited by us and, accordingly, we express no opinion or other form of assurance on them.

City officials are responsible for establishing and maintaining effective internal controls to provide reasonable assurance that the City of Beaver Falls Employees' Pension Plan is administered in compliance with applicable state laws, regulations, contracts, administrative procedures, and local ordinances and policies. In conducting our audit, we obtained an understanding of the city's internal controls as they relate to the city's compliance with those requirements and that we considered to be significant within the context of our audit objectives, and assessed whether those significant controls were properly designed and implemented. Additionally, we tested transactions, assessed official actions, performed analytical procedures and interviewed selected officials to provide reasonable assurance of detecting instances of noncompliance with legal and regulatory requirements or noncompliance with provisions of contracts, administrative procedures, and local ordinances and policies that are significant within the context of the audit objectives.

The results of our tests indicated that, in all significant respects, the City of Beaver Falls Employees' Pension Plan was administered in compliance with applicable state laws, regulations, contracts, administrative procedures, and local ordinances and policies, except as noted in the following findings further discussed later in this report:

Finding No. 1 – Failure To Aggregate Pension Funds Pursuant To Act 44 Provisions

Finding No. 2 – Failure To Fully Pay The Minimum Municipal Obligation Of The Plan

As previously noted, one of the objectives of our audit of the City Of Beaver Falls Employees' Pension Plan was to determine compliance with applicable state laws, contracts, administrative procedures, and local ordinances and policies. Act 205 was amended on September 18, 2009, through the adoption of Act 44 of 2009. Among several provisions relating to municipal pension plans, the bill provides for the implementation of a distress recovery program. Three levels of distress have been established:

<u>Level</u>	<u>Indication</u>	<u>Funding Criteria</u>
I	Minimal distress	70-89%
II	Moderate distress	50-69%
III	Severe distress	Less than 50%

The accompanying supplementary information is presented for purposes of additional analysis. We did not audit the information and, accordingly, express no form of assurance on it. However, we are extremely concerned about the funded status of the plan contained in the schedule of funding progress included in this report which indicates the plan's funded ratio is 68.8% as of January 1, 2011, which is the most recent date available. Based on this information, the Public Employee Retirement Commission issued a notification that the city is currently in Level II moderate distress status. We encourage city officials to monitor the funding of the employees' pension plan to ensure its long-term financial stability.

The contents of this report were discussed with officials of the City of Beaver Falls and, where appropriate, their responses have been included in the report.

October 25, 2012

JACK WAGNER  
Auditor General



CITY OF BEAVER FALLS EMPLOYEES' PENSION PLAN  
STATUS OF PRIOR FINDING

Partial Compliance With Prior Audit Recommendation

The City of Beaver Falls has partially complied with the prior audit recommendation concerning the following:

- Incorrect Data On Certification Form AG 385 Resulting In An Overpayment Of State Aid

The city reimbursed \$3,133 to the Commonwealth from the employees' pension plan for the overpayment of state aid received in 2009; however, this has now created a funding deficiency for the year 2009 as described in Finding No. 2 contained in this audit report.

CITY OF BEAVER FALLS EMPLOYEES' PENSION PLAN  
FINDINGS AND RECOMMENDATIONS

Finding No. 1 – Failure To Aggregate Pension Funds Pursuant To Act 44 Provisions

Condition: Act 205 was amended on September 18, 2009, through the adoption of Act 44 of 2009. Among several provisions relating to municipal pension plans, the bill provides for the implementation of a distress recovery program. Three levels of distress have been established:

<u>Level</u>	<u>Indication</u>	<u>Funding Criteria</u>
I	Minimal distress	70-89%
II	Moderate distress	50-69%
III	Severe distress	Less than 50%

Based on the plan's funded ratio of 64.3% as of January 1, 2009, in aggregation with the funded ratios of the city's other pension plans, the Public Employee Retirement Commission (PERC) issued a notification in 2010 that the city was in Level II moderate distress status. Subsequently, based on the plan's funded ratio of 68.8% as of January 1, 2011, in aggregation with the funded ratios of the city's other pension plans, PERC issued another notification in 2012 that the city remains in Level II moderate distress status.

Included with the initial determination notice, PERC sent the city the Act 205 Recovery Program Election Form outlining the mandatory remedies that must be implemented and the voluntary remedies that the city could elect to implement. This form was required to be signed by the plan's chief administrative officer and returned to PERC.

On August 31, 2010, the city returned the election form to PERC; however, through the date of this audit report, the city has not initiated the process to aggregate its pension funds in accordance with Act 44 requirements, which is a mandatory remedy for municipalities determined to be in Level II moderate distress status.

Criteria: Act 205, amended by Act 44, at Section 605(a) states, in part:

Recovery program level II.

(a) Mandatory remedies. Any municipality to which level II of the recovery program applies shall utilize the following remedies:

(1) The aggregation of trust funds pursuant to section 607(b).

Cause: City officials failed to establish adequate internal control procedures to ensure the implementation of the mandatory aggregation remedy as required by Act 44.

CITY OF BEAVER FALLS EMPLOYEES' PENSION PLAN  
FINDINGS AND RECOMMENDATIONS

Finding No. 1 – (Continued)

Effect: The failure to aggregate its pension funds could deny the city the benefits of administrative efficiencies and increased investment returns that could be realized through the aggregation of its pension plans.

Recommendation: We recommend that city officials contact PERC for guidance in the implementation of the mandatory aggregation remedy contained in Act 44 of 2009.

Management's Response: City officials agreed with the finding without exception.

Finding No. 2 – Failure To Fully Pay The Minimum Municipal Obligation Of The Plan

Condition: The city did not fully pay the minimum municipal obligation (MMO) that was due to the employees' pension plan for the year 2009, as required by Act 205. The prior audit report contained a finding that the city received excess state aid in the year 2009 and recommended the overpayment be reimbursed to the Commonwealth from city funds since the overpayment was used to pay the 2009 MMO due to the plan. On September 28, 2011, the city reimbursed \$3,133 to the Commonwealth; however, the reimbursement was made from pension plan funds, resulting in a 2009 MMO funding deficiency in the amount of \$3,133.

Criteria: With regard to the MMO, Section 302(d) of Act 205 states:

The minimum obligation of the municipality shall be payable to the pension plan from the revenue of the municipality.

Cause: Plan officials failed to establish adequate internal control procedures to ensure that compliance with the prior audit recommendation would not result in a 2009 MMO funding deficiency.

Effect: The failure to fully pay the MMO could result in the plan not having adequate resources to meet current and future benefit obligations to its members.

Recommendation: We recommend that the city pay the MMO due to the employees' pension plan for the year 2009, with appropriate interest. A copy of the interest calculation must be maintained by the city for examination during our next audit of the plan.

Management's Response: City officials agreed with the finding without exception.

CITY OF BEAVER FALLS EMPLOYEES' PENSION PLAN  
 SUPPLEMENTARY INFORMATION  
 (UNAUDITED)

SCHEDULE OF FUNDING PROGRESS

Historical trend information about the plan is presented herewith as supplementary information. It is intended to help users assess the plan's funding status on a going-concern basis, assess progress made in accumulating assets to pay benefits when due, and make comparisons with other state and local government retirement systems.

The actuarial information is required by Act 205 biennially. The historical information, beginning as of January 1, 2007, is as follows:

	(1)	(2)	(3)	(4)	(5)	(6)
Actuarial Valuation Date	Actuarial Value of Assets (a)	Actuarial Accrued Liability (AAL) - Entry Age (b)	Unfunded (Assets in Excess of) Actuarial Accrued Liability (b) - (a)	Funded Ratio (a)/(b)	Covered Payroll (c)	Unfunded (Assets in Excess of) Actuarial Accrued Liability as a % of Payroll [(b-a)/(c)]
01-01-07	\$ 3,162,032	\$ 4,328,554	\$ 1,166,522	73.1%	\$ 843,079	138.4%
01-01-09	3,141,986	4,883,006	1,741,020	64.3%	860,392	202.4%
01-01-11	3,760,399	5,467,782	1,707,383	68.8%	986,354	173.1%

Note: The market values of the plan's assets at 01-01-07, 01-01-09 and 01-01-11, have been adjusted to reflect the smoothing of gains and/or losses over a 4-year averaging period. This method will lower contributions in years of less than expected returns and increase contributions in years of greater than expected returns. The net effect over long periods of time is to have less variance in contribution levels from year to year.



CITY OF BEAVER FALLS EMPLOYEES' PENSION PLAN  
SUPPLEMENTARY INFORMATION  
(UNAUDITED)

The comparability of trend information is affected by changes in actuarial assumptions, benefit provisions, actuarial funding methods, accounting policies, and other changes. Those changes usually affect trends in contribution requirements and in ratios that use the actuarial accrued liability as a factor.

Analysis of the dollar amount of the actuarial value of assets, actuarial accrued liability, and unfunded (assets in excess of) actuarial accrued liability in isolation can be misleading. Expressing the actuarial value of assets as a percentage of the actuarial accrued liability (Column 4) provides one indication of the plan's funding status on a going-concern basis. Analysis of this percentage, over time, indicates whether the system is becoming financially stronger or weaker. Generally, the greater this percentage, the stronger the plan.

Trends in unfunded (assets in excess of) actuarial accrued liability and annual covered payroll are both affected by inflation. Expressing the unfunded (assets in excess of) actuarial accrued liability as a percentage of annual covered payroll (Column 6) approximately adjusts for the effects of inflation and aids analysis of the plan's progress made in accumulating sufficient assets to pay benefits when due. Generally, where there is an unfunded actuarial accrued liability, the smaller this percentage, the stronger the plan. However, when assets are in excess of the actuarial accrued liability, the higher the bracketed percentage, the stronger the plan.

CITY OF BEAVER FALLS EMPLOYEES' PENSION PLAN  
SUPPLEMENTARY INFORMATION  
(UNAUDITED)

SCHEDULE OF CONTRIBUTIONS FROM EMPLOYER  
AND OTHER CONTRIBUTING ENTITIES

Year Ended December 31	Annual Required Contribution	Percentage Contributed
2006	\$ 245,319	100.0%
2007	236,117	104.2%
2008	272,116	100.0%
2009	238,969	98.7%
2010	172,285	137.7%
2011	232,170	100.0%

CITY OF BEAVER FALLS EMPLOYEES' PENSION PLAN  
SUPPLEMENTARY INFORMATION  
NOTES TO SUPPLEMENTARY SCHEDULES  
(UNAUDITED)

The information presented in the required supplementary schedules was determined as part of the actuarial valuation at the date indicated. Additional information as of the latest actuarial valuation date follows:

Actuarial valuation date	January 1, 2011
Actuarial cost method	Entry age normal
Amortization method	Level dollar, closed
Remaining amortization period	44 years
Asset valuation method	Market value, 4-year smoothing
Actuarial assumptions:	
Investment rate of return	7.0%
Projected salary increases	5.0%



CITY OF BEAVER FALLS EMPLOYEES' PENSION PLAN  
REPORT DISTRIBUTION LIST

This report was initially distributed to the following:

The Honorable Tom Corbett  
Governor  
Commonwealth of Pennsylvania

City of Beaver Falls Employees' Pension Plan  
Beaver County  
715 Fifteenth Street  
Beaver Falls, PA 15010

The Honorable Karl L. Boak	Mayor
Ms. Pauline J. Burdine	City Clerk
Mr. Stephen L. Johnson	City Manager

This report is a matter of public record. Copies of this report may be obtained from the Pennsylvania Department of the Auditor General, Office of Communications, Room 318 Finance Building, Harrisburg, PA 17120. If you have any questions regarding this report or any other matter, you may contact the Department of the Auditor General by accessing our website at [www.auditorgen.state.pa.us](http://www.auditorgen.state.pa.us).