



Internal Audit Report

Audit Recommendations
Status Report
as of March 31, 2019



Date: April 30, 2019



Lee County BOCC
Audit Recommendation Status Report
As of March 31, 2019



To: The Honorable Linda Doggett, Lee County Clerk of the Circuit Court & Comptroller
From: Tim Parks, Chief Internal Audit Officer/Inspector General
Internal Audit/Inspector General Department
Date: April 30, 2019
Re: Lee County Board of County Commissioners (BOCC) Audit Recommendations Status Report as of
03/31/2019

Dear Ms. Doggett,

The Inspector General Department has completed its *BOCC Audit Recommendations Status Report as of 3/31/2019*, which reflects the implementation status of outstanding audit report recommendations for the Lee County Board of County Commissioners as of March 31, 2019. The report fulfills the IG Department's accountability for reporting on issues through their resolution.

This audit activity conforms to the Institute of Internal Auditor's (IIA) *International Standards for the Professional Practice of Internal Auditing (Red Book)* and the Association of Inspectors General (AIG) *Principles and Standards for Offices of Inspector General*.

The follow-up on recommendation status was conducted during the first quarter 2019. We reviewed the status of the audit recommendations with the department personnel responsible for implementing the audit recommendations.

The follow-up procedures covered the audits of the *BOCC GCN Digital Retrofit Project Feasibility, BOCC Emergency Medical Services, BOCC Community Development Revenue, BOCC Community Development – Code Enforcement, and HSMV Data Exchange Controls Assessment Audit*. A summary of the recommendations status is presented in the headings of the attached report.

The follow up report contains information regarding each outstanding recommendation, including recommendation status, management actions taken, and Internal Audit Follow Up Notes. We wish to express our appreciation for the cooperation and assistance provided us by the Departments during this review.

Should you have any questions, please do not hesitate to contact me.

Sincerely,

A handwritten signature in blue ink that reads "Tim Parks".

Tim Parks, Chief Internal Audit Officer/Inspector General
Inspector General Department
TJP/GK



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BOCC GCN Digital Retrofit Project Feasibility (Project 2016.12, Issued January 2017)		
BOCC GCN Digital Retrofit Project Feasibility		
Observation	Recommendation	Original Management Response
<p>The risks associated with the analog portion of the GCN include:</p> <ul style="list-style-type: none"> • The current analog system does not meet the Department of Homeland Security’s interoperability standards. In the event of large-scale emergencies and disasters, communication with external government agencies could potentially be difficult, and require workarounds. • The production of existing analog radio system equipment was discontinued in 2010-2011, with correlated supplier repair and technical support ending as of December 31, 2018. Thus, there is the potential impact of GCN communication services which are difficult to repair. There is no assurance that analog parts will be obtainable from government agency surplus donations or from online used equipment suppliers. • There are currently fewer towers than is necessary to remedy poor outdoor and in-building radio coverage in Central, South, and East Lee County. 	<p>We recommend rapid adoption and completion of the BOCC GCN all-digital conversion to:</p> <ul style="list-style-type: none"> • Comply with Department of Homeland Security interoperability standards. • Get beyond the end-of-life system issues that may cause continued difficult radio maintenance issues. • Prepare for future County-wide growth and expansion. • Allow for effective communications between authorities during large-scale emergencies and disasters. 	<p>The Department of Public Safety (DPS) is currently working with County Administration and Budget Services to move forward in the development of a plan for update and replacement of the GCN to an all-digital radio network. This project will include acquisition of a contracted consultant to design and plan the system, and working with County Administration and Budget Services to thoroughly explore all available funding sources, and develop a Capital Improvement Plan for the project.</p> <p>The Department of Public Safety is committed to a thoughtful and thorough evaluation of the audit’s recommendation, and will assure the information contained herein remains relevant in the Government Communications Network replacement plan moving forward.</p>
Estimated Implementation Date	Revised Implementation Date	Status
6/30/17	TBD	In Progress
Last Status Update	Current Recommendation Action	IA Follow-up Notes
N/A	7/17/17 - Procurement has issued the RFP for the Radio Communications P25 Migration Consultant. It remains open until August 23, 2017.	7/17/17 - Management is taking action on the project. We will continue to monitor the adoption process until completion.



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4/9/2018	It remains open at this time.	GCN is currently engaged with the consultant and is expecting to be out to bid within 90 days. We will continue to monitor, with follow up in 90 days.
6/30/2018	It remains open at this time.	“Consultant’s initial phase of work is done and we’re crafting the RFP for competitive bid.”
9/14/18	It remains open at this time.	“The competitive RFP is expected to be issued within 60 Days”
4/8/2019	It remains open at this time	The installation of the microwave radio backhaul equipment & installation will be completed by 6/30/19. The P25 system was opened for bid as of 4/8/19.

**BOCC Emergency Medical Services
(Project 2016.18, Issued March 2017)**

Policies and Procedures		
Observation	Recommendation	Original Management Response
Written policies and procedures were insufficient to document the processes that are followed by EMS to monitor or reconcile service billing and collection activities.	We recommend that documentation be developed and implemented to formalize the policy and maintenance procedures. Written policies and procedures are industry standards that define how organizations deal with everyday operational items to comply with regulations and codes. Failure to have and maintain current policies and procedures can lead to inefficiencies and confusion.	The Department of Public Safety (DPS) is currently working with McKesson to develop a process to allow more specific monitoring of patient accounts. DPS leadership is also inquiring with other similar EMS agencies around the country how they handle account reconciliation in their services. Our goal is to have these processes in place by the end of this fiscal year.
Estimated Implementation Date	Revised Implementation Date	Status
9/30/17	12/31/17	In Progress
Last Status Update	Current Recommendation Action	IA Follow-up Notes
N/A		Management change and natural disaster (Hurricane Irma) have put this behind schedule. We will follow up until completion.



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4/9/2018	Remains open at this time	We have engaged the support of a billing consultant to help us a broader evaluation of our billing processes; there is no estimated timeline for completion at this point.
6/30/2018	Remains open at this time	“We continue to work with the vendor to clarify roles/responsibilities; we’re also going out to bid for these services in the fall, as the contract expires in September 2019.”
9/14/2018	Remains open at this time	“We are rebidding this project to explore the options available to us in the market. That timeframe is TBD.”
3/31/2019	Remains open at this time	There is no change in the timeframe to rebid the contract.

**BOCC Community Development - Revenue
(Project 2018.06, Issued July 2018)**

Fees		
Observation	Recommendation	Original Management Response
<p>A sample of fees charged by the Community Development Department was traced to the fees listed in the External Fees and Charges Manual. All of the fees in the sample conformed to the fees listed in the manual. No exceptions were found.</p> <p>All of the Community Development Department fees listed in the External Fees and Charges Manual were traced to BOCC approval of the fees. Nine of the fees listed in the manual could not be traced to</p>	<p>It is recommended that the nine fees be resubmitted to the BOCC for proper authorization.</p>	<p>We will work with County Administration to schedule Board action on this issue at an upcoming BOCC meeting.</p>



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the BOCC action authorizing the fee.		
Estimated Implementation Date	Revised Implementation Date	Status
9/28/18	1/30/2019	Closed
Last Status Update	Current Recommendation Action	IA Follow-up Notes
3/19/19	Implemented	Implemented 3/19/19
BOCC Community Development – Code Enforcement (Project 2018.14, Issued October 2018)		
Administrative Fee		
Observation	Recommendation	Original Management Response
<p>A sample of 20 violations was selected for review. The activity and charges for each violation were reviewed.</p> <p>An Administrative Fee of \$150 is charged for both lot mowing violations and nuisance violations. This administrative fee is authorized in the lot mowing ordinance (Ord 14-08) and is included in the External Fees Manual. This administrative fee is not authorized in the nuisance ordinance (Ord 93-39); nor is it included in the External Fees Manual.</p>	<p>It is recommended that the \$150 administrative fee for nuisance violations be approved and included in the External Fees Manual.</p>	<p>This is a similar issue to the findings from the earlier audit indicating that previous authorization for nine of the fees in the External Fees Manual could not be confirmed, with a recommendation that we seek BOCC reauthorization of those fees. We are moving forward with an Agenda Item Report to bring the previously-identified fees to the BOCC for consideration, and will include this Administrative Fee for nuisance violations in that same action.</p>
Estimated Implementation Date	Revised Implementation Date	Status
1/7/2019	3/31/19	Closed
Last Status Update	Current Recommendation Action	IA Follow-up Notes
Implemented 3/19/19		Implemented 3/19/19
Complaints		
Observation	Recommendation	Original Management Response



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<p>Code Enforcement's stated goal is to investigate complaints within three working days. This goal is not documented in any formal written policy or procedures.</p> <p>A sample of 30 complaints from June and July 2018 was reviewed to determine whether the goal was met. The average response time for the complaints in the sample was 3.8 working days. Thirteen of the 30 complaints were not investigated within three days.</p>	<p>It is recommended that the goal to investigate complaints be included in a formal written policy or procedure. Steps should be taken to monitor compliance with this goal.</p>	<p>As far as not meeting the goal, the time period that was analyzed coincided with a transition to new permitting software that has not gone smoothly. One particular trouble area in the software related to Code Enforcement reporting and case assignment and tracking, which contributed greatly to the longer response times noted in the audit. We have been working diligently since June with our IT group and contractor to improve the software and significant progress has been made, which has improved our response times. For most complaints we receive, the Code Enforcement Specialists respond by the next day.</p>
Estimated Implementation Date	Revised Implementation Date	Status
1/7/2019	7/1/19	Open
Last Status Update	Current Recommendation Action	IA Follow-up Notes
3/31/2019		In Progress. Revised implementation date is 7/1/2019.
<p>HSMV Data Exchange Controls Assessment Audit (Project 2019.08, Issued March 2019)</p>		
<p>Policies and Procedures – Logging, Monitoring, and Incident Reporting</p>		
Observation	Recommendation	Original Management Response
<p>We noted that there were no written policies and procedures on logging, monitoring, and security incidents reporting for the use of Data Exchange and Memorandum of Understanding (MOU) compliance.</p> <p>Documented logging and monitoring procedures help management to identify potential misuse and unexplained access of the Data Exchange/DAVID</p>	<p>We recommend development of logging, monitoring, and incident reporting procedures to address the potential misuse of Data Exchange and DAVID information and ensure compliance with the MOU requirements.</p>	<p>Agreed, a new LeeWay policy has been created for HSMV Operational Compliance. The policy includes logging, monitoring and incident reporting for the data exchange and DAVID data.</p>



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data.		
Estimated Implementation Date	Revised Implementation Date	Status
		Closed
Last Status Update	Current Recommendation Action	IA Follow-up Notes
4/9/2019		Management took action on the recommendation.
Unauthorized dissemination, sharing, or passing of data exchange information		
Observation	Recommendation	Original Management Response
<p>LeeWay is currently sending Data Exchange data files to the Central Florida Expressway Authority (CFX). We noted the following:</p> <ul style="list-style-type: none"> • LeeWay has been sending Data Exchange files (driver's license and motor vehicle data) to CFX for more than ten years. • The HSMV office reportedly approved that LeeWay could receive Data Exchange data and then provide it to certain other Florida toll agencies. There is no documentation of this request or agreement in writing. • According to the current MOU, LeeWay agreed to: <i>Be responsible for interfacing with any and all Third Party end users. The Providing Agency will not interact directly with any Third Party end users. Lee County Toll Facilities - LeeWay Division shall not give Third Party end users (i.e.: Central Florida Expressway Authority) the name, Email address, and/or telephone number of any Providing Agency employee without the express written consent of the Providing</i> 	<p>We recommend that LeeWay obtain written consent from HSMV to document approval of providing Data Exchange information to a third party.</p>	<p>Agreed, DOT Toll Facilities was unable to obtain written permission from HSMV to document approval for providing the data exchange data to Central Florida Expressway (CFX). In February 2019, DOT Toll Facilities ended the practice of providing the data to CFX.</p>



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<p><i>Agency (Department of Highway Safety and Motor Vehicles)</i></p> <ul style="list-style-type: none"> Safeguarding Information - the MOU states that information exchanged will not be used for any purpose not specifically authorized by the MOU agreement. Unauthorized use includes, but is not limited to, queries not related to a legitimate business purpose, personal use, and the dissemination, sharing, copying or passing of this information to unauthorized persons. 		
Estimated Implementation Date	Revised Implementation Date	Status
		Closed
Last Status Update	Current Recommendation Action	IA Follow-up Notes
4/8/2019		Leeway stopped sending Data Exchange information to third parties.
Criminal Sanctions and Confidentiality Acknowledgements		
Observation	Recommendation	Original Management Response
<p>According to the current MOU's:</p> <ul style="list-style-type: none"> <i>All personnel with access to the information exchanged under the terms of this agreement will be instructed of, and acknowledge their understanding of the criminal sanctions specified in state law for unauthorized use of the data. These acknowledgements must be maintained in a current status by the Requesting Party.</i> <i>All personnel with access to the information exchanged under the terms of this agreement will be instructed of, and acknowledge their understanding of, the confidential nature of the information. These acknowledgements must be maintained in a current status by the Requesting Party.</i> 	<p>We recommend that all DAVID users and any support staff (i.e.: Temporary employees) with access to Data Exchange/DAVID information receive training and sign annually or upon approval of user first access, the Criminal Sanctions and Confidentiality Acknowledgement forms. LeeWay should maintain these forms in compliance with applicable records retention schedules.</p>	<p>Agreed, DOT Toll Facilities has split the combined HSMV and PCI Compliance training that was utilized in the past. New annual HSMV Compliance training has been created and includes the signed confidentiality and criminal sanctions acknowledgements.</p>



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Estimated Implementation Date	Revised Implementation Date	Status
		Closed
Last Status Update	Current Recommendation Action	IA Follow-up Notes
4/8/2019		Management took action on the recommendation.