



**Clerk of the Circuit Court**  
**Board of County Commissioners**  
Marion County  
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**Internal Audit Division**

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The Honorable Board of County Commissioners

RE: AUDIT REPORT-LIMITED REVIEW OF THE ROAD DEPARTMENT  
ROADS AND RIGHTS-OF-WAY MAINTENANCE PROGRAM

With the concurrence and cooperation of the County Administrator, the Internal Audit Division has performed a limited review of the Road Department county roads and rights-of-way maintenance operations. This review was focused on the procedures for obtaining and documenting citizen requests and documenting maintenance work performed.

Our review involved an examination of pertinent documents, interviews of Road Department staff and management, review of information systems and observations of procedures and employee activities. We have some recommendations which should enhance controls over roads maintenance operations. Management's responses and comments are included. Since we did not review all operations of the Road Department, our findings and recommendations discussed in this report pertain only to the areas under review.

We would like to express our appreciation to the Acting Road Department Director and the staff of the Road Department for their assistance and cooperation during this review.

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Clerk of the Circuit Court

Wallace K. Watford  
Internal Auditor

c: James L. Lowry, County Administrator  
Edwin L. Smith, Assistant County Administrator  
Janet Y. Tutt, Assistant County Administrator  
L. Robert Titterington, County Engineer

**DEPARTMENT SUMMARY**

The following information pertaining to the Road Department (Department) should provide the reader with departmental background in order to better evaluate this report.

The Road Department (department #4120, budgeted as Road and Bridge) is funded by the County Transportation Maintenance Fund. The total expenditure budget adopted for fiscal year 1998-99 is \$7,297,953, consisting of \$5,949,353 in salaries, benefits and other operating expenses and \$1,348,600 in capital outlays. One hundred and nine (109) full-time employees are currently authorized; one hundred and five (105) employees were on the payroll as of mid-December 1998.

The following departmental description was extracted from the fiscal year 1998-99 Proposed Budget, as prepared from information submitted to the Clerk's Budget Division.

The purpose of the Road Department is to ensure the safety of the traveling public by patching pot holes, filling drop-offs, removing downed trees, mowing rights-of-way and any other unsafe conditions that might occur while working toward a beautiful Marion County. The Department's goal is to provide the best service to the citizens of Marion County by assuring that the roads and rights-of-way are maintained in proficient and timely manner. The Department strives to keep Marion County roads and rights-of-way safe for the traveling public by using the most efficient process available to us for road maintenance.

The Department maintains more than 3,000 miles of paved and unpaved roads. Department operations are divided into four districts, each representing one quadrant of Marion County. Each quadrant is the direct responsibility of a District Supervisor who has charge of approximately twenty-five employees organized into four or five crews. These crews maintain safe roads by patching and filling pavement, grading unpaved roads, mowing the rights-of-way, correcting drainage problems in the roads and rights-of-way and removing downed trees.

For many months the Department has not filled the vacant position of Road Department Director. Instead the Road Superintendent has fulfilled the duties of Acting Director, reporting directly to the County Administrator's office. On January 19, 1999, the Board of County Commissioners (BCC) approved the reorganization of the Road Department as a division of the Engineering Department. The County Engineer will be the director of both operating departments.

**BACKGROUND**

This review was initiated at this time because of a recent issue that is being handled administratively by County management.

During the Summer of 1998, a Marion County department head submitted a verbal service request directly to a Road Department District Supervisor. This request regarded ongoing storm water damage to his private property, a driveway, and that of a neighboring relative.

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The District Supervisor evaluated this request and instituted corrective actions over the next few months. Such actions eventually resulted in the asphalt paving of the two driveways in December 1998. This action was thereafter reported to County administration by at least one citizen alleging favoritism to a County employee.

### **FINDINGS AND OBSERVATIONS**

We approached this review of the Road Department (Department) by obtaining a sufficient understanding of the procedures and processes followed by Department staff in the routine performance of their assigned duties. We first reviewed selected budgetary and financial information related to the Department. We then held an entrance conference with the Acting Director to obtain an overview of departmental structure and operations, particularly pertaining to pavement maintenance. This was followed by interviews with the two Staff Assistants who are involved in citizen complaint procedures and have contact with the District Supervisors.

We physically observed County road and right-of-way conditions, including driveways, in the four districts. Additionally, the Acting Director provided us an opportunity to observe his re-evaluation, which included one interview, of two citizen service requests that had been denied by a District Supervisor. We subsequently reviewed the operation of the management information system in which citizen complaints and related work orders are recorded and tracked and we examined selected documentation produced by or for the system. A meeting with the District Supervisor involved in this particular matter completed our review.

Each of the following findings and observations came to our attention during the examination of the road and rights-of-way maintenance program of the Road Department.

#### **A. DEPARTMENTAL POLICIES AND PROCEDURES**

The Department is covered by the Marion County Policies & Procedures Employee Manual. Section One of the manual contains the Code of Ethics which presents the five general codes of conduct prescribed for all County employees and public officers. This section also references that Florida Statute 112.313, Code of Ethics, shall apply to County employees. These standards pertain to gifts, unauthorized compensation, doing business with one's agency, misuse of public position and disclosure or use of certain information. The pertinent standard most applicable to this review states that "no employee may use or corruptly attempt to use his official position or any property or resource within his trust, or perform his official duties to obtain a special privilege, benefit or exemption for himself or others."

The Department has few official policies and procedures. On October 20, 1981 the BCC adopted Road Maintenance definitions (see attachment) which refer to the County's responsibilities for four types of roads. These are: (A) roads within platted subdivision built according to Public Works Manual; (B) roads historically maintained by the Road Department and/or approved for maintenance by the BCC; (C) public and/or rights-of-way deeded to the County for roads not routinely maintained

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by the County; (D) roads not maintained by the County, but for which limited maintenance will be performed for emergency vehicles.

The Acting Director in May 1998 initiated revisions to these definitions. The revised definitions were reviewed for legal issues by the County Attorney's office, who recommended that types C and D be combined as roads not maintained by the County. This proposed policy revision has not yet been sent to BCC for adoption.

The Department does have some formalized internal procedures. The Acting Director, in his capacity as Road Superintendent, previously issued written procedures to the District Supervisors. Most were issued in 1994 (some revised in 1998) and covered supervisory techniques, hurricane preparation, emergency on call procedures and basic road maintenance operations. These internal procedures also included specific guidance on such routine procedures as applying base rock, patching pot holes, shoulder maintenance, roadside mowing and ditch maintenance.

### **B. DEPARTMENTAL STRUCTURE AND ORGANIZATION**

In order to provide more responsive services, the Department is subdivided into four County quadrants or districts in which employees and machinery are assigned. Each is headed by a District Supervisor (Supervisor) who is given broad authority to carry out required departmental duties. The Supervisors are directly responsible to the Roads Superintendent for the performance of their individual districts. The Roads Superintendent ensures that each Supervisor performs his duties and that each district and the Department as a whole completes its mission.

Each Supervisor determines the individual crew assignments, allocates the employees to each crew and designates a crew leader. The Supervisor must ensure that crew staffing is adequate and must handle last minute changes to a planned work schedule, especially as related to weather, but also includes such items as sick or tardy employees. The Supervisor considers all service requests received from citizens and is responsible for handling exceptional or chronic citizen complaints. Any such complaints that are not cleared are then examined and handled by the Roads Superintendent.

### **C. CITIZEN COMPLAINTS/SERVICE REQUESTS-GENERAL PROCEDURES**

From conversations with the Acting Director and both Staff Assistants, it appears the current procedures and controls have been in place for some years and are understood by administrative and district personnel. Most complaints and requests are received by telephone and can concern any number of issues that are road or right-of-way related. These include storm water drainage problems, pot holes, rough roads and ungraded or impassable dirt roads, but can also include downed trees and dead animals on the roadways.

The following are the general procedures and process to receiving and handling citizen complaints. The citizen calling the Road Department is aided by a Staff Assistant, who obtains the necessary information and location of the problem and informs the caller that the Department will observe and

evaluate the request within three work days. The Staff Assistant determines the correct district and creates a Request for Service or “work order” by entering the information into the computer. This information is immediately available to the District Supervisor who has on-line access at the district office. If the request requires prompt action, the Staff Assistant will also call the Supervisor.

The District Supervisor must evaluate the request to determine if corrective action is necessary. The Supervisor contacts the caller with the decision and related explanation. If action is required, the Supervisor makes the decision and instructs the work crews how and when to correct the problem. The accomplishment of the “work order” is shown on each work crews Daily Work Report. This form is manually prepared and shows the crew employees, the number of hours worked on the correction and identification and costs of any equipment and materials used.

The Supervisor writes or approves the corrective action taken which is noted on the Request for Service form and which is entered into the computer system. The Supervisor also reviews and approves the Daily Work Report form which is entered into the computer system.

We noted that some District Supervisors do not enter the above forms into the computer at the district office. Instead the manual forms are sent to the Department office for input by a Staff Assistant. We also noted that some District Supervisors who do enter the forms retain the original forms instead of forwarding to the Department office for filing.

We further noted during conversations with staff that the computer system is difficult to maintain and is approaching obsolescence. We observed that the system is not flexible or particularly user friendly. We located some information in the system only because we had obtained paper documentation of its existence or identified related information which we knew was contained in the computer. Management is searching for an updated system which will provide a better database and will be easier to maintain.

#### **D. PARTICULAR CASE-PROCEDURES FOLLOWED**

We noted that in the particular case under review, the general procedures were not always followed to the letter. The significant exception seems to be the initial contact. Apparently because of work proximity and long term knowledge of the County employees, the Fleet Management Director contacted the newly assigned District Supervisor of an ongoing and uncorrected road drainage condition which damaged his driveway and his father-in-law’s driveway at the public right-of-way. This service request was not entered into the computer system for tracking.

According to the District Supervisor, he performed an on-site survey and evaluation of the condition before significant corrective work was performed. This seems to have taken place over a couple of months. Initial corrective actions took the forms of adding limerock to restore the driveway washouts and grading the road shoulders to change the storm water runoff patterns. These actions would have been recorded on the crews’ Daily Work Reports, but not associated with any Request for Service in the computer system.

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In October 1998, it was discovered that the previous actions had not corrected the condition. The District Supervisor determined that further work was need on this drainage problem. On October 23, 1998, limerock and equipment were used to build up two driveways to prevent water from entering the private property. This time the Request for Service form was prepared which clearly identified the name of the Fleet Management Director and referenced the related Daily Work Report.

Again the corrective measure failed and in December 1998 the District Supervisor determined that a major effort was needed. This time the two driveways were again built up with compacted limerock, but were now capped with asphalt. Although this was a more expensive solution to a chronic drainage problem, the District Supervisor contends that the project was an unusual condition and this action fixed a recurring problem. He insists that there was no coercion or improper reason the repair was done in the final manner. Although there may have been other ways to cure this drainage problem, in his opinion this was the most effective method.

### **CONCLUSIONS**

In general, we found that the existing roads maintenance procedures and controls are serviceable, but should be updated and enhanced for clarity and consistency. There should be greater care to ensure that all service requests are entered into the management information system, regardless of how and from whom obtained. Upgrading the computer application to provide necessary information is desirable and management is already considering enhancements.

We found no evidence or indication of impropriety by any County official or employee. Even though it is not possible to know beyond a doubt what was the intent or what was someone's perception of the intent, we believe no wrongdoing was committed nor was there an intent to misuse an official position as defined in the County's Code of Ethics. Further, we noted that several months had passed from the original contact between the Fleet Management Director and the District Supervisor and the final paving of the driveways. In the intervening period, progressively extensive attempts were made to resolve the drainage problem, which does not seem indicative of coercion.

We did conclude that the two driveways were repaired in a manner not normally done by the Department. Based on our inspection of County maintained roads, we did not identify any other obvious driveway repairs that were similar. We further believe that a reasonable person could infer that there was an appearance of impropriety.

We have made no determination of whether the particular repair made to resolve the drainage issue was appropriate. This appears to be a technical matter that management may better evaluate. It seems reasonable to allow a District Supervisor to wield considerable authority and decision making, particularly considering the size and resources of the County. In fact, such latitude would seem desirable if the supervisors are capable, professional and reliable.

## RECOMMENDATIONS

Our suggestions for enhancing controls and procedures follow. These are based only on our review activities to date, which have not included all operational aspects of the Department. At present the Department is being reorganized as a division of the Engineering Department and many operations will necessarily be examined by management. Further critique on our part at this stage would be too much “fine tuning” and could be unnecessarily intrusive into management’s responsibilities. We would be pleased to respond to any management request for additional assistance.

**We recommend that** County Administration revise and reissue in written form the County’s Code of Ethics that emphasizes the need to minimize the appearance of impropriety in the conduct of County employees and public officers. This could have an addendum specifically addressed to department directors regarding misuse of public position. In the future, if department directors, as well as assistant county administrators and similar “high profile” officials, require County services that could appear to be an exceptional benefit not available to the public, written approval should be obtained from the County Administrator. Should the County Administrator have need for similar County services, he would obtain BCC approval. Violations of this standard would result in disciplinary actions.

**We recommend that** Road Department management revise and reissue in written form its policies concerning citizen complaints and service requests. Further, procedures should be developed that provide more specific guidance and how best to resolve the complaints and requests. Policies and procedures should be relevant, meaningful and flexible. If too complex or onerous, chances are very good that the policies and procedures would not be closely followed without strict enforcement, which could create too much burden on supervisors.

**We recommend that** Road Department management continue its search for a replacement computer application. This application should have a more comprehensive database which is readily accessible and can provide management with needed information on a timely basis without significant time in the gathering stage.

## MANAGEMENT’S RESPONSES AND COMMENTS

**Recommendation:** Revise and reissue in written form the Code of Ethics with an addendum specifically addressing department directors regarding misuse of public position.

Management’s Position: We partially concur.

- We strongly believe in the Code of Ethics, and agree that strict adherence should be given by ALL employees. Administration agrees that increased vigilance and emphasis be placed upon the proper conduct of *all* county employees.

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**Recommendation:** Policies concerning citizen complaints and service requests be revised and reissued, including development of procedures providing specific guidelines for resolving these issues.

Management's Position: We concur.

- The Board of County Commissioners approved a reorganization of the Road Department, placing it within the framework of the Engineering Department, which should allow for proper development of policies and procedures addressed in the review.
- The Road Department consists of many long-time Marion County employees who have not had the benefit of strong leadership or individuals who can assist in long-term planning and organizational oversight. County Engineer Bob Titterington is a former City Manager; Assistant County Engineer Jim Richards brings a wealth of experience in this area. Other senior staffers, including Drainage Engineer Paul Bradley and Traffic Engineer Mounir Bouyounes, will be involved in the education and training of Road Department employees.

**Recommendation:** The Department search for a replacement computer application.

Management's Position: We concur.

- The Department and Information Systems are preparing a Request for Proposal (RFP) to be issued in the latter part of this budget year to address this issue.

ATTACHMENT

**Excerpted from BCC Minutes of October 20, 1981**

Road Maintenance - Upon motion of Commissioner England, seconded by Commissioner Abshier, the Board adopted the following Marion County Road Department Road Maintenance definitions:

**Road Maintenance "A"**

Roads within platted subdivision that were built according to the Public Works Manual and have been accepted for maintenance by the Board of County Commissioners after satisfactory completion of the developers maintenance period. Roads will be maintained on a routine basis.

- A. Paved roads will be maintained by patching potholes and pavement edge drop-offs.
- B. Paved road shoulders and ditches will be mowed on a routine basis within budgetary limitations (approximately once every nine weeks).
- C. Unpaved roads will be maintained by grading within budgetary limitations (approximately once every seven weeks).
- D. Unpaved road shoulders and ditches will not be mowed.
- E. Trimming and quadrant sign replacement will be performed within budgetary limitations.
- F. All traffic control devices will be maintained.
- G. Drainage system will be maintained in a functional manner.
- H. Dedicated water retention areas will be maintained. (Mowed once a year during the month of November.)

**Road Maintenance "B"**

Roads historically maintained by the County Road Department and/or approved for maintenance by the Board of County Commissioners. Maintenance will be on a routine basis.

- A. Paved roads will be maintained by patching potholes and pavement edge drop-offs.
- B. Paved road shoulders and ditches will be mowed within budgetary limitations. (Approximately once every nine weeks.)
- C. Unpaved roads will be maintained by grading within budgetary limitations. (Approximately every seven weeks.)
- D. No shoulder mowing will be performed on unpaved roads.
- E. Trimming will be performed within budgetary limitations.
- F. Traffic control and quadrant signs will be installed and maintained within budgetary limitations.
- G. The drainage system will be maintained within budgetary and right-of-way limitations.

**Road Maintenance "C"**

Public and/or rights-of-way deeded to the County for roads that are not maintained by the County on a routine basis. Road maintenance will be performed when deemed necessary by the Road Department to correct dangerous conditions. When maintenance crews are in the area roads that are passable but bad, will be graded when feasible. Mowing, grading, pavement patching, trimming, quadrant sign and traffic control devices, installation and stabilization will not be performed unless such action is deemed necessary to correct dangerous or hazardous conditions. The County does not assume any liability for any conditions on the roadway.

**Road Maintenance "D"**

"Roads" not maintained by the County. Maintenance will be limited to those "roads" and rights-of-way that are physically impassable but needed for emergency vehicles such as ambulances and fire trucks. "Roads" that are rough but passable would not be considered for maintenance. "Roads" that do not have a density ratio of 6 occupied residences per mile will not be considered for maintenance. The County does not assume any liability.