

PALM BEACH COUNTY
BOARD of COUNTY COMMISSIONERS
BOARD APPOINTMENT SUMMARY

Meeting Date: August 14, 2018

Department: Internal Auditor’s Office

Advisory Board: Internal Audit Committee

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to appoint the following individuals to the Internal Audit Committee:

Seat #	Nominee	Seat Requirement	Term
4	Nam Nguyen	Not seat specific	Expires 9/30/2021
Alternate	Adair Barton	Not seat specific	Expires 9/30/2020

All members of the Internal Audit Committee are required to be citizens of the County, independent of County operations and officials, with experience in business or finance; government accounting, auditing, operations or financial management; or other relevant experience.

Summary: At its June 20, 2018 meeting, the Committee unanimously recommended the reappointment of Mr. Nguyen to Seat 4 and the appointment of Mr. Barton to fill the vacancy in the Alternate Seat. If reappointed, Mr. Nguyen will serve a three-year term ending September 30, 2021. . If appointed, Mr. Barton will serve the balance of the current three-year term ending September 30, 2020. The audit committee has five full member seats and one alternate member seat. Following Mr. Nguyen’s reappointment and Mr. Barton’s appointment, the five full member seats and the alternate member seat will be filled. Diversity count will be: Caucasian: 3 (50%), Asian American: 1 (16%), African American: 1 (16%), and Hispanic: 1 (16%). The gender ratio (male: female) will be 4:2. Mr. Nguyen is Asian American; Mr. Barton is a Caucasian male. Countywide (DB)

Background and Justification: The Committee was established in August 1987 by resolution R-87-1226. Ordinance 2010-006, adopted March 23, 2010 established a new five-member audit committee consisting of individuals who are independent of the County organization and have experience in business or finance; government accounting, auditing, operations or financial management; or other relevant experience. Ordinance 2013-030, adopted November 19, 2013, added an alternate member.

As set forth in Chapter 2, Article V, Division 9 of the Palm Beach County Code, the purpose of the Internal Audit Committee is to assist the Board in fulfilling its oversight and governance responsibilities of County operations and providing advice and recommendations to the County Internal Auditor.

Attachments:
Audit committee background and current membership list, attendance records, and candidate application form.

Recommended by: Joseph F. Bergeron 12 July 2018
County Internal Auditor Date

Legal Sufficiency: [Signature] 7/13/18
Assistant County Attorney Date

PALM BEACH COUNTY INTERNAL AUDIT COMMITTEE

BOARD APPOINTMENT APPLICATION BACKGROUND INFORMATION

The Committee was established by Ordinance 2010-006 adopted March 23, 2010 and revised by Ordinance 2012-011 adopted June 19, 2012, Ordinance 2013-030 adopted November 19, 2013, and Ordinance 2017-020 adopted June 20, 2017.

Section 4 – Composition of the Ordinance establishes the membership requirements and composition of the Committee. The Section reads as follows:

- A. The Internal Audit Committee shall be composed of five members and one alternate member appointed by the BCC and shall not include any county commissioners as members. The alternate member may only participate and vote when another member is absent.
- B. All members shall be citizens of Palm Beach County, independent of elected and appointed county officials and employees, and not employed in any capacity by the BCC or by an entity subject to audit by the County Internal Auditor.
- C. Membership of the Internal Audit Committee will be to the greatest extent possible representative of the community-at-large and reflect the racial, gender and ethnic make-up of the community.
- D. The members' terms shall be three years and staggered so that the Internal Audit Committee annually includes a new member and members with one and two years of service. Members terms will begin on October 1 and end on September 30.
- E. Each member shall serve no more than three consecutive full terms.
- F. Committee members shall have experience in business or finance; government accounting, auditing, operations or financial management; or other relevant experience.
- G. The chair of the Internal Audit Committee will be elected by the members of the Internal Audit Committee to serve a single two year term.
- H. The committee is subject to the uniform policies and procedures established by the BCC as set forth in Resolution R-2013-0193 and amendments thereto (if any).

Current composition of the Committee is:

- Seat 1: Raquel Batista Sjomeling, CPA, Hispanic, female, term expires 9/30/19.
- Seat 2: Mark Feldmesser, CPA, Caucasian, male, term expires 9/30/19.
- Seat 3: Rhonda Rogers, African-American, female, term expires 9/30/21
- Seat 4: Nam Nguyen, CPA, Vice-Chair, Asian-American, male, term expires 9/30/18
- Seat 5: Marc Cohn, Caucasian, male, term expires 9/30/20.
- Alternate: Vacant, term expires 9/30/2020

Committee meeting schedule:

The Ordinance requires the Committee to meet at least quarterly.

The Committee currently meets on the third Wednesday of March, June, and September.

The December meeting is the second Wednesday of the month. Additional meetings are scheduled as necessary.

Conflict Memoranda:

None have been filed by any member since establishment of the Committee in August 2010.

Palm Beach County Internal Audit Committee Attendance Record

Seat	Member	Jun-18	Mar-18	Dec-17	Oct-17	Aug-17	Jun-17	Mar-17	Dec-16	Sep-16	Special	Jun-16	Mar-16	Dec-15	Oct-15	Sep-15
1	Raquel B. Sjomeling	P	P													
2	Mark Feldmesser	P	P	P	P	P	P	A	P							
3	Rhonda Rogers	A														
4	Nam Nguyen	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
5	L. Marc Cohn	A	P	P	P *	P	P	P	P	A	P	P	P	P	P	P
Alternate	Vacant															

P = present A - absent P * = term expired but attended meeting
Resolution R2013-193 (3/1/13) established uniform terms for all committees at three years with a limit of 3 consecutive 3 year terms
The resolution also eliminated excused absences and established attendance requirements as follows:
Must attend more than one-half of the scheduled meetings in a calendar year
Must not miss three consecutive meetings.

Seat History				Members are limited to three full three year terms. All terms end September 30 of the indicated year.			
Seat #	Appointee	Appointed	Term	Re-appointed	Term	Re-appointed	Term
1	Raquel B. Sjomeling	Jan-18	2016-2019				
2	Mark Feldmesser	Nov-16	2016-2019				
3	Rhonda Rogers	May-18	2018-2021				
4	Nam Nguyen	Aug-10	2010-2012	Aug-12	2012-2015	Oct-15	2015-2018 Term as Vice Chair ends 9/30/18
5	Marc Cohn	Oct-14	2014-2017	Nov-17	2017-2020		
Alternate	Vacant		2017-2020				

PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS
BOARDS/COMMITTEES APPLICATION

The information provided on this form will be used in considering your nomination. Please **COMPLETE SECTION II IN FULL**. Answer “none” or “not applicable” where appropriate. Please attach a biography or résumé to this form.

Section I (Department): (Please Print)

Board Name: Internal Audit Committee Advisory [X] Not Advisory []

[X] At Large Appointment or [] District Appointment /District #:

Term of Appointment: 3 Years. From: 10/1/2018 To: 9/30/2021

Seat Requirement: Citizen of Palm Beach County familiar with business or auditing Seat #: 4

[X]*Reappointment or [] New Appointment

or [] to complete the term of Due to: [] resignation [] other
Completion of term to expire on:

*When a person is being considered for reappointment, the number of previous disclosed voting conflicts during the previous term shall be considered by the Board of County Commissioners:

Section II (Applicant): (Please Print)
APPLICANT, UNLESS EXEMPTED, MUST BE A COUNTY RESIDENT

Name: Nguyen Nam H
Last First Middle

Occupation/Affiliation: Certified Public Accountant, Chartered Global Management Accountant / Certified Internal Auditor
Owner [X] Employee [] Officer []

Business Name: NAM H NGUYEN CPA P.A.

Business Address: 1600 S Dixie Highway, Suite 504

City & State Boca Raton, FL Zip Code: 33432

Residence Address: 1448 SW 13th Dr

City & State Boca Raton, FL Zip Code: 33486

Home Phone: (561) 394-7838 Business Phone: (561) 416-1391 Ext.

Cell Phone: (561) 350-3081 Fax: ()

Email Address: Nam@nhncpa.com

Mailing Address Preference: [X] Business [] Residence

Have you ever been convicted of a felony: Yes No X

If Yes, state the court, nature of offense, disposition of case and date:

Minority Identification Code: [X] Male [] Female
[] Native-American [] Hispanic-American [X] Asian-American [] African-American [] Caucasian

Section II Continued:

CONTRACTUAL RELATIONSHIPS: Pursuant to Article XIII, Sec. 2-443 of the Palm Beach County Code of Ethics, advisory board members are prohibited from entering into any contract or other transaction for goods or services with Palm Beach County. Exceptions to this prohibition include awards made under sealed competitive bids, certain emergency and sole source purchases, and transactions that do not exceed \$500 per year in aggregate. These exemptions are described in the Code. This prohibition does not apply when the advisory board member's board provides no regulation, oversight, management, or policy-setting recommendations regarding the subject contract or transaction and the contract or transaction is disclosed at a public meeting of the Board of County Commissioners. To determine compliance with this provision, it is necessary that you, as a board member applicant, identify all contractual relationships between Palm Beach County government and you as an individual, directly or indirectly, or your employer or business. This information should be provided in the space below. If there are no contracts or transactions to report, please verify that none exist. Staff will review this information and determine if you are eligible to serve or if you may be eligible for an exception or waiver pursuant to the code.

<u>Contract/Transaction No.</u>	<u>Department/Division</u>	<u>Description of Services</u>	<u>Term</u>
<u>Example: (R#XX-XX/PO XX)</u>	<u>Parks & Recreation</u>	<u>General Maintenance</u>	<u>10/01/00-09/30/2100</u>

_____	_____	_____	_____
_____	_____	_____	_____

(Attach Additional Sheet(s), if necessary)
OR

NONE	<input checked="" type="checkbox"/>	NOT APPLICABLE/ (Governmental Entity)	<input type="checkbox"/>
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ETHICS TRAINING: All board members are required to read and complete training on Article XIII, the Palm Beach County Code of Ethics, and read the State Guide to the Sunshine Amendment, Article XIII, and the training requirement can be found on the web at: <http://www.palmbeachcountyethics.com/training.htm>. Ethics training is on-going, and pursuant to PPM CW-P-79 is required before appointment, and upon reappointment.

By signing below I acknowledge that I have read, understand, and agree to abide by Article XIII, the Palm Beach County Code of Ethics, and I have received the required Ethics training (in the manner checked below):

<input checked="" type="checkbox"/>	By watching the training program on the Web, DVD or VHS on <u>6/19</u> 20 <u>18</u>
<input type="checkbox"/>	By attending a live presentation given on _____, 20____

AND

By signing below I acknowledge that I have read, understand and agree to abide by the Guide to the Sunshine Amendment & State of Florida Code of Ethics:

*Applicant's Signature:  Printed Name: NAM H NGUYEN Date: 6/19/2018

Any questions and/or concerns regarding Article XIII, the Palm Beach County Code of Ethics, please visit the Commission on Ethics website www.palmbeachcountyethics.com or contact us via email at ethics@palmbeachcountyethics.com or (561) 355-1915.

Return this FORM to:
{Insert Liaison Name Here}, {Insert Department/Division Here}
{Insert Address Here}

Section III (Commissioner, if applicable):

Appointment to be made at BCC Meeting on: _____

Commissioner's Signature: _____ Date: _____

NAM H. NGUYEN, CPA, CIA, CGMA

1600 S Dixie Hwy. Suite 504 • Boca Raton, FL 33432 • Tel: (561) 416-1391 •

Profile	<p>A seasoned professional with extensive corporate and entrepreneurial experience in many facets of multinational and smaller organizations in various industries including property and casualty insurance and life insurance companies, healthcare companies and automobile dealerships. A management team member with excellent analytic, problem solving and strategic planning skills. Enjoy working, motivating and managing diverse groups of people.</p>
Professional Experience	<p>Principal of Nam H. Nguyen, CPA, P.A. – Providing accounting and advisory services to private and smaller public reporting entities including reporting to the audit committee and board of directors, fund raising, closing financing transactions, and negotiating business transactions.</p> <p>Manager, Financial Controls – W.R. Grace & Co. – Developed a global joint risk-based audit plan. Planned, directed and executed operational reviews and financial audits. Communicated results to management and assisted in the implementation of recommendations and coordinated audit efforts with external auditors.</p> <p>Vice President, Financial Reporting – John Alden Financial Corporation – Directed a team of 25 accounting professionals including those in two significant subsidiaries with responsibilities for overseeing corporate accounting, SEC filings and filings with insurance department in 50 states, public stock offering and loan covenant review.</p> <p>Senior Manager, Audit – Price Waterhouse – Directed efficient audits of public and privately held companies, specialized in insurance and healthcare companies. Communicated and interacted with senior executives and audit committee members. Assisted client in the successful IPO transaction in the New York Stock Exchange. Recruited, trained, developed and counseled professional personnel.</p>
Professional Designation	<p>Certified Public Accountant Chartered Global Management Accountant Certified Internal Auditor Chartered Property Casualty Underwriter Fellow, Life Management Institute Health Insurance Associate Associate in Risk Management</p>
Professional Activities & Affiliations	<p>Audit Committee Chair – Toastmasters District 47 Area Director – Toastmasters D47 Palm Beach County Internal Audit Committee Chair (2014-2016) Florida Institute of Certified Public Accountants – Atlantic Chapter Past President and FICPA Member of Board of Directors American Institute of Certified Public Accountants The Institute of Internal Auditors Sarbanes-Oxley Presenter</p>

**PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS
BOARDS/COMMITTEES APPLICATION**

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Board Name: Internal Audit Committee Advisory ☒ Not Advisory ☐
☒ At Large Appointment or ☐ District Appointment /District #: _____
Term of Appointment: 3 Years. From: 10/1/2017 To: 9/30/2020
Seat Requirement: Citizen of Palm Beach County familiar with business or auditing Seat #: Alternate Member
☐ *Reappointment or ☐ New Appointment
or ☒ to complete the term of Rhonda Rogers Due to: ☐ resignation ☒ other
Completion of term to expire on: September 30, 2020

***When a person is being considered for reappointment, the number of previous disclosed voting conflicts during the previous term shall be considered by the Board of County Commissioners: _____**

Section II (Applicant): (Please Print)

APPLICANT, UNLESS EXEMPTED, MUST BE A COUNTY RESIDENT

Name: Barton Michael Adair
Last First Middle
Occupation/Affiliation: N/A – formally VP of Internal Audit for Dycom Industries, Inc.
Owner ☐ Employee ☐ Officer ☐
Business Name: _____
Business Address: _____
City & State _____ Zip Code: _____
Residence Address: 426 Oriole Cir
City & State Jupiter, FL Zip Code: 33458
Home Phone: (561) 339-7180 Business Phone: () Ext. _____
Cell Phone: (561) 339-7180 Fax: ()
Email Address: adair@adairbarton.com
Mailing Address Preference: ☐ Business ☒ Residence
Have you ever been convicted of a felony: Yes _____ No X
If Yes, state the court, nature of offense, disposition of case and date: _____

Minority Identification Code: ☒ Male ☐ Female
☐ Native-American ☐ Hispanic-American ☐ Asian-American ☐ African-American ☒ Caucasian

Section II Continued:

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(Attach Additional Sheet(s), if necessary)			
OR			
NONE	<input checked="" type="checkbox"/>	NOT APPLICABLE/ (Governmental Entity)	<input type="checkbox"/>

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By signing below I acknowledge that I have read, understand, and agree to abide by Article XIII, the Palm Beach County Code of Ethics, and I have received the required Ethics training (in the manner checked below):

☐ By watching the training program on the Web, DVD or VHS on April 2 2018

☐ By attending a live presentation given on _____, 20____

AND

By signing below I acknowledge that I have read, understand and agree to abide by the Guide to the Sunshine Amendment & State of Florida Code of Ethics:

*Applicant's Signature: M. Adair Barton Printed Name: M. Adair Barton Date: 4/23/2018

Any questions and/or concerns regarding Article XIII, the Palm Beach County Code of Ethics, please visit the Commission on Ethics website www.palmbeachcountyethics.com or contact us via email at ethics@palmbeachcountyethics.com or (561) 355-1915.

Return this FORM to:
{Insert Liaison Name Here}, {Insert Department/Division Here}
{Insert Address Here}

Section III (Commissioner, if applicable):

Appointment to be made at BCC Meeting on: _____

Commissioner's Signature: _____ Date: _____

ADAIR BARTON, CPA, CISA

Jupiter, FL

adairinhim@hotmail.com

561.339.7180

www.linkedin.com/in/adairbarton/

INTERNAL AUDIT EXECUTIVE

Results-driven visionary leader with strong business insight, risk management, and internal audit experience

Proven hands-on leader who helps management identify and address risk facing the company. A passionate team builder with strong character who recognizes business patterns and is results oriented. Skilled in technology-based audit strategies, regulatory compliance, fraud investigation, and audit best practices. Experienced in building strong partnerships with management to enhance business processes and positively impact the customer experience and the bottom line.

Risk Management | Process Improvements | Internal Audit Oversight | SOX Compliance
Fraud Investigations | Cost Savings | Business Partnering | CyberSecurity

PROFESSIONAL EXPERIENCE

DYCOM INDUSTRIES, INC., Palm Beach Gardens, FL

2007 to 2017

Vice President, Internal Audit

Oversaw the internal audit department at Dycom, a \$3B telecommunications construction company. Responsible for all aspects of auditing the company's operations, financial systems, and corporate functions. Actively participated in the CEO Steering Committee to stay informed of key business directives. Communicated regularly with the Audit Committee regarding the status and results of audit projects.

- Developed leadership culture where several of my team members were promoted to Director or VP levels within the organization, increasing controls awareness.
- Co-led annual enterprise risk assessment (ERM) to identify and address top risks facing company.
- Facilitated controls and substantive testing with external auditors to help improve reliance on internal audit work and reduce cost to company.
- Made business process improvement recommendations to business owners to improve operations, increase efficiencies, reduce waste and increase profitability.
- Led project to ensure compliance with International Professional Practices Framework.
- Implemented web-based workpapers to facilitate testing, reduce paper, and improve transparency.

FEDEX SERVICES

1996 to 2007

Manager, Internal Audit, Dallas, TX (2004 – 2007)

Established internal audit function at FedEx Kinko's, coordinating all aspects of auditing the organization's international and domestic operations, financial systems, and corporate functions. Regularly called upon to consult with executive management to address complex auditing, accounting, and operational issues.

- Established internal audit function at FedEx Kinko's, a \$2B specialty retail company.
- Performed ongoing risk assessment developing annual audit plan for FedEx Kinko's.
- Received company's highest award (Five Star Award) for extended work with developing the Standard Operating Procedures (SOP) at FedEx Kinko's.
- Assisted CFO and COO establish Audit Oversight Committee, which was tasked with developing and monitoring control guidelines for Kinko's corporate and field operations.

Senior Auditor, Memphis, TN (1996 to 2004)

Supervised team of 6 auditors in reviewing various FedEx Express, Ground, and Freight operations. Performed in-depth revenue recovering testing which helped identify over \$10M in revenue “leaks.” Helped develop and implement controls to address these revenue leaks.

- Led multiple audits related to revenue capture and recovery at FedEx.
- Received prestigious Five Star Award for extended work to help prevent revenue leakage.
- Selected by management to help develop Systems Development Life Cycle (SDLC) process at FedEx (known as Project Everest).

ADDITIONAL RELATED EXPERIENCE

FIRST TENNESSEE BANK, Memphis, TN
Audit Officer

EDUCATION / CERTIFICATIONS

Bachelor of Business Administration (BBA),Accounting, Graduated Magna Cum Laude
University of Memphis

Certified Public Accountant (CPA)
Certified Information Systems Auditor (CISA)

PROFESSIONAL AFFILIATIONS

Institute of Internal Auditors
Information Systems Audit and Control Association