

**From:** Craig Coffey  
**To:** [Fuentes, Jorge Gabe](#)  
**Cc:** [Staly, Rick](#); [Bisland, Jack](#); [Strobridge, Mark](#); [Charles Ericksen Jr.](#); [Gregory Hansen](#); [David Sullivan](#); [Nate McLaughlin](#); [Donald O'Brien](#); [Dopp, Jonathan](#); [Kruger, Laura](#); [Heidi Petito](#); [Faith Alkhatib](#); [Joseph A. Mayer](#); ["geoff@bichlerlaw.com"](#); ["jappel@appellawgroup.com"](#); [Barile, Joseph](#); ["Gforhan@cfpba.us"](#); [Al Hadeed](#); ["Michael Roper"](#); [Julie Murphy](#); [Jarrod Shupe](#)  
**Subject:** Response to three emails on FCSO Operations Cleaning  
**Date:** Friday, August 17, 2018 4:50:17 PM  
**Attachments:** [LTR to Coffey re maint activities with att.pdf](#)

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Mr. Fuentes -- To be correct, I only had a single, five-second conversation with you Wednesday as you passed; I did not have multiple brief conversations with you. I did advise you that the attorneys have communicated about this issue. Although I did not mention it in our brief conversation, you may be aware from your legal counsel that there was a court proceeding with the attorneys regarding this very issue.

I did say our attorney released us to proceed with our responsibilities to maintain the building, based on those legal communications/activities, our inherent responsibilities and liabilities for our facility, and the recommendations of our experts as further supported by our consultations with the CDC. I did not mean to indicate that we had received or sought the concurrence of your legal counsel to properly maintain our County facility.

As you know with crime scene evidence, it is collected/tested for a period of time and the scene is released and is not kept out of service/use indefinitely. That is my understanding of exactly what happened between all the parties. Despite everyone saying they were going to do additional tests, the parties either declined to do further testing or did not respond during the time period approved by the attorneys and accepted by the Judge.

The building was effectively "preserved" for more than a month (two weeks past the preservation period). Also, please keep in mind that testing could have occurred anytime over the last 8 months by other parties. You may also recall we split our most recent testing samples in case another party wanted to verify our results. As you know, members from the union actually escorted Dr. Hezjlar through the testing process and witnessed the legitimacy of his testing samples and at times

provided direct input on where to sample.

I realize my statements alone likely cannot refute to your satisfaction your repeated statements to the contrary. Because I was not involved with the legal proceedings and to be absolutely clear with this fact, I asked our attorney, Mike Roper, to document the situation. I have attached his communication with me and direct your attention to his letter, as well as direct the attention of all of the others on your correspondence to his communication.. Please pay particular attention to the attachments to his letter. This correspondence to me indicates your statements are clearly not correct.

Accordingly, per these communications within the workers compensation proceedings and the specific guidance received from the CDC's Chief of the Health Hazard Evaluation Program, along with the professional recommendations of our experts, we are proceeding to clean the building, to make adjustments/improvements to the HVAC system and to make any repairs in the course of our ownership of the building. I might mention that a representative of your union was on that call with the CDC Chief and would have heard all of this. Further, as you will note, this CDC recommendation was mentioned in the correspondence with the attorneys, which is now attached.

I do not claim to be fully knowledgeable in civil litigation and must rely on the advice of my legal counsel. I am advised that not acting affirmatively to address building conditions at this point may create different civil liabilities for the County, different than whatever you may be considering with your attorney. The County has a duty to follow recommendations from experts and professionals we engage related to protecting the safety of the building for occupants and an additional duty to maintain the value of the County's (taxpayers) facility assets and their functionality.

From an evidentiary standpoint the building today would not present the same building conditions that existed prior to the relocation of the Sheriff Office employees when testing was occurring. In law enforcement terms, the scene and any testing would be compromised for the preservation of evidence due to the change in conditions alone not of

the County's doing. I could write many points about this issue but some of the main ones are:

1. The load on the HVAC is drastically different. There is an inherent relationship between human heat loads, movement, open/exiting a building, and similar operations that create different conditions by their very nature than existed when occupied.

2. Cleaning conditions were not maintained, as it appears the building has not been cleaned for more than two months. When departing the facility, food was left in trash cans, plants were not watered and since have died/decayed, lizards and other pests are now present or have perished, and in some areas there are scattered papers from the move. With low usage and no cleaning, dust has also settled. The lack of cleaning would effectively create a condition that did not exist when the facility was occupied by employees and cleaned regularly by the Sheriff's custodial staff.

3. Even after the building was vacated by Sheriff personnel, it appears the building was still used by some personnel for non-mandatory activities such as use of the kitchen to prepare food, to conduct training, bathroom usage, and similar uses despite the expressed concerns of personnel to immediately evacuate the facility and relocate operations. This usage of the kitchen and bathroom specifically would necessitate regular cleaning to maintain sanitary conditions and to ensure that conditions are similar to when the building was in an occupied state.

With regard to what work the County is undertaking I offer you the following list:

1. Completing the periodic outside pressure washing that was halted earlier.
2. Completing the warranty work to replace the last HVAC sensor that was suspended.
3. Doing a deep clean of the building in light of two months of ad hoc use with no interim cleaning to bring the housekeeping up to a normal office building cleanliness standards.

(To repeat -- No cleaning appears to have been done since relocation. Food was left in trash cans, plants were not watered and died/decayed, pests have died or are present, dust was created from moving computers and furniture, etc., and desktop material was strewn on the floor in some areas, dust settled due to low or no occupancy, and some use of the building continued as described above, including use of kitchen and bathrooms which require more cleaning).

4. Setting up ongoing, regular cleaning of the building for a low use status.
5. The changing of filters following deep cleaning.
6. Consulting with the HVAC carrier and the original mechanical engineer:
  - a. To adjust the operation settings:
    - i. Based on the current low occupancy/usage.
    - ii. Based on what would better control the humidity now and moving forward
  - b. To evaluate the system for additional HVAC equipment changes that would improve the system such as humdi-stats, dehumidifiers, and other changes.
  - c. Implementation of any changes recommended by those parties.
7. Any other changes that were recommended by our experts in the report and further reinforced by the CDC's Chief of the Health Hazard Evaluation Program that are otherwise not mentioned above.
8. Any other maintenance activities deemed necessary by the General Services Director to properly maintain the building.

I apologize for the length of this email but I wanted to be reasonably thorough to address the three, multiple-issue emails you sent and to minimize any further misunderstandings.

Unfortunately, much of this is now being handled through the worker's compensation cases and your transparency should actually come through your attorney working with those employees and not necessarily through the County and specifically me. Our outside legal counsel has kept our team up to speed on these issues and I am sure the Sheriff or his legal counsel might also be able to brief you on some of these issues as well.

Most Sincerely,

Craig M. Coffey

**Craig Coffey**

County Administrator

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**Flagler County Board of County Commissioners**

1769 E. Moody Blvd., Bldg #2  
Bunnell, FL 32110



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**From:** Fuentes, Jorge Gabe <JFuentes@flaglersheriff.com>

**Sent:** Friday, August 17, 2018 8:44 AM

**To:** Craig Coffey <ccoffey@flaglercounty.org>

**Cc:** Staly, Rick <RStaly@flaglersheriff.com>; Bisland, Jack <JBisland@flaglersheriff.com>; Strobridge, Mark <MStrobridge@flaglersheriff.com>; Charles Ericksen Jr. <cericksen@flaglercounty.org>; Gregory Hansen <ghansen@flaglercounty.org>; David Sullivan <DSullivan@flaglercounty.org>; Nate McLaughlin <nmclaughlin@flaglercounty.org>; Donald O'Brien <DObrien@flaglercounty.org>; Dopp, Jonathan <JDopp@flaglersheriff.com>; Kruger, Laura <LKruger@flaglersheriff.com>; Heidi Petito <hpetito@flaglercounty.org>; Faith Alkhatib <falkhatib@flaglercounty.org>; Joseph A. Mayer <jmayer@flaglercounty.org>; 'geoff@bichlerlaw.com' <geoff@bichlerlaw.com>; 'jappel@appellawgroup.com' <jappel@appellawgroup.com>; Barile, Joseph <JBarile@flaglersheriff.com>; 'Gforhan@cfpba.us' <Gforhan@cfpba.us>

**Subject:** RE: FCSO Operations Cleaning?

Good Morning,

At 7:43 this morning I went by FCSO Operations and noticed a Carrier van and a worker working on the system. This is supposed to be a "transparent" process but it does not appear to be that way. I have two emails asking what is going on because Coastal Florida PBA Reps are receiving calls from our members. The membership is growing more concerned because they are receiving calls from the "county liaison." It is unfortunate that we cannot provide answers to our membership because Coastal Florida PBA Reps and Bichler Law Firm are not being informed on what is going on. Can someone please be transparent and inform us what is going on?

The photo is attached.

**Jorge "Gabe" Fuentes**

**Detective**  
**Investigative Services Division**  
**Flagler County Sheriff's Office**  
**901 E. Moody Blvd.**  
**Bunnell, FL., 32110**

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**"An Honor To Serve, A Duty To Protect"**

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**From:** Fuentes, Jorge Gabe

**Sent:** Thursday, August 16, 2018 9:48 AM

**To:** 'Craig Coffey' <[c Coffey@flaglercounty.org](mailto:c Coffey@flaglercounty.org)>

**Cc:** Staly, Rick <[RStaly@flaglersheriff.com](mailto:RStaly@flaglersheriff.com)>; Bisland, Jack <[JBisland@flaglersheriff.com](mailto:JBisland@flaglersheriff.com)>; Strobridge, Mark <[MStrobridge@flaglersheriff.com](mailto:MStrobridge@flaglersheriff.com)>; 'cericksen@flaglercounty.org' <[cericksen@flaglercounty.org](mailto:cericksen@flaglercounty.org)>; 'ghansen@flaglercounty.org' <[ghansen@flaglercounty.org](mailto:ghansen@flaglercounty.org)>; 'dsullivan@flaglercounty.org' <[dsullivan@flaglercounty.org](mailto:dsullivan@flaglercounty.org)>; 'nmclaughlin@flaglercounty.org' <[nmclaughlin@flaglercounty.org](mailto:nmclaughlin@flaglercounty.org)>; 'dobrien@flaglercounty.org' <[dobrien@flaglercounty.org](mailto:dobrien@flaglercounty.org)>; Dopp, Jonathan <[JDopp@flaglersheriff.com](mailto:JDopp@flaglersheriff.com)>; Kruger, Laura <[LKruger@flaglersheriff.com](mailto:LKruger@flaglersheriff.com)>; 'Hpetito@flaglercounty.org' <[Hpetito@flaglercounty.org](mailto:Hpetito@flaglercounty.org)>; 'Falkhatib@flaglercounty.org' <[Falkhatib@flaglercounty.org](mailto:Falkhatib@flaglercounty.org)>; 'jmayer@flaglercounty.org' <[jmayer@flaglercounty.org](mailto:jmayer@flaglercounty.org)>; 'geoff@bichlerlaw.com' <[geoff@bichlerlaw.com](mailto:geoff@bichlerlaw.com)>; 'jappel@appellawgroup.com' <[jappel@appellawgroup.com](mailto:jappel@appellawgroup.com)>; Barile, Joseph <[JBarile@flaglersheriff.com](mailto:JBarile@flaglersheriff.com)>; 'Gforhan@cfpba.us' <[Gforhan@cfpba.us](mailto:Gforhan@cfpba.us)>

**Subject:** RE: FCSO Operations Cleaning?

**Importance:** High

Mr. Coffey,

Per our brief conversations yesterday, you advised that the attorneys have spoken and everything was approved. I spoke with Mr. Bichler today and he advised he does not know of any cleaning or any plans for the Sheriff's Office Operations Center. I know that it has been mentioned that tampering with the building could open the county up to civil litigation. It has been mentioned in multiple ways that the preservation of evidence is important. I still have not received an answer to what is exactly going on, who ordered/approved it, what cleaning or work is being done, and who is the "county liaison" is. Can you please inform us on what is going on?

**Jorge "Gabe" Fuentes**  
**Detective**  
**Investigative Services Division**  
**Flagler County Sheriff's Office**  
**901 E. Moody Blvd.**  
**Bunnell, FL., 32110**

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”An Honor To Serve, A Duty To Protect”

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**From:** Fuentes, Jorge Gabe  
**Sent:** Wednesday, August 15, 2018 10:49 AM  
**To:** 'Craig Coffey' <[ccoffey@flaglercounty.org](mailto:ccoffey@flaglercounty.org)>  
**Cc:** Staly, Rick <[RStaly@flaglersheriff.com](mailto:RStaly@flaglersheriff.com)>; Bisland, Jack <[JBisland@flaglersheriff.com](mailto:JBisland@flaglersheriff.com)>; Strobridge, Mark <[MStrobridge@flaglersheriff.com](mailto:MStrobridge@flaglersheriff.com)>; 'cericksen@flaglercounty.org' <[cericksen@flaglercounty.org](mailto:cericksen@flaglercounty.org)>; 'ghansen@flaglercounty.org' <[ghansen@flaglercounty.org](mailto:ghansen@flaglercounty.org)>; 'dsullivan@flaglercounty.org' <[dsullivan@flaglercounty.org](mailto:dsullivan@flaglercounty.org)>; 'nmclaughlin@flaglercounty.org' <[nmclaughlin@flaglercounty.org](mailto:nmclaughlin@flaglercounty.org)>; 'dobrien@flaglercounty.org' <[dobrien@flaglercounty.org](mailto:dobrien@flaglercounty.org)>; Dopp, Jonathan <[JDopp@flaglersheriff.com](mailto:JDopp@flaglersheriff.com)>; Kruger, Laura <[LKruger@flaglersheriff.com](mailto:LKruger@flaglersheriff.com)>; 'Hpetito@flaglercounty.org' <[Hpetito@flaglercounty.org](mailto:Hpetito@flaglercounty.org)>; 'Falkhatib@flaglercounty.org' <[Falkhatib@flaglercounty.org](mailto:Falkhatib@flaglercounty.org)>; 'jmayer@flaglercounty.org' <[jmayer@flaglercounty.org](mailto:jmayer@flaglercounty.org)>  
**Subject:** FCSO Operations Cleaning?  
**Importance:** High

Good Morning Everyone,

It has been brought to our attention that several activates are being planned for the Sheriff's Operations Center, to include cleaning of the exterior, removal of mold, cleaning of the interior and specific carpet cleaning in the evidence area. We were also informed that ServPro has been contracted to participate in this. Sheriff's Office employees have been contacted by County employees and a "county liaison" requesting their presence in order to gain access to secured parts of the building, as well as to provide ventilation of the building as a whole. Given the current situation and involvement of multiple attorney's, it has been said in multiple settings that the building is to remain the same and all evidence is to be preserved.

Can you please inform us of who ordered/approved this, what's the exact plan and has this been approved by those involved in the litigation aspect of this matter?

**Jorge "Gabe" Fuentes**  
**Detective**  
**Investigative Services Division**  
**Flagler County Sheriff's Office**  
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PLEASE NOTE: Florida has a very broad public records law per Fla. Statute 119. Most written communications to or from the Flagler County Sheriff's Office regarding public business are public records available to the public and media upon request. Your e-mail communications may be subject to public disclosure. If you do not want your e-mail address released, do not send electronic mail to this agency. Instead, contact this office by phone..

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