

PROTOCOL REGARDING TESTING ON JANUARY 3-4, 2019

THIS AGREEMENT made by and between counsel for the FLAGLER COUNTY BOARD OF COUNTY COMMISSIONERS (“Flagler County”), RICK STALY, FLAGLER COUNTY SHERIFF and the FLAGLER COUNTY SHERIFF’S DEPARTMENT (the “Sheriff”) and the FLAGLER COUNTY POLICE BENEVOLENT ASSOCIATION (“PBA”), regarding the protocol which will govern the inspection, testing and activities at the Flagler County Sheriff’s Operations Center, located at 901 East Moody Boulevard, Bunnell, Florida 32110 (the “Operations Center”), on January 3-4, 2019, and in consideration of the mutual covenants contained herein, the sufficiency of which is hereby acknowledged, the parties hereto agree as follows:

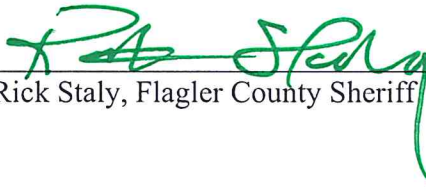
1. The revised proposal and scope of work from Terracon Consultants, Inc. dated December 28, 2018, describes the activities contemplated for the inspection, testing, and/or activities to be conducted at the Operations Center on January 3-4, 2019. The testing conducted will also include those interior locations within the Operations Center, identified by the Sheriff’s Office on the map of the Operations Center dated 11/8/18 and attached hereto as Composite Exhibit “A”, and additionally, the interior walls for those locations identified by Flagler County in the annotated photographs attached hereto as Composite Exhibit “B.”
2. No additional inspections or testing will be permitted, by any party, beyond that described in the aforementioned documents stated in Paragraph 1 of this Protocol.
3. The activities and/or testing conducted by Terracon Consultants, Inc. will begin at 9:30 a.m. and conclude no later than 5:00 p.m., on each day, with a break for lunch from 12:00 p.m. to 1:00 p.m. The Operations Center will be vacated by all parties during the lunch break.
4. Testing samples taken by Terracon Consultants, Inc. will be analyzed by EMSL or EMLab P&K laboratories.
5. Upon receipt, a complete copy of the results of the testing will be produced to all parties.
6. On January 3-4, 2019, the individuals authorized to be present at the Operations Center premises shall be limited to:
 - a. James E. Saizan, Terracon Consultants, Inc.
 - b. John O’Reilly, Terracon Consultants, Inc.
 - c. Faith Alkhatib, Engineer, Flagler County
 - d. Richard Gordon, Assistant Engineer, Flagler County
 - e. Videographer from Ron Fleming Video Productions, for Flagler County
 - f. Designated Representative(s) for Flagler County
 - g. Chris Noel, or his designee, Sheriff Operations Center Project Architect
 - h. Sheriff Rick Staly, Sheriff’s Office
 - i. Chief Mark Strobridge, Sheriff’s Office
 - j. Commander Bob Webber, Sheriff’s Office

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- k. Detective Gabe Fuentes, Senior VP, PBA
- l. Sergeant Joe Barile, CFPBA Road Patrol Representative

- 7. Designated representatives for the Sheriff will be present to ensure compliance pertaining to the security of the information contained within the Operations Center. All individuals present will comply with the directives of the Sheriff's representatives as it relates to any security protocols that may be implicated.
- 8. All parties are authorized to videotape or photograph the inspection and/or testing activities.

IN WITNESS WHEREOF, the parties, by their duly authorized representatives, have executed this Agreed Protocol effective the ___ day of January, 2019.

Craig Coffey, County Administrator
Flagler County BOCC


Rick Staly, Flagler County Sheriff

Gabe Fuentes, Senior VP
Police Benevolent Association