

Brandon J. Patty

Clerk of the Circuit Court and
Comptroller



Nilsa Arissa

Inspector General

**Office of the
Inspector General
St. Johns County, Florida**

**CASE: 2021 I-02
Investigation Abuse of Power
Whistleblower Response**

Addendum and part of Final Report Investigation Abuse of Power
November 28, 2021

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REPORT No. 20211-02

To: Nilsa Arissa, Inspector General

From: [REDACTED]

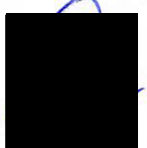
In response to your summary report dated November 12, 2021 in regards to the allegations, findings, and recommendations, everything that I provided you is factual and was founded to the best of my knowledge. When I provided the information to your office, I did not know that Rick Nelson owned fifty percent of Technical Field Services (TFS). However, as I reported Rick had stated numerous times, to all of his employees, that he was a silent partner to TFS. I provided the information, because I knew what was occurring within our [REDACTED] department was wrong and beyond unethical.

I have spoken up numerous times about what I was witnessing and being instructed to do by the SCADA Manager, Rick Nelson. Years ago, I showed altered invoices to Kathy Kelshaw, who advised me to turn them into Frank Kenton. Rick ordered us (Shane Moran and myself) to falsify records by covering information on invoices with blank pieces of paper, copying, and attaching those manipulated copies as backup documentation for the payment of invoices from TESSCO. I had questioned this, but Rick instructed us to complete this process numerous times. I provided proof of these invoices over to Frank after discussing my concerns with Kathy. Frank advised me that he would handle the issue because what was occurring was not right. A few days later, the [REDACTED] department had their own account with TESSCO, and we were no longer instructed to cover up future invoices.

I refused to allow Rick Nelson this past year to use my County P-Card to double swipe for items he was purchasing from TFS. However, I witnessed Rick using other [REDACTED] employee's P-Cards to double swipe and make numerous purchases from TFS. I spoke up again that what Rick was doing was not only against the purchasing policies, but it was going against how items should be procured.

Also on numerous occasions, I spoke up and questioned the way he was obtaining quotes. TFS always provided a quote after the other two quotes were obtained, and TFS was always much lower which resulted in them constantly being awarded the purchases. I knew Rick had been a former employee of TFS so I thought he was providing preferential treatment to TFS.

Due to my questioning of the purchasing from TFS earlier this year, Rick removed me from doing administrative office duties such as obtaining quotes, payroll, processing invoices, and entering work orders for the [REDACTED] department. I was advised that Rick and Randy Howell would be performing these duties from there on despite the fact that I had been performing these duties for years. Rick verbally asked each [REDACTED] employee, if they felt like I was creating a hostile work environment. I never caused a hostile work environment within the [REDACTED] department; I questioned my manager due to the unethical events and practices that were occurring within our department. It made me uncomfortable that our manager was putting employees of the County in a position where we were breaking the law or a part of unethical practices. I stated this within our department numerous times over the years but it continued.



During the criminal investigation, I encountered instances where I have been put in uncomfortable positions from [REDACTED] management. Furthermore, I have had inappropriate questions and comments made to me.

On August 3, 2021, Neil Shinkre spoke to me at 214 Water Plant outside the operators building. Neil brought up the investigation into Rick and proceeded to tell me a story about his dad, from India. Neil stated that his dad was accused from a former employee of some sort of wrongdoing and his name was drugged through the mud and that it wasn't true but that his image was already damaged. Neil asked me if I understood. My response was "okay". I did not know how to respond to his story. Neil then told me that Timothy (Tim) Johnson and I had an appointment to meet with the St. Johns County Sheriff's Office and the States Attorneys office the next day at 9:30am and 10am and that we were to go back-to-back and be on time. Neil left, and I went to work on a [REDACTED] problem in the water plant. A few hours later, Alan Klipstein came in and said that I needed to call Neil because he was trying to get a hold of me since there is no cell service in the building. So, I went outside and called him. Neil stated that I was not to report tomorrow for the Sheriff's meeting that it was supposed to be Todi Dhami and not me. He further stated that I was to disregard anything that we spoke about outside earlier this morning and that it didn't happen. He asked again if I understood. I responded "okay." I reported these encounters over to the Inspector General's Office to Nilsa Arissa.

On August 9, 2021, Neil had called me into his office for a meeting. We met for an hour and half. Neil asked me, during this meeting, if I was happy in [REDACTED] and if I would be okay with moving back into lift stations as an electrical trainer. I stated "no". He then proceeded to ask me if I would do lift station training half the time and that he sees me as a tech and not a manager. He stated it takes a special person to be a manager and that you have to be sure you want to be one since there is so much is involved. He stated that he did not see me in a role of a manager. He proceeded to ask me if I would be okay to work under Randy since he is the lead tech for [REDACTED] despite being so young. He advised me that Colin Groff (Utility Director) and the Human Resource Department was placing Randy in charge of [REDACTED] until Rick was released to come back. He further went into a story of where Neil was hired over Herb Vandermal in Utilities. Neil stated that Herb could not deal with him being the lead engineer for Utilities due to Neil being so young and Herb being there for so long. Neil stated he wanted to make sure that there would be no issues of me working under Randy. I started that I had no issue working under Randy but until the criminal investigation was completed that I believe no one in our department should be the manager. Then, Neil offered to get me one to three dollars more an hour and asked if that would make me happy. I felt like this was a bribe, and I told him no that I get what I earn as I have done for over two decades. Then, he asked me about my wife and if she was still in the [REDACTED] for the County and stated that he knew people over there. I stated no that she had moved from the [REDACTED] Neil asked me where she was working and I told him over in [REDACTED] Neil then told me he had been the old [REDACTED] and stated that my wife must work for Dawn. I said I didn't know who she worked for. Neil picked up the phone and called Dawn Cardenas and told her that he was with me in his office. Neil proceeded to ask Dawn, in front of me, if my wife worked for her. Dawn responded that my wife was working under Duane Kent but that eventually the goal is to move her position to under Dawn. Then Neil and Dawn spoke about their kids for a brief minute then the phone call ended. I felt very uncomfortable after this phone call so I asked if we were done and if I could go back to work. This phone call occurred while my wife was still under her six-month probation for the County after transferring to her new job. It made me feel intimidated and wrongfully integrated. The

[REDACTED]

very next day, Neil had coffee over at the [REDACTED] building with my wife's managers. While my wife did not see or speak to Neil, she did hear him talking to people within her office. Both my wife and I felt uncomfortable due to Neil's actions and what his intent was in not only calling about her to one of her supervisors but then going to her building and having coffee the very next day with Greg Caldwell ([REDACTED]), Dawn, and others. I reported these encounters over to the Inspector General's Office to Nilsa Arissa.

After all of this, I felt like it was better for me to take two weeks' vacation in order to remove myself temporary from the situations that were occurring. This has been very stressful and has made me physically sick on numerous occasions.

On September 7, 2021, I was brought in by Neil and Randy to discuss my evaluation. After the encounters that I had, I was uncomfortable with discussing my evaluation with Neil or even Randy. The meeting lasted only about 30 seconds. After the meeting, I called Sarah Taylor in regards to being uncomfortable and asked how to move forward. I did not explain to her that I was a [REDACTED] in regards to Rick's case. Sarah stated that unless Neil had threatened me or unless I was protected under some law then I needed to follow the chain of command. So, I called and set an appointment up with Colin Groff to discuss my feelings of being uncomfortable discussing my evaluation with Neil. Colin proceeded to discuss my evaluation and asked why I was uncomfortable. I advised Colin of the encounters that I had with Neil and him telling me about his dad, about Herb, and that he had called my wife's boss. Colin stated that was all hear say and could not be proven. He said he did not believe Neil would say or do anything like that. I responded to Colin that the County could look up to see that Neil had called my wife's boss while I was in a meeting with him in his office. He told me that if Neil had called my wife's boss, it was to help her. I did tell Colin that Neil had been told to back off by the Internal Generals Office but he never did so. Colin stated he knew nothing about that and as the Director of Utilities he would have been notified first that Neil was asked to back off, and he didn't believe me. He told me if I felt uncomfortable working for Neil that he could not have that and he would have to move me or I would have to be removed. I asked him what he meant and he repeated himself by telling me that I would be gone. Colin then proceeded to bring up Rick and the situation of him being on administrative leave and that SCADA needed him. He stated that he knew everything about the criminal investigation because he had been in touch with the Sheriff's Office, the Internal General's Office, and the State Attorney's Office and they had assured him that it was only unethical and not criminal. Colin stated that he would not fire Rick for being unethical and that he would not let Rick go. Then, he told me that he himself had been fired from his job from City of Boynton Beach and still was able to get the job with St. Johns County. Then, Colin said that Hunter Conrad was caught up in his own issues when he had been at the Clerks Office. I never stated to either Neil nor Colin that I was the [REDACTED] I stated in the meeting with Colin that I did not know why he brought these items up to me, because I was there to discuss my evaluation. Colin stated numerous times on anything that I said to him that it was all hear say and that nothing would become of it. I reported these encounters over to the Inspector General's Office to Nilsa Arissa.

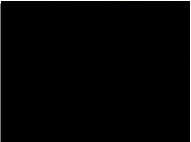
On November 4, 2021, in the [REDACTED] office, during general discussion, it came out that Todi was working on Fridays and Saturdays for a company that supplies panels for the County. Randy and I were the only ones in my office during this discussion. We had a difference of opinion on Todi working at a company that provided panels to the County. Randy got upset and told me that "you aren't going to do to me what you did to Rick" and left the office. I did not see him the rest of the day.

On November 5, 2021, I came into the office to an email from Randy that the subject was "Morning Discussion." This email stated that I had not properly tested the equipment and that I should not have brought a vendor onto the site. Furthermore, he stated that I had said that I would not make changes to the Motorola system, FIU's and other software due to my job classification. Then, he proceeded to slander me in the email correspondence that I had said to him to "Watch yourself, I'm going to burn you. I'm going to burn you." These conversations stated in the email never occurred on November 4, 2021. What did occur was a conversation that Todi worked for a company creating panels for the County. The conversation occurred, because Todi was on call on that Saturday prior and did not go out to the on-call location due to the fact he was at his second job.

As Randy stated in the second paragraph, I have always been helpful in the office and in the field by being proactive and looking into concerns before they become bigger problems. The flow meter issue, at one of the facilities, was discussed with Randy on the day that it occurred that I was working alone and due to Workman Comp that I could not climb the ladder nor could I lift the test equipment because it was right at my lifting limits. I saw a bigger issue and called a vendor out to look into it. The vendor cost the county nothing and he determined that the issue was bigger then originally thought. This had occurred earlier in the week and Randy had never said there was any kind of issue until four or five days later when I received this email. I immediately followed the chain of command and emailed this email over to both Neil and Colin. Randy came in wanting to discuss this email, and I stated nicely until I could get with Neil or Personnel that we should not discuss the email he had sent me. Randy asked me why. I responded that the email was untrue and that it was pure slander of my character. Randy got mad and went off about it. He asked again to speak about it, and I responded please have Neil here. Neil could not meet until after the Utilities meeting that day. However, Neil called me after I had left for the day and left me a voicemail. He said he would like to discuss the email that I had forwarded to him and the one he got last night. He called me again and scheduled a meeting to discuss on Monday at 7:30am. On the phone, he said it was bold on Randy's part but this is what he expects from his managers. When I responded that this email was untrue. Neil stated that Randy has his side and you have your side. He stated that if what Randy put down in email is founded to be true then there would be serious consequences.

I was literally in bed sick after these allegations for the entire weekend despite being on call. I even had to go to work over the weekend even though I was physically sick over what I had received from Randy. I have never said I would not perform any duty based off of my job classification. I only stated to Randy that I was on workman comp and that I could not go down the ladder or carry the heavy equipment, but I still was able to get the issues fixed with the help of the vendor. If the vendor had not came out, they would have had to eventually anyway because the mag tube was bad. I reported these encounters over to the Inspector General's Office to Nilsa Arissa.

On November 8, 2021, I came to work and met with Neil and Gordan Smith. During that ten-minute meeting, Neil stated that there were three areas to discuss. Neil said he had spoken with Randy about his email. I told Neil that Randy had asked me to go to that site, and I told him about the gap and that a ladder was needed to get into it. I went into the inside and the transmitter seemed to be okay, but I made a phone call to our vendor and spoke with him about the situation. So, the vendor came and took him a long time to figure out both the mag-meter and the transmitter were bad. Neil told me I stated this information correctly, but it was more then that, it was not based on what I did but on what I did not do, and that we all have to make judgement calls. He told me he understood what I did. He told me

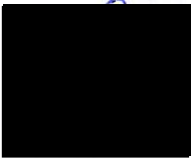


it wasn't the circumstance of what I did but it was based off of me being insubordinate. He told me that I did not listen to Randy, and that I should never had called the vendor. Neil state that it was the mindset on how I worked with my supervisor and that we don't always agree with them. I stated that I had never said I would not do something. I have only stated that I have had a broken tail bone and a bulging disk in my back and neck and that my only limitations are what I have to follow for my workman comp due to those issues. Neil told me that he had been communicating with Randy on how to use vendors and what inside and outside workers should be doing. Neil stated that Randy has always told him that I was good at what I do and that I was always trying to improve myself. Then, he described the second paragraph and asked me if Randy was lying. I responded that I have never said that and I will not call Randy a liar. I was there to provide only my statement. Neil then asked if I had anything to say on the third paragraph. I told him I had never said that and did not know where that came from. I have never and would never say such a thing. Neil responded "very good." Then the meeting ended. After leaving the meeting, I called Randy and went home sick. I called the Inspector General's Office and spoke to Nilsa Arissa in tears and being physically sick. Despite being told I handled everything correctly by Neil, he had just told me flat out in that meeting that I had been insubordinate. Furthermore, two times in that meeting he asked me flat out if I was calling Randy a liar. I stated that I was there only to provide my statement. I ended up physically sick for over two days due to the stress and unknown of what else could happen to me.

Personally, I believe this email from Randy is retaliation based off of F.S. 112.3187, because Randy had stated the day before that I would not do to him what I did to Rick. There had been no discussion of these issues prior to this email which was sent to me at 4:29pm, after we went home for the day. In my two decades of service, I have never been told that I could not or should not call a vendor for help in regards to fixing an issue. There had been no direct order from Randy stating not to contact any vendors, no training, and no information provided on the steps that should be done prior to communicating with a vendor.

I have never stated to either Randy, Neil, or Colin that I was the [REDACTED] Randy and Neil were in communication with Rick and were providing our department updates as they received information from him. I was targeted as the [REDACTED] from the moment that Rick was sent home on administrative leave due to the fact that I was the only one to openly stand up for what was right. I reported accurate and factual information of abuse of power, preferential treatment through bid tampering, official misconduct, and falsifying records. Even with the best of intentions to stand up for what was right, I found myself in many encounters where I have been pushed mentally and physically to the point of being sick and to my breaking point. The stress and unknown of what was going to occur each day took a major toll on both myself, my wife, and my immediate family. I didn't know what else I would have to go through and didn't know what day St. Johns County Human Resources would call me in to fire me.

The same people that were communicating with Rick were the ones who were improperly interrogating, intimidating, targeting, slandering, and retaliating against me. I have been asked if I would move back to lift stations, offered more money to make me happy, told that if I was not comfortable working for Neil that I will be gone, told I was insubordinate even though I did everything right, and have been reassigned duties and removed from performing administrative duties because I was open and transparent in the fact that what was occurring was unethical and wrong. All of these encounters, comments, and uncomfortable situations also made me feel like I was being retaliated against based off



of F.S. 112.3187. I reported these encounters over to the Inspector General's Office to Nilsa Arissa, as they were occurring.

Honestly, I understand now why good people never come forward. The events that I have had to endure have been beyond unfair, unjust, and uncalled for. I have been labeled as a trouble maker, bad guy, causing a hostile environment, and also insubordinate. All of these labels are far from the truth. I have endured mental and physically exhaustion, because I didn't know what else was going to occur during this investigation. I honestly did not know who else was going to question or put me in a bad encounter, make unnecessary comments, threats, or try to bribe me. Everyday, I have gone to work not knowing if today I was going to be written up, disciplined, or fired. I have spent over two decades of being a public servant in the [REDACTED] department, but after this experience, I do not know if either my wife or myself would ever come forward in reference to something like this again. The stress and events that unfolded have put a major strain on us emotionally and physically with not knowing what else could or would occur.

[REDACTED] Rick, I have had outstanding evaluations and no disciplinary actions. I have performed not only my job responsibilities under my classification but have gone above to learn beyond those requirements within the [REDACTED] field. I never thought after being apart of the County for this long, that I would encounter and be put in these positions. I came forward in regards to these allegations, because no matter how many times I spoke up, it continued.

I am a tax payer of this County, who believes that my job is to make a positive and honest impact on our community. And, I just wanted the corruption within our department to stop.

If you have any questions or would like to discuss further, please let me know.

Respectively,

[REDACTED]

11/28/21

[REDACTED]

From: Randy Howell
Sent: Thursday, November 4, 2021 4:29 PM
[REDACTED]
Subject: Morning Discussion

[REDACTED]

I'd like to go over a some of the points from the discussion that took place this morning.

When tasked with looking into an issue with a flow meter at one of the facilities, why wasn't the proper test equipment to check the device brought on-site to troubleshooting as much as we could internally prior to coordinating assistance from a vendor? Moving forward, I would like to do as much as we can on our end prior to seeking outside help. In this case, running the diagnostic from the verification would have identified a bad transmitter without having the manufacturer rep come on-site.

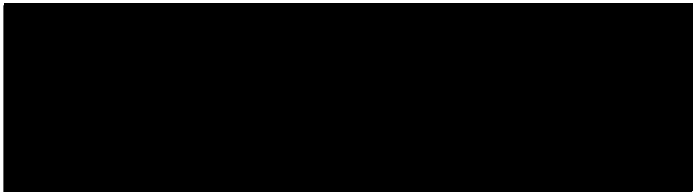
In recent weeks, you've said that you wanted to learn and become more involved with the Motorola software, FIU's, other software as they relate to the SCADA system, and making those changes as needed. During this morning's discussion, you stated that you weren't going to make the changes any more due to your job classification. I mentioned that since you were wanting to learn, elevate, and regularly work directly with the software, items like this are needed. Your immediate response was "I don't, I don't." As you know, we are short staffed right now and need help and initiative from our current man-power to get work done effectively. You have been very helpful in the office and in the field by being proactive and looking in to concerns before they become bigger problems. I don't quite understand the back and forth on doing certain tasks.

Lastly, I'm not quite sure I fully understand the comment "Watch yourself, I'm going to burn you. I'm going to burn you" that you made at the end of our conversation from this morning; from what I believe was in regards to your opinion of my lunch break and coming/going to/from the office throughout the day, however I am not certain.

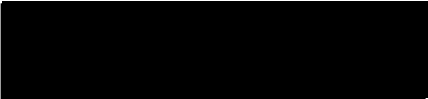
Please make time in the morning tomorrow to sit down and go over these with me.

Randy Howell

[REDACTED]
Cell: 904-392-1547
Desk: 904-209-2742
Email: rhowell@sjcfl.us



Start: Thu 8/19/2021 7:30 AM
End: Thu 8/19/2021 8:00 AM
Recurrence: (none)
Meeting Status: Accepted
Organizer: Randy Howell
Todi Dhami; Neal Shinkre



Subject: Evaluation Discussion
Location: Colin Groff's Office

Start: Tue 9/7/2021 3:00 PM
End: Tue 9/7/2021 3:30 PM

Recurrence: (none)

Meeting Status: Accepted

Organizer: Kimberly Carman
Required Attendees: Colin Groff; 

Subject: [REDACTED] staff meeting
Location: CR 214

Start: Thu 9/30/2021 7:30 AM
End: Thu 9/30/2021 8:00 AM
Show Time As: Out of Office

Recurrence: (none)

Meeting Status: Accepted

Organizer: Neal Shinkre
Required Attendees: Randy Howell; [REDACTED] Todi Dhami; Timothy Johnson

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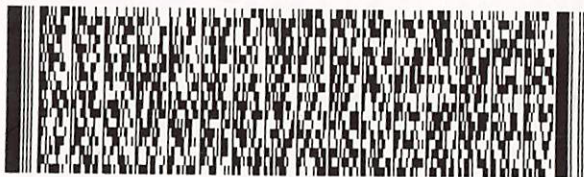
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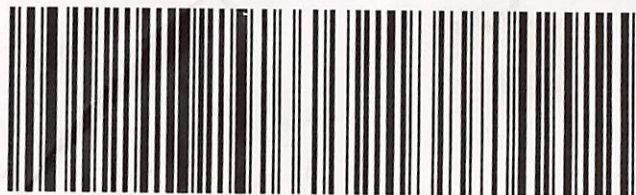
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