

STATE OF FLORIDA  
FLORIDA ELECTIONS COMMISSION

In Re: William L. Glover

Case No.: FEC 13-076

TO: William L. Glover  
12902 Ivory Stone Loop  
Fort Myers, FL 33913

Sharon L. Harrington,  
Lee County Supervisor of Elections  
P. O. Box 2545  
Fort Myers, FL 33902

**NOTICE OF HEARING (AUTOMATIC FINE)**

A hearing will be held in this case before the Florida Elections Commission on **February 25, 2014, at 9:00 am**, or as soon thereafter as the parties can be heard, at the following location: **Senate Office Building, Room S-110, 404 South Monroe Street, Tallahassee, FL 32399.**

Failure to appear in accordance with this notice will constitute a waiver of your right to participate in the hearing. Continuances will be granted only upon a showing of good cause.

This hearing will be conducted pursuant to Section 106.25, Florida Statutes, which governs your participation as follows:

**If you are the Respondent**, you may attend the hearing, and you or your attorney will have *5 minutes* to present your case to the Commission. However, some cases (including those in which consent orders or recommendations for no probable cause are being considered) may be decided by an *en masse* vote and, unless you request to be heard or the Commission requests that your case be considered separately on the day of the hearing, your case will *not* be individually heard.

**If you are the Complainant**, you may attend the hearing, but you will *not* be permitted to address the Commission. In addition, some cases (including those in which consent orders or recommendations for no probable cause are being considered) may be decided by an *en masse* vote and, unless the Respondent requests to be heard or the Commission requests that the case be considered separately on the day of the hearing, the case will *not* be individually heard.

**If you are an Appellant**, and you have requested a hearing, you may attend the hearing, and you or your attorney will have *5 minutes* to present your case to the Commission.

Please be advised that both confidential and public cases are scheduled to be heard by the Florida Elections Commission on this date. As an Appellant, Respondent or Complainant in one case, you will *not* be permitted to attend the hearings on other confidential cases.

The Commission will electronically record the meeting. Although the Commission's recording is considered the official record of the hearing, the Respondent may provide, at his own expense, a certified court reporter to also record the hearing.

If you require an accommodation due to a disability, contact Donna Malphurs at (850) 922-4539 or by mail at 107 West Gaines Street, The Collins Building, Suite 224, Tallahassee, Florida 32399, at least 5 days before the hearing.

See further instructions on the reverse side.

Amy McKeever Toman  
Executive Director  
Florida Elections Commission  
February 4, 2014

Please refer to the information below for further instructions related to your particular hearing:

If this is a hearing to consider **an appeal from an automatic fine**, the Filing Officer has imposed a fine on you for your failure to file a campaign treasurer's report on the designated due date and, by filing an appeal, you have asked the Commission to consider either (1) that the report was in fact timely filed; or (2) that there were unusual circumstances that excused the failure to file the report timely. You are required to prove your case. If the Commission finds that the report was filed timely or that there were unusual circumstances that excused the failure, it may waive the fine, in whole or in part. The Commission may reduce a fine after considering the factors in Section 106.265, Florida Statutes. If the Commission finds that the report was not timely filed and there were no unusual circumstances, the fine will be upheld.

If this is a hearing to consider a **consent order before a determination of probable cause has been made**, the Commission will decide whether to accept or reject the consent order. If the Commission accepts the consent order, the case will be closed and become public. If the Commission rejects the consent order or does not make a decision to accept or deny the consent order, the case will remain confidential, unless confidentiality has been waived.

If this is a hearing to consider a **consent order after a determination of probable cause has been made**, the Commission will decide whether to accept or reject the consent order. If the Commission accepts the consent order, the case will be closed. If the Commission rejects the consent order or does not make a decision to accept or deny the consent order, the Respondent will be entitled to another hearing to determine if the Respondent committed the violation(s) alleged.

If this is a **probable cause hearing**, the Commission will decide if there is probable cause to believe that the Respondent committed a violation of Florida's election laws. Respondent should be prepared to explain how the staff in its recommendation incorrectly applied the law to the facts of the case. *Respondent may not testify, call others to testify, or introduce any documentary or other evidence at the probable cause hearing.* The Commission will only decide whether Respondent should be *charged* with a violation and, before the Commission determines whether a violation has occurred or a fine should be imposed, Respondent will have an opportunity for another hearing at which evidence may be introduced.

If this is an **informal hearing**, it will be conducted pursuant Sections 120.569 and 120.57(2), Florida Statutes; Chapter 28 and Commission Rule 2B-1.004, Florida Administrative Code. At the hearing, the Commission will decide whether the Respondent committed the violation(s) charged in the Order of Probable Cause. The Respondent will be permitted to testify. However the Respondent may not call witnesses to testify.

Respondent may argue why the established facts in the Staff Recommendation do not support the violations charged in the Order of Probable Cause. At Respondent's request, the Commission may determine whether Respondent's actions in the case were willful. The Respondent may also address the appropriateness of the recommended fine. If Respondent claims that his limited resources make him unable to pay the statutory fine, *he must provide the Commission with written proof of his financial resources* at the hearing. A financial affidavit form is available from the Commission Clerk.

**FLORIDA ELECTIONS COMMISSION  
CASE REPORT  
Case Number: FEC-13-076**

**NAME:** WILLIAM GLOVER

**DATE APPEAL RECEIVED:** 2/27/13

**DATE HEARING REQUEST RECEIVED:** N/A

**DATE REPORT DUE:** 10/19/12 (2012 G3)

**DATE OF ELECTRONIC RECEIPT:** 12/4/12

**DATE FILING OFFICER RECEIVED REPORT:** 12/4/12

**NUMBER OF DAYS LATE:** 47

**AMOUNT OF FINE:** \$333.16

**FINE BASED ON:**        (..) NUMBER OF DAYS                    (..) 25% OF RECEIPTS                    (X) 25% OF EXPENDITURES

**TOTAL RECEIPTS FOR REPORTING PERIOD:** \$0

**TOTAL EXPENDITURES FOR REPORTING PERIOD:** \$1,332.62

**DATE OF FIRST NOTIFICATION:** 12/10/12

**SUMMARY:** William Glover was a candidate for Lee Memorial Health System, District 5 in the 2012 elections. Sonya McCarter was his treasurer.

Mr. Glover is appealing the fine claiming that he experienced issues when attempting to file his paperwork to qualify as a candidate. According to Mr. Glover, "I received notice via email on November 3, 2012 that I had not filled out the appropriate Appointment of Treasurer form needed to properly file my campaign funds. Although I had already established a campaign account, I did not realize that I needed to fill out a form until I was notified. I returned the completed form on 11/6/12 and the campaign treasurer packet was sent out via mail on 11/15/12. As you can see the first deadline for filing was 10/5/12 and the last was 11/2/12. We did not receive the treasurer's packet via mail until after 11/15/12 and electronically on 11/20/12. As this was both my own and my treasurer's first campaign, it took her some time to read over and comprehend the correct procedures for filing the information required."

Records from the Lee County SOE's office reflect that Mr. Glover qualified, in person, for the Lee Memorial Health System Board of Directors, District 5 on 6/5/12. He also filed an Affidavit of Intent Special District Candidate on 6/5/12 which states that he would not actively campaign for office. It's believed that Mr. Glover was issued a candidate packet at this time, which included a "Calendar of Reporting Dates." On 10/5/12, the Lee County SOE's office emailed Mr. Glover reminding him that he should not be actively campaigning. On 11/3/12, another email was sent to Mr. Glover after the Lee County SOE was notified about Mr. Glover erecting numerous campaign signs throughout Lee County. This email reminded him of the requirement to file reports and a DS-DE 9 form if he was actively campaigning. On 11/6/12, Mr. Glover responded that he had opened a campaign account and would be filing his DS-DE 9 form. On 11/7/12, Mr. Glover filed his official DS-DE 9 form with the Lee County SOE.

- The 2012 G3 Report covers the time period of 9/29/12 through 10/12/12.
- Mr. Glover reported making 4 expenditures during this reporting period.
- The Lee County SOE does not keep records to complete queued-transactions reports for their respective candidates.

**PRIOR CASES:** Mr. Glover is involved in two other active cases that will also be appearing before the Commission during this meeting. FEC #13-074 and #13-077 are both automatic fine cases in relation to the untimely filing of his 2012 G2 and G4 campaign treasurer reports.

CANDIDATE [X]	STATE [ ]
PC [ ]	DISTRICT [ ]
CCE [ ]	COUNTY [ X]
POLITICAL PARTY [ ]	CITY [ ]

CASE# F 1013-076

D/M

William L. Glover  
12902 Ivory Stone Loop  
Fort Myers, Fl 33913  
239-281-4096

2013 FEB 21 3 00

February 21, 2013

Commission Clerk  
Florida Elections Commission  
Collins Building, Suite 224  
107 West Gaines Street  
Tallahassee, Fl 32399

Dear Commission Clerk Representative:

During the 2012 Lee County Elections, I campaigned for a seat on the Lee Memorial Health System Board of Directors for District 5. I am asking for an appeal on the following automatic fines imposed for failure to file a timely financial report:

- G2 campaign report due 10/05/12 [received 12/04/12] [fine assessed \$262.50]
- G3 campaign report due 10/19/12 [received 12/04/12] [fine assessed \$333.16]
- G4 campaign report due 11/02/12 [received 12/04/12] [fine assessed \$125.68]


Noted above and on copies of the following documents and email correspondence, I received notice via email on November 3, 2012 that I had not filled out the appropriate Appointment of Treasurer form needed to properly file my campaign funds. Although I had already established a campaign account, I did not realize that I needed to fill out a form until I was notified I returned the completed form on 11/6/2012 and the campaign treasurer packet was sent out via mail on 11/15/12. As you can see the first deadline for filing was 10/05/12 and the last was 11/02/12. We did not receive the treasurer's packet via mail until after 11/15/12 and electronically on 11/20/12. As this was both my own and my treasurer's first campaign, it took her some time to read over and comprehend the correct procedures for filing the information required. I am filing for an appeal based on the unusual circumstances listed under section (g) of the Florida Elections Commissions Rules and Automatic Fine Appeals Procedure:

"Failure of the filing officer to e-mail, telephone, or mail a letter to the candidate, chairman of a political committee, or treasurer of a committee of continuous existence that report is late no later than seven day after the report was due. "

Included are copies of documents and email correspondence sent from the Qualifying Office of Lee County Elections.

Thank you for your consideration and attention to this matter.

Respectfully yours,




William Glover, D. Min.  
Senior Pastor  
Mt Hermon Ministries

**SHARON L. HARRINGTON**  
**SUPERVISOR OF ELECTIONS**  
**LEE COUNTY—FLORIDA**

<u>PHYSICAL ADDRESS</u> LEE COUNTY CONSTITUTIONAL COMPLEX 2480 THOMPSON STREET 3 <sup>RD</sup> FLOOR FORT MYERS FL 33901	<u>MAILING ADDRESS</u> please send all correspondence to this address P O BOX 2545 FORT MYERS FL 33902-2545
MAIN OFFICE 239 LEE VOTE OR 239-533-8683	FAX 239-533-6310 WEBSITE <a href="http://www.leeelections.com">www.leeelections.com</a>

**NOTICE OF AUTOMATIC FINE**

TO : William L. Glover  
Lee Memorial Health System, District 5

FROM : Bernie Feliciano, Qualifying Officer 

DATE : December 10, 2012

RE : G3-2012 Campaign Treasurer's Due 10/19/12

COPY

Your campaign treasurer's report G3, which was due 10/19/12, was received late. The report was electronically filed on 12/04/12.

Section 106.07(8)(b), Florida Statutes, requires that the filing officer immediately notify you of the failure to file this report and that a fine will be assessed of \$50 per day for the first 3 days late and, thereafter \$500 per day, although a fine cannot exceed 25% of the total receipts or expenditures, whichever is greater, for the period covered by the late report. However, for reports immediately preceding each primary or general election, the fine shall be \$500 per day for each day late, not to exceed 25% of the total receipts or expenditures, whichever is greater, for the period covered by the late report. In accordance with s.106.07 (8)(b) FS, the automatic fine is \$333.16; based on 25% of your campaign's expenditures for the reporting period covered by the late report.

The fine may not be paid from campaign funds and must be paid from the candidate's personal funds. Section 106.07 Florida Statutes, provides that a candidate may appeal or dispute an automatic fine to the Florida Elections Commission based upon, but not limited to unusual circumstances surrounding the failure to file on the designated due date and may request and shall be entitled to a hearing before the Florida Elections Commission which shall have the authority to waive the fine in whole or in part. The Lee County Supervisor of Elections does not have authority to waive an automatic fine imposed in accordance with Chapter 106, Florida Statutes.

Please refer to your copy of Florida Statutes Chapter 106, which was provided in your candidate and/or treasurer packet for more information. If you have questions, please contact me at 239-533-6304 or email [bfeliciano@leeelections.com](mailto:bfeliciano@leeelections.com).


Copy via certified mail to: Sonya McCarter, Treasurer  
1012 N E 44<sup>th</sup> Lane  
Cape Coral FL 33909

**SHARON L. HARRINGTON  
SUPERVISOR OF ELECTIONS  
LEE COUNTY—FLORIDA**

<b>PHYSICAL ADDRESS</b> LEE COUNTY CONSTITUTIONAL COMPLEX 2480 THOMPSON STREET 3 <sup>RD</sup> FLOOR FORT MYERS FL 33901	<b>MAILING ADDRESS</b> please send all correspondence to this address P O BOX 2545 FORT MYERS FL 33902-2545
<b>MAIN OFFICE</b> 239 LEE VOTE OR 239-533-8683	<b>FAX 239-533-6310</b> <b>WEBSITE <a href="http://www.leeelections.com">www.leeelections.com</a></b>

**NOTICE OF AUTOMATIC FINE**

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Copy via certified mail to: Sonya McCarter, Treasurer  
1012 N E 44<sup>th</sup> Lane  
Cape Coral FL 33909

**FLORIDA DEPARTMENT OF STATE DIVISION OF ELECTIONS  
CAMPAIGN TREASURER'S REPORT SUMMARY**

(1) WILLIAM L GLOVER  
Name

OFFICE USE ONLY 617

(2) , ,  
Address (number and street)

City, State, Zip Code

CHECK IF ADDRESS HAS CHANGED

(3) ID Number: \_\_\_\_\_

(4) Check appropriate box(es):

Candidate (office sought): LEE MEMORIAL HEALTH SYSTEM-5

Political Committee  CHECK IF PC HAS DISBANDED

Committee of Continuous Existence  CHECK IF CCE HAS DISBANDED

Party Executive Committee

Electioneering Communication  CHECK IF NO OTHER ELECTIONEERING COMMUNICATION REPORTS WILL BE FILED

**(5) REPORT IDENTIFIERS**

Cover Period: From 9/29/2012 To 10/12/2012 Report Type G3

Original  Amendment  Special Election Report  Independent Expenditure Report

**(6) CONTRIBUTIONS THIS REPORT**

Cash & Checks \$ 0.00

Loans \$ 0.00

Total Monetary \$ 0.00

In-Kind \$ 0.00

**(7) EXPENDITURES THIS REPORT**

Monetary Expenditures \$ 1,332.62

Transfers to Office Account \$ 0.00

Total Monetary \$ 1,332.62

(8) Other Distributions \$ 0.00

(9) TOTAL Monetary Contributions To Date  
\$ 1,050.00

(10) TOTAL Monetary Expenditures To Date  
\$ 1,543.62

**(11) CERTIFICATION**

It is a first degree misdemeanor for any person to falsify a public record (ss. 839.13, F.S.)

I certify that I have examined this report and it is true, correct, and complete.

I certify that I have examined this report and it is true, correct, and complete.

(Type name) \_\_\_\_\_  
 Individual (only for electioneering commun)  Treasurer  Deputy Treasurer

(Type name) \_\_\_\_\_  
 Candidate  Chairperson (only for PC, PTY & electioneering commun organization)

**X** \_\_\_\_\_  
Signature

**X** \_\_\_\_\_  
Signature

## CAMPAIGN TREASURER'S REPORT - ITEMIZED CONTRIBUTIONS

(1) Name WILLIAM L. GLOVER (2) I.D. Number 617

9/29/2012 through 10/12/2012

(3) Cover Period    /    /    through    /    /    (4) Page 1 of 0

(5) Date	(7) Full Name (Last, Suffix, First, Middle) Street Address & City, State, Zip Code	(8) Contributor		(9) Contribution	(10) In-kind Description	(11) Amendment	(12) Amount
(6) Sequence Number		Type	Occupation	Type			
/ /							
/ /							
/ /							
/ /							
/ /							
/ /							



## CAMPAIGN TREASURER'S REPORT - ITEMIZED EXPENDITURES

(1) Name WILLIAM L GLOVER (2) I.D. Number 617  
 (3) Cover Period 9/29/2012 through 10/12/2012 (4) Page 1 of 1

(5) Date	(7) Full Name (Last, Suffix, First, Middle) Street Address & City, State, Zip Code	(8) Purpose (add office sought if contribution to a candidate)	(9) Expenditure Type	(10) Amendment	(11) Amount
(6) Sequence Number					
10/1/2012 //	Custom Car Tag and Tees, 4125 Cleveland Ave Ft Myers, Fl 33901	campaign -shirts	MO		\$230 55
1					
10/3/2012 //	JoAnn's Fabric, 15201 N Cleveland Ave ste 400 Fort Myers, Fl 33903	campaign fabric for table cloth	MO		\$64 94
2					
10/5/2012 //	Artype Inc, 3530 Work Drive Fort Myers, Fl 33916	large campaign road signs	MO		\$722 13
3					
10/9/2012 //	Davis, Carolyn 4121 SW 9th Place Cape Coral, Fl 33914	small campaign street signs	MO		\$315 00
4					
//					
//					
//					
//					

**Cheryl Futch**

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**From:** "Candidate Financial System" <server@precinctfind.com>  
**To:** <BFELICIANO@LEEELECTIONS.COM>; <CFUTCH@LEEELECTIONS.COM>  
**Cc:** <glovestries@hotmail.com>  
**Sent:** Tuesday, December 04, 2012 2:14 PM  
**Subject:** Report Submitted: WILLIAM L GLOVER - LEE MEMORIAL HEALTH SYSTEM-5 (G3 09/29/2012-10/12/2012)

WILLIAM L GLOVER - (fl\_lee) Candidate for LEE MEMORIAL HEALTH SYSTEM-5 has submitted a financial report (G3 09/29/2012-10/12/2012)

**CERTIFICATION**

It is a first degree misdemeanor for any person to falsify a public record (s. 839.13, F.S.) Any campaign treasurer, deputy treasurer, candidate, or political committee chair who willfully certifies the correctness of any report while knowing that such report is incorrect, false, or incomplete commits a misdemeanor of the first degree, punishable as provided in s. 775.082 FS or s. 775.083 FS. I certify that this report is true, correct, and complete.

Submitted by : Sonya McCarter

12 NOV 7 PM 2 09 50 E LEE CO FL

SCANNED

COPY

APPOINTMENT OF CAMPAIGN TREASURER AND DESIGNATION OF CAMPAIGN DEPOSITORY FOR CANDIDATES (Section 106.021(1), F.S.)

(PLEASE PRINT OR TYPE)

NOTE: This form must be on file with the qualifying officer before opening the campaign account.

OFFICE USE ONLY

1. CHECK APPROPRIATE BOX(ES):

Initial Filing of Form Re-filing to Change: Treasurer/Deputy Depository Office Party

2. Name of Candidate (in this order: First, Middle, Last)

William C. Glover

3. Address (include post office box or street, city, state, zip code)

12902 Ivory Stone Loop Ft Myers FL 33913

4. Telephone

(239) 281-4096

5. E-mail address

gloverministries@hotmail.com

6. Office sought (include district, circuit, group number)

Hospital Board District 5

If a candidate for a nonpartisan office, check if applicable:

My intent is to run as a Write-In candidate

8. If a candidate for a partisan office, check block and fill in name of party as applicable: My intent is to run as a

Write-In No Party Affiliation Party candidate

9. I have appointed the following person to act as my Campaign Treasurer Deputy Treasurer

10. Name of Treasurer or Deputy Treasurer

Sonya M. Carter

11. Mailing Address

1012 NE 44th Lane

12. Telephone

(239) 362-5297

13. City

Cape Coral

14. County

Lee

15. State

FL

16. Zip Code

33909

17. E-mail address

czipperve@aol.com

18. I have designated the following bank as my Primary Depository Secondary Depository

19. Name of Bank

Wells Fargo

20. Address

Downtown

21. City

Ft. Myers

22. County

Lee

23. State

Florida

24. Zip Code

33901

UNDER PENALTIES OF PERJURY, I DECLARE THAT I HAVE READ THE FOREGOING FORM FOR APPOINTMENT OF CAMPAIGN TREASURER AND DESIGNATION OF CAMPAIGN DEPOSITORY AND THAT THE FACTS STATED IN IT ARE TRUE.

25. Date

11-6-12

26. Signature of Candidate

X William L Glover

27. Treasurer's Acceptance of Appointment (fill in the blanks and check the appropriate block)

I, Sonya McCarter, do hereby accept the appointment (Please Print or Type Name)

designated above as: Campaign Treasurer Deputy Treasurer

11-6-12 Date

X Sonya McCarter Signature of Campaign Treasurer or Deputy Treasurer

COPY

LEE COUNTY—FLORIDA  
AFFIDAVIT OF INTENT  
SPECIAL DISTRICT CANDIDATE

A special district candidate is prohibited from financing ANY PORTION OF his/her campaign with personal funds except as provided in this affidavit.

State of Florida

111717299

GLOVER, WILLIAM LEE  
12902 IVORY STONE LOOP  
FORT MYERS FL 33913

Candidate for the independent special district office of:

Lee Memorial Health System Dist 5  
(include district name AND district, seat, area or group #)

in the November 6, 2012 General Election. I declare that my only campaign expense, from personal funds, shall be the \$25 candidate-qualifying fee OR the signature verification fee for candidates who qualify by the candidate-petition method by submitting the valid signatures of 25 registered voters residing within the District boundaries.

Provided that this is my only campaign expense, I will not be required to: appoint a campaign treasurer, designate a campaign depository or file periodic campaign treasurer's reports as required by Florida Statutes §99.061 or §106.07. I understand that I am prohibited from expending, collecting, soliciting, or accepting any money or contribution(s) in-kind, in connection with my campaign.

In the event I later decide to, collect, solicit, or accept any money or contribution(s) in-kind, or make any additional campaign expense, I understand that prior to doing so, I am required to file Form DS-DE 9 (Appointment of Campaign Treasurer/Designation of Campaign Depository Form) with the Lee County Supervisor of Elections. My campaign shall then be subject to campaign finance regulations in accordance with Florida Statutes, Chapter 106 and I will be required to file periodic campaign treasurer's reports, as required by Florida Statute §106.07, with the Lee County Supervisor of Elections.

William L. Glover

Signature of Candidate

6-5-12

Date

FS 106.021(1)(a) "No person shall accept any contribution or make any expenditure with a view to bringing about his or her nomination, election, or retention in public office, or authorize another to accept such contributions or make such expenditure on the person's behalf, unless such person has appointed a campaign treasurer and designated a primary campaign depository.

1201N 5th 955 STE LEE COP1

SCANNED