

**STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION**

In Re: Troy Ingersoll

Case No.: FEC 22-536

TO: Troy Ingersoll
4302 Thousand Pines Drive
Ft. Pierce, FL 34981

Getrude Walker, Supervisor of Elections
St. Lucie County Supervisor of Elections
4132 Okeechobee Road
Ft. Pierce, FL 34947-5412

NOTICE OF HEARING (AUTOMATIC FINE (AF))

A hearing will be held in this case before the Florida Elections Commission on, **November 14, 2023 at 8:30 a.m.**, *or as soon thereafter as the parties can be heard*, at the following location: **402 South Monroe Street, 12 HOB, Tallahassee, Florida 32399**. Due to heightened security access requirements, please bring only essential items into the building and plan to arrive early to allow for delays coming through security.

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 Ann 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.

Tim Vaccaro

Executive Director
Florida Elections Commission
October 31, 2023

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 to 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-22-536

NAME: TROY INGERSOLL

DATE APPEAL RECEIVED: 12/20/2022

DATE REPORT DUE: 09/02/2022 (2022 G1)

DATE OF ELECTRONIC RECEIPT: 11/29/2022

DATE FILING OFFICER RECEIVED REPORT: 11/29/2022

NUMBER OF DAYS LATE: 86

AMOUNT OF FINE: \$1,805.39

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

TOTAL RECEIPTS FOR REPORTING PERIOD: \$0

TOTAL EXPENDITURES FOR REPORTING PERIOD: \$7,221.55

DATE OF FIRST NOTIFICATION: 11/30/2022 (Fine Ltr)

SUMMARY: Troy Ingersoll was a candidate for Saint Lucie County School Board, District 5 in the 2022 elections. Mr. Ingersoll was his own treasurer.

Troy Ingersoll is appealing the fine and claims that this is his 6th election cycle for Saint Lucie County School board and that he did not realize the rules had changed. According to Mr. Ingersoll, this filing included payments made after the primary election. As such, he filed his report in November as usual. He also claims that their local Supervisor of Election usually sends a reminder email that a filing is due. He requests a waiver of the fine.

- The 2022 G1 Original Report covers the period from 08/19/22-08/26/22; it was due on 09/02/22.
- The 2022 G1 Queued Transaction Report shows that it was filed on 11/29/22.
- Troy Ingersoll reported receiving zero contributions, while making 3 expenditures.
- The St. Lucie County Supervisor of Elections office provided one email that pertains to Troy Ingersoll's 2022 G1 report. On 08/08/23, SOE staff responded to the FEC info request stating that Mr. Ingersoll "did not need to file the G1 report cited above". They did not provide any other documentation.

PRIOR CASES: None.

CANDIDATE <input checked="" type="checkbox"/>	STATE <input type="checkbox"/>
PC <input type="checkbox"/>	DISTRICT <input type="checkbox"/>
CCE <input type="checkbox"/>	COUNTY <input checked="" type="checkbox"/>
POLITICAL PARTY <input type="checkbox"/>	CITY <input type="checkbox"/>

From: [Barcomb, Kris](#)
To: [Br"Axeton Wims](#)
Subject: Case No, FEC 22-536
Date: Tuesday, August 8, 2023 8:32:09 AM

In response to candidate Troy Ingersoll's appeal of the fine for late filing of the campaign finance report due September 2, 2022, when gathering the documentation requested I noticed Mr. Ingersoll won the Primary Election and had no opposition in the General so that he did not need to file the G1 report cited above. Therefore, I would like to withdraw the complaint against Mr. Ingersoll.

Please also note I was on extended medical leave from December 24, 2022 through April 11, 2023 and did not receive the notices dated December 28, 2022 and March 27, 2023.

If there is anything else I need to do to resolve this matter please call me at 772-462-1508 or email kbarcomb@slcelections.com. Thank you and have a great day.

Kris M. Barcomb

Candidate Coordinator for

Gertrude Walker, Supervisor of Elections

4132 Okeechobee Road

Fort Pierce, FL 34947

Phone: (772) 462-1508

Fax: (772) 462-1439

Email: kbarcomb@slcelections.com



Web: www.slcelections.com

Did you know that Online Voter Registration (OVR) is now available in Florida?

You can register to vote or update your voter registration information online from any computer or handheld device by clicking the icon.

Under Florida law, e-mail addresses are public records. If you do not want your e-mail address released in response to a public records request, do not send electronic mail to this entity. Instead, contact this office by phone at (772)-462-1500 or in writing.

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Florida Elections Commission

FEC@myFloridaLegal.com

December 20, 2022

Florida Elections Commission:

I am writing to appeal my Campaign Finance Report late filing fine. This is my 6th election cycle for Saint Lucie County school board. With the first 4 cycles, I filed my final financial report in November during the close of the general election. This filing included payments made after the primary election. I did not realize that the rules for this year had changed; therefore, I did not file for the reporting period covering August 19, 2022 to August 26, 2022. In addition, our local Supervisor of Election, as a courtesy, usually sends us reminder emails that a filing is due. They did not send out an email for this August window. Instead, as per my usual, I filed in November. I am asking for the fine to be waved.

Thank you for your consideration,



Troy Ingersoll Campaign

772-359-5433

4302 Thousand Pines Drive

Fort Pierce, FL 34981



Gertrude Walker
Supervisor of Elections
St. Lucie County

4132 Okeechobee Road • Fort Pierce, FL 34947-5412 • (772) 462-1500 • Fax (772) 462-1439

Notice of Campaign Finance Report Late Filing – Payment Due

November 30, 2022

Troy Ingersoll
4302 Thousand Pines Drive
Fort Pierce, Florida 34981

Dear Mr. Ingersoll:

Please be advised that the G1 Campaign Financial Report for the reporting period covering August 19, 2022 to August 26, 2022 was due on September 2, 2022 but was not submitted until November 29, 2022 and as a result you owe a late fine penalty of \$1,805.39. The Supervisor of Elections is required to assess the penalty for late reports and has no discretion in the amount imposed and cannot authorize an extension to the deadline.

Please see the following excerpt from Florida Statutes 106.0702 (7)(a) which provides additional detail regarding late filing. In addition, we have included the Calculation of Late Fines worksheet for your review.

"Upon determining that a report is late, the filing officer shall immediately notify the candidate or chair of the political committee as to the failure to file a report by the designated due date and that a fine is being assessed for each late day. The fine is \$50 per day for the first 3 days late and, thereafter, \$500 per day for each late day, not to exceed 25 percent of the total receipts or expenditures, whichever is greater, for the period covered by the late report. However, for the reports immediately preceding each special primary election, special election, primary election, and general election, the fine is \$500 per day for each late day, not to exceed 25 percent of the total receipts or expenditures, whichever is greater, for the period covered by the late report. For reports required under s. 106.141(8), the fine is \$50 per day for each late day, not to exceed 25 percent of the total receipts or expenditures, whichever is greater, for the period covered by the late report."

If applicable, please see the excerpt listed below from Florida Statutes 106.0702 (7)(c) for information on the appeals process:

"A reporting individual may appeal or dispute the fine, based upon, but not limited to, unusual circumstances surrounding the failure to file on the designated due date, and may request and is entitled to a hearing before the Florida Elections Commission, which has the authority to waive the fine in whole or in part. The Florida Elections Commission must consider the mitigating and aggravating circumstances contained in s. 106.265(2) when determining the amount of a fine, if any, to be waived. Any such request shall be made within 20 days after receipt of the notice of payment due. In such case, the reporting individual must, within 20 days after receipt of the notice, notify the supervisor in writing of his or her intention to bring the matter before the commission."

Please remit the penalty fee of \$1,805.39 payable to the Supervisor of Elections from your personal account within 20 days of the receipt of this notice. If you have any questions, please contact Kris Barcomb, Candidate Coordinator at 772-462-1508. Thank you.

Sincerely,

A handwritten signature in cursive script that reads "Gertrude Walker".

Gertrude Walker, CFS, CCPA
Supervisor of Elections

250 NW Country Club Drive • Port St. Lucie, Florida 34986 • (772) 871-5410
1664 SE Walton Road • Port St. Lucie, Florida 34952 • (772) 337-5323
10264 SW Village Parkway • Port St. Lucie, Florida 34987 • (772) 448-5172
www.slcelections.com • e-mail: elections@slcelections.com

Br'Axeton Wims

From: Donna Malphurs <Donna.Malphurs@myfloridalegal.com> on behalf of Florida Elections Commission <fec@myfloridalegal.com>
Sent: Tuesday, December 20, 2022 1:45 PM
To: Br'Axeton Wims
Subject: Fw: Appeal for fine
Attachments: TroyIngersoll Fine Appeal.PDF

----- Forwarded by Donna Malphurs/OAG on 12/20/2022 01:45 PM -----

From: "Troy Ingersoll" <troyaingersoll@gmail.com>
To: "fec@myfloridalegal.com" <fec@myfloridalegal.com>, elections@slcelections.com, "Kris Barcomb" <kbarcomb@slcelections.com>
Date: 12/20/2022 12:50 PM
Subject: Appeal for fine

Please see attached appeal(See attached file: *TroyIngersoll Fine Appeal.PDF*)

Br'Axeton Wims

From: Donna Malphurs <Donna.Malphurs@myfloridalegal.com> on behalf of Florida Elections Commission <fec@myfloridalegal.com>
Sent: Tuesday, December 20, 2022 1:46 PM
To: Br'Axeton Wims
Subject: Fw: Appeal for fine

----- Forwarded by Donna Malphurs/OAG on 12/20/2022 01:45 PM -----

From: "Kris Barcomb" <kbarcomb@slelections.com>
To: "Troy Ingersoll" <troyaingersoll@gmail.com>, "fec@myfloridalegal.com" <fec@myfloridalegal.com>
Cc: "Gertrude Walker" <Gertrude@slelections.com>, "Sherrie Williams" <SWilliams@slelections.com>
Date: 12/20/2022 01:08 PM
Subject: RE: Appeal for fine

Mr. Ingersoll:

We are in receipt of your appeal to the Florida Elections Commission for the fine imposed for late filing of your campaign finance report and will file it accordingly. As per my telephone inquiry to the FEC this morning, you are not required to pay the fine until the appeal process is completed.

Thank you. Happy holidays!

Kris M. Barcomb

Candidate Coordinator for
Gertrude Walker, Supervisor of Elections
4132 Okeechobee Road
Fort Pierce, FL 34947
Phone: (772) 462-1508
Fax: (772) 462-1439
Email: kbarcomb@slelections.com



Web: www.slelections.com

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Under Florida law, e-mail addresses are public records. If you do not want your e-mail address released in response to a public records request, do not send electronic mail to this entity. Instead, contact this office by phone at (772)-462-1500 or in writing.

From: Troy Ingersoll <troyaingersoll@gmail.com>
Sent: Tuesday, December 20, 2022 12:50 PM
To: fec@myfloridalegal.com; elections@slelections.com; Kris Barcomb <kbarcomb@slelections.com>
Subject: Appeal for fine

Please see attached appeal

Under Florida law, e-mail addresses are public records. If you do not want your e-mail address released in response to a public records request, do not send electronic mail to this entity. Instead, contact this office by phone (772)-462-1500 or in writing.

CAMPAIGN TREASURER'S REPORT SUMMARY

(1) Troy Ingersoll
 Name
 (2) 4302 Thousand Pines Dr
 Address (number and street)
Fort Pierce, FL 34981
 City, State, Zip Code

OFFICE USE ONLY
ONLINE SUBMISSION
 [1288982]

Submitted on:
 11/29/2022 13:07:58 (eastern)

Check here if address has changed

(3) ID Number: 540

(4) Check appropriate box(es):

- Candidate Office Sought: School Board, District 5
- Political Committee (PC)
- Electioneering Communications Org. (ECO) Check here if PC or ECO has disbanded
- Party Executive Committee (PTY) Check here if PTY has disbanded
- Independent Expenditure (IE) (also covers an individual making electioneering communications) Check here if no other IE or EC reports will be filed

(5) Report Identifiers

Cover Period: From 8 / 19 / 2022 To 8 / 26 / 2022 Report Type: G1

Original Amendment Special Election 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 \$, 7 , 221 . 55

Transfers to Office Account \$, , 0 . 00

Total Monetary \$, 7 , 221 . 55

(8) Other Distributions

\$, , 0 . 00

(9) TOTAL Monetary Contributions To Date

\$, 31 , 685 . 00

(10) TOTAL Monetary Expenditures To Date

\$, 26 , 328 . 49

(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:

(Type name)

Individual (only for IE or electioneering comm.) Treasurer Deputy Treasurer

X

Signature

(Type name)

Candidate Chairperson (only for PC and PTY)

X

Signature

CAMPAIGN TREASURER'S REPORT – ITEMIZED CONTRIBUTIONS

(1) Name Troy Ingersoll (2) I.D. Number 540

8/19/2022 8/26/2022

(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 Type Occupation		(9) Contribution Type	(10) In-kind Description	(11) Amendment	(12) Amount
/ /							
/ /							
/ /							
/ /							
/ /							
/ /							
/ /							
/ /							
/ /							

CAMPAIGN TREASURER'S REPORT – ITEMIZED EXPENDITURES

(1) Name Troy Ingersoll

(2) I.D. Number 540

(3) Cover Period 8/19/2022 through 8/26/2022

(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					
8/21/2022 //	Cobbs Landing, 200 North Indian River Drive Fort Pierce, Fl 34950	food	MO		\$2,563.00
1					
8/21/2022 //	Public Concepts, 5155 Corporate Way, D2 Jupiter, Fl 33458	media	MO		\$3,814.00
2					
8/21/2022 //	Media Art Group, PO Box 651114 Vero Beach, FL 32968	media	MO		\$844.55
3					
//					
//					
//					
//					
//					

Candidate: Troy Ingersoll

Office: School Board, District 5

Show only financial reports (Hides bio)

Available reports...		Contact Information	The following financial reports are available:		
M2	3/10/2022	Address 4302 Thousand Pines Dr Fort Pierce, FL - 34981 Email TroyaIngersoll@gmail.com Phone 772-359-5433			
M3	4/11/2022				
M4	5/10/2022				
M5	6/10/2022				
P1	6/24/2022	Report			
P2	7/8/2022	View Transactions	Monetary Contributions	In-Kind Contributions	Expenditures and Distributions
P3	7/22/2022	M2	\$0.00	\$0.00	\$0.00
P4	7/29/2022	(2/1/2022 - 2/28/2022)			
P5	8/5/2022				
P6	8/12/2022	M3	\$6,000.00	\$0.00	\$0.00
P7	8/19/2022	(3/1/2022 - 3/31/2022)			
G1	9/2/2022				
TR3	11/21/2022	M4	\$1,000.00	\$0.00	\$0.00
		(4/1/2022 - 4/30/2022)			
		M5	\$1,000.00	\$0.00	\$0.00
		(5/1/2022 - 5/31/2022)			
		P1	\$2,900.00	\$105.69	\$0.00
		(6/1/2022 - 6/17/2022)			
		P2	\$10,335.00	\$0.00	\$0.00
		(6/18/2022 - 7/1/2022)			
		P3	\$1,500.00	\$0.00	\$61.80
		(7/2/2022 - 7/15/2022)			
		P3	\$0.00	\$0.00	\$1,669.04
		(7/2/2022 - 7/15/2022) Amended			
		P4	\$2,650.00	\$0.00	\$14,012.60
		(7/16/2022 - 7/22/2022)			
		P5	\$1,100.00	\$0.00	\$1,173.20
		(7/23/2022 - 7/29/2022)			
		P6	\$500.00	\$0.00	\$0.00
		(7/30/2022 - 8/5/2022)			
		P7	\$4,700.00	\$0.00	\$2,190.30
		(8/6/2022 - 8/18/2022)			
		G1	\$0.00	\$0.00	\$7,221.55
		(8/19/2022 - 8/26/2022)			
		TR3	\$0.00	\$0.00	\$5,356.51
		(8/23/2022 - 11/21/2022)			

Candidate qualifying forms and miscellaneous documents

[DS-DE 9](#)

[DS-DE 84](#)

**STATEMENT OF
CANDIDATE**

(Section 106.023, F.S.)

(Please print or type)

OFFICE USE ONLY



I, Troy Ingersoll,
candidate for the office of St. Lucie County School Board District 5;
have been provided access to read and understand the requirements of
Chapter 106, Florida Statutes.

X Troy Ingersoll
Signature of Candidate

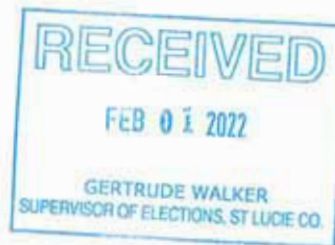
1/30/2022
Date

Each candidate must file a statement with the qualifying officer within 10 days after the Appointment of Campaign Treasurer and Designation of Campaign Depository is filed. Willful failure to file this form is a first degree misdemeanor and a civil violation of the Campaign Financing Act which may result in a fine of up to \$1,000, (ss. 106.19(1)(c), 106.265(1), Florida Statutes).

**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)

Troy Ingersoll

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

4302 Thousand Pines Dr.
Ft Pierce, FL 34981

4. Telephone

(772) 359-5433

5. E-mail address

Troya.Ingersoll@gmail.com

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

St. Lucie County School Board District 5

7. 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

Troy Ingersoll

11. Mailing Address

4302 Thousand Pines Dr.

12. Telephone

(772) 359-5433

13. City

Ft. Pierce

14. County

St. Lucie

15. State

FL

16. Zip Code

34981

17. E-mail address

Troy A Ingersoll@gmail.com

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

19. Name of Bank

TD Bank

20. Address

1238 US-1

21. City

Vero Beach

22. County

Indian River

23. State

FL

24. Zip Code

32960

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

1/31/2022

26. Signature of Candidate

X

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

I, Troy Ingersoll, do hereby accept the appointment
(Please Print or Type Name)

designated above as: Campaign Treasurer Deputy Treasurer.

1/31/2022
Date

X
Signature of Campaign Treasurer or Deputy Treasurer