

**STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION**

**In Re: Peace River Valley Citrus Growers
Association PAC**

Case No.: FEC 22-478

TO: Leonard Lempenau, Chair
2150 Northeast Roan Street
Arcadia, FL 34266

Division of Elections
500 S. Bronough Street, Room 316
Tallahassee, FL 32399

NOTICE OF HEARING (INFORMAL HEARINGS (IH))

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

107 West Gaines Street, Suite 224 Tallahassee, Florida 32399-1050

Telephone: (850) 922-4539 · Facsimile: (850) 921-0783

FEC@myfloridalegal.com · www.fec.state.fl.us



September 6, 2023

Peace River Valley Citrus Association PAC
Leonard Lempenau, Chair
2150 NE Roan Street
Arcadia, FL 34266

RE: Case No.: FEC 22-478; Respondent: Peace River Valley Citrus Association PAC

Dear Mr. Lempenau:

The Florida Elections Commission at its August 15, 2023, virtual meeting was unable to hear this case. Therefore, this case has been rescheduled for its next meeting, which is scheduled for November 14-15, 2023, in Tallahassee. A notice of hearing indicating the exact date and time will be mailed approximately 14 days before the hearing.

If you have any questions, please contact us at the number listed above or at fec@myfloridalegal.com.

Sincerely,

Tim Vaccaro

Executive Director

TV/dm

cc: Division of Elections, Complainant

**STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION**

**In Re: Peace River Valley Citrus Association
PAC**

Case No.: FEC 22-478

TO: Leonard Lempenau, Chair
2150 NE Roan Street
Arcadia, FL 34266

Division of Elections
500 South Bronough Street, Room 316
Tallahassee, FL 32399

NOTICE OF HEARING (INFORMAL HEARING)

A hearing will be held in this case before the Florida Elections Commission on, **August 15, 2023 at 8:30 a.m.**, or as soon thereafter as the parties can be heard, at the following location: **Virtual Meeting via GoTo Webinar:**

WEB PARTICIPATION: <https://attendee.gotowebinar.com/register/4391393799096818270>

AUDIO PARTICIPATION: 1 877 309 2074 ATTENDEE ACCESS CODE: 424-284-031

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
August 1, 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 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.

**STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION**

**Florida Elections Commission,
Petitioner,**

Case No.: FEC 22-478

v.

**Peace River Valley Citrus Growers Association
PAC,
Respondent.**

ORDER OF PROBABLE CAUSE

THIS MATTER was heard by the Florida Elections Commission (Commission) at its regularly scheduled meeting on May 16, 2023, in Tallahassee, Florida.

On March 29, 2023, Staff recommended to the Commission that there was probable cause to believe that the Florida Election Code was violated. The facts articulated in Staff's Recommendation are adopted by reference and incorporated herein. Based on the Complaint, Report of Investigation, Staff's Recommendation, and oral statements (if any) made at the probable cause hearing, the Commission finds that there is **probable cause** to charge Respondent with the following violation(s):

Count 1:

On or about September 9, 2022, Peace River Valley Citrus Growers Association PAC violated Section 106.19(1)(c), Florida Statutes, when it deliberately failed to include information required by Chapter 106, Florida Statutes, on the committee's 2022 G1A Report.

THIS SPACE INTENTIONALLY LEFT BLANK



The Commission finds that there is **no probable cause** to charge Respondent with violating Section 106.07(7), Florida Statutes.

DONE AND ORDERED by the Florida Elections Commission on May 16, 2023.



Tim Vaccaro, J.D., Executive Director
For Joni Alexis Poitier, Vice Chair
Florida Elections Commission

Copies furnished to:
Stephanie J. Cunningham, General Counsel
Peace River Valley Citrus Growers Association PAC, Respondent
Division of Elections, Complainant

NOTICE OF RIGHT TO A HEARING

As the Respondent, you may elect to resolve this case in several ways. First, you may elect to resolve this case by consent order where you and Commission staff agree to resolve the violation(s) and agree to the amount of the fine. The consent order is then presented to the Commission for its approval. To discuss a consent order, contact the FEC attorney identified in the Order of Probable Cause.

Second, you may request an informal hearing held before the Commission, if you do not dispute any material fact in the Staff Recommendation. You have 30 days from the date the Order of Probable Cause is filed with the Commission to request such a hearing. The date this order was filed appears in the upper right-hand corner of the first page of the order. At the hearing, you will have the right to make written or oral arguments to the Commission concerning the legal issues related to the violation(s) and the potential fine. At the request of Respondent, the Commission will consider and determine willfulness at an informal hearing. Otherwise, live witness testimony is unnecessary.

Third, you may request a formal hearing held before an administrative law judge in the Division of Administrative Hearings (DOAH), if you dispute any material fact in the Staff Recommendation. You have 30 days from the date the Order of Probable Cause is filed with the Commission to request such a hearing. The date this order was filed appears in the upper right-hand corner of the first page of the order. At the hearing, you will have the right to present evidence relevant to the violation(s) listed in this order, to cross-examine opposing witnesses, to impeach any witness, and to rebut the evidence presented against you.

If you do not elect to resolve the case by consent order or request a formal hearing at the DOAH

or an informal hearing before the Commission within 30 days of the date this Order of Probable Cause is filed with the Commission, the case will be sent to the Commission for a formal or informal hearing, depending on whether the facts are in dispute. The date this order was filed appears in the upper right-hand corner of the first page of the order.

To request a hearing, please send a written request to the Commission Clerk, Donna Ann Malphurs. The address of the Commission Clerk is 107 W. Gaines Street, Collins Building, Suite 224, Tallahassee, Florida 32399-1050. The telephone number is (850) 922-4539. The Clerk will provide you with a copy of Chapter 28-106, *Florida Administrative Code*, and other applicable rules upon request. No mediation is available.

**STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION**

**In Re: Peace River Valley Citrus Association
PAC**

Case No.: FEC 22-478

TO: Leonard Lempenau, Chair
2150 NE Roan Street
Arcadia, FL 34266

Division of Elections
500 South Bronough Street, Room 316
Tallahassee, FL 32399

NOTICE OF HEARING (PROBABLE CAUSE DETERMINATION)

A hearing will be held in this case before the Florida Elections Commission on, **May 16, 2023 at 8:30**, or as soon thereafter as the parties can be heard, at the following location: **Join Zoom Meeting:**

https://us06web.zoom.us/join/register/tZMpdumuqTsqGt1MNuVpQBO15XPapAI_9zfC

Audio Participation:
Dial: 1 301 715 8592

Meeting ID:
874 1067 0009

Passcode:
772737

After registering, you will receive a confirmation email containing information about joining the meeting.

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
May 2, 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 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.

**STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION**

**In Re: Peace River Valley Citrus Growers
Association PAC**

Case No.: FEC 22-478

STAFF RECOMMENDATION FOLLOWING INVESTIGATION

Pursuant to Section 106.25(4)(c), Florida Statutes, undersigned staff counsel files this written recommendation for disposition of the referral in this case recommending that there is **probable cause** to charge Respondent with violating **Section 106.19(1)(c), Florida Statutes**, and that there is **no probable cause** to charge Respondent with violating **Section 106.07(7), Florida Statutes**. Based upon a thorough review of the Report of Investigation submitted on February 28, 2023, the following facts and law support this staff recommendation:

1. On November 8, 2022, the Florida Elections Commission (“Commission”) received a referral from the Department of State, Division of Elections (“Division” or “Complainant”), alleging that Peace River Valley Citrus Growers Association PAC (“Respondent”) violated Chapter 106, Florida Statutes.

2. Respondent is a political committee registered with the Division. (ROI Exhibit 1)¹

3. By letter dated December 21, 2022, the Executive Director notified Respondent that Commission staff would investigate the following statutory provisions:

Section 106.07(7), Florida Statutes: As alleged in the complaint, Respondent, a political committee registered with the Division of Elections, failed to notify the filing officer on the prescribed reporting date that no report would be filed on that date because it had not received funds, made contributions, or expended reportable funds during the 2022 G1A reporting period.

Section 106.19(1)(c), Florida Statutes: As alleged in the complaint, Respondent, a political committee registered with the Division of Elections, may have falsely reported or deliberately failed to include information required by Chapter 106, Florida Statutes, during the 2022 G1A reporting period.

4. By letter dated April 19, 2018, Kristi Reid Willis, Chief, Bureau of Election Records, sent Lynn Shelfer, Treasurer for Respondent, a letter acknowledging that the Division had received Respondent’s Appointment of Campaign Treasurer and Designation of Campaign Depository for Political Committees form. (ROI Exhibit 2)

¹ The Report of Investigation is referred to herein as “ROI.”

5. The acknowledgment letter provided Ms. Shelfer with a confidential pin number to grant access to the electronic filing system (“EFS”). The letter advised Respondent’s chairperson, Leonard Lempenau, and Ms. Shelfer that all of the Division’s publications and reporting forms were available on its website and directed the committee to print out the *Calendar of Reporting Dates* as well as other relevant documents. (ROI Exhibit 2)

6. Respondent’s 2022 G1A Report was due to be filed by September 9, 2022; however, Respondent failed to timely file the report or notify the filing officer that no report would be filed. *See* Compl. By letters dated September 12, 2022, and October 5, 2022, the Division notified Respondent that the committee’s 2022 G1A Report had not been received. The letters also notified Respondent that it was still required to notify the Division if the committee had no reportable financial activity. (ROI Exhibits 3 & 4) The October 5, 2022, letter was confirmed delivered. (ROI Exhibit 4, page 2)

7. A subpoena was issued to Respondent’s designated campaign depository to ascertain whether any financial activity occurred during the relevant reporting period, i.e., August 27, 2022 – September 2, 2022. (ROI Exhibit 4, page 1). Respondent’s bank records show reportable financial activity during the relevant reporting period. (ROI Exhibit 6)

8. Emma Keller, Acting Executive Director for Respondent, stated that the previous executive director, Kate Shaw, did not provide any information to the Division to update their records, nor did she provide passwords necessary to log into various websites. (ROI Exhibit 7, page 2) As to why the 2022 G1A Report was not filed, Ms. Keller stated that she does not know how to file or update records with the Division. (ROI Exhibit 7, pages 2-3)

9. Roy Petteway, Former President for Respondent, confirmed that the former executive director did not update records nor maintain reporting requirements with the Division. (ROI Exhibit 7, page 2)

10. As it appears that Respondent had financial activity during the relevant reporting period, Respondent deliberately failed to include information in its 2022 G1A Report in violation of Section 106.19(1)(c), Florida Statutes. Therefore, Respondent was not required to notify the filing officer that it would not be filing its report because Respondent had reportable financial activity.

11. “Probable Cause” is defined as reasonable grounds of suspicion supported by circumstances sufficiently strong to warrant a cautious person in the belief that the person has committed the offense charged. *Schmitt v. State*, 590 So. 2d 404, 409 (Fla. 1991). Probable cause exists where the facts and circumstances, of which an [investigator] has reasonably trustworthy information, are sufficient in themselves for a reasonable man to reach the conclusion that an offense has been committed. *Department of Highway Safety and Motor Vehicles v. Favino*, 667 So. 2d 305, 309 (Fla. 1st DCA 1995).

12. The facts set forth above show that Respondent is a political committee registered with the Division. Respondent failed to timely file its 2022 G1A Report or notify the filing officer that no report would be filed. As it appears that Respondent had financial activity during the

relevant reporting period, Respondent deliberately failed to include information in its 2022 G1A Report in violation of Section 106.19(1)(c), Florida Statutes. Therefore, Respondent was not required to notify the filing officer that it would not be filing its 2022 G1A Report because Respondent had reportable financial activity.

Based upon these facts and circumstances, I recommend that the Commission find **no probable cause** to charge Respondent with violating **Section 106.07(7), Florida Statutes**, and find **probable cause** to charge Respondent with violating the following:

Count 1:

On or about September 9, 2022, Peace River Valley Citrus Growers Association PAC violated Section 106.19(1)(c), Florida Statutes, when it deliberately failed to include information required by Chapter 106, Florida Statutes, on the committee's 2022 G1A Report.

Respectfully submitted on March 29, 2023.



Stephanie J. Cunningham
General Counsel

I reviewed this Staff Recommendation this 29TH day of March 2023.



Tim Vaccaro
Executive Director

FLORIDA ELECTIONS COMMISSION

Report of Investigation for Sections 106.07(7) and 106.19(1)(c), F.S.

Case Number: FEC 22-478

Sections 106.07(7) and 106.19(1)(c), Florida Statutes, failure of a candidate or political committee that did not receive any contributions or make any expenditures during a reporting period to notify timely the filing officer, in writing, that no report is being filed or failure to file a campaign report to reflect financial activity.

Respondent: Peace River Valley Citrus Growers Association PAC

Respondent’s Atty: N/A

Division of Elections (Division)

Referral Filed: November 8, 2022

Respondent Type: Political Committee

I. Preliminary Information:

1. Respondent is a political committee registered with the Division.

2. An Appointment of Campaign Treasurer and Designation of Campaign Depository (DS-DE 6) was filed on September 4, 1998.¹ On April 17, 2018, a DS-DE 6 was filed appointing Lynn Shelfer as campaign treasurer. To review the DS-DE 6, refer to Exhibit 1.

4. An acknowledgement letter was mailed to the address provided on the DS-DE 6 on April 19, 2018, advising Respondent that all political committee filing reports with the Division are required to file by means of the Division’s electronic filing system (EFS). Respondent was provided with a user identification number and initial password allowing access to the EFS.

5. The acknowledgement letter also advised Respondent that all the Division’s publications and reporting forms are available on their website, including Chapter 106, Florida Statutes, the *Political Committee Handbook*, and the *Calendar of Reporting Dates*. The letter further advised that it was Respondent’s responsibility to read, understand, and follow the requirements of Florida’s election laws. To review the acknowledgement letter, refer to Exhibit 2.

6. The Division sent correspondence to the address provided on the DS-DE 6 notifying Respondent that the following campaign report, or the required notification that no reportable activity occurred, had not been filed: 2022 G1A. The letter included reference to the filing date for the report. To review the failure to file correspondence, refer to Exhibit 3.

7. On October 5, 2022, the Division sent a letter marked “Final Notice” with delivery confirmation to the address provided on the DS-DE 6 notifying Respondent that the following campaign report, or the required notification that no reportable activity occurred, had not been filed: 2022 G1A. The letter was confirmed delivered on October 11, 2022. To review the letter marked “Final Notice” and delivery confirmation, refer to Exhibit 4.

THIS SPACE INTENTIONALLY LEFT BLANK

¹ Respondent’s initial DS-DE 6 and Statement of Organization (DS-DE 5), and the Division’s initial acknowledgment letter are no longer available due to the Division’s schedule for the retention of records (10-year limit).

II. Alleged Violation of Sections 106.07(7), and 106.19(1)(c), Florida Statutes:

8. I investigated whether Respondent violated these sections of the election laws either by not notifying the filing officer, in writing, that no report would be filed due to not receiving any contributions or making expenditures during the following reporting period or by not filing a campaign report to reflect financial activity for the reporting period. To review the filing history, refer to Exhibit 5.

| Report | Report Cover Period | Due Date | Report or Waiver Required | Exhibit 6 ² |
|----------|---------------------|----------|---------------------------|------------------------|
| 2022 G1A | 08/27/22 – 09/02/22 | 09/09/22 | Report ³ | 6 |

9. Respondent did not respond to the referral.

10. On February 8, 2023, I called Respondent for the purpose of providing an opportunity to discuss the allegations made in the referral. The phone line was disconnected. To review the phone log, refer to Exhibit 7.

11. On February 27, 2023, I called a number found to be associated with Respondent. I spoke to Emma Keller, the current Executive Director of Peace River Valley Citrus Growers Association. I asked if Lynn Shelfer, the current Treasurer of record, or any other officer of record on the Division’s website were available and was told that all officers of record are no longer with the PAC. Ms. Keller explained that the previous Executive Director, Kate Shaw, had not updated any information with the Division of Elections. Ms. Keller also stated that she was not provided login credentials, passwords, or access to the Division’s website when she became Executive Director in August 2022, and she did not know how to file or update records with the Division of Elections. She provided me with the number for Roy Petteway, the previous President of the Peace River Valley Citrus Growers Association. I called the number, and Mr. Petteway stated that Kate Shaw, who was Executive Director from approximately 2018 until early-to-mid 2022, was believed to have been reporting and updating records with the Division of Elections, but it was discovered that she had not. To review the phone log, refer to Exhibit 7.

SIGNATURE OF INVESTIGATOR: _____



Date: February 28, 2023

² I subpoenaed campaign account records from the designated campaign depository.

³ The only activity through the campaign account was a \$3.00 maintenance charge on August 31, 2022.

FLORIDA ELECTIONS COMMISSION
REPORT OF INVESTIGATION
Peace River Valley Citrus Growers Association -- FEC 22-478

| LIST OF EXHIBITS | |
|-------------------------|--|
| Exhibits #s | Description of Exhibits |
| Exhibit 1 | Appointment of Campaign Treasurer and Designation of Campaign Depository (DS-DE 6) |
| Exhibit 2 | Acknowledgement Letter |
| Exhibit 3 | Division Notice Letter |
| Exhibit 4 | Final Notice and Delivery Confirmation |
| Exhibit 5 | Filing History |
| Exhibit 6 | Bank Records |
| Exhibit 7 | Investigation Phone Log |

**APPOINTMENT OF CAMPAIGN TREASURER
AND DESIGNATION OF CAMPAIGN
DEPOSITORY FOR
POLITICAL COMMITTEES**
(Sections 106.011(1) and 106.021(1), F.S.)

RECEIVED
18 APR 17 AM 11:13
DIVISION OF ELECTIONS
SECRETARY OF STATE

CHECK APPROPRIATE BOX:

OFFICE USE ONLY

Original Appointment of Treasurer Reappointment of Treasurer Deputy Treasurer

| | | | |
|---|--|---|------------------------------|
| 1. Committee or Organization <u>Peace River Valley Citrus Growers Association</u> | | 2. Telephone <u>(863) 494-0041</u> | |
| 3. Name of Treasurer or Deputy Treasurer <u>Lynn Shelfer</u> | | 4. Email (optional) <u>()</u> | |
| 5. Telephone (optional) <u>()</u> | | | |
| 6. Mailing Address <u>2150 N.E. Roan Street, Arcadia, FL 34266</u> | | | |
| 7. Street Address <u>2150 N.E. Roan Street, Arcadia, FL 34266</u> | | | |
| 8. The following bank has been designated as the <input checked="" type="checkbox"/> Primary Depository <input type="checkbox"/> Secondary Depository | | | |
| 9. Name of Bank <u>First State Bank of Arcadia</u> | | 10. Street Address <u>400 N Brevard Ave.</u> | |
| 11. City <u>Arcadia</u> | | 12. State <u>FL</u> | 13. Zip Code <u>34266</u> |
| 14. Signature of Chairman <u>X [Signature]</u> | | 15. Name of Chairman (Print or Type) <u>LENNY LEMBAU</u> | |

Campaign Treasurer's Acceptance of Appointment

I, Lynn Shelfer, do hereby accept the appointment as
(Please Print or Type)
treasurer or deputy treasurer for Peace River Valley Citrus Growers Association
(Committee or Organization)

UNDER PENALTIES OF PERJURY, I DECLARE THAT I HAVE READ THE FOREGOING CAMPAIGN TREASURER'S
ACCEPTANCE OF APPOINTMENT AND THAT THE FACTS STATED ARE TRUE.

4.3.18

Date

X [Signature]

Signature of Campaign Treasurer or Deputy Treasurer



FLORIDA DEPARTMENT *of* STATE

RICK SCOTT
Governor

KEN DETZNER
Secretary of State

April 19, 2018

Lynn Shelfer, Treasurer
Peace River Valley Citrus Growers Association PAC (29841)
2150 Northeast Roan Street
Arcadia, Florida 34266

Dear Ms. Shelfer:

Your appointment as treasurer for **Peace River Valley Citrus Growers Association PAC** was filed in this office on April 17, 2018. Enclosed is a security envelope containing your confidential pin number to access the Division's Electronic Filing System (EFS) for submitting campaign treasurer's reports.

All of the Division's publications and forms are available on the Division of Elections' website at <http://dos.myflorida.com/elections/>. It is your responsibility to read, understand, and follow the requirements of Florida's election laws. Therefore, please print a copy of the following documents: Chapter 106, Florida Statutes, *Political Committee Handbook*, *Calendar of Reporting Dates*, and Rule 1S-2.017, Florida Administrative Code.

If you have questions concerning your campaign account or the EFS, you may call (850) 245-6280.

Sincerely,

A handwritten signature in black ink that reads "Kristi Reid Willis".

Kristi Reid Willis, Chief
Bureau of Election Records

KRW/jcs

Enclosures

pc: Leonard Lempenau, Chairperson



FLORIDA DEPARTMENT OF STATE

Cord Byrd
Secretary of State

DIVISION OF ELECTIONS

September 12, 2022

Leonard Lempenau, Chairperson
Peace River Valley Citrus Growers Association PAC
2150 Northeast Roan Street
Arcadia, FL 34266

PAC 29841

Dear Mr. Lempenau:

Our records indicate that you have not filed either your campaign treasurer's report or notification that no reportable activity occurred, whichever is applicable. The filing date was September 9, 2022.

The law (s. 106.07(8)(b), Fla. Stat.) requires the filing officer to immediately notify you about the missed filing date and the automatic fines that will be assessed for late filing of a report, if a report was due.

- If reportable activity occurred and you have not filed a report, statutory fines are automatically assessed as follows until you file your report:
 - \$50 per day for the first 3 days late
 - \$500 per day for each day after the 3rd day late
 - If the required report immediately precedes a primary and general election, the automatic fine is \$500 for each late day.

The total fine for the untimely report cannot exceed 25% of the total receipts or expenditures, whichever is greater, for the cover period. Even if you end up filing your report late, we cannot waive the statutory fines. We will notify you of the specific amount of fines owed once you file your report. You have 20 days from the day you receive the notice to pay the fine or to appeal the fine to the Florida Elections Commission.

- If no reportable activity occurred for the report date(s), you are still required to notify us in writing, via the Division's Electronic Filing System, that no reportable activity occurred. No automatic fines are statutorily assessed.

However, in all cases, failure to file and/or untimely filing of a report of reportable activity, or if applicable, a notice that no reportable activity occurred, may constitute an apparent violation of chapter 106, Fla. Stat. If we refer such matter to the Florida Elections Commission, the Commission may subsequently impose a civil penalty for each violation under chapter 106.265(1), Fla. Stat.

If you have any questions, please contact the help desk at (850) 245-6280.

Sincerely,

Donna S. Brown, Chief
Bureau of Election Records

cc: Lynn Shelfer, Treasurer

FLORIDA DEPARTMENT OF STATE

Cord Byrd
Secretary of State

DIVISION OF ELECTIONS

Final Notice
Delivery Confirmation:

USPS TRACKING # **9114 9022 0078 9689 7766 72**
& CUSTOMER RECEIPT For Tracking or inquiries go to USPS.com
or call 1-800-222-1811.

October 5, 2022

Leonard Lempenau, Chairperson
Peace River Valley Citrus Growers Association PAC
2150 Northeast Roan Street
Arcadia, FL 34266

PAC 29841

Dear Mr. Lempenau:

A recent review of the Division's records show that the Division has not yet received the below-referenced campaign treasurer's report or the required notification that no reportable activity occurred, whichever is applicable, during the following cover period:

| <u>Year</u> | <u>Report</u> | <u>Cover Period</u> |
|-------------|---------------|---------------------|
| 2022 | G1A | 8/27/22 - 9/2/22 |

The Division has previously notified you of the unfiled report or notification. Please file your report or notification. If the report is not filed within 7 days of receipt of this letter, the Division will refer this matter to the Florida Elections Commission, which may impose civil penalties of up to \$1000 per violation, apart from that automatic fine provisions of s. 106.07(8)(b), Fla. Stat.) that are applicable only to campaign finance reports.

As we stated in the prior notices, even if you now file the report or notification, the untimely filing of a report of reportable activity, or if applicable, a notice that no reportable activity occurred, may constitute an apparent violation of chapter 106, Fla. Stat. If we refer such matter to the Florida Elections Commission, the Commission may subsequently impose a civil penalty for each violation under chapter 106.265(1), Fla. Stat.

If you have any questions, please contact the help desk at (850) 245-6280.

Sincerely,



Donna S. Brown, Chief
Bureau of Election Records

cc: Lynn Shelfer, Treasurer

Tracking Number:

[Remove X](#)

9114902200789689776672

[Copy](#) [Add to Informed Delivery](#)
(<https://informedelivery.usps.com/>)

Latest Update

Your item was delivered to the front desk, reception area, or mail room at 4:23 pm on October 11, 2022 in ARCADIA, FL 34266.


Delivered

Delivered, Front Desk/Reception/Mail Room

ARCADIA, FL 34266

October 11, 2022, 4:23 pm

[See All Tracking History](#)

Text & Email Updates 

USPS Tracking Plus® 

Product Information 

[See Less ^](#)

Track Another Package



search | directory | contact us | 411 | subscribe | tour | help

Florida Department of State - Division of Elections

Florida Election System Reports

Candidate/Committee Lookup

Name:

Election:

Acct:

Type:

Pol Action Comm
Name: Peace River Valley Citrus Growers Association PAC
Account: 29841

| Date Due | Type | Date Filed | Status | Days Late | Fine Assessed | Appealed | Amount Fined | Amount Paid |
|------------|------|------------|--------|-----------|---------------|----------|--------------|-------------|
| 12/12/2022 | M11 | | SNT | 0 | \$0.00 | | \$0.00 | \$0.00 |
| 11/4/2022 | G6 | | SNT | 0 | \$0.00 | | \$0.00 | \$0.00 |
| 11/3/2022 | D6 | | SNT | 0 | \$0.00 | | \$0.00 | \$0.00 |
| 11/2/2022 | D5 | | SNT | 0 | \$0.00 | | \$0.00 | \$0.00 |
| 11/1/2022 | D4 | | SNT | 0 | \$0.00 | | \$0.00 | \$0.00 |
| 10/31/2022 | D3 | | SNT | 0 | \$0.00 | | \$0.00 | \$0.00 |
| 10/30/2022 | D2 | | SNT | 0 | \$0.00 | | \$0.00 | \$0.00 |
| 10/29/2022 | D1 | | SNT | 0 | \$0.00 | | \$0.00 | \$0.00 |
| 10/28/2022 | G5 | | SNT | 0 | \$0.00 | | \$0.00 | \$0.00 |
| 10/21/2022 | G4A | | SNT | 0 | \$0.00 | | \$0.00 | \$0.00 |
| 10/14/2022 | G4 | | SNT | 0 | \$0.00 | | \$0.00 | \$0.00 |
| 10/7/2022 | G3 | | SNT | 0 | \$0.00 | | \$0.00 | \$0.00 |
| 10/7/2022 | G3A | | SNT | 0 | \$0.00 | | \$0.00 | \$0.00 |
| 9/23/2022 | G2A | | SNT | 0 | \$0.00 | | \$0.00 | \$0.00 |
| 9/16/2022 | G2 | | SNT | 0 | \$0.00 | | \$0.00 | \$0.00 |
| 9/9/2022 | G1A | | SNT | 0 | \$0.00 | | \$0.00 | \$0.00 |
| 9/2/2022 | G1 | | SNT | 0 | \$0.00 | | \$0.00 | \$0.00 |
| 8/26/2022 | P7A | | SNT | 0 | \$0.00 | | \$0.00 | \$0.00 |
| 8/19/2022 | P7 | | SNT | 0 | \$0.00 | | \$0.00 | \$0.00 |
| 8/12/2022 | P6 | 8/7/2022 | | | | | | |
| 8/5/2022 | P5 | 8/7/2022 | CLO | 2 | \$0.00 | | \$0.00 | \$0.00 |
| 7/29/2022 | P4 | 8/7/2022 | CLO | 9 | \$0.00 | | \$0.00 | \$0.00 |
| 7/22/2022 | P3 | 7/19/2022 | | | | | | |
| 7/15/2022 | P2A | 7/19/2022 | CLO | 4 | \$0.00 | | \$0.00 | \$0.00 |
| 7/8/2022 | P2 | 7/19/2022 | CLO | 11 | \$0.00 | | \$0.00 | \$0.00 |
| 7/1/2022 | P1A | 7/19/2022 | CLO | 18 | \$0.00 | | \$0.00 | \$0.00 |
| 6/24/2022 | P1 | 7/19/2022 | CLO | 25 | \$0.00 | | \$0.00 | \$0.00 |
| 6/10/2022 | M5 | 7/19/2022 | CLO | 39 | \$0.00 | | \$0.00 | \$0.00 |
| 5/10/2022 | M4 | 5/19/2022 | PEN | 9 | \$0.00 | | \$0.00 | \$0.00 |
| 4/11/2022 | M3 | 4/13/2022 | CLO | 2 | \$0.00 | | \$0.00 | \$0.00 |
| 3/10/2022 | M2 | 3/10/2022 | | | | | | |
| 2/10/2022 | M1 | 2/14/2022 | CLO | 4 | \$0.00 | | \$0.00 | \$0.00 |
| 1/10/2022 | M12 | 1/17/2022 | CLO | 7 | \$0.00 | | \$0.00 | \$0.00 |
| 12/10/2021 | M11 | 1/4/2022 | CLO | 25 | \$0.00 | | \$0.00 | \$0.00 |
| 11/10/2021 | M10 | 11/21/2021 | CLO | 11 | \$0.00 | | \$0.00 | \$0.00 |
| 10/12/2021 | M9 | 10/5/2021 | | | | | | |
| 9/10/2021 | M8 | 9/15/2021 | CLO | 5 | \$0.00 | | \$0.00 | \$0.00 |
| 8/10/2021 | M7 | 8/10/2021 | | | | | | |
| 7/12/2021 | M6 | 7/20/2021 | CLO | 8 | \$0.00 | | \$0.00 | \$0.00 |
| 6/10/2021 | M5 | 6/7/2021 | | | | | | |
| 5/10/2021 | M4 | 5/3/2021 | | | | | | |
| 4/12/2021 | M3 | 4/13/2021 | CLO | 1 | \$0.00 | | \$0.00 | \$0.00 |
| 3/10/2021 | M2 | 3/15/2021 | CLO | 5 | \$0.00 | | \$0.00 | \$0.00 |
| 2/10/2021 | M1 | 2/16/2021 | CLO | 6 | \$0.00 | | \$0.00 | \$0.00 |
| 1/11/2021 | M12 | 1/29/2021 | CLO | 18 | \$0.00 | | \$0.00 | \$0.00 |
| 12/10/2020 | M11 | 12/9/2020 | | | | | | |
| 11/10/2020 | M10 | 11/6/2020 | | | | | | |
| 10/30/2020 | G6 | 11/6/2020 | CLO | 7 | \$0.00 | | \$0.00 | \$0.00 |
| 10/29/2020 | D6 | 11/6/2020 | CLO | 8 | \$0.00 | | \$0.00 | \$0.00 |
| 10/28/2020 | D5 | 11/6/2020 | CLO | 9 | \$0.00 | | \$0.00 | \$0.00 |
| 10/27/2020 | D4 | 11/6/2020 | CLO | 10 | \$0.00 | | \$0.00 | \$0.00 |
| 10/26/2020 | D3 | 10/26/2020 | | | | | | |
| 10/25/2020 | D2 | 10/26/2020 | CLO | 1 | \$0.00 | | \$0.00 | \$0.00 |
| 10/24/2020 | D1 | 10/26/2020 | CLO | 2 | \$0.00 | | \$0.00 | \$0.00 |
| 10/23/2020 | G5 | 10/20/2020 | | | | | | |
| 10/16/2020 | G4A | 10/12/2020 | | | | | | |
| 10/9/2020 | G4 | 10/7/2020 | | | | | | |
| 10/2/2020 | G3A | 10/1/2020 | | | | | | |

| | | | | | | | |
|------------|-----|------------|-----|-----|--------|--------|--------|
| 9/25/2020 | G3 | 10/1/2020 | CLO | 6 | \$0.00 | \$0.00 | \$0.00 |
| 9/18/2020 | G2A | 9/14/2020 | | | | | |
| 9/11/2020 | G2 | 9/14/2020 | CLO | 3 | \$0.00 | \$0.00 | \$0.00 |
| 9/4/2020 | G1A | 8/31/2020 | | | | | |
| 8/28/2020 | G1 | 8/24/2020 | | | | | |
| 8/21/2020 | P7A | 8/24/2020 | CLO | 3 | \$0.00 | \$0.00 | \$0.00 |
| 8/14/2020 | P7 | 8/24/2020 | CLO | 10 | \$0.00 | \$0.00 | \$0.00 |
| 8/7/2020 | P6 | 8/3/2020 | | | | | |
| 7/31/2020 | P5 | 7/30/2020 | | | | | |
| 7/24/2020 | P4 | 7/17/2020 | | | | | |
| 7/17/2020 | P3 | 7/17/2020 | | | | | |
| 7/10/2020 | P2A | 7/6/2020 | | | | | |
| 7/3/2020 | P2 | 7/6/2020 | CLO | 3 | \$0.00 | \$0.00 | \$0.00 |
| 6/26/2020 | P1A | 7/6/2020 | CLO | 10 | \$0.00 | \$0.00 | \$0.00 |
| 6/19/2020 | P1 | 6/17/2020 | | | | | |
| 6/10/2020 | M5 | 6/8/2020 | | | | | |
| 5/11/2020 | M4 | 5/11/2020 | | | | | |
| 4/10/2020 | M3 | 4/13/2020 | CLO | 3 | \$0.00 | \$0.00 | \$0.00 |
| 3/10/2020 | M2 | 3/10/2020 | | | | | |
| 2/10/2020 | M1 | 2/13/2020 | CLO | 3 | \$0.00 | \$0.00 | \$0.00 |
| 1/10/2020 | M12 | 1/8/2020 | | | | | |
| 12/10/2019 | M11 | 12/9/2019 | | | | | |
| 11/12/2019 | M10 | 11/12/2019 | | | | | |
| 10/10/2019 | M9 | 10/9/2019 | | | | | |
| 9/10/2019 | M8 | 9/5/2019 | | | | | |
| 8/12/2019 | M7 | 8/12/2019 | | | | | |
| 7/10/2019 | M6 | 7/2/2019 | | | | | |
| 6/10/2019 | M5 | 6/10/2019 | | | | | |
| 5/10/2019 | M4 | 5/9/2019 | | | | | |
| 4/10/2019 | M3 | 4/9/2019 | | | | | |
| 3/11/2019 | M2 | 3/11/2019 | | | | | |
| 2/11/2019 | M1 | 2/10/2019 | | | | | |
| 1/10/2019 | M12 | 1/9/2019 | | | | | |
| 12/10/2018 | M11 | 12/10/2018 | | | | | |
| 11/2/2018 | G7 | 11/1/2018 | | | | | |
| 11/1/2018 | D6 | 11/1/2018 | | | | | |
| 10/31/2018 | D5 | 10/31/2018 | | | | | |
| 10/30/2018 | D4 | 10/31/2018 | CLO | 1 | \$0.00 | \$0.00 | \$0.00 |
| 10/29/2018 | D3 | 10/29/2018 | | | | | |
| 10/28/2018 | D2 | 10/27/2018 | | | | | |
| 10/27/2018 | D1 | 10/27/2018 | | | | | |
| 10/26/2018 | G6 | 10/25/2018 | | | | | |
| 10/25/2018 | G4 | 10/10/2018 | | | | | |
| 10/19/2018 | G5 | 10/16/2018 | | | | | |
| 10/5/2018 | G3 | 10/2/2018 | | | | | |
| 9/28/2018 | G2A | 9/25/2018 | | | | | |
| 9/21/2018 | G2 | 9/18/2018 | | | | | |
| 9/14/2018 | G1A | 9/12/2018 | | | | | |
| 9/7/2018 | G1 | 9/6/2018 | | | | | |
| 8/31/2018 | P7A | 8/30/2018 | | | | | |
| 8/24/2018 | P7 | 8/23/2018 | | | | | |
| 8/17/2018 | P6 | 8/16/2018 | | | | | |
| 8/10/2018 | P5 | 8/9/2018 | | | | | |
| 8/3/2018 | P4 | 8/3/2018 | | | | | |
| 7/27/2018 | P3 | 7/23/2018 | | | | | |
| 7/20/2018 | P2A | 7/16/2018 | | | | | |
| 7/13/2018 | P2 | 7/12/2018 | | | | | |
| 7/6/2018 | P1A | 7/5/2018 | | | | | |
| 6/29/2018 | P1 | 6/28/2018 | | | | | |
| 6/11/2018 | M5 | 6/4/2018 | | | | | |
| 6/11/2018 | SG3 | 1/9/2019 | | | | | |
| 5/10/2018 | M4 | 5/3/2018 | | | | | |
| 4/27/2018 | SG2 | 1/9/2019 | CLO | 257 | \$0.00 | \$0.00 | \$0.00 |
| 4/10/2018 | M3 | 4/3/2018 | | | | | |
| 3/27/2018 | SG1 | 1/9/2019 | CLO | 288 | \$0.00 | \$0.00 | \$0.00 |
| 3/12/2018 | M2 | 3/8/2018 | | | | | |
| 2/16/2018 | SP2 | 1/9/2019 | CLO | 327 | \$0.00 | \$0.00 | \$0.00 |
| 2/12/2018 | M1 | 2/5/2018 | | | | | |

| | | | | | | | |
|------------|-----|------------|-----|----|----------|----------|----------|
| 1/10/2018 | M12 | 1/9/2018 | | | | | |
| 12/11/2017 | M11 | 12/7/2017 | | | | | |
| 11/13/2017 | M10 | 11/6/2017 | | | | | |
| 10/10/2017 | M9 | 10/6/2017 | | | | | |
| 9/22/2017 | M8 | 9/7/2017 | | | | | |
| 8/10/2017 | M7 | 8/3/2017 | | | | | |
| 7/10/2017 | M6 | 7/3/2017 | | | | | |
| 6/12/2017 | M5 | 6/8/2017 | | | | | |
| 5/10/2017 | M4 | 5/10/2017 | | | | | |
| 4/10/2017 | M3 | 4/10/2017 | | | | | |
| 3/11/2017 | M2 | 3/10/2017 | CLO | 0 | \$250.00 | \$250.00 | \$250.00 |
| 2/10/2017 | M1 | 2/9/2017 | | | | | |
| 1/10/2017 | M12 | 1/20/2017 | CLO | 10 | \$525.00 | \$0.00 | \$0.00 |
| 12/12/2016 | M11 | 12/7/2016 | | | | | |
| 11/4/2016 | D6 | 11/3/2016 | | | | | |
| 11/4/2016 | G7 | 11/3/2016 | | | | | |
| 11/2/2016 | D5 | 11/1/2016 | | | | | |
| 11/1/2016 | D4 | 11/1/2016 | | | | | |
| 10/31/2016 | D3 | 10/30/2016 | | | | | |
| 10/30/2016 | D2 | 10/30/2016 | | | | | |
| 10/29/2016 | D1 | 10/30/2016 | CLO | 1 | \$0.00 | \$0.00 | \$0.00 |
| 10/28/2016 | G6 | 10/28/2016 | | | | | |
| 10/21/2016 | G5 | 10/17/2016 | | | | | |
| 10/14/2016 | G4 | 10/13/2016 | | | | | |
| 10/7/2016 | G3 | 10/5/2016 | | | | | |
| 9/30/2016 | G2A | 9/28/2016 | | | | | |
| 9/23/2016 | G2 | 9/20/2016 | | | | | |
| 9/16/2016 | G1A | 9/14/2016 | | | | | |
| 9/9/2016 | G1 | 9/8/2016 | | | | | |
| 9/2/2016 | P7A | 8/29/2016 | | | | | |
| 8/26/2016 | P7 | 8/25/2016 | | | | | |
| 8/19/2016 | P6 | 8/19/2016 | | | | | |
| 8/12/2016 | P5 | 8/8/2016 | | | | | |
| 8/5/2016 | P4 | 8/2/2016 | | | | | |
| 7/29/2016 | P3 | 7/29/2016 | | | | | |
| 7/22/2016 | P2A | 7/19/2016 | | | | | |
| 7/15/2016 | P2 | 7/12/2016 | | | | | |
| 7/8/2016 | P1A | 7/8/2016 | | | | | |
| 7/1/2016 | P1 | 6/27/2016 | | | | | |
| 6/10/2016 | M5 | 6/2/2016 | | | | | |
| 5/10/2016 | M4 | 5/4/2016 | | | | | |
| 4/11/2016 | M3 | 4/4/2016 | | | | | |
| 3/10/2016 | M2 | 3/2/2016 | | | | | |
| 2/10/2016 | M1 | 2/9/2016 | | | | | |
| 1/11/2016 | M12 | 1/4/2016 | | | | | |
| 12/10/2015 | M11 | 12/7/2015 | CLO | 0 | \$175.00 | \$175.00 | \$175.00 |
| 11/10/2015 | M10 | 11/2/2015 | | | | | |
| 10/13/2015 | M9 | 10/1/2015 | | | | | |
| 9/10/2015 | M8 | 9/4/2015 | | | | | |
| 8/10/2015 | M7 | 8/12/2015 | FOI | 2 | \$0.00 | \$0.00 | \$0.00 |
| 7/10/2015 | M6 | 7/13/2015 | FOI | 3 | \$0.00 | \$0.00 | \$0.00 |
| 6/10/2015 | M5 | 6/10/2015 | | | | | |
| 5/11/2015 | M4 | 5/5/2015 | | | | | |
| 4/10/2015 | M3 | 4/6/2015 | | | | | |
| 3/10/2015 | M2 | 3/2/2015 | | | | | |
| 2/10/2015 | M1 | 2/11/2015 | FOI | 1 | \$0.00 | \$0.00 | \$0.00 |
| 1/12/2015 | M12 | 1/5/2015 | | | | | |
| 12/10/2014 | M11 | 12/10/2014 | | | | | |
| 11/10/2014 | M10 | 11/3/2014 | | | | | |
| 10/31/2014 | G7 | 10/30/2014 | | | | | |
| 10/30/2014 | D6 | 10/30/2014 | | | | | |
| 10/29/2014 | D5 | 10/28/2014 | | | | | |
| 10/28/2014 | D4 | 10/27/2014 | | | | | |
| 10/27/2014 | D3 | 10/27/2014 | | | | | |
| 10/26/2014 | D2 | 10/27/2014 | CLO | 1 | \$0.00 | \$0.00 | \$0.00 |
| 10/25/2014 | D1 | 10/27/2014 | CLO | 2 | \$0.00 | \$0.00 | \$0.00 |
| 10/24/2014 | G6 | 10/24/2014 | | | | | |
| 10/17/2014 | G5 | 10/16/2014 | | | | | |

| | | | | | | | |
|------------|-----|------------|-----|----|----------|----------|----------|
| 10/10/2014 | G4 | 10/9/2014 | | | | | |
| 10/3/2014 | G3 | 9/29/2014 | | | | | |
| 9/26/2014 | G2A | 9/26/2014 | | | | | |
| 9/19/2014 | G2 | 9/19/2014 | | | | | |
| 9/12/2014 | G1A | 9/9/2014 | | | | | |
| 9/5/2014 | G1 | 9/5/2014 | | | | | |
| 8/29/2014 | P7A | 8/27/2014 | | | | | |
| 8/22/2014 | P7 | 8/22/2014 | | | | | |
| 8/15/2014 | P6 | 8/12/2014 | | | | | |
| 8/8/2014 | P5 | 8/8/2014 | | | | | |
| 8/1/2014 | P4 | 7/29/2014 | | | | | |
| 7/25/2014 | P3 | 7/25/2014 | | | | | |
| 7/18/2014 | P2A | 7/15/2014 | | | | | |
| 7/11/2014 | P2 | 7/8/2014 | | | | | |
| 7/4/2014 | P1A | 7/3/2014 | | | | | |
| 6/27/2014 | P1 | 6/26/2014 | | | | | |
| 6/10/2014 | M5 | 6/10/2014 | | | | | |
| 5/12/2014 | M4 | 5/6/2014 | | | | | |
| 4/10/2014 | M3 | 4/4/2014 | | | | | |
| 3/10/2014 | M2 | 3/11/2014 | CLO | 1 | \$50.00 | \$50.00 | \$50.00 |
| 2/10/2014 | M1 | 2/5/2014 | | | | | |
| 1/10/2014 | M12 | 1/2/2014 | | | | | |
| 12/10/2013 | M11 | 12/10/2013 | | | | | |
| 11/12/2013 | M10 | 11/12/2013 | | | | | |
| 10/10/2013 | Q3 | 10/3/2013 | | | | | |
| 7/10/2013 | Q2 | 7/10/2013 | | | | | |
| 4/10/2013 | Q1 | 4/5/2013 | | | | | |
| 1/10/2013 | Q4 | 1/10/2013 | | | | | |
| 11/2/2012 | G4 | 11/2/2012 | | | | | |
| 10/19/2012 | G3 | 10/19/2012 | | | | | |
| 10/5/2012 | G2 | 10/5/2012 | | | | | |
| 9/21/2012 | G1 | 9/21/2012 | | | | | |
| 8/10/2012 | F3 | 8/10/2012 | | | | | |
| 7/27/2012 | F2 | 7/24/2012 | | | | | |
| 7/13/2012 | F1 | 7/9/2012 | | | | | |
| 4/10/2012 | Q1 | 4/9/2012 | | | | | |
| 1/10/2012 | Q4 | 1/10/2012 | | | | | |
| 10/11/2011 | Q3 | 10/10/2011 | | | | | |
| 7/11/2011 | Q2 | 7/6/2011 | | | | | |
| 4/11/2011 | Q1 | 4/11/2011 | | | | | |
| 1/10/2011 | Q4 | 1/10/2011 | | | | | |
| 10/29/2010 | G4 | 10/29/2010 | | | | | |
| 10/15/2010 | G3 | 10/12/2010 | | | | | |
| 10/1/2010 | G2 | 9/27/2010 | | | | | |
| 9/17/2010 | G1 | 9/14/2010 | | | | | |
| 8/20/2010 | F3 | 8/20/2010 | | | | | |
| 8/6/2010 | F2 | 8/3/2010 | | | | | |
| 7/23/2010 | F1 | 7/20/2010 | | | | | |
| 4/12/2010 | Q1 | 4/5/2010 | | | | | |
| 1/11/2010 | Q4 | 1/9/2010 | | | | | |
| 10/13/2009 | Q3 | 10/8/2009 | | | | | |
| 7/10/2009 | Q2 | 7/6/2009 | | | | | |
| 4/10/2009 | Q1 | 4/23/2009 | CLO | 13 | \$427.50 | \$427.50 | \$427.50 |
| 1/12/2009 | Q4 | 1/12/2009 | | | | | |
| 10/31/2008 | G4 | 10/31/2008 | | | | | |
| 10/17/2008 | G3 | 10/13/2008 | | | | | |
| 10/3/2008 | G2 | 9/29/2008 | | | | | |
| 9/19/2008 | G1 | 9/19/2008 | | | | | |
| 8/22/2008 | F3 | 8/22/2008 | | | | | |
| 8/8/2008 | F2 | 8/4/2008 | | | | | |
| 7/25/2008 | F1 | 7/21/2008 | | | | | |
| 4/10/2008 | Q1 | 4/9/2008 | | | | | |
| 1/10/2008 | Q4 | 1/2/2008 | | | | | |
| 10/10/2007 | Q3 | 10/11/2007 | CLO | 1 | \$25.00 | \$25.00 | \$25.00 |
| 7/10/2007 | Q2 | 7/2/2007 | | | | | |
| 4/10/2007 | Q1 | 4/9/2007 | | | | | |
| 1/10/2007 | Q4 | 1/10/2007 | | | | | |
| 11/3/2006 | G4 | 11/9/2006 | CLO | 6 | \$125.00 | \$125.00 | \$125.00 |

| | | | | | | | |
|------------|-----|------------|-----|-----|---------|---------|---------|
| 10/20/2006 | G3 | 10/17/2006 | | | | | |
| 10/6/2006 | G2 | 10/17/2006 | CLO | 11 | \$0.00 | \$0.00 | \$0.00 |
| 9/22/2006 | G1 | 9/22/2006 | | | | | |
| 9/1/2006 | F3 | 9/1/2006 | | | | | |
| 8/18/2006 | F2 | 8/17/2006 | | | | | |
| 8/4/2006 | F1 | 8/4/2006 | | | | | |
| 7/10/2006 | Q2 | 7/10/2006 | | | | | |
| 4/10/2006 | Q1 | 4/5/2006 | | | | | |
| 1/10/2006 | Q4 | 1/5/2006 | | | | | |
| 10/11/2005 | Q3 | 10/7/2005 | | | | | |
| 7/11/2005 | Q2 | 7/11/2005 | | | | | |
| 4/11/2005 | Q1 | 4/11/2005 | | | | | |
| 1/10/2005 | Q4 | 1/8/2005 | | | | | |
| 10/29/2004 | G4 | 10/25/2004 | | | | | |
| 10/15/2004 | G2 | 10/1/2004 | | | | | |
| 10/15/2004 | G3 | 10/13/2004 | | | | | |
| 9/17/2004 | G1 | 10/20/2005 | CLO | 398 | \$0.00 | \$0.00 | \$0.00 |
| 8/27/2004 | F3 | 8/27/2004 | | | | | |
| 8/13/2004 | F2 | 8/12/2004 | | | | | |
| 7/30/2004 | F1 | 7/30/2004 | | | | | |
| 7/12/2004 | Q2 | 7/8/2004 | | | | | |
| 4/12/2004 | Q1 | 4/2/2004 | | | | | |
| 1/12/2004 | Q4 | 1/13/2004 | CLO | 1 | \$50.00 | \$50.00 | \$50.00 |
| 10/10/2003 | Q3 | 10/10/2003 | | | | | |
| 10/3/2003 | SG4 | 10/3/2003 | | | | | |
| 9/19/2003 | SG3 | 9/19/2003 | | | | | |
| 9/5/2003 | SF3 | 9/5/2003 | | | | | |
| 8/22/2003 | SF2 | 8/22/2003 | | | | | |
| 8/8/2003 | SF1 | 8/8/2003 | | | | | |
| 7/10/2003 | Q2 | 7/3/2003 | | | | | |
| 4/10/2003 | Q1 | 4/9/2003 | | | | | |
| 1/10/2003 | Q4 | 1/8/2003 | | | | | |
| 11/1/2002 | G4 | 10/28/2002 | | | | | |
| 10/18/2002 | G3 | 10/11/2002 | | | | | |
| 10/4/2002 | G2 | 9/26/2002 | | | | | |
| 9/20/2002 | G1 | 9/17/2002 | | | | | |
| 9/6/2002 | F3 | 8/28/2002 | | | | | |
| 8/23/2002 | F2 | 8/19/2002 | | | | | |
| 8/9/2002 | F1 | 8/8/2002 | | | | | |
| 7/10/2002 | Q2 | 7/3/2002 | | | | | |
| 4/10/2002 | Q1 | 4/5/2002 | | | | | |
| 1/10/2002 | Q4 | 1/10/2002 | | | | | |
| 10/10/2001 | Q3 | 10/10/2001 | | | | | |
| 7/10/2001 | Q2 | 7/6/2001 | | | | | |
| 4/10/2001 | Q1 | 5/1/2001 | CLO | 21 | \$48.75 | \$48.75 | \$48.75 |
| 1/10/2001 | Q4 | 1/5/2001 | | | | | |
| 11/3/2000 | G3 | 2/23/2001 | CLO | 112 | \$0.00 | \$0.00 | \$0.00 |
| 10/20/2000 | G2 | 10/19/2000 | | | | | |
| 9/29/2000 | S3 | 9/26/2000 | | | | | |
| 9/15/2000 | S2 | 9/12/2000 | | | | | |
| 9/1/2000 | F3 | 9/1/2000 | | | | | |
| 8/18/2000 | F2 | 8/30/2000 | CLO | 19 | \$0.00 | \$0.00 | \$0.00 |
| 8/4/2000 | F1 | 8/7/2000 | CLO | 3 | \$0.00 | \$0.00 | \$0.00 |
| 7/10/2000 | Q2 | 7/6/2000 | | | | | |
| 4/10/2000 | Q1 | 4/6/2000 | | | | | |
| 1/10/2000 | Q4 | 1/7/2000 | | | | | |
| 10/12/1999 | Q3 | 10/6/1999 | | | | | |
| 7/12/1999 | Q2 | 7/6/1999 | | | | | |
| 4/12/1999 | Q1 | 4/8/1999 | | | | | |
| 1/11/1999 | Q4 | 1/12/1999 | CLO | 1 | \$50.00 | \$50.00 | \$50.00 |
| 10/30/1998 | G3 | 10/26/1998 | | | | | |
| 10/16/1998 | G2 | 10/13/1998 | | | | | |
| 9/25/1998 | S3 | 9/26/1998 | CLO | 4 | \$0.00 | \$0.00 | \$0.00 |
| 9/11/1998 | S2 | 9/4/1998 | | | | | |



400 North Brevard Avenue • Arcadia, FL 34266

Managing Your Accounts

Phone Number (888) 406-2220

Online Banking www.crews.bank

Date 8/31/22 Page 1

Peace River Valley Citrus Growers
Association Inc Pac
2150 NE Roan St
Arcadia FL 34266

CHECKING ACCOUNTS

| | | | |
|-------------------|------------|------------------------------|----------------------|
| Business Checking | | Number of Enclosures | 0 |
| Account Number | ██████████ | Statement Dates | 8/01/22 thru 8/31/22 |
| Previous Balance | 1,276.33 | Days in the statement period | 31 |
| Deposits/Credits | .00 | Average Balance | 1,276.33 |
| Checks/Debits | .00 | | |
| Service Charge | 3.00 | | |
| Interest Paid | .00 | | |
| Current Balance | 1,273.33 | | |

| | Total For This Period | Total Year-to-Date |
|----------------------------------|-----------------------|--------------------|
| Overdraft item fees year to date | \$.00 | \$.00 |
| Return item fees year to date | \$.00 | \$.00 |

ACTIVITY IN DATE ORDER

| Date | Description | Amount |
|------|--------------------|---------|
| 8/31 | Maintenance Charge | 3.00-SC |

DAILY BALANCE INFORMATION

| Date | Balance | Date | Balance |
|------|----------|------|----------|
| 8/01 | 1,276.33 | 8/31 | 1,273.33 |

Thank you for banking with us.





400 North Brevard Avenue • Arcadia, FL 34266

Managing Your Accounts

Phone Number (888) 406-2220
 Online Banking www.crews.bank

Date 9/30/22 Page 1

Peace River Valley Citrus Growers
 Association Inc Pac
 2150 NE Roan St
 Arcadia FL 34266

CHECKING ACCOUNTS

| | | | |
|-------------------|------------|------------------------------|-----------------------|
| Business Checking | | Number of Enclosures | 0 |
| Account Number | ██████████ | Statement Dates | 9/01/22 thru 10/02/22 |
| Previous Balance | 1,273.33 | Days in the statement period | 32 |
| Deposits/Credits | .00 | Average Balance | 1,273.33 |
| Checks/Debits | .00 | | |
| Service Charge | 3.00 | | |
| Interest Paid | .00 | | |
| Current Balance | 1,270.33 | | |

| | Total For This Period | Total Year-to-Date |
|----------------------------------|-----------------------|--------------------|
| Overdraft item fees year to date | \$.00 | \$.00 |
| Return item fees year to date | \$.00 | \$.00 |

ACTIVITY IN DATE ORDER

| Date | Description | Amount |
|------|--------------------|---------|
| 9/30 | Maintenance Charge | 3.00-SC |

DAILY BALANCE INFORMATION

| Date | Balance | Date | Balance |
|------|----------|------|----------|
| 9/01 | 1,273.33 | 9/30 | 1,270.33 |

Thank you for banking with us.



**FLORIDA ELECTIONS COMMISSION
PHONE LOG
Case No.: FEC 22-478**

Respondent: Peace River Valley Citrus Growers Association PAC

Complainant: Division of Elections

1. **Date and time:** 12/27/22 @ 2:09pm
Name: Crews Bank & Trust (1st State Bank of Arcadia)
Phone #: 888-406-2220
Summary: I called the central “customer engagement” number for Crews Bank. I advised the customer svc rep that I needed to serve a subpoena on a member who opened their account with 1st State Bank of Arcadia. Ultimately, the rep put me through to Michelle Potter @ extension 5431. I left a detailed message for Ms. Potter and requested a call-back; I provided the central office number.
Entered by: CHS

1. **Date and time:** 1/3/23 @ 8:28am
Name: Melissa w/ Crews Bank & Trust
Phone #: 863-491-5227
Summary: Melissa was returning my call, previously left for Michelle Potter. She explained that Crews’ subpoena service address was: 2747 SE Hwy 70, Arcadia, FL 34266. If there are further questions, she provided her direct number (see above).
Entered by: CHS

2. **Date and time:** February 8, 2023 @ 9:30 AM
Name: Crews bank & Trust (F/K/A First State Bank of Arcadia)
Phone #: 863-494-2200
Summary: I called the branch associated with Respondent’s campaign depository. The original bank was changed to Crews Bank and Trust in 2019. I called to confirm what the best way to send a subpoena for the previous banks name was and which method is preferred. I left my phone number and email with the bank associate as the person to assist me with my question was not there.
Entered by: Brian Ayres

3. **Date and time:** February 8, 2023 a@ 9:51 AM
Name: Peace River Valley Citrus Growers Association PAC
Phone #: 863-494-0061
Summary: I called the number associated with Respondent according to the Division Records twice. Both times the call was unsuccessful, and the phone number is disconnected. All numbers found on the DS-DE 6 & DS-DE 41. **Note: Notice of revocation is in Division document depository.*
Entered by: Brian Ayres

4. **Date and time:** February 8, 2023 @ 11:10 am
Name: Crews Bank & Trust Associate – Jennifer Peeler
Phone #: 863-494-2200

Summary: Ms. Peeler called back and confirmed First Bank of Arcadia went through a legal name change and is now associated with Crews Bank and Trust. They can accept faxes of subpoenas to: 941-624-2308

Entered by: Brian Ayres

5. **Date and time:** February 21, 2023 @ 1:20 pm

Name: Crews Bank and Trust – Jennifer Peeler

Phone #: 863-494-2200

Summary: I returned Ms. Peeler's call and we discussed sending the fax with the subpoena in it again.

Entered by: Brian Ayres

6. **Date and time:** February 27, 2023 @ 11:40am

Name: Peace River Valley Citrus Growers Association

Phone #: 863-993-5886

Summary: I called the number found on PRVCGA's website to speak with acting executive director Emma Keller. Ms. Keller stated that she had started at PRVCGA in August 2022. The previous executive director, Kate Shaw, had not updated any information to the division of elections nor was Ms. Keller provided passwords to websites needed. Due to Ms. Keller not being in any Division records I did not go into specifics of the investigation. Ms. Keller said she had been trying to figure out who to talk to and how to fix the issues with the Division of Elections. All officers, according to the Division records, are no longer associated with PRVCGA. She stated that the PC has had no financial activity since she was acting executive director nor had she known when there was activity. The current president is new to his position as well, and did not know what to do. She provided the previous president's contact number. Neither the current president nor the past president were found in the division's website. I attempted to clarify what was going on without explaining the investigation's details and provided the Division's website and phone number to Ms. Keller. It was clear that Ms. Keller was not provided information about the Division of Elections, political committees or how to file or update records with the Division.

Entered by: Brian Ayres

7. **Date and time:** February 27, 2023 @ 11:55am

Name: Roy Petteway – ex president

Phone #: 863-781-3984

Summary: Ms. Keller provided me with Mr. Petteway's number. He stated that the previous executive director was believed to be reporting and updating records with the Division of Elections but found out that she was not. He stated that the previous Executive Director was Kate Shaw and left sometime in early-mid 2022. He was not sure when she started as executive director. I mentioned records appeared to become incomplete around 2018 and he stated that was about the time Kate took over as Executive Director and was believed to have updated officers and treasurers with the PC. She was gone it was found out what had happened. All officers of the PRVCGA are voluntary and they want to stay in compliance.

Entered by: Brian Ayres

RESPONDENT INTERVIEW MEMO – Call details at #6

- **Why were you unable to file either a CTR or waiver for the 2022 G1A?**

Emma Keller had no idea how to file or update records with the Division of elections. She started in August and inherited issues created by the past Executive Director. She had no passwords or access to the websites needed.

- **Is this PC still active?**

The PC has not no financial activity since Emma took her position.

- **Does this PC still have an account active (Since August 2022) with First State Bank of Arcadia now Crews Bank & Trust?**

(found via subpoena)

- **Why were the CTRs from January 1, 2022 to July 29, 2022 filed late?**

Previous executive director was thought to have the reporting under control. Current director does not have access to division websites. All past officers have left

- Have you ever run for public office? If so, please name each office you ran for and state what year each election occurred.

Is not currently a designated officer for PC

- Have you ever been appointed to act as a campaign treasurer for a candidate? If so, please name each such candidate, the office each ran for, and state what year each election occurred.

Is not currently a designated officer for PC

- Have you ever held the office of chairperson, treasurer, or other similar position for a political committee or electioneering communications organization? If so, please name each committee, state the office you held for each, and state when you held each office.

Is not currently a designated officer for PC

- Have you ever prepared or signed a campaign treasurer's report? If so, please state the name of the candidate or committee whose report you prepared or signed.

Is not currently a designated officer for PC

- What action have you taken to determine your responsibilities under Florida's election laws?

Attempted to call Division/Commission for clarification on what to do

- Do you possess a copy of Chapter 106, Florida Statutes? If so, when did you first obtain it? Have you read it?

(Unaware of any of the requirements for PCs)

- Do you possess a copy of the *Political Committee Handbook*? If so, when did you first obtain it? Have you read it?

(Unaware of any of the requirements for PCs)

- ~~If a section of Chapter 104 is listed in the LS letter, ask: Do you possess a copy of Chapter 104, Florida Statutes? If so, when did you first obtain it? Have you read it?~~

- Did you receive any other materials from your filing officer? If so, please describe them.

(Unaware of any of the requirements for PCs)

- Do you have anything else to add for the Commission's consideration regarding the charges specified in the letter of legal sufficiency in this case?

Emma Keller is happy to assist in this matter but wants it to be known she inherited the issues that the PC is facing. She has attempted to find out what is happening and to update the information of the PC with the Division. She was provided no information or passwords to report PC activity or update records with the Division.

**FLORIDA ELECTIONS COMMISSION
PHONE LOG
Case No.: FEC 22-478**

Respondent: Peace River Valley Citrus Growers Association PAC

Complainant: Division of Elections

1. **Date and time:** 12/27/22 @ 2:09pm
Name: Crews Bank & Trust (1st State Bank of Arcadia)
Phone #: 888-406-2220
Summary: I called the central “customer engagement” number for Crews Bank. I advised the customer svc rep that I needed to serve a subpoena on a member who opened their account with 1st State Bank of Arcadia. Ultimately, the rep put me through to Michelle Potter @ extension 5431. I left a detailed message for Ms. Potter and requested a call-back; I provided the central office number.
Entered by: CHS

1. **Date and time:** 1/3/23 @ 8:28am
Name: Melissa w/ Crews Bank & Trust
Phone #: 863-491-5227
Summary: Melissa was returning my call, previously left for Michelle Potter. She explained that Crews’ subpoena service address was: 2747 SE Hwy 70, Arcadia, FL 34266. If there are further questions, she provided her direct number (see above).
Entered by: CHS

2. **Date and time:** February 8, 2023 @ 9:30 AM
Name: Crews bank & Trust (F/K/A First State Bank of Arcadia)
Phone #: 863-494-2200
Summary: I called the branch associated with Respondent’s campaign depository. The original bank was changed to Crews Bank and Trust in 2019. I called to confirm what the best way to send a subpoena for the previous banks name was and which method is preferred. I left my phone number and email with the bank associate as the person to assist me with my question was not there.
Entered by: Brian Ayres

3. **Date and time:** February 8, 2023 a@ 9:51 AM
Name: Peace River Valley Citrus Growers Association PAC
Phone #: 863-494-0061
Summary: I called the number associated with Respondent according to the Division Records twice. Both times the call was unsuccessful, and the phone number is disconnected. All numbers found on the DS-DE 6 & DS-DE 41. **Note: Notice of revocation is in Division document depository.*
Entered by: Brian Ayres

4. **Date and time:** February 8, 2023 @ 11:10 am
Name: Crews Bank & Trust Associate – Jennifer Peeler
Phone #: 863-494-2200

Summary: Ms. Peeler called back and confirmed First Bank of Arcadia went through a legal name change and is now associated with Crews Bank and Trust. They can accept faxes of subpoenas to: 941-624-2308

Entered by: Brian Ayres

5. **Date and time:** February 21, 2023 @ 1:20 pm

Name: Crews Bank and Trust – Jennifer Peeler

Phone #: 863-494-2200

Summary: I returned Ms. Peeler's call and we discussed sending the fax with the subpoena in it again.

Entered by: Brian Ayres

6. **Date and time:** January 27, 2023 @ 11:40am

Name: Peace River Valley Citrus Growers Association

Phone #: 863-993-5886

Summary: I called the number found on PRVCGA's website to speak with acting executive director Emma Keller. Ms. Keller stated that she had started at PRVCGA in August 2022. The previous executive director, Kate Shaw, had not updated any information to the division of elections nor was Ms. Keller provided passwords to websites needed. Due to Ms. Keller not being in any Division records I did not go into specifics of the investigation. Ms. Keller said she had been trying to figure out who to talk to and how to fix the issues with the Division of Elections. All officers, according to the Division records, are no longer associated with PRVCGA. She stated that the PC has had no financial activity since she was acting executive director nor had she known when there was activity. The current president is new to his position as well, and did not know what to do. She provided the previous president's contact number. Neither the current president nor the past president were found in the division's website. I attempted to clarify what was going on without explaining the investigation's details and provided the Division's website and phone number to Ms. Keller. It was clear that Ms. Keller was not provided information about the Division of Elections, political committees or how to file or update records with the Division.

Entered by: Brian Ayres

7. **Date and time:** January 27, 2023 @ 11:55am

Name: Roy Petteway – ex president

Phone #: 863-781-3984

Summary: Ms. Keller provided me with Mr. Petteway's number. He stated that the previous executive director was believed to be reporting and updating records with the Division of Elections but found out that she was not. He stated that the previous Executive Director was Kate Shaw and left sometime in early-mid 2022. He was not sure when she started as executive director. I mentioned records appeared to become incomplete around 2018 and he stated that was about the time Kate took over as Executive Director and was believed to have updated officers and treasurers with the PC. She was gone before it was found out what had happened. All officers of the PRVCGA are voluntary and they want to stay in compliance.

Entered by: Brian Ayres

RESPONDENT INTERVIEW MEMO – Call details at #6

- **Why were you unable to file either a CTR or waiver for the 2022 G1A?**

Emma Keller had no idea how to file or update records with the Division of elections. She started in August and inherited issues created by the past Executive Director. She had no passwords or access to the websites needed.

- **Is this PC still active?**

The PC has not no financial activity since Emma took her position.

- **Does this PC still have an account active (Since August 2022) with First State Bank of Arcadia now Crews Bank & Trust?**

(found via subpoena)

- **Why were the CTRs from January 1, 2022 to July 29, 2022 filed late?**

Previous executive director was thought to have the reporting under control. Current director does not have access to division websites. All past officers have left

- Have you ever run for public office? If so, please name each office you ran for and state what year each election occurred.

Is not currently a designated officer for PC

- Have you ever been appointed to act as a campaign treasurer for a candidate? If so, please name each such candidate, the office each ran for, and state what year each election occurred.

Is not currently a designated officer for PC

- Have you ever held the office of chairperson, treasurer, or other similar position for a political committee or electioneering communications organization? If so, please name each committee, state the office you held for each, and state when you held each office.

Is not currently a designated officer for PC

- Have you ever prepared or signed a campaign treasurer's report? If so, please state the name of the candidate or committee whose report you prepared or signed.

Is not currently a designated officer for PC

- What action have you taken to determine your responsibilities under Florida's election laws?

Attempted to call Division/Commission for clarification on what to do

- Do you possess a copy of Chapter 106, Florida Statutes? If so, when did you first obtain it? Have you read it?

(Unaware of any of the requirements for PCs)

- Do you possess a copy of the *Political Committee Handbook*? If so, when did you first obtain it? Have you read it?

(Unaware of any of the requirements for PCs)

- ~~If a section of Chapter 104 is listed in the LS letter, ask: Do you possess a copy of Chapter 104, Florida Statutes? If so, when did you first obtain it? Have you read it?~~

- Did you receive any other materials from your filing officer? If so, please describe them.

(Unaware of any of the requirements for PCs)

- Do you have anything else to add for the Commission's consideration regarding the charges specified in the letter of legal sufficiency in this case?

Emma Keller is happy to assist in this matter but wants it to be known she inherited the issues that the PC is facing. She has attempted to find out what is happening and to update the information of the PC with the Division. She was provided no information or passwords to report PC activity or update records with the Division.



Florida Elections Commission

107 West Gaines Street, Suite 224 Tallahassee, Florida 32399-6596
Telephone: (850) 922-4539 · Facsimile: (850) 921-0783
FEC@myfloridalegal.com · www.fec.state.fl.us



December 21, 2022

Leonard Lempenau
Peace River Valley Citrus Growers Association PAC
2150 Northeast Roan Street
Arcadia, FL 34266

RE: Case No.: FEC 22-478; Respondent: Peace River Valley Citrus Growers Association PAC

Dear Mr. Lempenau:

On November 8, 2022, the Florida Elections Commission received a complaint alleging that your committee violated Florida's election laws. I have reviewed the complaint and find that it contains one or more **legally sufficient allegations**. The Commission staff will investigate the following alleged violations:

Section 106.07(7), Florida Statutes: As alleged in the complaint, Respondent, a political committee registered with the Division of Elections, failed to notify the filing officer on the prescribed reporting date that no report would be filed on that date because it had not received funds, made contributions, or expended reportable funds during the 2022 G1A reporting period.

Section 106.19(1)(c), Florida Statutes: As alleged in the complaint, Respondent, a political committee registered with the Division of Elections, may have falsely reported or deliberately failed to include information required by Chapter 106, Florida Statutes, during the 2022 G1A reporting period.

When we conclude the investigation, a copy of the Report of Investigation (ROI) will be mailed to you at the above address. Based on the results of the investigation, a staff attorney will prepare and present a written Staff Recommendation (SR) to the Commission as to whether there is probable cause to charge, the Respondent, with violating Chapters 104 or 106, Florida Statutes. You will have an opportunity to respond to both the ROI and the SR. The Commission will then hold one or more hearings to determine whether the alleged violations occurred and, if so, the amount of the fine to be imposed upon your committee. Notice will be mailed to you and the Complainant at least 14 days before any hearing at which your case is to be considered.

Pursuant to Section 106.25(4)(i)3., Florida Statutes, the Commission may enter into a consent agreement with a Respondent to settle a complaint prior to a finding of probable cause. If you are

Leonard Lempenau
December 21, 2022
Page 2
FEC 22-478

interested in entering negotiations directed towards reaching a consent agreement to resolve this matter, please contact the Commission and request to speak with the attorney assigned to this case.

Please note that all documents related to this matter will be mailed to the above address unless you notify us of a new address.

Pursuant to Section 106.25, Florida Statutes, complaints, investigations, investigative reports, and other documents relating to an alleged violation of Chapters 104 or 106, Florida Statutes, are confidential until the Commission finds probable cause or no probable cause, unless the Respondent files a written waiver of confidentiality with the Commission. The confidentiality provision does not apply to the Complainant or the Respondent.

Should you retain counsel, your attorney must file a notice of appearance with the Commission before any member of the commission staff can discuss this case with him or her.

For additional information, please refer to the "Frequently Asked Questions" section of the Commission's website.

If you have additional questions, please contact **Courtenay Harrold Sheppard**, the investigator assigned to this case, by phone at (850) 922-4539 or by email at Courtney.Harrold@myfloridalegal.com.

Sincerely,

A handwritten signature in blue ink that reads "Tim Vaccaro". The signature is fluid and cursive, with a long, sweeping underline that extends to the right.

Tim Vaccaro
Executive Director

TV/jd

**DIVISION OF ELECTIONS
FEC NOTICE FORM**

To FEC from Division of Elections

REC'D: FL ELECTIONS COM
8 NOV '22 PM 3:43

Name: Peace River Valley Citrus Growers Association PAC
Account Number: 29841
Chairperson: Leonard Lempenau
Treasurer: Lynn Shelfer
Registered Agent: Fran Becker

The Division of Elections hereby provides this notice to the Florida Elections Commission pursuant to sections 106.07(8)(d), 106.22(7), and 106.25(2), Florida Statutes. An apparent violation of Chapter 106, Florida Statutes, has occurred based upon the failure to file a report after notice or failure to file a notification to the filing officer in writing that no report was being filed on the prescribed reporting date as required by section 106.07(7), Florida Statutes.

The following report is outstanding after notification: 2022 G1A

- Peace River Valley Citrus Growers Association PAC (29841) is a political committee registered with the Division of Elections. On September 4, 1998, the committee filed the DSDE 5 and DSDE 6 with the Division indicating that Rory Dubin was the chairperson.
- On January 12, 2017, Leonard Lempenau was appointed as chairperson.
- The 2022 G1A campaign treasurer's report was due on September 9, 2022. On September 12, 2022, the Division mailed Peace River Valley Citrus Growers Association PAC notification that the 2022 G1A campaign treasurer's report had not been filed.
- On October 5, 2022, the Division mailed Peace River Valley Citrus Growers Association PAC final notification with delivery confirmation that the 2022 G1A report had not been filed. (See attached letter and delivery confirmation.)
- The committee did not notify the Division of Elections prior to or on the prescribed reporting date for the 2022 G1A report that no report was to be filed.
- As of November 7, 2022, Peace River Valley Citrus Growers Association PAC has not filed the 2022 G1A report.

Sent By: Donna S. Brown *DSB*
Date: November 7, 2022
bct

FLORIDA DEPARTMENT OF STATE

Cord Byrd
Secretary of State

DIVISION OF ELECTIONS

Final Notice
Delivery Confirmation:

USPS TRACKING # **9114 9022 0078 9689 7766 72**
& CUSTOMER RECEIPT For Tracking or inquiries go to USPS.com
or call 1-800-222-1811.

October 5, 2022

Leonard Lempenau, Chairperson
Peace River Valley Citrus Growers Association PAC
2150 Northeast Roan Street
Arcadia, FL 34266

PAC 29841

Dear Mr. Lempenau:

A recent review of the Division's records show that the Division has not yet received the below-referenced campaign treasurer's report or the required notification that no reportable activity occurred, whichever is applicable, during the following cover period:

| <u>Year</u> | <u>Report</u> | <u>Cover Period</u> |
|-------------|---------------|---------------------|
| 2022 | G1A | 8/27/22 - 9/2/22 |

The Division has previously notified you of the unfiled report or notification. Please file your report or notification. If the report is not filed within 7 days of receipt of this letter, the Division will refer this matter to the Florida Elections Commission, which may impose civil penalties of up to \$1000 per violation, apart from that automatic fine provisions of s. 106.07(8)(b), Fla. Stat.) that are applicable only to campaign finance reports.

As we stated in the prior notices, even if you now file the report or notification, the untimely filing of a report of reportable activity, or if applicable, a notice that no reportable activity occurred, may constitute an apparent violation of chapter 106, Fla. Stat. If we refer such matter to the Florida Elections Commission, the Commission may subsequently impose a civil penalty for each violation under chapter 106.265(1), Fla. Stat.

If you have any questions, please contact the help desk at (850) 245-6280.

Sincerely,



Donna S. Brown, Chief
Bureau of Election Records

cc: Lynn Shelfer, Treasurer

Tracking Number:

[Remove X](#)

9114902200789689776672

[Copy](#) [Add to Informed Delivery](#)
(<https://informedelivery.usps.com/>)

Latest Update

Your item was delivered to the front desk, reception area, or mail room at 4:23 pm on October 11, 2022 in ARCADIA, FL 34266.


Delivered

Delivered, Front Desk/Reception/Mail Room

ARCADIA, FL 34266

October 11, 2022, 4:23 pm

[See All Tracking History](#)

Text & Email Updates 

USPS Tracking Plus® 

Product Information 

[See Less ^](#)

Track Another Package