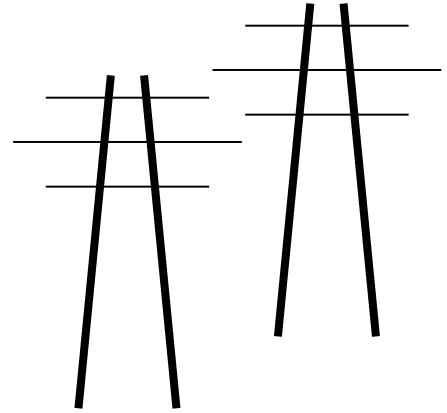


Legalelectric, Inc.

Carol Overland Attorney at Law, MN #254617
Energy Consultant—Transmission, Power Plants, Nuclear Waste
overland@legalelectric.org

1110 West Avenue
Red Wing, Minnesota 55066
612.227.8638



September 9, 2024

Office of Administrative Hearings
P.O. Box 64620
St. Paul, MN 55164-0620

RE: Gary Iocco – Gary Iocco for Mayor
Complaint - Violation of the Campaign Finance and Fair Campaign Practices Acts

To the Office of Administrative Hearings:

Attached please find this executed Complaint for Violation of the Campaign Finance and Fair Campaign Practices Acts, \$50 filing fee, and attachments with specifics of the Complaint.

This Complaint is regarding the campaign of Gary Iocco for Mayor, and is focused on display of a very large Gary Iocco for Mayor sign in a very prominent location in Red Wing:



The specific statutes at issue are:

- Minn. Stat. §211A.06 (1), Failure to keep a correct account;
- (& Minn. Stat. §10A.13) (4): Intent to conceal receipts or disbursements, the purpose of receipts or disbursements, or the existence or amount of an unpaid debt
- Minn. Stat. §211B.05, Subd. 1(c) – Definition of corporation and/or LLC
- Subd. 2(a), (b), (c): Prohibited corporation contribution; candidate acceptance of corporate contribution; contribution promotion election of candidate with authorization or consent of candidate.
- Subd. 6 – Penalty for individuals – Dehn Oil Company’s John Dehn and/or Wilson Oil Company’s Mike Wilson, and/or other individuals.
- Subd. 7 – Penalty for corporations – Dehn Oil Company and/or Wilson Oil Company
- Subd. 7b – Knowing violations – individuals and/or corporations John Dehn/Dehn Oil Company and/or Mike Wilson/Wilson Oil.
- Subd. 11 – Iocco sign is NOT a permitted message on premises
- Subd. 13 – Aiding violation; penalty – unknown who aids, abets, or advises violation of the Corporate Political Contributions statute.

Complainant seeks a civil penalty, forfeiture, and referral to the County Attorney for criminal prosecution under Minn. Stat. §211A.06; Minn. Stat. §211A.09, Sub. 3 and Minn. Stat. §211B.17, Subd. 1 as amended; and Minn. Stat. §211B.15, Subd. 14.

Gary Iocco is a candidate for Mayor of the City of Red Wing, a local candidate as defined by Minn. Stat. §10A.01, Subd. 10d. Iocco filed his initial Campaign Financial Report dated August 5, 2024, attached. Minn. Stat. §211A.06 Failure to Keep Account.

Iocco reported the following disbursements on his August 5, 2024 Report, including “7/26/24 Sign Lease \$1.00” (attached, and <https://red-wing.org/DocumentCenter/View/8176/Gary-Iocco--Campaign-Financial-Report-05-31-2024-to-08-04-2024-PDF>)::

DISBURSEMENTS

Include the amount, date and purpose for all disbursements made during the period of time covered by report. Attach additional sheets if necessary.

Date	Purpose	Amount
5-31-24	FILING FEE	5.00
6-10-24	USPOSTMASTER - STAMPS/PO BOX	129.00
6-12-24	BANK CHECKS	43.27
7-26-24	SIGN LEASE	1.00
7-31-24	SHIRTS	1263.00
	TOTAL	
7-31-24	SIGN	800.00
	CORPORATE PROJECT EXPENDITURES	2241.27

The most obvious violations are of paragraphs of Minn. Stat. §211A.15 prohibition of corporate donations. In this case, there was a significant corporate in-kind donation of the use of the building roof for a large campaign sign, and the “\$1 lease” that is far below fair market value. This very large Gary Iocco for Mayor sign is displayed on a roof clearly visible from Hwy 61, the main thoroughfare through Red Wing (as above photo):



The location of the sign is circled in yellow on google earth aerial view:



https://www.google.com/maps/@44.5630763,-92.566457,172a,35y,45t/data=!3m1!1e3?entry=tu&g_ep=EgoyMDI0MDgyOC4wIKXMDSoSASAFQAw%3D%3D

This business location is comprised of several parcels, all owned by RRJ Redwing, LLC per Goodhue County GIS (<https://maps.co.goodhue.mn.us/Red%20Wing%20TPV/>):



Tax Parcel ID: 556400120 outlined below is the parcel on which this building with the sign is located:



<https://maps.co.goodhue.mn.us/Goodhue%20County%20Vanguard%20URL/?research=556400120&slayer=0&exprnum=0&UseSearch=no&LMparent=20>

The recorded owner of Tax Parcel ID: 556400120 is RRJ Redwing, LLC, John Dehn, Dehn Oil Company, 6735 141st Ave N.W., Ramsey, MN 55303-5727.

At least one similar rooftop campaign sign was posted for a prior City of Red Wing election. Elsen for Council Wards 1 & 2, leased that location from Wilson Oil for \$100 in 2018 (Elsen Campaign Report attached). Elsen’s lease amount at that time was also far below fair market value (<https://red-wing.org/DocumentCenter/View/2101/Stephanie-Elsen---Campaign-Financial-Report-08-01-2018-to-10-26-2018-PDF>).

10/15/2018	Fredrickson Outdoor Adv.	Rooftop banner	\$640.00
10/15/2018	Walmart	Rubber Bands for Brochures	\$8.18
10/16/2018	Associated Bank	Bank service fee	\$11.00
10/18/2018	Wilson Oil	Lease of building for rooftop sign	\$100.00

The former owner of this property, Tax Parcel ID: 556400120, was Wilson Oil, CEO Mike Wilson, Red Wing’s current Mayor. The Wilson Oil Principal Executive Office Address and CEO’s address is 2355 Old West Main, Red Wing, attached¹. 2355 Old West Main is located in the business complex:



The transactions in the Elsen Campaign Financial Report of October, 2018 are dated over a year after Wilson Oil was sold to Dehn Oil². The Republican Eagle article states that “Dehn bought

¹¹¹ <https://mblsportal.sos.state.mn.us/Business/SearchDetails?filingGuid=dc71439e-a0d4-e011-a886-001ec94ffe7f>

² https://www.republicaneagle.com/business/refueling-with-new-ownership-wilson-oil-sells-to-minn-company/article_1ecba97b-8e3f-59a7-8513-f55e178a0711.html

the Wilson Oil Company name,” but Secretary of State filings show that Mike Wilson remains CEO of Wilson Oil. Wilson Oil is conducting operations out of the 2355 Old West Main location, per the 2024 updated Wilson Oil website: <https://wilsonoilcompany.com/> The relationship between RRJ Redwing, LLC, now owner of the multiple parcels, and Wilson Oil, CEO Mike Wilson, is interwoven and unclear. For this reason, the party responsible for the corporate donation of display of the Iocco sign is in question – RRJ Redwing, LLC/Dehn Oil or Wilson Oil or both? Iocco’s Campaign Financial Report does not identify the lessor.

The most obvious violation is the corporate donation not disclosed, and the \$1 sign lease is far below market value for a sign that’s roughly 20’ x 10’ in a high traffic area on Highway 61 in the middle of Red Wing. In addition to prohibited corporate donation violations of Minn. Stat. §211B.015 are the associated violations including failure to report the in-kind donation for the sign location, failure to report the donation of fair market value for that sign location from late July onward, and failure to disclose the full value of the prohibited corporate donation for political purposes. The terms of the corporate contribution are not clear, nor is the donating party identified.

Corporate donations are regarded as a serious violation, with the potential of civil and criminal penalties for responsible candidates, individuals, and corporations and also those aiding abetting, and/or advising.

I, Carol A. Overland, under penalty of perjury, affirm that that the statements in the above Complaint and attachments, and assertions and claims herein are to my knowledge, information, and belief true and correct.

Dated: September 4, 2024



Carol A. Overland
Attorney at Law
Minn. License #254617
Legalelectric/Overland Law Office
1110 West Avenue
Red Wing, MN 55066

(612) 227-8638
overland@legalelectric.org

Attachments:

- 1) Gary Iocco RW Mayor, Campaign Financial Report, August 5, 2024
- 2) RRJ Redwing, LLC Ownership and Tax Information, Tax Parcel 556400120
- 3) RRJ Redwing, LLC – SoS Business Filings
- 4) Wilson Oil Company– SoS Business filings, website link, and aerial screenshot
- 5) Elsen for Council 1 & 2, Campaign Financial Report – Rev November 12, 2018

RECEIVED
8-5-2024

CAMPAIGN FINANCIAL REPORT

(All of the information in this report is public information)

Name of candidate, committee or corporation GARY IOCCO

Office sought or ballot question RW MAYOR District _____

Type of report Candidate report
 Campaign committee report
 Association or corporation report
 Final report

Period of time covered by report:
 from 5/31/24 to 8-4-24

CONTRIBUTIONS RECEIVED

Give the total for all contributions received during the period of time covered by this report. Contributions should be listed by type (money or in-kind) rather than contributor. See note on contribution limits on the back of this form. Use a separate sheet to itemize all contributions from a single source that exceeded \$100 during the calendar year. This itemization must include name, address, employer or occupation if self-employed, amount and date for these contributions.

CASH \$ 2500.00 TOTAL CASH-ON-HAND \$ 1063.73
 IN-KIND + \$ —
 TOTAL AMOUNT RECEIVED = \$ 2500.00

DISBURSEMENTS

Include the amount, date and purpose for all disbursements made during the period of time covered by report. Attach additional sheets if necessary.

Date	Purpose	Amount
<u>5/31/24</u>	<u>FILING FEE</u>	<u>5.00</u>
<u>6-10-24</u>	<u>USPOSTMASTER - STAMPS/PO.Box</u>	<u>129.00</u>
<u>6-12-24</u>	<u>BANK CHECKS</u>	<u>43.27</u>
<u>7-26-24</u>	<u>DIAN LEASE</u>	<u>1.00</u>
<u>7-31-24</u>	<u>SHIRTS</u>	<u>1263.00</u>
	TOTAL	<u>1263.00</u>

7-31-24 SIGN 800.00
CORPORATE PROJECT EXPENDITURES 2241.27

Corporations must list any media project or corporate message project for which contribution(s) or expenditure(s) total more than \$200. Submit a separate report for each project. Attach additional sheets if necessary.

Project title or description _____

Date	Purpose	Name and Address of Recipient	Expenditure or Contribution Amount
		TOTAL	

I certify that this is a full and true statement. 8-8-24
 Signature Date

Printed Name GARY IOCCO Telephone 651-301-0047 Email (if available) IOCCOGARY@gmail.com
 Address 1837 WOODLAND DR REDWING MN 55066 GMAIL.COM

Report Office Name For Office Use Only:

Attachment 1 - Gary Tocco for RW Mayor Campaign Financial Report

CONTRIBUTORS - Gary Tocco for Mayor

GARY TOCCO - LOAN \$2000.00 6-3-24
1837 WOODLAND DR
RED WING, MN 55066 - RETIRED

CONTRIBUTION
BARBARA HALEY \$500.00 6/17/24
30921 LAKEVIEW AVE
RED WING, MN 55066 - RETIRED

Ownership and Tax information, Tax Parcel ID: 556400120:

The recorded owner of this property is:

RRJ Redwing, LLC
John Dehn
Dehn Oil Company
6735 141st Ave N.W.
Ramsey, MN 55303-5727



<https://publicaccess.goodhuecountymn.gov/Datalets/Datalet.aspx?UseSearch=no&pin=556400120>

PARCEL ID: 556400120
RRJ REDWING LLC

ROLL: REAL PROPERTY

Parcel

Assessment Year:	2024
Pay Year:	2025
Property Address:	
City:	
State:	
Zip:	
Market NBHD:	015 - 55 RED WING-CI
Class:	233 - 3A COMMERCIAL LAND AND BUILDING
Land Use Code:	
Deeded Acres	.57
Plat:	55640-UNPLATTED LAND
Lot	
Block	
Section-Twp-Range	--
Tax District:	5501 - CITY OF RW 256
Town/City	010800 - RED WING CITY
School District:	020256 - SCHOOL DISTRICT 256
TIF Project #	-

Parcel Status

Homestead	N ? Non-Homestead
Relative Homestead	N

Legal

UNPLATTED LAND .57 AC ID# 5-3040-00750 PT OF SE 1/4 OF NW 1/4 AND NE 1/4 OF SW 1/4 SEC 25-113-15 SEE BOOK Y 10 PAGE 585 DOC#638105

Business Record Details »

Minnesota Business Name

RRJ Redwing, LLC**Business Type**

Limited Liability Company (Domestic)

MN Statute

322C

File Number

935530900024

Home Jurisdiction

Minnesota

Filing Date

2/20/2017

Status

Active / In Good Standing

Renewal Due Date

12/31/2025

Registered Office Address6735 141st Ave NW
Ramsey, MN 55303
USA**Registered Agent(s)**

Dehn Oil Company

ManagerJohn Dehn
6735 141ST AVE NW
RAMSEY, MN 55303-5727
USA**Principal Executive Office Address**6735 141ST AVE NW
RAMSEY, MN 55303-5727
USA[Filing History](#)

Filing History

Select the item(s) you would like to order:

<input type="checkbox"/>	Filing Date	Filing	Effective Date
<input type="checkbox"/>	2/20/2017	Original Filing - Limited Liability Company (Domestic) (Business Name: RRJ Redwing, LLC)	

Wilson Oil – Screenshots (see www.wilsonoilcompany.com – 2024)

<https://mblsportal.sos.state.mn.us/Business/SearchDetails?filingGuid=dc71439e-a0d4-e011-a886-001ec94ffe7f>

The screenshot shows the 'Business Record Details' page for Wilson Oil Company. The page includes a navigation bar with options like 'Print', 'Order Certificate', 'File Amendment / Renewal', 'Order Copies', and 'Back to Search Results'. The main content area displays the following information:

Minnesota Business Name Wilson Oil Company	
Business Type Business Corporation (Domestic)	MN Statute 302A
File Number 11-202	Home Jurisdiction Minnesota
Filing Date 01/03/1966	Status Active / In Good Standing
Renewal Due Date 12/31/2025	Registered Office Address 2355 Old West Main Red Wing, MN 55066 USA
Number of Shares \$100,000	Registered Agent(s) (Optional) Currently No Agent
Chief Executive Officer Mike Wilson 2355 OLD WEST MAIN ST RED WING, MN 55066-1927 USA	Principal Executive Office Address 2355 OLD WEST MAIN ST RED WING, MN 55066-1927 USA

At the bottom, there are buttons for 'Filing History' and 'Renewal History', and a section for 'Select the item(s) you would like to order:' with a link to 'Order Selected Copies'.

The Wilson Oil's Principal Executive Office Address and CEO's address is 2355 Old West Main, which is located in the business complex, shown on google earth -- the sign location is in yellow:



CAMPAIGN FINANCIAL REPORT

(All of the information in this report is public information)

Name of candidate, committee or corporation Stephanie Elsen-Elsen for City Council
 Office sought or ballot question City Council District Wards 1+2 Committee

Type of report: Candidate report Campaign committee report Association or corporation report Final report
 Period of time covered by report: from 8/4/18 to 10/26/18

CONTRIBUTIONS RECEIVED

Give the total for all contributions received during the period of time covered by this report. Contributions should be listed by type (money or in-kind) rather than contributor. See note on contribution limits on the back of this form. Use a separate sheet to itemize all contributions from a single source that exceeded \$100 during the calendar year. This itemization must include name, address, employer or occupation if self-employed, amount and date for these contributions.

CASH \$ 3,795 TOTAL CASH-ON-HAND \$ 336.⁹⁸
 IN-KIND + \$ 60
 TOTAL AMOUNT RECEIVED = \$ 3,855

DISBURSEMENTS

Include the amount, date and purpose for all disbursements made during the period of time covered by report. Attach additional sheets if necessary.

Date	Purpose	Amount
<u>See Attached</u>		
TOTAL		<u>3,538.¹²</u>

CORPORATE PROJECT EXPENDITURES

Corporations must list any media project or corporate message project for which contribution(s) or expenditure(s) total more than \$200. Submit a separate report for each project. Attach additional sheets if necessary.

Project title or description _____

Date	Purpose	Name and Address of Recipient	Expenditure or Contribution Amount
TOTAL			

I certify that this is a full and true statement. Stephanie Elsen 10/26/18
 Signature Date

Printed Name Stephanie Elsen Telephone 6122672408 Email (if available) stephje@redwing.net
 Address 1502 W. 4th St, Red Wing, MN 55066

Report Office Name For Office Use Only:

Attachment 5_Elsen for Council

Elsen, Stephanie 2018 Pre-General Report		Red Wing City Council Wards 1 & 2			
Disbursements					
Date	From/To	Purpose	Amount		
8/1/18	Wix	Web site	14.50		
8/27/18	USPS	Postage stamps	\$10.00		
8/27/18	Wix	Web site	14.50		
9/1/18	Facebook	Facebook paid ads	\$23.40		
9/6/2018	USPS	45 stamped envelopes	\$28.35		
9/11/18	Amazon	Car Magnet Paper	\$42.28		
9/16/2018	Joann Fabrics	Vinyl lettering supplies	\$29.88		
9/16/2018	Ace Hardware	Clear coat spray paint for signs	\$9.81		
9/14/18	Beau Brewer Digital	Lawn Signs	\$356.00		
9/29/2018	Joann	Signage lettering materials	\$52.29		
10/2/2018	Beau Brewer Digital	Brochures	\$750.00		
10/4/2018	Insty Prints Red Wing	Brochures	\$55.93		
10/5/18	Facebook	Facebook paid ads	\$50.00		
10/7/18	Wix	Web site	\$14.50		
10/8/18	Facebook	Facebook paid ads	\$50.00		
10/15/18	Walmart	Rubber bands for flyers	8.18		
10/15/18	Fredrickson Outdoor Adv.	Rooftop Banner	640.00		
10/16/2018	Associated Bank	Bank Fees	11.00		
10/18/18	Wilson Oil	Lease of building Rooftop for sign.	100.00		
10/23/18	Republican Eagle	Newspaper ad - print and online	1262.50		
10/24/18	Republican Eagle	Paid letter to the editor.	15.00		
			3538.12		
Donations of more than \$100					
Date	Name	Employer /Occupation	Address	Amount	
9/25/18	Mike Wilson	Retired	4623 Hwy. 61 N., Red Wing, MN 55066	\$250.00	
9/25/18	Jeannette Wilson	Retired	4623 Hwy. 61 N., Red Wing, MN 55066	\$250.00	
9/28/18	Wiley Wilson	Business Owner, Wiley Wilson Trucking	4339 Cady St., Red Wing, MN 55066	\$500.00	
10/3/18	John & Sue Guerber	Retired	4736 Big Sky Court, Red Wing, MN 55066	\$250.00	
10/11/18	Patrick Trammell	President, Southeastern Commercial Finance LLC	1807 Seneca Rd., Vestavia Hills, AL 35216	\$250.00	
10/15/18	Stephen Lawrence	Retired	1180 Golf Ridge Circle, Red Wing, MN 55066	\$200.00	
10/16/18	Suzanne Blue	President, Sturdiwheat	1400 W. 6th St., Red Wing, MN 55066	\$200.00	
				\$1,900.00	