

Rough transcript of OAH telephone Probable Cause hearing on September 19, 2024 at 1:00 p.m., transcript beginning after ALJ inquired as to what everyone had received, to establish that everyone had all the info:

ALJ: I did receive some additional photographs from Ms. Overland just shortly before our hearing began.

Overland: Admittedly late filed.

ALJ: And that's all right. I did understand that you had some troubles. Mr. Wilson, Mr. Iocco, did you get copies of the Complaint and the attachments to the Complaint, as well as the additional information today?

Wilson: I did not receive anything. I received the original Complaint of September 12th. it was just presented to me yesterday.

Overland: Yesterday, I was to email any exhibits, and yesterday what I did was email everyone who I had an email for, but I could not find, after quite a bit of time searching, an email for Mike Wilson that was not the City of Red Wing as Mayor, and I didn't feel it was appropriate to send there. I did find an email at his Red Wing Marine Museum site [info@redwingmarinemuseum.com], however that bounced back. So what I did then was ran over the headquarters of Wilson Oil, at 2355 Old West Main, put it in the mailbox, and then let him, and my neighbor who works there and would be there at 8 in the morning, I let them know by text that that was there, and that also, that I did let Mr. Wilson know that I did need a valid email, so I did make best efforts to get that additional exhibit to him.

ALJ: Thank you, Ms. Overland. I would just note that I'm going to give everybody some leeway, because I understand that the expedited nature of this type of proceeding makes it a little difficult to meet all the timelines that the Legislature has established for us. So, we have to do the best that we can to get through this. I just am trying to work through the status of where we're at right now. So, Mr. Wilson, do you have an email address where you would like email to be sent to you?

Wilson: Yes. I just want to... glad she told me what went on, because I was very disturbed, very disturbing what happened here. I sold the business over seven years ago, the Wilson Oil Company, and I'm not employed with them. And I was contacted last night by the manager that something was left in a mailbox down there at the Wilson Oil Company office, and I wasn't sure, she said it was an envelope placed in there with, and I saw somebody sent me a picture of it, and I wasn't sure who that came from, so I wasn't sure, with nowadays with, I was very concerned about that, and, because I didn't know if there was something dangerous in there, or I didn't know what to do about it, so I had to notify authorities, so this is putting mail in a mail box, is a, well, nowadays the way things are going, I was very concerned, and my family was very concerned, so we didn't know what to do. So I tried to find out who sent the text to me, and I was notified by Ms. Overland today that it was her in fact that put that there, so I had the company go back to look at the video, and it showed her on that security tape, it showed her placing an envelope into a United States Postal Service mailbox, so I was concerned about just

exactly what was going on, so nowadays, since I'm the Mayor of Red Wing, the security is of utmost importance to me so, I'm glad she finally told me who it was, and that she put that in there, so I'd like to say I have nothing to do with the oil company for over seven years, she thinks I still work there, or employed there, which I'm not. It was a very concerning thing, what happened.

Overland: Your honor, may I address that briefly?

ALJ: Sure, go ahead.

Overland: I took a picture of that as I put it in the mailbox, and that would show on the tape recording, the video, but my return address was on there, stamped, and I'm just very surprised, "notifying authorities," when my return address, my logo was on there, and I sent a text as I, after I put it in there, and a simple google of my phone number reveals of millions of filings on google for various reasons, and my phone number is no secret, and in fact Mr. Wilson has called me on this number previously, so I just find that not credible.

ALJ: Be that as it may, we're here to determine whether there is probable cause, and my question, we're here to determine everyone's awareness and status at this time... so alright... so... Mr. Wilson, if you have an email address you would like to provide, I can take that now.

Wilson: Can I have it sent to my P.O. Box? Would that work?

ALJ: You can, you can, if you, the issue would only be that we'll have to wait for regular mail then to get them, to get mail notices in this matter.

Wilson: I just got the original complaint, it was sent to the street address. That was the street address when I had the business, and I've always gotten, my, you know, mail goes to a P.O. Box now, so I don't, I just don't, you can send it there. I don't really care to put out my email to her at this time. I just don't want any more things coming my way from her, so she can mail it to P.O. Box 162, Red Wing, Minnesota.

ALJ: And what is the zip code

Wilson: 55066

ALJ: All right. Thank you very much. Then, Mr. Wilson, I guess here is my question, and I will just be very frank. So in reviewing the complaint, it looks unclear to me whether Wilson Oil was the correct party, or whether someone else owns the building and leased this space to Mr. Iocco's campaign.

Wilson: Dehn Oil Company purchased the Oil Company back in 2017, and they own all the real estate. I have had nothing to do with that real estate or the company. They also purchased the name "Wilson Oil Company," as part of the terms of the transaction.

ALJ: So with that information, Ms. Overland, are you, would you be willing to withdraw your

Complaint as to Mr. Wilson?

Overland: Nope! When you asked the question, he did not answer it. The issue is who authorized putting sign up on that building?

ALJ: No, Ms. Overland, that is not the question that I asked him. I mean Whether Wilson Oil, Ms. Overland, do you have any information that Mr. Wilson owns Wilson Oil?

Overland: Yes, I enclosed the Secretary of State's Registration and it shows that Dehn Oil did a assumed name, but the registration for Wilson Oil still reflects that Mike Wilson is the primary person. It's in the Complaint, I can look it up, and that the address is the 2355, it has not been changed to a P.O. Box. That will be... OK, the screen shot of that, Chief Executive Officer, and this is current with the Secretary of State says Mike Wilson, 2355 Old West Main, Principle Executive, at the address 2355 Old West Main, that's not been changed at the Secretary of State.

ALJ: Mr. Wilson?

Wilson: Yes? ... I don't know why that would be. I'd have, I'd have to check with my attorneys and see why that would be. I say I sold the business seven years ago. It's paid in full, not owing from Dehn Oil. I don't have anything, I'm just the lonely Mayor of Red Wing now, that's all I've got left.

ALJ: Thank you, let's move on... [what follows is discussion of details of process, the Complaint, Probable Cause, and Dismissal or Evidentiary Hearing]...

ALJ: Ms. Overland, have you had any contact with anyone from Dehn Oil.

Overland: No, I haven't, and I'm concerned that they're not here. But there's some confusion in the Order, because on page 1 it says that RRJ Redwing and Wilson Oil are dismissed, but then on page 5, it says that all 3 will advance to a probable cause determination, so I'm kind of confused, I don't know...

ALJ: That would be reasonable. On the other hand, I mean, to go back to my comment on the somewhat punishing schedule, I present as it's possible, that without an email address, no one from Dehn Oil has even been able to see the Order, so... Given that, give where we're at, at this moment... Ms. Overland, what are your thoughts regarding next step given that we don't have anyone from Dehn Oil here?

Overland: Right, I'm willing for this to be continued.

ALJ: I'm certainly open to that. I also don't want to make anyone expend any effort unnecessarily...

Overland: I was able to find an email address on his web page, so I did send the exhibit, the late filed exhibit, to him. Again, I don't know, I have heard from him, I don't know if he's seen the Complaint, I don't know.

Wilson: Who are you sending that to at Dehn Oil?

Overland: The one who is registered, the one who is registered at the Secretary of State, I believe it's John, there's also a "Ray," I think.

Wilson: John Dehn?

Overland: Yes.

Wilson: John hasn't been with the company for quite some time.

Overland: That's what the Secretary of State report says, just a minute...

Wilson: Well, they bought out Wilson Oil, so I don't know...

Overland: That's right, filing these, it does say that manager is John, at 6735 – 141st Ave. N.W., website gives his email on that, and that's who I sent it to.

Wilson: Well, I know that he's not with the company anymore.

Overland: No way I could know that, this is from the filing, just...

ALJ: What's on the Secretary of State's website is what constitutes proper service for a corporation.

Overland: Thank you.

ALJ: Let's do this... Mr. Iocco, what do you think about pushing this out a week or two...
[discussion of continuance, hearing continued to October 1 @ 10 a.m.]