

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS
PO Box 64620
St. Paul, MN 55164-0620

COMPLAINT FORM - COMPLAINT #2
for Violations of the
FAIR CAMPAIGN PRACTICES ACT or
CAMPAIGN FINANCE ACT

Information about complaint filer (Complainant)

Name: Carol A. Overland
Address: 1110 West Ave.
City, State, Zip: Red Wing, MN 55066-3125
Telephone Number: 612-227-8638 Email Address: overland@legalelectric.org

Information about the person/entity you are complaining about (Respondent)

Name: Gary Iocco – Iocco for Red Wing Mayor
Address: 1837 Woodland Drive
City, State, Zip: Red Wing, MN 55066
Telephone Number: 651-301-0047 Email Address: ioccogary@gmail.com

Provide the specific statute in Minnesota Statutes Chapter 211A (Campaign Finance Act) or Chapter 211B (Fair Campaign Practices Act) that you allege has been violated:

Minn. Stat. §211A.02 Must submit financial reports for contributions
Minn. Stat. §211B.15, Subd. 2(b) – Prohibited acceptance of corporate contribution

Seeks civil penalty, forfeiture, & referral to county attorney. Minn. Stat. §211A.06;
Minn. Stat. §211A.09, Subd. 3; Minn. Stat. §211B.17, Subd. 1 as amended; Minn.
Stat. §211B.15, Subd. 4.

Date(s) of violation(s): Beginning with the July 19, 2024 lease through removal of sign on October 14, 2024, essentially three months.

Date of election or ballot question: November 5, 2024

Elected office or ballot question involved: Gary Iocco for Red Wing Mayor, City of Red Wing Mayor

Post election Complaint -- no need for an expedited probable cause hearing.

A Complaint was filed on September 11, 2024, alleging Gary locco, locco for Red Wing Mayor, RRJ Redwing LLC, and Wilson Oil Co. violated provisions of Fair Campaign Practices and Finance Acts regarding a rooftop campaign sign in Red Wing on behalf of the campaign Gary locco for Red Wing Mayor. See OAH 21-0325-40299. A sign lease of \$1.00 was reported as of the August 4, 2024 Report, and locco is acting as his own campaign treasurer. **Based on that Complaint, prima facie violations of Minn. Stat. §211A.02 and Minn. Stat. §211B.15 were found, and the matter proceeded regarding those prima facie violations.**

Complainant Overland withdrew the Complaint as regards Wilson Oil Co., as Wilson Oil was not a party signing the lease, as disclosed by locco the evening before the October 1, 2024 hearing. locco for Mayor and Wilson Oil Co. were dismissed on October 8, 2014, without prejudice, when Complainant Overland and Respondent RRJ Redwing, LLC failed to appear for the leaving Dehn Oil Co./RRJ Red Wing LLC as the remaining Respondent. A settlement was reached on October 14, 2024 between Respondent Dehn Oil Co./RRJ Redwing, LLC and Complaint Overland, shortly after the Probable Cause hearing on that same day, and within hours of the settlement, the rooftop sign was removed. Complainant withdrew the Complaint against Dehn Oil Co./RRH Red Wing, LLC that same day. locco has not filed an amended Report nor has he filed any subsequent report showing a market rate disbursement or contribution for the rooftop sign.

The issues raised in the September 11, 2024 Complaint regarding Gary locco and Gary locco for Red Wing Mayor regarding the rooftop sign on display for two and one-half months, locco and his campaign's acceptance of that significant corporate contribution, and the prima facie determination have yet to be substantively addressed as to locco's participation, hence this Complaint.

Nature of Complaint

Explain in detail why you believe the Respondent has violated Minnesota Statutes Chapters 211A or 211B. Attach copies of any documents that support your allegations. The Administrative Law Judge must dismiss this complaint if this submission does not prove a prima facie violation of the statutes. "Prima facie" means that the facts you present are sufficient to show a violation.

PLEASE SEE ATTACHED.

Oath

I, Carol A. Overland, under penalty of perjury, swear or affirm that the statements I have made in this complaint are true and correct to the best of my knowledge.

Dated: November 5, 2024

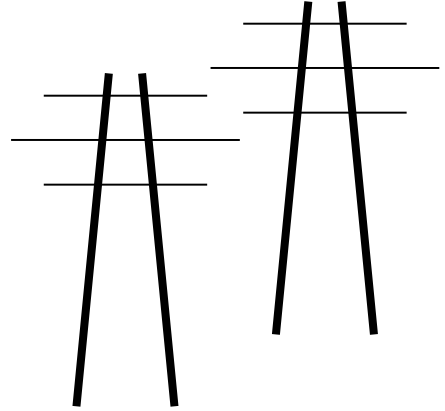


Signature of Complainant

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



November 5, 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 along Highway 61/Main Street, an acceptance of a prohibited corporate donation in a very prominent location in Red Wing:



The specific statutes at issue are:

Minn. Stat. §211A.02 Must submit financial reports for contributions

Minn. Stat. §211B.15, Subd. 2(b) – Prohibited acceptance of corporate contribution

Seeks civil penalty, forfeiture, & referral to county attorney. Minn. Stat. §211A.06; Minn. Stat. §211A.09, Subd. 3; Minn. Stat. §211B.17, Subd. 1 as amended; Minn. Stat. §211B.15, Subd. 4.

Date(s) of violation(s): Beginning July 19, 2024 through removal of sign on October 14, 2024, essentially three months.

Date of election or ballot question: November 5, 2024

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.

Gary Iocco is not new to campaigning and knows or should know Campaign Finance law. Prior to this run for Mayor, he ran for state House district 28A, losing to Sandy Wollschlager. In 2002, he ran for state Senate, losing to Steve Murphy. He also served 3 terms on his Township Board and one term as Goodhue County Commissioner. When filing for a city race, candidates are provided with a notebook of regulations and statutes that must be followed. He would have filed multiple Campaign Finance Reports for these state and county races.

Iocco reported the following disbursements on his August 5, 2024 Report, including “7/26/24 Sign Lease \$1.00.” Exhibit A, July 19, Lease.

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	1263.00
7-31-24	SIGN	200.00
	CORPORATE PROJECT EXPENDITURES	2241.27

Exhibit B, and <https://red-wing.org/DocumentCenter/View/8176/Gary-Iocco---Campaign-Financial-Report-05-31-2024-to-08-04-2024-PDF> . The corporate donation or a disbursement for the market rate of the sign has not been reported on the two subsequent filings: <http://red-wing.org/1156/> 2024. Exhibit C, Market Rate from Reagan Signs (see yellow highlighting).

This very large Gary Iocco for Mayor sign was displayed on a roof, as above, with two lights during the night, clearly visible from Hwy 61, the main thoroughfare through Red Wing (as above photo). The lease was dated July 19, 2024, and extended until October 14, 2024 when it was removed.

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=EgoyMDI0MDgyOC4wIKXMDSOASAFQAw%3D%3D

This sign location is on a roof in an area comprised of several parcels, all owned by RRJ Redwing, LLC: Goodhue County GIS <https://maps.co.goodhue.mn.us/Red%20Wing%20TPV/>), a corporation as defined in statute. Ex. D – Ownership information.



FULL DISCLOSURE: After a probable cause hearing October 14, 2024, a settlement was reached between Complainant Overland and Dehn Oil Co./RRJ Redwing, LLC, the recorded owner of Tax Parcel ID: 556400120, on which the sign was displayed (RRJ Redwing, LLC, John Dehn, Dehn Oil Company, 6735 141st Ave N.W., Ramsey, MN 55303-5727). The sign was immediately removed the morning of October 14, 2024. Complainant requested withdrawal that same morning, and the Order of Dismissal was filed on October 16, 2024.. OAH 21-0325-40299.

Gary Iocco, Gary Iocco for Red Wing Mayor, is the remaining party whose alleged violations of campaign law have not yet been addressed beyond the prima facie determination of September 20, 2024.

The most obvious violations of the Iocco campaign are of Minn. Stat. §211A.15 prohibition of corporate donations. In this case, there was a significant corporate donation of the use of the RRJ Redwing/Dehn Oil Co. building roof for a large campaign sign, where the total corporate contribution was not disclosed. Another violation is that the “\$1 lease” is far below fair market value for a large, lighted, and heavily trafficked location. Id., Market Rate of various locations from Reagan Signs (see yellow highlighting); Ex. D, Traffic Mapping from DOT.

Based on Ex. C, Reagan Sign Market Rate quote (see yellow highlighting), considering the sign sizes and traffic counts on which they base the monthly rate, and the range of monthly rates, and considering the DOT’s traffic shown in Ex. D, Red Wing Traffic Mapping for that location, it appears a ballpark market rate for the Gary Iocco for Red Wing Mayor rooftop sign would be \$320-400 monthly, or \$960-\$1,200 for the three months the sign was displayed. That would mean that by placing the sign, the Iocco Campaign accepted a prohibited campaign contribution

in the amount of \$960-\$1,200 minus the \$1 said paid for the lease, or did not disclose the full payment for the location in Exhibit B, or the cost of the lease was misrepresented in Exhibit A.

Corporate donations are a material violation, with the potential of civil and criminal penalties for responsible candidates and responsible individuals, and also those aiding abetting, and/or advising. Gary Iocco is acting as his campaign's own treasurer on all of the filed Reports. <http://red-wing.org/1156/> 2024 He has not amended any of his filed Reports, nor has he filed any report disclosing a disbursement or this corporate donation, despite having had nearly two months' notice provided by the initial complaint of September 11, 2024.

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.

Attached as Exhibit A is a true and correct copy of the July 19, 2024 \$1.00 Lease, provided by Gary Iocco via email on the evening of September 18, 2024.

Attached as Exhibit B is a true and correct copy of the Gary Iocco for Red Wing Mayor Campaign Financial Report, August 5, 2024, with Gary Iocco acting as campaign treasurer.

Attached as Exhibit C is a true and correct copy of a market rate quote from Reagan Signs for various locations, with cost for each location and traffic counts on which rate is based..

Attached as Exhibit D is a true and correct copy of traffic counts from the DOT's website.

Attached as Exhibit E is a true and correct copy of RRJ Redwing, LLC Ownership and Tax Information, from the Goodhue County GIS for Tax Parcel 556400120.

Dated: November 5, 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:

- A) July 19, 2024 \$1.00 Lease
- B) Gary Iocco RW Mayor, Campaign Financial Report, August 5, 2024
- C) Market Rate for various locations, Reagan Signs
- D) DOT Traffic Counts for Hwy. 61/Main Street at sign location
- E) RRJ Redwing, LLC Ownership and Tax Information, Tax Parcel 556400120



BUILDING LEASE

Dehn Oil Company dba Wilson Oil Company, hereby leases to Gary locco the building located at 2355 West Main Street, Red Wing, MN for the term beginning August 1, 2024, through November 30,2024.

The building shall be leased for a sum of \$1.00 from August 1, 2024, through November 30, 2024.

John Krig
Dehn Oil Company dba
Wilson Oil Company

Gary locco

7/19/24
Date

7-19-24
Date

Dehn Oil
settlement
10/14/2024

pack # 5041
\$1.00
7/19/24

CAMPAIGN FINANCIAL REPORT

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

Name of candidate, committee or corporation GARY LOCCO

Office sought or ballot question RW MAYOR District

Type of report: Candidate report (checked), 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.

Table with 3 columns: Date, Purpose, Amount. Rows include: 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, TOTAL 1263.00

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

Table with 4 columns: Date, Purpose, Name and Address of Recipient, Expenditure or Contribution Amount. Includes a TOTAL row.

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

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

Report
Office
Name
For Office Use Only:

CONTRIBUTION - Gary Tocco for Mayor
Ex B - Tocco Campaign Finance Report

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



Ex C_Market Rate & Location Photos

CLIENT: Carol Overland

Presented By: Terry Lee <Terry.Lee@reaganusa.com>

Campaign:

Panel No	Media Name	Description	City	County	State	Size	Illuminated	Geopath ID	Rate Card/Period	Production Rate	Traffic Count	Start day	End day
S112362N	Poster	Main St 0.27 mi S/O US 61 ES	Red Wing	Goodhue	Minnesota	10.41x22.66	No	30562814	\$360.00	\$200.00	27300	3/3/2025	4/27/2025
S03206S	Bulletin	US 52 0.47 mi N/O County Road 24 Blvd WS	Cannon Falls	Goodhue	Minnesota	10.6x36	Yes	0	\$600.00	\$763.20	149653	3/3/2025	4/27/2025
S03209N	Bulletin	US 52 0.19 mi S/O County Road 24 Blvd WS	Cannon Falls	Goodhue	Minnesota	10x30	Yes	0	\$550.00	\$600.00	149653	3/3/2025	4/27/2025
S105085S	Poster	US 52 0.68 mi S/O SR 60 ES	Zumbrot	Goodhue	Minnesota	10.41x22.66	Yes	30562723	\$540.00	\$200.00	175000	3/3/2025	4/27/2025
S514230S	Bulletin	HWY 52 1 mi N/O CR 60 ES	Zumbrot	Goodhue	Minnesota	14x48	Yes	30490656	\$800.00	\$1,344.00	158200	3/3/2025	4/27/2025
S515956N	Bulletin	US 52 0.9 mi N/O CR 60 ES	Zumbrot	Goodhue	Minnesota	14x48	Yes	30832352	\$1,000.00	\$1,344.00	158200	3/3/2025	4/27/2025
S515956S	Bulletin	US 52 0.9 mi N/O CR 60 ES	Zumbrot	Goodhue	Minnesota	14x48	Yes	30832351	\$1,000.00	\$1,344.00	158200	3/3/2025	4/27/2025

*** Due to unexplained discrepancies in updated Geopath Data received, Reagan is in the process of contesting updated Geopath numbers for many locations. The 2021 data provided is based on current updated Impression data as provided from Geopath. As a result, credits will not be issued for decreased updated Geopath impressions.

*** All proposed locations are subject to availability and change whether due to offer expiration, lease expiration or inventory enhancement. Should this occur, Reagan will make every attempt to provide a similar alternate location.

*** Rates are subject to change based upon occupancy.

*** All materials must arrive the Wednesday prior to post date.

*** One period equals four weeks.

Ex C Market Rate & Location Photos

COMPANY:

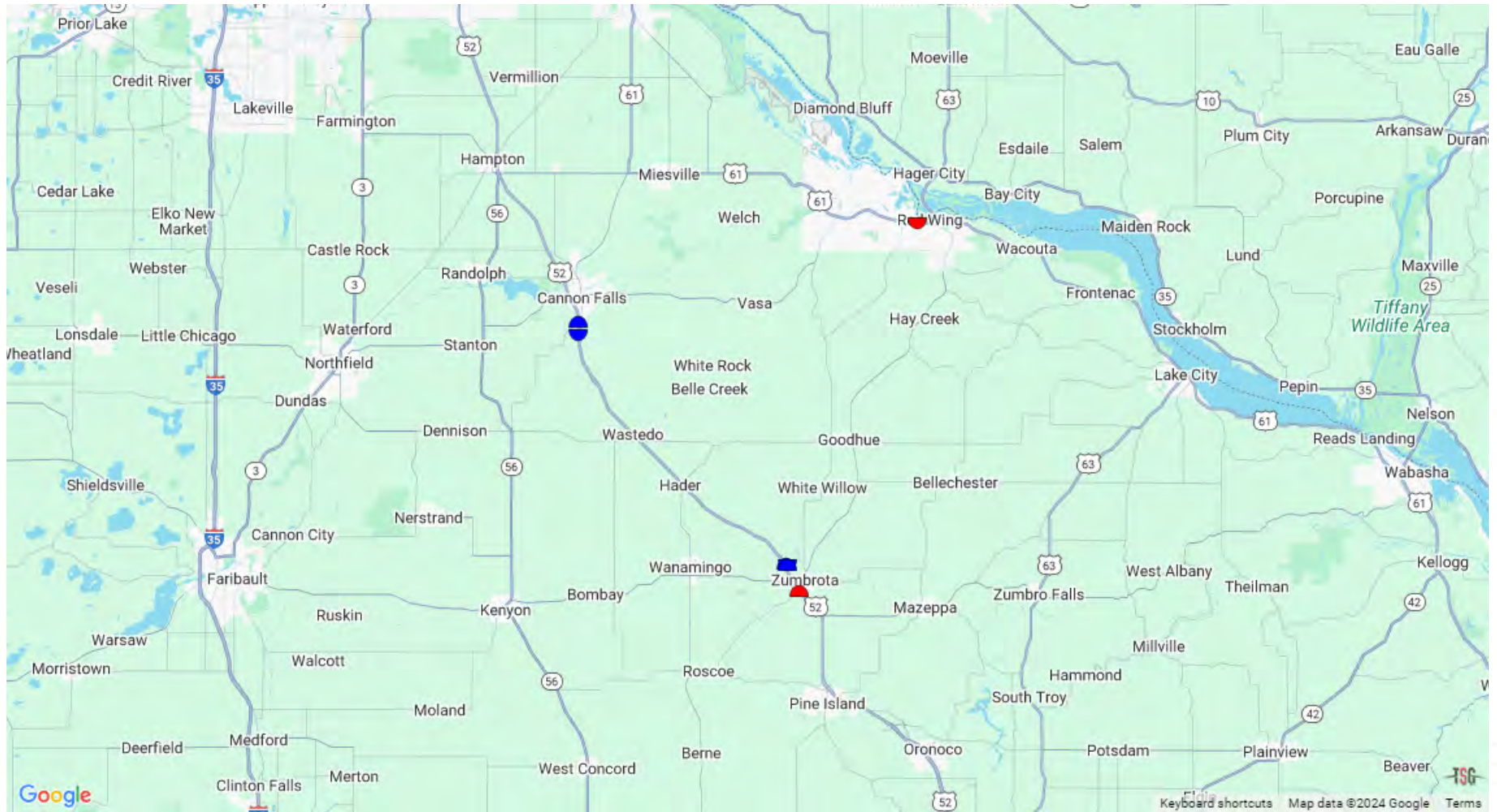
START DATE:

END DATE:

NAME:

PHONE:

EMAIL:



LOCATION MAP



Ex C_Market Rate & Location Photos

COMPANY:

START DATE:

END DATE:

NAME:

PHONE:

EMAIL:

Icon	#	Unit	Location Description	Facing	Size	Ill Hours
Posters						
	1	S112362N	Main St 0.27 mi S/O US 61 ES F/N	N	10.41x22.66	12
	4	S105085S	US 52 0.68 mi S/O SR 60 ES F/S	S	10.41x22.66	18
Bulletins						
	2	S03206S	US 52 0.47 mi N/O County Road 24 Blvd WS F/S - R	S	10.6x36	18
	3	S03209N	US 52 0.19 mi S/O County Road 24 Blvd WS F/N - R	N	10x30	18
	5	S514230S	HWY 52 1 mi N/O CR 60 ES F/S	S	14x48	18
	6	S515956N	US 52 0.9 mi N/O CR 60 ES F/N	N	14x48	18
	7	S515956S	US 52 0.9 mi N/O CR 60 ES F/S	S	14x48	18

LOCATION LIST



Ex C_Market Rate & Location Photos

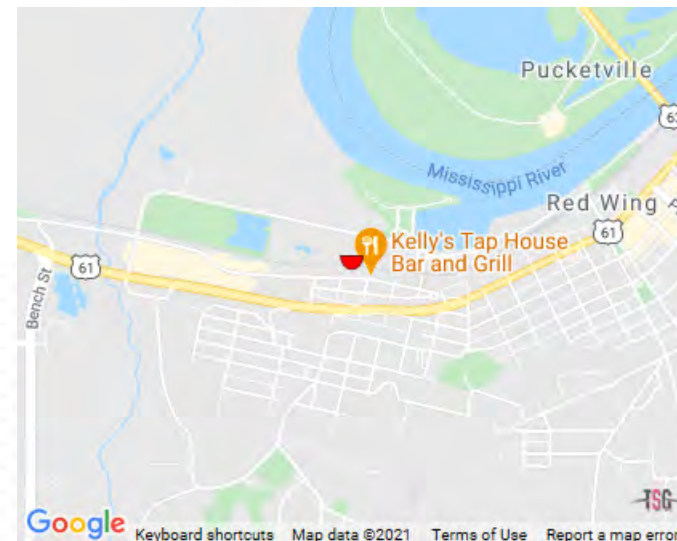
S112362N • Main St 0.27 mi S/O US 61 ES F/N

MEDIA TYPE: **Poster**

CITY: **Red Wing**

COUNTY: **Goodhue**

STATE: **Minnesota**



Geopath Number: 30562814

Direction Facing: N

Illuminated: No

Size: 10.41x22.66

State: Minnesota

Zip Code: 55066

Latitude: 44.563286

Longitude: -92.550326

Ex C_Market Rate & Location Photos

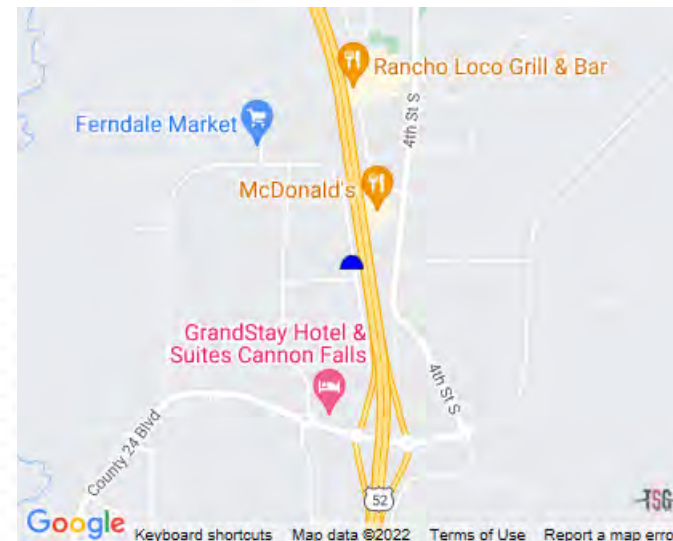
S03206S • US 52 0.47 mi N/O County Road 24 Blvd WS F/S - R

MEDIA TYPE: **Bulletin**

CITY: **Cannon Falls**

COUNTY: **Goodhue**

STATE: **Minnesota**



Geopath Number: 50599117

Direction Facing: S

Hours of Illumination: 18

Size: 10.6x36

State: Minnesota

Zip Code: 55009

Latitude: 44.48838

Longitude: -92.90909

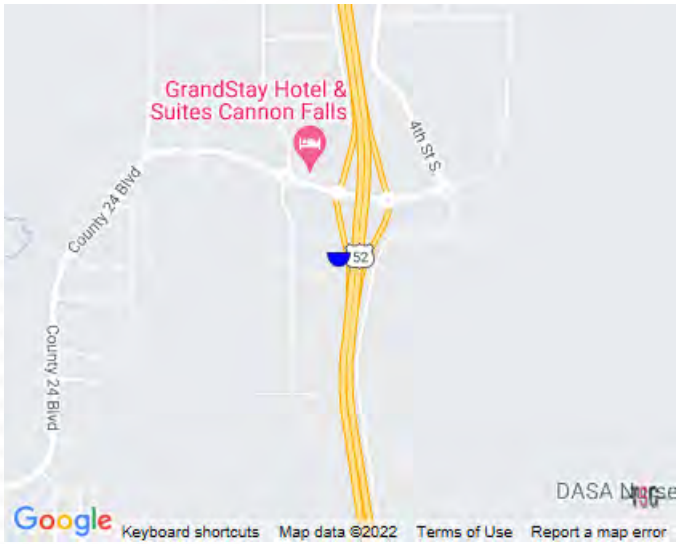
S03209N • US 52 0.19 mi S/O County Road 24 Blvd WS F/N - R

MEDIA TYPE: **Bulletin**

CITY: **Cannon Falls**

COUNTY: **Goodhue**

STATE: **Minnesota**



Geopath Number: 50599065

Direction Facing: N

Hours of Illumination: 18

Size: 10x30

State: Minnesota

Zip Code: 55009

Latitude: 44.47915

Longitude: -92.90868

Ex C_Market Rate & Location Photos

S105085S • US 52 0.68 mi S/O SR 60 ES F/S

MEDIA TYPE: **Poster**

CITY: **Zumbrota**

COUNTY: **Goodhue**

STATE: **Minnesota**



Geopath Number: 30562723

Direction Facing: S

Hours of Illumination: 18

Size: 10.41x22.66

State: Minnesota

Zip Code: 55992

Latitude: 44.2853

Longitude: -92.6761

S514230S • HWY 52 1 mi N/O CR 60 ES F/S

MEDIA TYPE: **Bulletin**

CITY: **Zumbrota**

COUNTY: **Goodhue**

STATE: **Minnesota**



Geopath Number: 30490656

Direction Facing: S

Hours of Illumination: 18

Size: 14x48

State: Minnesota

Zip Code: 55992

Latitude: 44.30599

Longitude: -92.6898

S515956N • US 52 0.9 mi N/O CR 60 ES F/N

MEDIA TYPE: **Bulletin**

CITY: **Zumbrota**

COUNTY: **Goodhue**

STATE: **Minnesota**



Geopath Number: 30832352

Direction Facing: N

Hours of Illumination: 18

Size: 14x48

State: Minnesota

Zip Code: 55992

Latitude: 44.305161

Longitude: -92.688897

S515956S • US 52 0.9 mi N/O CR 60 ES F/S

MEDIA TYPE: **Bulletin**

CITY: **Zumbrota**

COUNTY: **Goodhue**

STATE: **Minnesota**



Geopath Number: 30832351

Direction Facing: S

Hours of Illumination: 18

Size: 14x48

State: Minnesota

Zip Code: 55992

Latitude: 44.305161

Longitude: -92.688897

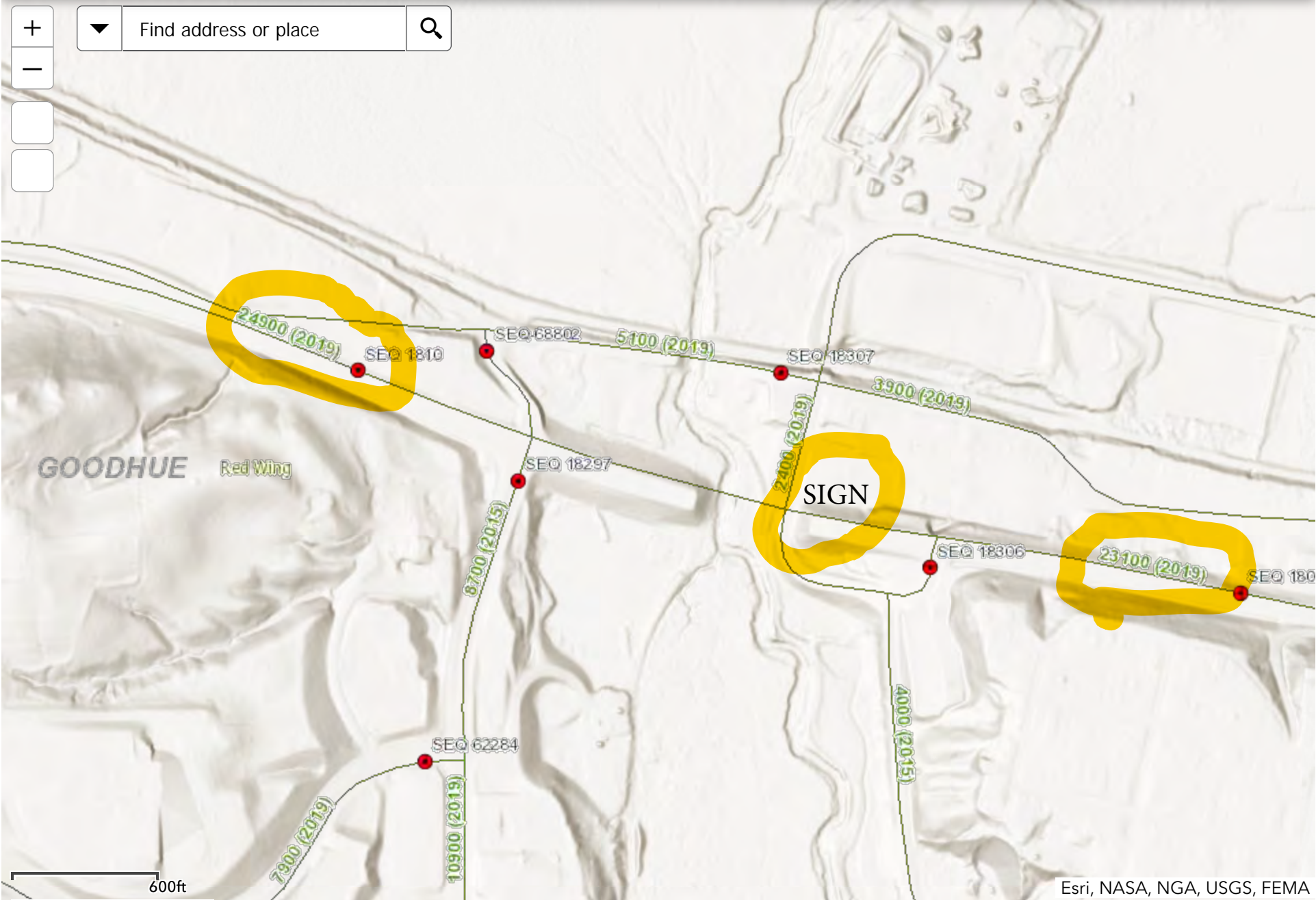


Exhibit E_RRJ Redwing, LLC Ownership & Tax Info Parcel 556400120
Settlement with Dehn Oil/RRJ Redwing October 14, 2024 - locco
Respondent as Merits of Complaint have not been addressed

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>

Exhibit E_RRJ Redwing, LLC Ownership & Tax Info Parcel 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