

Motion to Remove

CD 1 Elections Vice Chairman Lukas Severson and
CD 1 Deputy Chairman Nathan Peterson

*from their respective leadership positions in CD 1,
effective immediately upon passage at the 5/13/24 CD 1 Central Committee Meeting*

Motion – Brenda Hiniker, CD 1 Central Committee Member, Vice Chair Executive
Committee Olmstead County BPOU

Second – Jack Schlichting, CD 1 Treasurer, CD 1 Central Committee
Member, Goodhue County BPOU

Third – Jim Niehoff, CD 1 Central Committee Member, Deputy Chair
Olmstead County BPOU

Fourth – Elena Niehoff, CD 1 Central Committee Alternate, Vice Chair-
Executive Committee Olmstead County

Fifth - Gayle McEvoy, CD 1 Olmstead County BPOU Treasurer

Important MN State Law, CD 1 & State Constitution/Bylaw Provisions

MN Statute 200.02, Subd. 7. Major political party.

(a) "Major political party" means a political party that maintains a party organization in the state; has complied with the party's constitution and rules; is in compliance with the requirements of sections 202A.12 and 202A.13; files with the secretary of state no later than December 1 of each odd-numbered year a certification that the party has met the foregoing requirements, including a list of the dates and locations of each convention held; and meets all other qualification requirements of this subdivision.

(e) A major political party that does not submit the certification required by this subdivision loses major party status on December 31 of the year in which the party did not file the certification.

Article IV, Section 5 of the CD 1 MNGOP Constitution - “Any elected Officer of the

First District may be removed from office by a two-thirds (2/3) vote of the Central Committee at any duly called meeting **when a preponderance of the evidence** demonstrates in the opinion of said Committee that said Officer has had **serious malfeasance or nonfeasance in the performance of the duties of said Office** or said Committee believes that said Officer is no longer physically or mentally capable of performing the duties of said Office, and, in either case, **said Committee believes it is in the best interest of the First District that said Officer be removed from office.**”

Article IV, Section 3 of the MNGOP Constitution - “The management of the affairs of the Party within each basic political organizational unit shall be **vested in the BPOU committee, subject to the direction of state** and Congressional District authorities as to matters **within the scope of their respective functions.**”

Article VIII, Section 2 of the MNGOP Constitution - “**BPOU conventions shall be held** annually within a range of dates established by the State Central Committee and **at the call of the** State Executive Committee, the State Central Committee, the Congressional District committee or **the BPOU committee.** The conventions shall precede Congressional District and State conventions. Special BPOU conventions may be held at the call of the State Executive Committee, the State Central Committee, the Congressional District committee, or the BPOU committee at such time and for such purpose as the committee calling the same may determine. **BPOU conventions shall be held at a place determined by the respective committee issuing the call.**

Article XVI, Section 6 of the MNGOP Constitution – “State Party Executive Committee members have a duty to act in the best interest of the Party and support Party-endorsed candidates for office.

Corrected Timeline-Reflecting the ACTUAL Facts
Related to the Otter Tail County BPOU Convention

The timeline submitted by Mr. Severson and Mr. Peterson was replete with misinformation, intentionally meant to disparage Mrs. Phillips and undermine the growing support being offered to the Otter Tail County Delegates and Alternates.

1. On Caucus night (2/27/24), the Otter Tail County (CD 7) Caucuses were held as required under MN Stat. §202A.18. These caucuses were attended by more than 450 people. There were approximately 238 delegates and 227 alternates elected at the 2024 caucuses in Otter Tail County. There is a tragic history of State Party interference in the administration of the Otter Tail County Precinct Caucuses. When it becomes obvious that the State Party is interfering in the rights of a BPOU or Congressional District to function as allowed under the MNGOP Constitution, CD 1, and all CDs in the State, must engage in a process to assist the Republican Party to restore the balance of power between the state and the local party units. The following correctly describes the events in Otter Tail County:

- In 2022, these “leaders” of the Otter Tail County Executive Committee, illegally added delegates and alternates to precinct caucus lists. Later in 2022 and 2023 these “leaders” illegally suspended duly elected delegates and alternates in violation of the MNGOP Constitution and MN Statutes.
- After the assault on delegates and alternates in 2022-2023, the grassroots took the advice of Chair Hann and worked tirelessly to build a stronger network of Republicans across the BPOU. These Republicans came to caucus, ready to engage in the process as was their legal right and were met with a relentless attack by the State Party and their selected surrogates.
- On February 27, 2024, these “leaders” engaged in actions that interfered with the caucus attendees’ rights to conduct their respective precinct caucus. Despite this interference, the caucus attendees completed all business as required and completed all forms per the directions of the MNGOP administration.
- The BPOU “leaders” manipulated Caucus registration forms to include a requirement that Delegates/Alternates must support the endorsed candidate

- or risk losing their position. While this violates the MNGOP Constitution and is, in fact, a nullity, the “leaders” asserted the caucus attendees who refused to sign the form would be disallowed as delegates and alternates.
- In Perham, the caucus attendees voted 183-39 to remove the party-selected caucus location convenor and replaced him with the BPOU-trained convener who has worked for years with the grassroots of the party, is a former county BPOU chair, a former CD7 vice-chair and former state central delegate. In Fergus Falls, the caucus attendees attempted to remove the caucus location convenor, but that party-selected convenor ignored the will of the body and refused to give up the gavel.
 - In both locations, the election process began as required and the caucus attendees remained at their caucuses until the work was completed. There is no requirement for the caucus to be completed at 8pm, as was suggested by the Party Chair. The election process begins when the caucus attendees initiate nominations and includes the discussions related to those nominations and elections. Just like on election night, as long as a person is present and ready to vote by 8pm, the person is allowed to vote. The caucus attendees were present and the caucus and ready to vote by 8pm. All voting at the caucuses was legal.
 - Like in Perham, the Fergus Falls precincts followed the law, turned in their forms as instructed and trusted that party-selected convenor to fulfill his duties. That party-selected convenor dropped off a tote of documents with his father, who was the temporary Perham caucus location convener who was replaced by the attendees 183-39.
 - The BPOU secretary remained at the Perham location and assisted the Perham caucus location convenor in completing the forms as was directed by the party, after the caucuses were individually adjourned as required.
 - The MNGOP created precinct caucus forms, which are still available online through the wayback machine, that were not in compliance with MN Statute. Despite these misleading forms, the OTC precinct chairs and conveners complied with the state law.
2. On March 5, 2024, State Party Chair Hann refused to acknowledge the failure of the Party to create precinct caucus forms that were in compliance with long-standing MN state law and instead put forward a false narrative that blamed the Otter Tail County Republicans for paperwork issues created by his forms.

Republican Party of Minnesota | 2024 Precinct Caucus Record and Certificate of Election

One of these forms should be completed per precinct at the end of the night, and it should be stapled to (1) the top of the caucus registration forms, (2) the absentee delegate registration forms, and (3) the attendee sign in form for each precinct. The stapled packet should then be given to the site captain.

<p>Precinct: NAME</p> <p>Ratio: 30/60/90 Allotted Del: # Allotted Alt: #</p> <p>BPOU: NAME Caucus Location: NAME</p> <p><small>LEGEND: D/A: D=Delegate, A=Alternate, (For Ranked Alternates: A1= 1st Alternate, A2= 2nd Alternate, etc.) Pct Officer: C=Chair, V=Vice Chair, S=secretary, T=treasurer</small></p>	<p><i>During the Precinct Caucus: to be completed by Convener or Secretary</i></p> <p># of Del Elected: _____ # of Alt Elected: _____</p> <p># of Attendees _____ # of Observers _____</p> <p>Caucus convened at _____ PM</p> <p>Nominations for officers closed at _____ PM</p> <p>Nominations for Del/Alt closed at _____ PM</p> <p>Election of Del/Alt began at _____ PM</p>
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INSTRUCTIONS: Please read prior to the start of your caucus meeting and print clearly

1. Enter the assigned ratio allocated, Delegate and Alternate counts (which you should have received from your BPOU officers) in the appropriate box above. Then record the number of caucus attendees and observers and the time the caucus convened in the appropriate box above.
2. Record the times when the nominations for Precinct Officers closed, nominations for Delegates closed, and when the election of Delegates/Alternates began.
3. After the elections of Delegates/Alternates and Precinct Officers, record their election in the appropriate column on the sign-in sheet. The total number of Delegates and Alternates elected should not exceed the recorded numbers in the boxes above.
4. After the caucus, the convener or site captain should take a clear, legible photo of all your forms, including this page. It is important to have these forms saved in another location in case something happens to the original copies or there is a dispute about what happened on caucus night.

Caucus Conveners and Secretaries, please verify that all attendees are documented on the 2024 Precinct Caucus Attendee Sign In sheet and that each attendee has filled out an Official Caucus Registration Form.

***Please put all papers from your precinct back into the packet at the end of the night.

We the Caucus Location Convener and Secretary of the Precinct Caucus of the above Precinct, pursuant to legal call and notices, do hereby certify the election of the Precinct Officers, Delegates and Alternates.

Convener: _____ Secretary: _____ Date: _____

PAID FOR BY THE REPUBLICAN PARTY OF MINNESOTA. NOT AUTHORIZED BY ANY CANDIDATES OR CANDIDATE'S COMMITTEE.
www.mnngop.org

2023 Minnesota Statutes

Authenticate PDF

202A.18 CAUCUS, PROCEDURE.

Subdivision 1. **Temporary chair.** The convener shall be the temporary chair of the caucus.

Subd. 2. **Nominations; time of election of officers and delegates.** Nominations for the election of permanent officers and delegates shall remain open for at least the first quarter hour of the caucus. Election of delegates and alternates must begin within one hour of convening a caucus. Election of delegates and alternates may begin one-half hour after the convening of the caucus.

Subd. 2a. **Preference ballot for governor.** In a year when the office of governor appears on the state general election ballot, prior to the opening of nominations for the election of permanent offices and delegates, a ballot must be distributed to permit caucus participants to indicate their preference for the office of the governor. The results of preference voting must be reported to the secretary of state immediately upon conclusion of the voting, in the manner provided by the secretary of state. The secretary of state shall provide the appropriate forms to the party for reporting the results.

Subd. 3. **Secret ballot.** All voting shall be by secret ballot.

Subd. 4. **Announcement and certification of election results.** Upon completion of the counting of votes the chair shall announce the names of persons who are elected, and shall certify the names to the chair of the county or legislative district executive committee and to the chair of the state central committee.

Subd. 5. **Rules of order.** All questions concerning the manner in which a caucus is conducted or called that are not covered by statute shall be determined by Robert's Rules of Order (revised) unless otherwise specified by party rules.

History: [1975 c 5 s 9](#); [1975 c 292 s 4](#); [1986 c 444](#); [1987 c 263 s 2](#); [1999 c 250 art 1 s 84](#); [2016 c 162 s 3](#); [2023 c 62 art 4 s 28](#)

3. On 3/12/24, the State Executive Committee **voted** to establish a special committee to evaluate the Otter Tail County (OTC) situation and decide how to handle said situation.
4. The State Party Chair refused to provide the names of the members of the committee to the State Exec Board or the public and refused to disclose the process

and timeline for this committee's recommendations, knowing that the deadlines for scheduling a BPOU convention were unchangeable.

5. This committee did not include true representation of the BPOU delegates and alternates because, it appears, the intent of the Party Chair was to run out the clock so there could be no BPOU Convention.
6. On 4/2/24, the "special committee" released a recommendation that ignored the rights of the 2024 duly elected delegates and alternates of Otter Tail County.
 - o This non-binding recommendation to violate the rights of the 2024 Otter tail Delegates and Alternates was agreed upon by all "leaders" who had been chosen by Chair Hann to participate in the sham committee. This group agreed to recommendations that excluded the interests of the grassroots of the Otter Tail County.
7. **In order to protect the MNGOP from the loss of major party status as a result of the State Executive Board's and Congressional District 7's failure to call a BPOU Convention in Otter Tail County, more than 40 members of the Otter Tail County BPOU Committee joined together to issue the call for the constitutionally required BPOU convention.**
8. On 4/3/24, the Otter Tail County BPOU Committee issued the call for the BPOU Convention, as required by Article VIII Section 2 of the Party Constitution and Article IX Section 1 of the Otter Tail County Constitution. See this link for the call:
https://mcusercontent.com/98298f7215d7074ebd88b8b6d/files/986eef28-a265-936c-6681-4076013bfbee/24_04_02_OTC_Conv_Call_with_delegates_and_chairs.02.pdf
9. On 4/13/24, the Otter Tail County BPOU Convention was held per the properly issued call. There were 128 delegates and seated alternates credentialed.
 - o Wendy Phillips served as the Chair of the BPOU Convention.
 - o John Palmer served as the parliamentarian.
10. On 4/14/24, an email was sent by one of the organizers of the illegitimate Convention that read "We were honored to have Wendy Phillips, an MNGOP Executive Board Member, chair our convention...John Palmer from CD6 served as the parliamentarian and, **together with Wendy, acknowledged the**

convention's legitimacy.”

11. At the 4/18/24 State Exec. meeting, Mrs. Phillips, after being incorrectly informed that her actions were unconstitutional, stated she “would do it all over again”.

Of course she would...

Wendy Phillips is a patriot who understands that her duty is to the Republican party of Minnesota.

Mr. Severson and Mr. Peterson have done a great disservice to CD1 and to the Republican Party of Minnesota.

- Neither of these two men were present at the Otter Tail County precinct caucuses.
- Neither of these two men were present at the Otter Tail County BPOU Convention.
- Neither of these two men have the facts correct.

Additionally,

- Both of these men have defamed Mrs. Phillips.
- Both of these men have demonstrated their own misplaced loyalties.
- Both of these men have demonstrated a complete lack of understanding of MN State Law.
- Both of these men have proven to have a total lack of knowledge about the MNGOP Constitution.
- Both of these men have clearly proven that they, themselves, are unworthy of holding any position of leadership in the MNGOP.

Why both Mr. Severson and Mr. Peterson Should be Removed from Party Leadership:

1. *Nonfeasance* – Each of these gentlemen have knowingly and intentionally brought forward false charges against Mrs. Phillips and these actions were a direct act to undermine Mrs. Phillips’ efforts to serve the board which she was elected by CD 1 Republicans to sit upon. The responsibility of the CD 1 State Exec. Rep. is to represent the views of the CD 1 Central Committee on the State Exec. Committee. It is difficult to imagine the good Republicans of CD1 support

any Republican, including a Chair, who intentionally violates the MNGOP Constitution and places our major Party status in jeopardy. It is ironic, in this particular week, that the gentlemen raise the issue of respecting endorsements: **Representative Tom Emmer has personally offered support of a CD2 candidate who has lost the endorsement but is now challenging the endorsed candidate in the primary and the MNGOP is not willing to commit to supporting the CD2 endorsed candidate:** Taylor Rahm, the endorsed CD2 candidate achieved an overwhelming victory. Mrs. Phillips is committed to following the Party Constitution and Rules. She will not bend to intimidation from any member of this party, including a Chair, who violates the Constitution and rules of our grand party for his own personal gain. The position of the gentlemen, on this matter, has been made very clear- loyalty to leadership comes first.

2. **Unethical Behavior** – No body of the MNGOP has the authority to violate Minnesota law or the MNGOP Constitution or rules. When any person or body does, in fact, engage in conduct that violates the law or the party constitution or rules, Mrs. Phillips has proven she will adhere to the authority of the laws and the constitution. The gentlemen have done exactly the opposite- they have demanded that Mrs. Phillips join them in their unconstitutional acts. She will not do it and she expects other republicans to stand with her to defend the Party against this sort of unethical attacks that attempt to weaponize rules, improperly, for political gain. The State Exec. Committee voted to form a special committee, and it became clear that committee was a sham meant to undermine the legitimate goals of the Republicans in Otter Tail and across the state. Mrs. Phillips was, and continues to be, aware that her actions are being looked at under a microscope because she refused to blindly follow corrupt leaders. She welcomes the study and now puts forward the demand that the actions of her accusers be studied with the same fervor they demanded be used in the analysis of her actions.
3. **Unconstitutional Actions** - In regard to *Article IV, Section 3 of the MNGOP Constitution (above)*, Mrs. Phillips, as a BPOU Chair and member of the State Exec. Committee is aware that management of BPOU affairs are “vested in the BPOU Committee, **subject to the direction of the state and Congressional District authorities** as to matters within the scope of their respective functions.” Mrs. Phillips believes the gentlemen also know the scope of authority that

governs the party leaders: Neither the State nor CD 7 Republican Party leaders have any authority to interfere with the Otter Tail County BPOU Convention. The body of delegates and alternates, who WITHOUT QUESTION attended the precinct caucuses held by the Republican Party of Minnesota and were elected to be the delegates and alternates by the precinct caucus attendees at those precinct caucuses, have a statutory and constitutional RIGHT to represent their constituents. It is not uncommon for leaders in the Republican Party of Minnesota to assist with conventions outside their personal BPOU or CD. When there are serious questions about impartiality being raised by delegates and alternates anywhere in Minnesota, there should be an absolute willingness to address those concerns about bias through the participation of independent party leaders. Is Mr. Miller raising serious allegations of interference against Mrs. Phillips or are these statements merely empty allegations raised by desperate, political opponents? Mrs. Phillips has an absolute DUTY to put the PARTY first in the matters at hand. She has done just that, while these gentlemen have wasted time attempting to divide the good people of CD1. Shame on them and those who have encouraged this colossal waste of time.

4. *Misrepresenting the Views of CD 1 Republicans* - The consensus of Republicans across Minnesota is that each person has the right, and responsibility, to make decisions about what they believe to be right and wrong, and Mrs. Phillips believes she was elected to represent the people of CD1 because she does not hide how she discerns her duty. Mrs. Phillips took it upon herself to drive nearly 500 miles, impartially chair an important BPOU Convention, demonstrate an unwavering commitment to the principles of unity and fairness we should all support and proudly represented her CD 1 constituents while in CD 7. The Republican Party of Minnesota constitution claims that NOTHING in its constitution shall be construed to deny or abridge the rights of any voter to participate in any Party caucus, primary or convention, where that voter is entitled by law to participate. (Article II, Section 3.) Mrs. Phillips will zealously support the right of every Republican to assert their rights. The only people who seem to be confused about the right of each Otter Tail Delegate and Alternate to participate in the conventions they have been elected to attend are those people who are uninformed about the facts, willfully blind to the truth or are those who have lost the support of the people who had entrusted them with power they no longer have the right to claim.

5. **Chairing a Convention REQUIRED by the MNGOP Constitution to protect the Party from the loss of major party status** - This action speaks for itself. Mrs. Phillips knew that the 4/13/24 Convention she agreed to chair was not sanctioned by the Chair of the Party because the Chair was fully aware that the Delegates and Alternates overwhelmingly line up in opposition to the Chair. The OTC Executive Board had no constitutional authority to interfere with the right of the BPOU Committee to call the BPOU Convention. The OTC Executive Board has clearly lost the support of the people: no honest person who is asked to step aside by a vote of 183-39 will argue with the people who legally cast those votes. Mrs. Phillips knew that the BPOU had a constitutional DUTY to hold the BPOU Convention. When the BPOU Convention lawfully convened and the duly elected delegates and alternated formed QUORUM, neither the BPOU Executive Committee, the Congressional District nor the party Chair had any authority to decide it was illegitimate. Mrs. Phillips knows that this legitimate Convention elected Delegates/Alternates to the CD 7 and State Conventions, and she believes the gentlemen know this, as well. Mrs. Phillips supports Party unity and opposes infighting. It is not she who draws out these ridiculous battles. The battles being waged within our party are those being driven by people who seek to stifle the voices of the people who most valiantly defend our founding principles. Mrs. Phillips will not cower to the threats of cowards who hide behind lies. Mrs. Phillips will not hesitate to immerse herself in even the most polarizing situations in the Party when matters of right and wrong are presented. Each of us should be willing to stand on the right side of justice. The gentlemen have shown which side they choose. Mrs. Phillips prays they reconsider.

Respectfully Requested Action

We respectfully request that *Aaron Farris, Chairman of the Minnesota First Congressional District Republican Party*, add to the agenda of the 5/13/24 CD 1 Central Committee meeting under “New Business”, ***“Consideration of Removal of CD 1 Elections Vice Chairman Lukas Severson and CD 1 Deputy Chairman Nathan Peterson for Nonfeasance, Unethical Behavior, Unconstitutional Actions and Misrepresentation.”***

If Chairman Farris declines the request to add this item to the agenda, we would ask that the effort to remove Mrs. Phillips be stayed until these matters can be heard

together.

Article IV, Section 2, Subsection A of the CD 1 Constitution states “**The Chair shall have the authority to investigate the malfeasance or nonfeasance of any First District Officer and shall take such actions as are necessary** to see that the important, essential and legally required duties of any Officer are faithfully discharged until a properly convened Executive Committee or Central Committee meeting considers the situation and potential removal of said Officer.”

Pursuant to *Article XVI, Section 2 of the MNGOP Constitution*, we have sent this report to CD 1 Elections Vice Chairman Lukas Severson and CD 1 Deputy Chairman Nathan Peterson with **more than the ten (10) days required notice** for such a removal.

Conclusion

The question at hand is if we care about ethics, professionalism, our CD 1 and State Constitutions, and our cooperation with partners across the state that multiple CD 1 leaders have spent over a decade building, how can such brazen misrepresentations, made by the gentlemen in question, be tolerated?

Mrs. Phillips’ actions have been and continue to be ethical, professional, and 100% in line with the duties of the office she was elected to hold.

This is a problem waiting to become a bigger problem, and it’s escalating at an alarming rate.

The problem is the unfettered conduct of those within our Party who ignore the beliefs of our founders, the truths enshrined in our foundational documents and the duties we have to protect our state from the tyrannical overreach of corrupt leaders. We believe that Mrs. Phillips has used her position to attempt to thwart the malfeasance of others and has shown true leadership in those efforts. The gentlemen who attack her are protecting the careers of others who no longer deserve our support.

Quite frankly, we believe enough is enough.

It is time for the CD 1 Central Committee take appropriate action and defend the actions of Mrs. Phillips while denouncing the short-sighted attacks by the gentlemen.

Remove these two men now so the rest of us can get to work, assisting Mrs. Phillips in her efforts to clean up the messes made by those who seek to distract us from the serious work ahead of us. Too much is at stake this year to let these actions and behaviors continue.