

REDACTED

From: Schetnan, Judd <judd.schetnan@metc.state.mn.us>

Sent: Wednesday, October 25, 2023 10:57 AM

To: Jon Koznick <Rep.Jon.Koznick@house.mn.gov>

Subject: Re: From Patrick M on Orfield Met c task force

Seems like good counsel.

From: Jon Koznick <Rep.Jon.Koznick@house.mn.gov>

Sent: Wednesday, October 25, 2023 10:50 AM

To: Schetnan, Judd <judd.schetnan@metc.state.mn.us>; Sen. Eric Pratt <ericp@senate.mn>; Joe Marble <Joe.Marble@house.mn.gov>; Ryan Wiskerchen <ryan.wiskerchen@house.mn.gov>

Subject: From Patrick M on Orfield Met c task force

Jon Koznick
State Representative
Dakota and Scott Co

From: Patrick McCormack <patrick.mccormack@house.mn.gov>

Date: Wednesday, October 25, 2023 at 10:21 AM

To: Jon Koznick <Rep.Jon.Koznick@house.mn.gov>

Cc: Ginny Klevorn <rep.Ginny.Klevorn@house.mn.gov>

Subject: RE: Met c task force

The short answer is probably no.

There is clearly an interest – the lawsuit creates an interest on behalf of the task force member. But most members have an interest or pre-existing policy position. A conflict of interest is defined (in statute) and shorthand, means the two roles conflict and one confounds or prevents the good faith performance of the duties of the other.

The member might consider disclosure when the lawsuit interacts with testimony. The other members, if they perceive that the task force is being used to help the lawsuit, could protest. A Chair could rule out of order questions that seem to bring the lawsuit into the meeting (which has a different purpose). The perception issue clearly exists. But one goal of a task force like this is to get multiple points of view, and suing the Met Council does not ipso facto disqualify a member of the

METC000048

task force.

Finally, if I were advising the Met Council, I might suggest that they be aware and that they are free to refuse questions that seem to involve the lawsuit. (As you know, we are in the middle of a lawsuit on that question, and therefore I am not going to answer questions here that should be asked in court with counsel present.)

From: Jon Koznick <Rep.Jon.Koznick@house.mn.gov>
Sent: Wednesday, October 25, 2023 10:13 AM
To: Patrick McCormack <patrick.mccormack@house.mn.gov>
Cc: Ginny Klevorn <rep.Ginny.Klevorn@house.mn.gov>
Subject: Met c task force

Mr. McCormack,

If a task force member is a part of a lawsuit against the met C is there a conflict of interest or other legal considerations that prohibit their participation to the taskforce?

See attached memo from Met C.

Thank you for your input.

Jon Koznick
State Representative
Dakota and Scott Co