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North Dakota Racing Commission Special Meeting
Teams Meeting
701-328-0950, meeting ID: 248 916 834#
Saturday, February 11, 2023 – 11:00 am (Central Time)

Minutes

Call to Order: Chairman John Hanson called the meeting to order at 11:03 a.m.

Present: Administrative Officer Gail Allensworth

On the Phone: Chairman John Hanson, Commissioner Jessica Benson, Commissioner Michael Nason, Commissioner Tracy Hanson, Commissioner Richard LaFromboise, Legal Counsel Josh Amundson, and HRMS Rep. Lynn Burgard

Others on the Phone: Bruce Johnson, Shadd Piehl, and Simon Tonge

AGENDA

1. **Report on Interviews and Chairman's Recommendation**

2. **Chairman's Recusal**

3. **Possible Next Steps in the Selection Process**
   a. Commissioners interview all candidates
   b. Commissioners interview some of the candidates
   c. Select one of the interviewed candidates
   d. Select none of the candidates and start a new hiring process

4. **Proceed with Interviews as Determined by Process**

5. **Follow-up Discussion**

6. **No other business to come before the Commission**

7. **Adjournment**

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1. Report on Interviews and Chairman's Recommendation

Chairman Hanson reported on the interviews of the applicants for the Executive Director position to the other Commissioners. Four applicants were interviewed, and it was decided that three of the four applicants were the most qualified for the position. Chairman Hanson stated that his recommendation in order of preference would be Bruce Johnson, Simon Tonge, and Shadd Piehl.

2. Chairman's Recusal

Chairman Hanson stated that he spoke with HR and it was suggested that since he has a personal relationship with Shadd Piehl and in fact, recruited him for the position, that he should possibly recuse himself. Chairman Hanson said that he discussed this with Legal Counsel Josh Amundson.

Legal Counsel Amundson stated that he reviewed the conflict of interest under the ND Ethics Commission rule 115-04-01, under the Administrative Code and read the information to the other Commissioners.

The Commissioners discussed the matter.

A motion was made by Commissioner Nason and seconded by Commissioner Hanson that Chairman Hanson not recuse himself. Nason – Y, T. Hanson – Y, and Benson – Y. Motion passed.

3. Possible Next Steps in the Selection Process

a. Commissioners interview all candidates
b. Commissioners interview some of the candidates
c. Select one of the interviewed candidates
d. Select none of the candidates and start a new hiring process

Chairman Hanson led the discussion on the possible next steps in the selection process.

A motion was made by Commissioner Hanson and seconded by Commissioner Nason to interview all three applicants. T. Hanson – Y, Nason – Y, J. Hanson – Y, and Benson – Y. Motion passed.

4. Proceed with Interviews as Determined by Process

The Commissioner interviewed the applicants in this order: Bruce Johnson, Shadd Piehl, and Simon Tonge.

Commissioner LaFromboise joined the meeting at 11:36 am.

5. Follow-up Discussion

Chairman Hanson asked for advice on the steps for the Commission from HRMS Rep. Lynn Burgard.

HRMS Rep. Lynn Burgard stated the next steps in the process.
The Commissioners fill out their score sheets and then discuss to determine who is the top candidate.
Reference checks need to be completed on the top candidate.
If the reference checks are positive, then a verbal offer is made to the top candidate.
If the candidate accepts the offer, then a written offer with the condition that a successful background check must be completed before the candidate can start work.

A short break was taken for the Commissioners to fill out their score sheets.

Each Commissioner provided how they ranked the applicants. There was discussion among the Commissioners regarding the applicants.

Chairman Hanson had specific questions regarding the ability for Simon Tonge being able to work in the US. HRMS Rep. Burgard stated that Simon Tonge would need to be asked if he needs a sponsorship and if yes, to notify him that North Dakota does not offer sponsorships. Legal Counsel Amundson stated that it could be part of the job offer.

Legal Counsel Amundson provided options for next steps in the process: 1) tally the score sheets and select the highest scoring candidate, or 2) make a motion for a candidate.

A motion was made by Commissioner Hanson and seconded by Commissioner Nason to offer the Executive Director position to Simon Tonge. T. Hanson – Y, Nason – Y, J. Hanson – Y, Benson – Y, and LaFromboise – abstained. Motion passed.

An amendment to the current motion was made by Commissioner LaFromboise to appoint Shadd Piehl if Simon Tonge does not meet the qualifications. There was not a second. Motion failed.

There was discussion among the Commissioners regarding the salary to offer Simon Tonge.

A motion was made by Commissioner Hanson and seconded by Commissioner Benson to offer the maximum of $85,000, to Simon Tonge. T. Hanson – Y, Benson -Y, J. Hanson – Y, and Nason -Y. No response from Commissioner LaFromboise. Motion passed.

The Commissioners decided that HRMS Rep. Lynn Burgard would work with Administrative Officer Gail Allensworth regarding offering the job to Simon Tonge.

6. No other business to come before the Commission

7. Adjournment

A motion was made by Commissioner Nason and seconded by Commissioner Hanson to adjourn the meeting. All voted aye and hearing no negative vote the motion passed.

Meeting was adjourned at 3:39 pm.