

Yellow Medicine County Board  
Resolution for Ordinance establishing an  
Economic Screening Committee

The County Board finds that farm commodity prices are below the break-even point for the cost of production; that the number of loans currently in default due to the low commodity prices has reached critical levels; and that by reason of these conditions and the high rates of interest on loans, many of the citizens of this county will be unable for extended periods of time, to meet payments of taxes, interest, and principal of loans on their properties and are, therefore, threatened with loss of their real and personal property through mortgage foreclosure, contract termination, judicial sales, and secured property remedies. These mortgage foreclosures, contract terminations, judicial sales and secured property remedies threaten the foundation of the rural economy of the county. The County Board further finds that these conditions have resulted in an emergency of a nature that justifies and validates an ordinance for the creation of an economic screening committee to review the propriety of foreclosures, contract terminations, judicial sales and secured property remedies and to provide for the extension of time prior to foreclosures, contract terminations, judicial sales and secured property remedies and for other relief.

The economic screening committee shall consist of at least 9 members, who shall be representative of farmers, businesses, credit institutions (2), farm advocacy groups (2), certified public accounting, lawyers and lay citizens.

The members of this screening committee shall be appointed by the Board of County Commissioners and shall serve for terms of two years from and after the date of their appointment and shall remain in office until their successors are duly appointed. The committee may elect its own officers.

The screening committee shall formulate a comprehensive plan for the development, implementation, and operation of its program and shall make a formal recommendation to the county board at least annually concerning the comprehensive plan and its implementation during the ensuing year.

All votes taken of members of the committee shall be recorded and shall become matters of public record.

The committee shall promulgate and implement rules concerning attendance of members at committee meetings.

The committee shall operate on a voluntary, no cost basis.

After serving notice of a mortgage foreclosure, contract termination, execution sale or secured property remedy, the mortgagor, the mortgagee, contract vendor, contract vendee, judgment creditor, judgment debtor, secured party or debtor may apply to the screening committee for conduct of an investigation which shall include:

- 1) A personal interview with the mortgagor, contract vendee, judgment debtor or debtor, and other individuals who appear to have knowledge of the financial condition of the mortgagor, contract vendee, or judgment debtor;

2) Identification and investigation of specific alleged conduct which is the basis for the foreclosure, contract termination, judicial sale or secured property remedy; and

3) Identification, exploration, and listing of the reasons for rejecting or recommending alternatives to foreclosure, contract termination, judicial sale or secured property remedy.

In conducting the investigation the screening committee shall have access to all relevant financial records of the mortgagor, contract vendee, judgment debtor or debtor. Data collected pursuant to this clause shall be considered private data on individuals and meetings of the screening committee shall not be open to the public so as to protect individual privacy.

When the screening committee recommends foreclosure, contract termination, execution sale or secured property remedy it shall provide a written report to all interested parties and the foreclosure, contract termination, execution sale or secured property remedy shall proceed in accordance with law.

The screening committee shall refuse to support a foreclosure, contract termination, execution sale or secured property remedy if the investigation does not disclose economic evidence from a county wide perspective sufficient to support a foreclosure, contract termination, execution sale or secured property remedy. Upon such refusal the foreclosure, contract termination, judicial sale or secured property remedy shall ~~be barred~~; the screening committee shall at the same time provide a written report thereof to all interested parties which shall include specific alternatives with a timetable for compliance. If said timetable is not met by the mortgagor, contract vendee, judgment debtor or debtor the foreclosure, contract termination, execution sale or secured property remedy shall proceed in accordance with law.

The screening committee shall make its determination within thirty days after receipt of the application for investigation.

*not be supported*

NOTICE OF INTENTION TO ENACT ORDINANCE

Notice is hereby given pursuant to the provisions of Minnesota Statute 375.51, Subd. 2, that it is the intention of the Board of Commissioners of Yellow Medicine County, Minnesota, to enact an ordinance, the subject matter and general purpose of which is that the County Board finds that farm commodity prices are below the break-even point for the cost of production; that the number of loans currently in default due to the low commodity prices has reached critical levels; and that by reason of these conditions and the high rates of interest on loans, many of the citizens of this county will be unable for extended periods of time to meet payments of taxes, interest, and principal of loans on their properties and are, therefore, threatened with loss of their real and personal property through mortgage foreclosure, contract termination, judicial sales, and secured property remedies. These mortgage foreclosures, contract terminations, judicial sales and secured property remedies threaten the foundation of the rural economy of the county. The County Board further finds that these conditions have resulted in an emergency of a nature that justifies and validates an ordinance for the creation of an economic screening committee to review the propriety of foreclosures, contract terminations, judicial sales and secured property remedies and to provide for the extension of time prior to foreclosures, contract terminations, judicial sales and secured property remedies and for other relief.

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The screening committee shall formulate a comprehensive plan for the development, implementation, and operation of its program and shall make a formal recommendation to the county board at least annually concerning the comprehensive plan and its implementation during the ensuing year.

All votes taken of members of the committee shall be recorded and shall become matters of public record.

The committee shall promulgate and implement rules concerning attendance of members at committee meetings.

The committee shall operate on a voluntary, no cost basis.

After serving notice of a mortgage foreclosure, contract termination, execution sale or secured property remedy, the mortgagor, the mortgagee, contract vendor, contract vendee, judgement creditor, judgment debtor, secured party or debtor may apply to the screening committee for conduct of an investigation which shall include:

- 1) A personal interview with the mortgagor, contract vendee, judgment debtor or debtor, and other individuals who appear to have knowledge of the financial condition of the mortgagor, contract vendee, or judgment debtor;
- 2) Identification and investigation of specific alleged conduct which is the basis for the foreclosure, contract termination, judicial sale or secured property remedy; and
- 3) Identification, exploration, and listing of the reasons for rejecting or recommending alternatives to foreclosure, contract termination, judicial sale or secured property remedy.

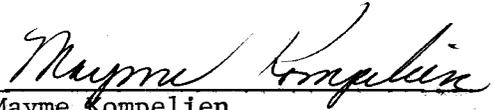
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The screening committee shall make its determination within thirty days after receipt of the applicaiton for investigation.

Notice is further given that this matter will be considered by the Board of Commissioners at a meeting to be held Thursday, October 24, 1985, at 2:00 P.M. in the Commissioners Room in the Yellow Medicine County Courthouse in the City of Granite Falls, Minnesota.

  
Mayme Kompelien  
Yellow Medicine County Auditor