

Petition Type Petition to Correct Error or Omission 204B.44

Name Gary M. Meidlinger

Address 10 East Washington Street

Telephone 507-420-7906

Date Petition Filed 10/13/14

Number of Pages Two (2) Pages

Signature Chris L. Collins 10/13/14

Chris Collins, Municipal Clerk
City of Le Center

Gary M. Meidlinger, City of Le Center Councilmember, an individual and registered voter;

COPY

Petitioner,

vs.

Dennis Woelfel, current City of Le Center Councilmember, an individual,
Chris Collins, in his official capacity as City Administrator for City of Le Center,
Pam Simonette, in her official capacity as Le Sueur County Auditor/Treasurer,
Carol Blaschko, in her official capacity as Le Sueur County Election Administrator,
Mark Ritchie, in his official capacity as Secretary of State of the State of Minnesota, and
Lori Swanson, in her official capacity as Attorney General of the State of Minnesota.

Respondents.

**PETITION TO CORRECT ERROR OR OMISSION
UNDER MINNESOTA STATUTE§ 204B.44**

The Petitioner, Gary M. Meidlinger, an individual, registered voter, and City of Le Center Councilmember, for his Petition seek relief under Minnesota Statute § 204B .44 (Errors or Omissions) against the Respondents, Dennis Woelfel, current City of Le Center Councilmember, an individual, Chris Collins, in his official capacity as City Administrator for City of Le Center, Pam Simonette, in her official capacity as Le Sueur County Auditor/Treasurer, Carol Blaschko, in her official capacity as Le Sueur County Election Administrator, Mark Ritchie, in his official capacity as Secretary of State of the State of Minnesota, and Lori Swanson, in her official capacity as Attorney General of the State of Minnesota, hereby allege and state the following:

INTRODUCTION

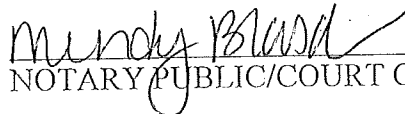
1. Upon information and belief, councilmember Dennis Woelfel has not been a resident of the City of Le Center and is not presently a resident of the City of Le Center.
2. Pursuant to Minnesota Statute§ 200.031, candidate Dennis Woelfel has not proved residency creating doubt within the voters of the community.
3. Petitioner states and alleges that Dennis Woelfel actually lives year round in a home located in Elysian Township, not his property located within the city limits, and is therefore, not eligible to run for public office in the City of Le Center.
4. Petitioner states and alleges that Dennis Woelfel has not moved into his claimed residence as of filing of this petition.
5. As recent as the September 2014 city council meeting, City Administrator Chris Collins and in an earlier separate phone conversation Elections Administrator Carol Blachsko both stated that Dennis “has until thirty (30) days prior to the general election to move in” all while currently serving on city council for the previous two years.
6. Pursuant to Minnesota Statute§ 204B.19 Subsection 2(2), Carol Blachsko is sibling to candidate Dennis Woelfel and therefore, is not qualified to be an election administrator for the upcoming November 2014 election.
7. Minnesota law requires that elected officials live within the district to which they are elected.
8. The Petitioner seeks this Court to determine that the City of Le Center has committed errors or

omissions under Minnesota Statute§ 204B.44 in proposing to the Attorney General that: (1) candidate Dennis Woelfel be removed from the ballot, and (2) he may not be allowed to run for public office in the City of Le Center until residency is established a minimum of thirty (30) days prior to the general election and maintained pursuant to the Minnesota Secretary of State Affidavit of Candidacy, and (3) if for any reason Dennis Woelfel remains on the ballot pursuant to Minnesota Statute§ 204B.19 Subsection 2(2), Carol Blachsko will be ineligible to serve as Election Administrator for the November 2014 election.

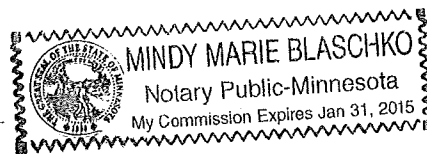
Dated: 10/13/14

By: 
Gary M. Meidlinger
10 East Washington St
Le Center, Minnesota 56057
(507) 420-7906

SUBSCRIBED AND SWORN TO BEFORE ME
THIS 13 DAY OF October, 2014


NOTARY PUBLIC/COURT CLERK

MY COMMISSION EXPIRES _____





Office of the Minnesota Secretary of State

8205.1040 FILING PETITIONS.

Subpart 1. **Applicability.** This part applies to any petition required for any election or recall in this state.

Subp. 2. **Definition of filing officer.** As used in this part and part 8205.1050, "filing officer" means: A. in the case of a petition for a county office or county question, the county auditor; B. in the case of a petition for a federal office, the secretary of state; C. in the case of a state office, the filing officer who receives the affidavit for filing under Minnesota Statutes, section 204B.09, subdivision 1, paragraph (d); D. in the case of a petition for a municipal office or municipal question, the municipal clerk; E. in the case of a petition for a school district office or school district question, the school district clerk; F. in the case of a petition for a special district office or special district question, the special district clerk; G. in the case of a recall petitioner a proposed recall petition filed under Minnesota Statutes, chapter 211C, the secretary of state; H. in the case of a removal petition filed under Minnesota Statutes, section 351.16, the county auditor; or I. in the case of a recall petition or a proposed recall petition filed pursuant to the municipal charter or ordinance the municipal clerk.

Subp. 3. **Filing procedures.** The person filing the petition must submit the entire petition at one time to the filing officer. The petitioners may submit the petition by mail, messenger, or similar delivery service. Filing of a petition is effective upon receipt by the filing officer. Petition pages must not be altered by anyone except the filing officer for verification purposes after the petition has been filed.

Subp. 4. **Receipt.** The filing officer must provide the person filing the petition with a receipt for the petition. The receipt must include the type of petition filed; the name, address, and telephone number of the person submitting the petition; the date on which the petition was filed; and the total number of pages in the petition submitted.

STAT AUTH: MS s 204B.071; 211C.03; 211C.04; 211C.06 HIST: 25 SR 616



CITY OF LE CENTER

Heart of Le Sueur County

10 West Tyrone St. • Le Center, MN 56057 • 507-357-4450

October 15, 2014

Attn: Gary M. Meidlinger
10 East Washington Street
Le Center, MN 56057

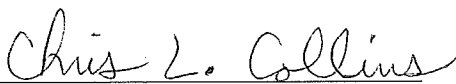
Dear Mr. Meidlinger-

Please be advised that we acknowledge that we have received and reviewed your petition titled "Petition To Correct Error Or Omission Under Minnesota Statutes 204B.44."

This does appear to be a valid petition. However, it does not appear to have been filed yet in district court @ Le Sueur County. A check of the Clerk of Court office this day (Wed.) has shown they have no knowledge of this petition having been filed there yet.

Of course you may intend to file this petition in the near future as is your right; and we wish to inform you that we can do nothing towards this petition until we are instructed by the district court. This has been confirmed to me by the Minnesota Secretary of State's Office. (Gary Posser 651-556-0612)

Please let me know if there is something here you do not agree with. Thank You for your time in this matter. Sincerely-



Christopher L. Collins, Administrator

City of Le Center MN