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County

RECORD

Official
Legal Newspaper of
ANOKA COUNTY
CITY OF HAM LAKE
CITY OF OAK GROVE



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Trump / Pence Remains On November Ballot

Supreme Court Finds DFL Request To Remove Untimely

Presidential candidate Donald Trump and his vice-presidential running mate, Indiana Governor Mike Pence, will be on the ballot after the Minnesota Supreme Court dismissed a challenge by Minnesota Democrat-Farmer-Labor (DFL) State Party Chair Ken Martin.

Mr. Martin, claimed, in a petition filed with the Court on September 8, 2016, that Trump and Pence should be removed from the November ballot. He alleged that the Republican Party of Minnesota (RPM) failed to precisely follow an election law amended by the legislature on May 22, 2015.

The law in question concerns how presidential “electors” are selected. Under the Constitution of the United States, voters do not directly elect the President and Vice President. Instead, a voter is casting a vote for a slate of electors that are approved by each state political party.

The political party which wins the state in November, has their slate of electors cast the actual ballots for President and Vice President. In Minnesota, we have ten votes based upon our representation in Congress. This election occurs at the State Capitol in Saint Paul, typically in December.

For many years, it has been a requirement that all major party presidential electors be selected by delegate conventions. In 2015, the law was amended to require that alternates, or substitutes, now be nominated by delegate conventions. Previously, alternates were selected the day the electors cast their ballots at the Capitol if one did not show up by 9:00 am.

In 2016, all RPM electors were selected at delegate conventions held in May. Alternates on the other hand were not selected, because the RPM State Party Constitution does not allow for this, instead granting this authority to the RPM State Executive Committee. This committee selected alternates in August, prior to the state filing deadline.

The crux of Mr. Martin’s request was that the RPM alternates were selected in violation of Minnesota law and therefore Trump and Pence must be removed from the ballot.

In their order dated September 12, 2016, the Minnesota Supreme Court set aside the technicalities of how alternates were selected. Instead, they focused

Voter Disenfranchisement *cont. on page 2*

Open House

East Bethel Fire Department
Thursday, October 6th
5pm-7:30pm
Station #1
2751 Viking Blvd NE

Refreshments will be served
Come see & explore the fire station!
Learn what it takes to be a firefighter!
Demonstrations & activities for everyone!
Learn how to join the youth fire exploring program!

Attention Candidates!

The Anoka County Record will publish your candidate statement at no charge on a space-available basis. E-mail it along with a photo to editor@AnokaCountyRecord.com.

This public service is being offered to any candidate who will appear on an election ballot anywhere in Anoka County. Candidate statements should be written in the first person.

Reporters at IPAD forum offer tips on obtaining public data

Two reporters and a public information advocate made up a recent panel discussion about their experiences in making public information requests of government.

The forum was open to the public and sponsored by IPAD (Information Policy and Analysis Division), an arm of the state’s Department of Administration and was held at a St. Paul library.

Observations from the Field
Bryan Olson



Tom Scheck, a reporter for Minnesota Public Radio, Mara Gottfried of the St. Paul *Pioneer Press* and Matt Ehling of Public Record Media LLC offered tips as how to go about placing public data requests. The information presented was of more benefit to the public more than government, however only one or two citizens attended; about two dozen others were government employees.

One woman in the audience said she works for a state agency but wouldn’t identify it. She said the office is short-staffed and they do their best fulfilling public data requests, but the work can be overwhelming.

Not knowing which agency of state government this is, it’s difficult to comment. The forum’s discussion gave the impression that on the state level there are many requests made to the Department of Natural Resources (DNR), Department of Transportation (MnDOT), law enforcement and the Metropolitan Council, to name a few.

(The *Record* would contend that some data requests could be nipped in the bud by government employees by posting many documents on the web. Frequently we request pages omitted from meeting packets that should have been included in the online documentation.)

Scheck, of MPR used the 35W bridge collapse of 2007 as an example of his making data requests that were too broad. In some respects, how the information is kept and organized dictates how requests can be made and fulfilled. He said that in this case he was making requests of state government in a broad sense until he was able to ascertain which



Matt Ehling speaking at the IPAD forum in Saint Paul. Ehling is a political documentary film maker in Minnesota. He founded Public Record Media LLC and is a recipient of the John R. Finnegan Freedom of Information Award from the Minnesota Coalition on Government Information.



Tom Scheck speaking at IPAD forum in Saint Paul. Scheck is an investigative reporter for American Public Media and Minnesota Public Radio

PRSR STD
ECRWSS
U.S. POSTAGE
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EDDM RETAIL

Local
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Voter Disenfranchisement

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on the issue of the timing of Mr. Martin's complaint to the Court. The legal term for this is called laches.

The Court noted that Secretary of State Simon informed them that early voting started September 23, 2016. It was also stated that, "ballot printing began on August 30, 2016 and at least 1,000,000 general election ballots have already been printed." Ballot printing is a taxpayer expense.

Mr. Martin argued that the timing of his request should be considered by the Court, based upon when he made his discovery. He informed the Court that he became aware of the situation on August 25, 2016, three months after the RPM failed to select these alternates at delegate conventions. He then stated that he needed two weeks to investigate the issue, which is why he did not file a request with the Court until September 8, 2016.

The question for the Court was whether Mr. Martin was diligent in asserting his claim in a timely fashion, and then balancing this with the harm that could be caused to voters by removing Trump and Pence from the ballot.

In dismissing Mr. Martin's claim, the Court cited several factors. First, they noted opinions in 2012, 2010, 2008, and 1952 where the Court dismissed election complaints for timeliness. Second, they also noted that Secretary of State Simon accepted the filing papers from the RPM. Third, they cited timeliness, noting that, "early voting for the November general election, by mail and in-person, begins in just 11 days."

The Court also addressed the issue of voter disenfranchisement. They stated that Mr. Martin, "... seeks a change in the candidacy designation that the Secretary of State has already certified (and) cannot lose sight of the fact that every day of delay increases the potential prejudicial impact on election processes and the electorate's right to vote." *ACR*

Full text of the Court's order below:

STATE OF MINNESOTA
IN SUPREME COURT
A16-1436

Ken Martin,
Petitioner,

vs.

Steve Simon, Minnesota Secretary of State,
Respondent.

ORDER

"At least 71 days before the general election day," a major political party must certify to the Secretary of State "the names of the persons nominated as presidential electors, the names of persons nominated as alternate presidential electors, and the names of the party candidates for president and vice president." Minn. Stat. § 208.03 (Supp. 2015). After separately certifying the nomination of Donald J. Trump and Michael R. Pence as the candidates for president and vice-president, respectively, on August 25, 2016, the chair of the Republican Party of Minnesota (RPM) filed a Certificate of Nomination: Presidential Electors with the Secretary of State that listed RPM's presidential electors and the alternate electors that were "duly nominated and elected." The period to certify electors and candidates closed on August 29, 2016.

On September 8, 2016, petitioner Ken Martin filed a petition under Minn. Stat. § 204B.44 (Supp. 2015), requesting an order from this court that directs respondent Steve Simon to remove the names of Donald J. Trump and Michael R. Pence from the ballot

for the November 8, 2016, general election as the Republican Party of Minnesota's candidates for the offices of President and Vice President of the United States. Martin alleges that the RPM failed to comply with the clause in section 208.03 that requires a party's alternate presidential electors to "be nominated by delegate conventions called and held under the supervision of the ... state central committee[.]" Minn. Stat. § 208.03, and, therefore, the presidential and vice-presidential candidates to be voted for by RPM's electors cannot be on the ballot. See Minn. Stat. § 204D.02, subd. 1 (2014) ("Presidential electors shall be chosen at the state general election").

In an order filed September 9, 2016, the court deemed the RPM to be a party, permitted the RPM to file a response to the petition, and ordered the parties to address the issue of laches. Petitioner Martin argues that laches should not apply because he was not aware of the RPM's failure to comply with the statute until August 25, 2016, at the earliest, and he could not file his petition until he conducted an adequate factual and legal investigation. The RPM contends the petition must be dismissed because petitioner "delayed for months."

The Secretary of State has notified the court that a decision is necessary by September 12, 2016, in order to ensure proper and timely printing of ballots in advance of the first date for early voting, which this year is September 23, 2016. See Minn. Stat. § 203B.081 (Supp. 2016) (permitting early voting beginning 46 days before the election). The Secretary of State also reports that ballot printing began on August 30, 2016, and at least 1,000,000 general election ballots have already been printed.

Laches is an equitable doctrine applied to "prevent one who has not been diligent in asserting a known right from recovering at the expense of one who has been prejudiced by the delay." *Winters v. Kiffmeyer*, 650 N.W.2d 167, 169 (Minn. 2002) (internal quotation marks omitted). This doctrine has particular application in the context of petitions filed under Minn. Stat. § 204B.44. *Piepho v. Bruns*, 652 N.W.2d 40, 43 (Minn. 2002) (stating the doctrine has "particular application in challenges to ballot preparation and election proceedings"). We have "repeatedly stressed the need for diligence and expeditious action by parties bringing ballot challenges" because the "very nature of matters implicating election laws and proceedings routinely requires expeditious consideration and disposition by courts facing considerable time constraints imposed by the ballot preparation and distribution process." *Clark v. Reddick*, 791 N.W.2d 292, 295 (Minn. 2010) (citation omitted). Thus, we have explained "that litigation involving ballot challenges necessitates close attention to matters of timing" and we have urged parties to pay "particular attention" to matters of "diligence and timeliness" in bringing ballot challenges. *Jd.*; see also *Martin v. Dicklich*, 823 N.W.2d 336, 342 (Minn. 2012) (stating that petitioners "must judge carefully whether they can afford to wait even a few days before acting on a known right" because the orderly administration of elections and voter certainty "cannot wait for convenience").

We will therefore consider whether a "reasonable valid excuse" is provided to demonstrate that the petitioner could not have acted more expeditiously. *Marsh v. Holm*, 238 Minn. 25, 28-29, 55 N.W.2d 302, 304 (1952). If an unreasonable delay is found, we will also consider whether prejudice results from the delay. See *Desnick v. Mast*, 311 Minn. 356, 365, 249 N.W.2d 878, 883-84 (1976) ("An essential element of laches, however, is that the party asserting it be prejudiced by the delay."). "[T]he practical question in each case is whether there has been such an unreasonable delay in asserting a known right, resulting in prejudice to others, as would make it inequitable to grant the relief prayed for." *Winters*, 650 N.W.2d at 170 (internal quotation marks omitted).

Applying these factors, we have declined to hear election challenges on grounds of laches. See *Larkey v. Ritchie*, No. A12-1064, Order at 2-3 (Minn. filed June 28, 2012) (declining to hear a petition to strike a candidate from the primary ballot who allegedly did not live in the district when the affidavit of candidacy showing non-residency was publicly available 20

days before the petition was filed and ballots had to be made available 3 days after the petition was filed); *Clark*, 791 N. W.2d at 294-96 (declining to hear a challenge to strike a candidate's name from the ballot when the petitioner waited more than 2 months to file the petition, which was 15 days before absentee ballots were to be made available to voters); *Clark v. Pawlenty*, 755 N.W.2d 293, 303 (Minn. 2008) (declining to hear a challenge filed less than 4 weeks before the primary that sought to strike a candidate's name or remove the incumbent designation from a primary ballot); *Marsh*, 238 Minn. at 28-29, 55 N.W.2d at 304 (declining to consider the merits of a challenge to a candidate's name as it appeared on the general election ballot, where the candidate used same name on the primary election ballot).

Relying on August 25 as the date from which any delay should be measured, see *Martin*, 823 N.W.2d at 341 (measuring delay from the date that petitioners were aware a known right could be asserted), *Martin* explains that only 9 business days (2 calendar weeks) elapsed between August 25 and the filing of his petition on September 8.¹ Further, he explains that time was needed to investigate his claim, which presents, as he notes, issues of national significance. We agree that a reasonable investigation of the factual and legal basis for the claim to be asserted is required. See Minn. R. Civ. P. 11.02 (requiring a party to certify "after an inquiry reasonable under the circumstances" that a claim has legal and evidentiary support). But the petitioner that seeks a change in a candidacy designation that the Secretary of State has already certified cannot lose sight of the fact that every day of delay increases the potential prejudicial impact on election processes and the electorate's right to vote. See *Clark*, 791 N.W.2d at 295 ("Our longstanding concern for diligence and timeliness in the initiation of ballot challenges warrants particular attention by those who bring such actions.").

Martin argues that the initiation of a ballot challenge cannot be taken lightly given the fundamental issues presented. He also notes that ballots can be reprinted if necessary. But the issues presented by *Martin's* petition also demand a fair process.² Here, the other parties and the court have had less time to address the issues than *Martin* had to research and investigate his claim. More importantly, ballot printing has already begun, 1,000,000 or more ballots have been printed, and recent statutory changes giving Minnesotans the right to vote early compress the timelines even further. For example, early voting for the November general election, by mail and in-person, begins in just 11 days. See Minn. Stat. 203B.081. Under these circumstances, we cannot agree with *Martin* that a 2-week delay was reasonable or that the prejudice that would result from that delay going forward is minimal. We therefore conclude that the petition must be dismissed.

Based upon all the files, records, and proceedings herein,

IT IS HEREBY ORDERED that the petition of Ken Martin brought under Minn. Stat. § 204B.44 to strike the names of Donald J. Trump and Michael Pence from the November 2016 general election ballot be, and the same is, dismissed.

Dated: September 12, 2016

BY THE COURT:

Lorie S. Gildea
Chief Justice

STRAS, J., took no part in the consideration or decision of this matter.

¹ We could also measure the delay beginning with August 29, 2016, the last date for major political parties to certify candidates and electors to the Secretary of State, see Minn. Stat. § 208.03. *Martin* does not rely on this date, however, and we cannot conclude that the result would be any different even if he had the benefit of these few extra days.

² As *Martin* also acknowledges, the provisions in section 208.03 regarding alternate electors are "of recent vintage," see Act of May 22, 2015, ch. 70, art. 2, § 3, 2015 Minn. Laws 822, 853, and thus have not been subject to "prior judicial interpretation."



ANOKA COUNTY WATCHDOG

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Always on the lookout for governmental waste, fraud, and abuse in Anoka County

September 9th, 2016

Quote of the Week: "Donald J. Trump on Wednesday called for a vast expansion of the military, including 90,000 new soldiers for the Army and nearly 75 new ships for the Navy, requiring up to \$90 billion a year in additional spending."

Associated Press (9/7/16)

Factoid of the Week: The United States currently spends more than \$600 billion a year on the military, more than the next seven countries combined.

TRUMP AS COMMANDER-IN-CHIEF

Donald Trump launched a foray into the military affairs realm this week by proposing a massive expansion of the military, requiring up to \$90 a year in additional spending to cover the cost.

With national defense often cited by voters as an important issue this election, both Trump and Clinton have been racing to establish their bona fides as military leader, which is difficult for both since neither served and have little to offer in establishing their experience to serve as Commander-in-Chief.

Trump has apparently settled on a "more is better" strategy, hoping voters see his call for quantitative military expansion as evidence of competence.

This approach raises three important issues.

First, how does he propose to pay for the expansion? Thus far, the answer has been in the form of vague platitudes about reducing "wasteful spending," expanding energy production, and collecting unpaid taxes.

Good luck with that. That's about as realistic as the candidate who proclaims he eliminate the federal tax code and replace it with a post card.

The reality is that a Trump administration would be forced to lift the "sequester" that cut both military and domestic spending in order to get the extra appropriations.

That would mean domestic spending (read welfare spending) would also skyrocket, on at least a dollar-for-dollar basis.

In short, there would have to be a deal with the devil to bust spending caps.

And don't think for a minute there would be a plan to pay for the spending buffet. It would come at the expense of our children and grand-children, already handcuffed to \$18 trillion in national debt.

This observation leads to the second question. Why does this country need a military budget approaching \$700 billion per annum, which is more than the next seven countries combined?

Sadly, the debate over military policy has started to mimic our debates over public education.

It's become all about the money. It's a debate only over how much to spend.

Just like with education, it would be nice if Trump and Clinton would first define the national security interest, as they see it.

When the national security interest is defined, the resources needed to defend it come into view.

Without it, it's nothing more than the military-industrial complex feeding at the public trough, much like the teachers' union.

A critical and related question concerns our allies. Both candidates should clearly articulate the role that our allies should play in defending common security interests around the globe.

For 70 years, our leaders have operated off of a post-World War II template, treating allies like global wards of the state.

If America has common cause with the likes of Japan, South Korea, India, Australia, France, Germany, and Britain, those countries should contribute resources commensurate with their global status.

It's high time that these allies pull their weight and stop freeloading off American military resources.

Doing so wouldn't signal American weakness or the abdication of this nation as a global leader in defending common interests regarding freedom of navigation, territorial integrity, or the fight against radical Islam.

This isn't 1945. Or even 1965. It's 2016 and it's time for a commander-in-chief who acknowledges a new geopolitical template in military affairs, one that includes more robust participation from allies who share our values and strategic goals.

Finally, it will be interesting to see how Trump's message plays in rural areas dominated by working class whites.

While feelings of patriotism run high in these areas, there is also a weariness of global military ventures.

These areas send a disproportionate number of sons and daughters to fight our wars. These areas bear the brunt of the death and injuries inherent in armed conflict.

Will Trump be seen as a defender of America, one who stands in contrast to Hillary Clinton and Barack Obama's appeasement? Is this part of making America great again?

Or will he be seen as a chicken hawk calling for more sons and daughters to be fed to the war machine?

THE CONSEQUENCES OF LIBERALISM

The following report was submitted by a loyal watchdog who serves as the accountant for a number of small businesses:

I want to share a story of a client of mine who is impacted by the new minimum wage law that took effect August 1st. The law requires employers to pay \$9.50/hr if gross sales are above \$500k during the last 4 quarters (this business is at approximately \$575k).

This business is a small fast food restaurant franchise. The newly enacted law will add about \$2700 in additional payroll costs per month, for an annual cost of \$32,400. This is a business that opened up in late 2013. As of 2015, it had not reached profitability yet. These new payroll costs will most likely force it out of business. Its payroll consists mainly of part-timers who will now be out of work.

This is social engineering at its worst. Thinking you can magically increase someone's pay without considering the consequences is insanity. Now, 30 employees will be out of work, but liberals will feel good about themselves. This is what fighting for the middle class looks like.

When government artificially raises the cost of labor, consequences indeed follow.

Those costs include fewer workers hired, especially those in need of entry-level jobs (e.g. teenagers and the disabled).

Those costs include higher prices for consumers, as employers pass along those higher labor costs.

Those costs also include fewer employers as some are forced to close because of yet one more governmental mandate, as well as fewer employers because fewer and fewer Americans want to the risk and hassle of dealing with the government in the time-honored quest to make a buck. It's much easier to get a cushy government job and become the one enforcing the stupid rules as opposed to one absorbing the stupid rules.

COLIN KAEPERNICK DOESN'T MATTER

There has been a whole lot of outrage regarding San Francisco 49ers quarterback Colin Kaepernick's refusal to stand for the National Anthem.

The Watchdog says, who cares?

First, the guy has a First Amendment right to sit out the Anthem. No person can be compelled to stand for its playing. Heck, there is a First Amendment right to burn the flag.

Look, it is a well-settled principle of American jurisprudence to interpret the First Amendment, in part, as defending unpopular speech.

In short, Americans have a constitutional right to talk and act like a jackass.

Kaepernick's stunt is the epitome of jackass behavior.

Only in America could a mediocre, soon-to-be-retired journeyman quarterback earn a \$61 million contract, live in a mansion, be worshiped like a rock star, and still complain that he lives in an oppressive country.

Moreover, this publication isn't into feigned respect and faking it in general.

If this petulant punk doesn't respect America, then who wants his fake pride and patriotism?

And best of all, the right of free speech works both ways. If we were to call for Kaepernick to be chop blocked, crack-block blocked, hit after the whistle, or horse-collared, it would be totally cool.

Here's to hoping you get under center soon, Colin.

The Anoka County Watchdog is a place where concerned taxpayers can find fact-supported information and other resources about governmental waste and abuse in Anoka County.

My intent is to provide you, the taxpayer, with the information you need to hold your local politicians accountable.

Visit my website and sign up for free weekly e-mail updates at:

www.AnokaCountyWatchdog.com

or contact me personally at:

harold@anokacountywatchdog.com

Sincerely,

Harold E. Hamilton, owner.

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Government Info

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kinds of data were being collected and by which government agencies. Ehling made similar comments that requesters should try to be as specific and focused as they possibly can. A comment from the audience added that often government staff can have difficulty understanding what is being asked for, which sometimes requires clarification by the requester.

Rich Neumeister, a long-time champion of transparency in government, told the audience “laws are made by those who show up” and “the public needs to become astute on what is happening,” speaking in reference to his many years spent at the capitol lobbying for citizens’ interests regarding government data.

He called the last legislative session “the bitterest time I have seen in forty years,” where in the public data realm, the use of body cameras by law enforcement was the primary debate. Neumeister has also provided input in recent legislative debates regarding law enforcement’s use of drones, collecting video and data on public streets and from cell phones. Ehling mentioned it was difficult to get information from the Hennepin County Sheriff’s office regarding drone testing and was told that e-mails didn’t exist. Ehling praised Minnesota’s public information laws and said “we have it good here” compared to New Jersey, a state where government can deny information without having to respond and explain why.

What is “a copy”?

Fees that are permitted for copies and staff time were discussed, upon which I made the statement that I have often encountered government staff who “just make it up” regarding the assessing of fees.

IPAD Opinion 01-086 (which can be found on IPAD’s website, www.ipad.state.mn.us) helps make the answer to this question very clear:

Can fees be charged for each page that is copied by the requester by means of *his own equipment*, such as a scanner and laptop, a copy machine, or camera photography?

IPAD said no. The requester also asked IPAD whether he could be charged for the electricity to run his laptop and scanner. On this point, IPAD said no again, unless somehow government could determine exactly how much that cost was. The point seemed moot since it would probably amount to a few pennies. In this example, it was a sheriff’s office threatening the requester with a four-dollar per page copy fee as well charging something for electricity use.

After the meeting, I spoke with some IPAD staff about a similar situation I found myself in when I wanted to scan a box of material — a city attorney’s office wanted to charge me 25 cents per scan — made with my own equipment. The office contended that about \$100 worth of staff time to produce the material for my inspection should be paid. The box of material was then mine to take, negating the need to scan. (see *Minn. Stat.* 13.03 subd. 3(c))

IPAD says the wages of the lowest-paid employee who is qualified to do the copy and retrieval work is what should be used to calculate labor fees for a data request. Using this as a yardstick, I gathered that no one in this city attorney’s office is making less than \$32/hour.

Minn. Stat. 13.03 subd. 3(c) also states that for data requests of 100 pages

or less, no labor fees can be charged, but a maximum of 25 cents per page is allowed. (Unless the requester copies the copies by his own means, per the IPAD Opinion referenced earlier).

Subdivisions (a) and (b) of this same statute defines the inspection of documents, and states that charging fees merely for inspecting public data is not allowed. A newer wrinkle is touched upon here as well: “In the case of data stored in electronic form and made available in electronic form on a remote access basis to the public by the government entity, inspection includes remote access to the data by the public *and the ability to print copies of or download the data on the public’s own computer equipment.*” (italics supplied).

This reminded me of an incident I had heard of, where watchdogs of a school district were told by office staff, ‘bring us a new USB thumb drive and we’ll put the PDF file you want on it.’ The file was 500 pages, and they wanted 25 cents times 500 to fulfill the data request. IPAD staff thought this was nonsense.

The school district tried a new game when the same watchdogs returned: the data was made available on a school district laptop, on which the watchdogs could view the material. Whether the district disabled the USB port was not established. If disabled, it would have prevented copying of the data. The requesters had staff print out desired pages at 25 cents each. Statute 13.03 subd. 3(b) referenced above, regarding the inspection of electronic data, requires that the requester be able to print pages *or* be able to “download the data on the public’s own computer equipment”. Can the word “or” be interpreted to mean government can print pages *in lieu of* making files available for downloading to the requester’s computer equipment? Such ‘gray area’ interpretations can make for battles between data requesters and government staff.

A citizen at the IPAD forum complained about receiving video files from police that can only be opened with proprietary software. The reporters at the forum acknowledged this happens often but said the required software is sometimes a free download from the internet. *ACR*

Apply to U of M Master Gardner Training Program

The University of Minnesota Extension Master Gardener Program in Anoka County is accepting applications for their 2017 volunteer training program. Extension Master Gardeners are a group of eager volunteers who receive professional training in consumer horticulture by Extension Educators and University faculty in exchange for their volunteer time by helping answer consumer horticulture questions, teaching community education classes, working with schools and youth, or assisting in research.

The process to apply to become a UMN Extension Master Gardener includes contacting the Anoka County Master Gardener office, completing an application, being selected for an interview, submitting and passing a background screening. If accepted, one then registers and pays \$320 for the Core Course. (Includes \$290 for course materials the student retains, and a \$30 background screening fee).

For more information, visit www.anokamastergardeners.org or www.mg.umn.edu.

Notice of Vacancies in State Boards, Councils and Committees

The Office of the Minnesota Secretary of State today released the September 2016 notice of vacancies for various state boards, councils and committees that are accepting applications, due September 27, 2016.

Applicants should include the following documents:

- Open Appointments Application Form (completed, signed and dated)
- Letter of Interest
- Resume or Biography

Applications may be submitted online, or, download and submit by email to Open.Appointments@state.mn.us, or by mail or in person to:

Office of the Minnesota Secretary of State
180 State Office Building
100 Rev. Dr. Martin Luther King, Jr. Blvd.
St Paul, MN 55155-1299

Current Vacancies:

Advisory Council On Wells & Borings
Vacancies: Monitoring Well Contractor (1)

Board of Barber Examiners
Vacancies: Barber (1)

Breeders' Fund Appropriations Advisory Committee

Vacancies: Member (11)

Explore Minnesota Tourism Council
Vacancies: Member (1)

Governor's Committee On Pollinator Protection
Vacancies: Member (15)

Governor's Council On Minnesota's Lake Superior Coastal Program
Vacancies: Member (9)

Human Services Performance Council
Vacancies: Member (2)

Medical Services Review Board
Vacancies: Physician Member (1)

Standardbred Breeders' Fund Appropriation Advisory Committee
Vacancies: Member (7)

Statewide Independent Living Council Center Director (1)
Member (5)

Organization and Advocacy Rep (1)
Public Member (2)

Task Force On Medical Cannabis Therapeutic Research
Vacancies: Substance Use Disorder Treatment Provider (1)

PUBLIC NOTICES

CITY OF HAM LAKE ORDINANCE NO. 16-08

An Ordinance Amending ARTICLE 7, LICENSES, to allow licensing for Brew Pubs and Brewers of malt liquor.

Be it Ordained by the City Council of the City of Ham Lake, Anoka County, Minnesota as follows:

ARTICLE 7, LICENSES of the Ham Lake City Code is hereby amended as indicated in the following sections:

7-131 Age Compliance Checks

At least one time each calendar year, the City's law enforcement personnel shall conduct age compliance checks of every holder of a license issued under Articles 7-400, 7-700, 7-800, 7-829 and 7-831 (B) of this code.

7-132 Definitions

For the purposes of this Article, the following terms are defined.

a) "Alcohol" means any liquor, beer, wine, intoxicating or nonintoxicating malt beverages sold by licensee under Articles 7-700, 7-800, 7-829 or 7-831 (B) of this Code.

7-700 Off-Sale Liquor

7-720 License Required

A. General Requirement.

No person, except a wholesaler or manufacturer to the extent authorized under State license, shall directly or indirectly deal in, sell, or keep for "off-sale" in the City, any intoxicating liquor without an "off-sale" license to do so as provided in this Code. Under the provisions of this Code, liquor licenses shall be of one kind, "off-sale".

B. "Off-Sale" Licenses. Except for Brew pub and Brewer licenses outlined below, "Off-sale" licenses shall be issued only to exclusive stores and shall permit "off-sale" of liquor only at retail in the original package for consumption off of the licensed premises.

C. Brew pub, "Off Sale" Licenses. A brew pub, with the approval of the Commissioner of the Minnesota Department of Public Safety, that meets the criteria established in Minnesota Statute 340A.24 as it may be amended from time to time, may be licensed for the "off-sale" of intoxicating malt liquor or 3.2 malt liquor produced and packaged on the licensed premises, subject to the following special conditions:

1. "Off-sale" of malt liquor shall be limited to the same legal hours for "off-sale" at exclusive liquor stores in the city.

2. The malt liquor sold at "off-sale" must be removed from the licensed premises before the applicable closing time at exclusive liquor stores in the city.

3. Sales under this license shall not exceed 500 barrels annually.

4. The malt liquor shall only be packaged in "growlers" and must be sealed in compliance with Minnesota Statute 340A.285, as it may be amended from time to time.

5. Brewers eligible for "off-sale" brewer licenses issued under this Article are exempt from the population-based limitations on the number of "off sale" licenses available as set forth in Article 7-775.

7-773 Restrictions on Purchase and Consumption.

With the exception of Brew Pubs and Brewer Taprooms licensed for "on-sale", no person shall consume any liquor in

the building for which an "off-sale" liquor license is granted or upon the lands upon which same is situated.

7-810.4 License Fees. There shall be an annual fee for an "on-sale" liquor license, a special club license, a special license for Sunday sales, a Brew Pub "on-sale" license, a Brewer Taproom "on-sale" license, and an "on-sale" beer license.

7-810.14 Definitions

A. "Beer" or "non-intoxicating malt liquor" means any malt beverage with an alcoholic content of more than one-half of one percent by volume and not more than (3.2) three and two-tenths percent by weight.

B. "Intoxicating liquor" means any distilled, fermented, malt, or vinous beverage containing more than (3.2) three and two-tenths percent of alcohol by weight.

C. "Original package" means the bottle or sealed container in which the liquor is placed by the manufacturer.

D. "Bona fide club" means a club organized for social or business purposes for intellectual improvement or for the promotion of sports, where the serving of beer is incidental to and not the major purpose of the club.

E. "Restaurant" means a place of which the major business is preparing and serving lunches or meals to the public to be consumed on the premises.

F. "Beer Store" means an establishment for the sale of beer, cigars, cigarettes, all forms of tobacco, beverages and soft drinks at retail.

G. "Wine" shall be defined in Minnesota Statutes Chapter 297G.01 (subd. 20).

H. "Brew Pub" means a brewer who also holds a municipal on- or off-sale license in conjunction with a restaurant and who manufactures fewer than 3,500 barrels of malt liquor in a year, at any one or more licensed premises as permitted in Minnesota Statutes 340A.24.

I. "Brewer" means a person who manufactures malt liquor for sale and holds a Brewer's License issued by the State of Minnesota.

J. "Brewer Taproom" means a facility on or adjacent to the licensed brewery which allows for the on- or off-sale of malt liquor produced by the brewer.

K. "Growler" means 64-ounce containers or 750 milliliter bottles of malt liquor, manufactured and sold by a brewery licensed under Minnesota Statutes 340A.301, it may be amended from time to time, may be licensed for the "on-

7-830 Requirements Exclusive to On-Sale Intoxicating Liquor. 7-831 License Required, General Requirement. No Person except a wholesaler or manufacturer to the extent authorized under State license, shall directly or indirectly deal in, sell, or keep for sale in the City any intoxicating liquor without a license to do so as provided in this Code. Licenses shall be of two kinds: "On-sale" and "off-sale".

A. On Sale Licenses. Except for Brew pub and Brewer taproom licenses outlined below, "On Sale" licenses shall be issued only to hotels, clubs and restaurants in conformance with the provisions of Minnesota Statutes Chapter 340A, which statute shall also govern the number of On Sale licenses that can be issued.

B. Special Club Licenses. Special club licenses shall be issued in accordance with Minnesota Statutes Chapter 340A.404 and 340A.101, subdivision 7.

C. Special Licenses for Sunday Sales. A special license authorizing the "On-Sale" of intoxicating liquor on Sundays may be issued to any entity holding an On-Sale license issued under Article 7-831 (A) of this Code in accord with the provisions of Minnesota Statutes Chapter 340A.504, Subd. 3.

D. Brew pub, "On-Sale" Licenses. A brew pub, with the approval of the Commissioner of the Minnesota Department of Public Safety, that meets the criteria established in Minnesota Statute 340A.24 as it may be amended from time to time, may be licensed for the "on-sale" of intoxicating malt liquor or 3.2 malt liquor produced on the licensed premises, subject to the following special conditions:

1. Sales under this license at "on-sale" may not exceed 3,500 barrels per year.

2. A licensee may hold both an "on-sale" brew pub license and an "off-sale" brew pub license. If a brew pub licensed under this Article also possesses an "off-sale" license under Article 7-720(C), the brew pub's total retail sales at on-sale or off-sale may not exceed 3,500 barrels per year, provided that "off sales" may not total more than 500 barrels.

E. Brewer Taproom, "On-Sale" Licenses. A brewer, with the approval of the Commissioner of the Minnesota Department of Public Safety, who holds a brewer's license under Minnesota Statute 340A.301, it may be amended from time to time, may be licensed for the "on-

sale" of intoxicating malt liquor or 3.2 malt liquor produced on the licensed premises, subject to the following special conditions:

1. Malt liquor sold under the brewer taproom license may only be consumed on the premises of or adjacent to one brewery location owned by the brewer.

2. A brewer may have only one taproom license and may not have an ownership interest in a brew pub licensed under Minnesota Statute 340A.301, subd. 6(d).

3. A brewer taproom license may not be issued to a brewer that brews more than 250,000 barrels of malt liquor annually.

4. Within ten days of issuing a brewer taproom license, the City Clerk will inform the Commissioner of Public Safety of the licensee's name, address, trade name and the effective date and expiration date of the license. The City Clerk will inform the Commissioner of Public Safety of a license transfer, cancellation, suspension, or revocation during the license period.

Presented the Ham Lake City Council on August 15, 2016 and adopted by a unanimous vote this 6th day of September, 2016.

Tom Johnson, Acting Mayor

Denise Webster, City Clerk

(Published 9/13, 2016 Anoka County Record) #460

CITY OF HAM LAKE EXHIBIT A

NOTICE OF PUBLIC HEARING ON A PROPOSED PROJECT ON BEHALF OF PARNASSUS PREPARATORY SCHOOL AND THE ISSUANCE OF REVENUE BONDS UNDER THE MINNESOTA MUNICIPAL INDUSTRIAL DEVELOPMENT ACT, MINNESOTA STATUTES, SECTIONS 469.152 THROUGH 469.1655, AS AMENDED

CITY OF HAM LAKE, MINNESOTA

NOTICE IS HEREBY GIVEN that the City Council of the City of Ham Lake, Minnesota (the "City"), will meet on Tuesday, October 3, 2016, at 6:02 p.m., at the City Hall, 15544 Central Avenue NE, Ham Lake, Minnesota for the purpose of conducting a public hearing on the proposal that the City issue its revenue bonds (the "Bonds"), under the Minnesota Municipal Industrial Development Act, Minnesota Statutes, Sections 469.152 through 469.1655, as amended (the "Act"), at the request of Parnassus Preparatory School, a Minnesota public charter school and nonprofit corporation (the "School"), for the purpose of financing the acquisition and construction of a school facility to be located at 11201 96th Avenue North, Maple Grove, Minnesota (the "Facilities"). The Facilities will be owned by a limited liability company and leased to and operated by the School.

The Bonds will be special,

limited

obligations of the City, and the principal of and interest on the Bonds will be payable solely from the revenues pledged to the payment thereof. No holder of any Bonds will ever have the right to compel any exercise of the taxing powers of the City to pay the Bonds or the interest thereon, nor to enforce payment against any property of the City, except for the payments to be to the City in connection with the Facilities and pledged to the payment for the Bonds. The Bonds are proposed to be issued in an amount estimated not to exceed \$31,000,000.

The Bonds would provide for the (i) financing the acquisition, construction, and equipping of the Facilities; (ii) funding a debt service reserve fund; (iii) paying a portion of the interest on the Bonds; and (iv) paying a portion of the costs of issuing the Bonds (the "Project").

A draft copy of the proposed Application to the Minnesota Department of Employment and Economic Development for approval of the Project, together with draft copies of all attachments and exhibits thereto, is available for public inspection at the office of the City Administrator, located in the City Hall during normal business hours.

All persons interested may appear and be heard at the time and place set forth above, or may file written comments with the City Clerk prior to the date of the hearing set forth above.

Dated: September 13, 2016

BY ORDER OF THE CITY COUNCIL

By /s/ Denise Webster, City Clerk

(Published 9/13, 2016 Anoka County Record) #460

CITY OF HAM LAKE NOTICE OF PUBLIC HEARING

VACATION OF PUBLIC LAND

NOTICE IS HEREBY GIVEN, that a Public Hearing will be held before the Ham Lake City Council on the 3rd day of October, 2016, at 6:01 p.m. in the City Council Chambers, City Hall, 15544 Central Avenue N.E. Ham Lake, Minnesota 55304, to hear comments and questions concerning the proposed vacation of the following described land within the City of Ham Lake, Minnesota:

Meadow Park Walkway Easement Legal Descriptions,

Proposed legal descriptions to vacate Meadow Park Walkway Easements, Anoka County, Minnesota described as follows:

PID 16-32-23-0015

The south 10 feet of Lot 8, Block 5, Meadow Park, Anoka County, Minnesota

PID 16-32-23-0016

The south 10 feet of Lot 9, Block 5, Meadow Park, Anoka County, Minnesota

PID 16-32-23-0017

The north 10 feet of Lot 10, Block 5, Meadow Park, Anoka County, Minnesota

PID 16-32-23-0018

The north 10 feet and the east 10 feet of Lot 11, Block 5, Meadow Park, Anoka County, Minnesota

(PID 16-32-23-0019

The west 10 feet of Lot 12, Block 5, Meadow Park, Anoka County, Minnesota

(PID 16-32-23-0024

The west 10 feet of Lot 17, Block 5, Meadow Park, Anoka County, Minnesota

PID 16-32-23-0025

The east 10 feet of Lot 18, Block 5, Meadow Park, Anoka County, Minnesota

Said hearing is conducted pursuant to Minnesota Statutes Chapter 412.851.

Denise Webster, City Clerk

(Published 9/13, 2016 Anoka County Record) #460

NOTICE OF PUBLIC HEARING

CITY OF HAM LAKE COUNTY OF ANOKA STATE OF MINNESOTA

TAKE NOTICE, that pursuant to the requirements of Minnesota Law, a Public Hearing shall be held before the Ham Lake Planning Commission on Monday, September 26, 2016 at 6:01 p.m. at the City Hall located at 15544 Central Avenue NE for the purpose of considering the application of Dagogo David Bamigo requesting a Conditional Use Permit to operate Dag's Auto LLC (Auto Repair and Auto Sales) at 17159 Highway 65 NE, a parcel of land situated in the City of Ham Lake, Anoka County, Minnesota and which is described as follows to wit:

PIN #08-32-23-13-0005

UNPLATTED HAM LAKE TWP TH PT OF THE SW1/4 OF THE NE1/4 SEC 8-32-23 ANOKA CNTY, MN THAT IS DESC AS FOL-COM AT A PT ON THE FOL DESC LINE WHICH IS 1168 FT NLY OF THE S LINE OF SD SW1/4 OF NE1/4 AS MEASALONG SD LINE BEG AT A PT ON THE S LINE OF SD SEC 8 DIST 225.2 FT E OF THE S 1/4 COR THEREOF-TH RUN NLY AT AN ANGLE OF 92 DEG 9 MIN WITH SD S SEC LINE(MEAS FROM W TO N) FOR 4100 FT AND THERE T E R M I N A T I N G PROCEEDING -TH E AND PRL WITH THE S LINE OF SD SEC 8 FOR A DISTOF 275 FT PROCEEDING-TH N AND PRL WITH THE E LINE OF SD SW1/4 OF NE1/4 TO THE N LINE OF SD SW1/4 OF NE1/4 PROCEEDING-TH W ALONG SD N LINE OF SD SW1/4 OF NE1/4 AND TO THE LINE FIRST DESC HEREIN AS SAME IS EXTENDED N TO INTERSECT THE SD N LINE OF SAID SW1/4 OF THE NE1/4 PROCEEDING-TH S ALONG SD LINE FIRST DESC HEREIN AND THE EXTENSION THEREOF N TO THE SD N LINE OF SD SW1/4 OF NE1/4 TO THE PT OF COM (SUBJ TO AND RESERVING AN EASE FOR RDWAY PURPOSES OVER THE N 3 3 FT T H E R E O F) (S U B J TO ANY EXISTING EASERESTRICTIONS OR RESERVATIONS)

(Published 9/13, 2016 Anoka County Record) #461

NOTICE TO CREDITORS AND CLAIMANTS

North Metro Hotel LLC PLEASE TAKE NOTICE North Metro Hotel LLC has dissolved and is in the process of winding up its affairs. The limited liability company has filed with the Secretary

(Published 9/13, 2016 Anoka County Record) #461

CITY OF OAK GROVE COUNTY OF ANOKA STATE OF MINNESOTA

NOTICE IS HEREBY GIVEN that the Oak Grove Planning Commission's Regular Meeting will be held on Thursday, September 15, 2016 at 7:00 p.m. to hear the following public hearings in the order that they appear:

PUBLIC HEARING to consider vacating a portion of 216th Avenue legally described: That part of 216th Avenue NW, formerly known as Lake Shore Drive and as Lake George Drive, as described in Book 410 of Deeds, Page 167, over Lots 17 and 18, REVISED AUDITOR'S SUBDIVISION NO. 18, Anoka County, Minnesota, which lies Southeasterly of the following described line and its extensions: Commencing at a point on the West line of Section 9, Township 33, Range 24, said Anoka County, distant 3356.80 feet South of said Section 9, said point being on the West line of Government Lot 4 of said Section 9 and being the centerline of said 216th Avenue NW (for the basis of this description the West line of said Government Lot 4 is assumed to have a bearing of South 00 degrees 00 minutes 00 seconds West); thence South 89 degrees 32 minutes 00 seconds East, along said centerline, a distance of 33.20 feet; thence Southeasterly, along said centerline, a distance of 78.90 feet along a tangential curve concave to the Southwest, having a radius of 229.28 feet and a central angle of 19 degrees 43 minutes 00 seconds; thence South 69 degrees 49 minutes 00 seconds East, along said centerline and tangent to the last described curve, a distance of 413.17 feet; thence North 20 degrees 11 minutes 00 seconds East, a distance of 30.00 feet to the point of beginning of the line to be described; thence return South 20 degrees 11 minutes 00 seconds West, a distance of 30.00 feet; thence South 35 degrees 12 minutes 57 seconds West, a distance of 31.06 feet to the Southwesterly right of way line of said 216th Avenue NW and said line there terminating.

All written and oral comments will be heard. Sheryl F. Fiskewold City Clerk

(Published 9/13, 2016 Anoka County Record) #461

NOTICE TO CREDITORS AND CLAIMANTS

North Metro Hotel LLC PLEASE TAKE NOTICE North Metro Hotel LLC has dissolved and is in the process of winding up its affairs. The limited liability company has filed with the Secretary

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PUBLIC NOTICES *continued from page 5*

of State a notice of dissolution. The notice was filed August 9, 2016. Claims against the company must be presented in writing to: Ailana McIntosh, Foley & Mansfield PLLP, 250 Marquette, #1200, Mpls, MN 55401. Claims must be received by Nov. 30, 2016.

(Published 9/13, 9/20, 9/27, 10/4, 2016 Anoka County Record) #513

CERTIFICATE OF ASSUMED NAME STATE OF MN MN STATUTES CHAPTER 333

The undersigned, who is or will be conducting business in the State of Minnesota under an assumed name, hereby certifies:

1. Assumed Name: **The Flying Locksmiths - Minneapolis**
2. Principal Place of Business: **4860 Marystone**

Blvd NW Andover, MN 55304
 3. Nameholder(s): **River City Locksmiths Incorporated 4860 Marystone Blvd NW Andover, MN 55304**

4. I certify that I am authorized to sign this certificate and I further certify that I understand that by signing this certificate, I am subject to the penalties of perjury as set forth in Minnesota Statutes section 609.48 as if I had signed this certificate under oath.

FILED: 8/30/2016 # 900259600028 /s/ Eric Granstrom

(Published 9/13, 9/20, 2016 Anoka County Record) #514

CERTIFICATE OF ASSUMED NAME STATE OF MN MN STATUTES CHAPTER 333

The undersigned, who

is or will be conducting business in the State of Minnesota under an assumed name, hereby certifies:

1. Assumed Name: **Child and Teen Medical Center**
2. Principal Place of Business: **500 Osborne Road NE - Suite 215 Fridley, MN 55432**
3. Nameholder(s): **Fridley Children's and Teenagers Medical Center 500 NE Osborne Rd - Suite 215 Fridley, MN 55432**
4. I certify that I am authorized to sign this certificate and I further certify that I understand that by signing this certificate, I am subject to the penalties of perjury as set forth in Minnesota Statutes section 609.48 as if I had signed this certificate under oath.

FILED: 8/22/2016 # 899189500038 /s/ John Hollerud, MD

(Published 9/6, 9/13, 2016

Anoka County Record) #511

PUBLIC NOTICES UNPAID

CITY OF SAINT FRANCIS

AN ORDINANCE AUTHORIZING THE SALE OF CITY SURPLUS PROPERTY TO NSK PROPERTIES, LLC.

PID 32-34-24-22-0002

WHEREAS, Section 8-7-3 of the St. Francis City Code entitled "Disposal of Property" outlines the procedure for the disposal of City owned property ; and

WHEREAS, pursuant to Section 8-7-3, the City has identified property legally described as follows as surplus property and is no longer needed for municipal service;

That part of the Northwest Quarter (NW 1/4) of Section 32, Township 34, Range 24, Anoka County, Minnesota, described as follows: commencing at a point on the West line of said Section 32, which point is 891 feet South of the Northwest corner of said Section, thence proceeding Easterly a distance of 300 feet on a line parallel with the North line of said Northwest Quarter (NW 1/4), thence South and parallel with the West line of said Northwest Quarter (NW 1/4) a distance of 150 feet to the actual point of beginning, thence continuing South on said parallel line a distance of 38.4 feet, thence Westerly and parallel with the North line of said Northwest Quarter (NW 1/4) a distance of 300 feet to the Westerly line of said Northwest Quarter (NW 1/4), thence North on the West line of said Northwest Quarter (NW 1/4) a distance of 38.4 feet, thence Easterly and parallel with the North line of said Northwest Quarter (NW 1/4) a distance of 300 feet to the pint of beginning. Subject to easements of record.

And;

WHEREAS, The City Council of the City of St. Francis declared the above described real property as surplus, with the value of the property determined to be \$700.00; and

WHEREAS, Minnesota Statutes, Section 462.356, subdivision 2 states that no publicly owned interest in real property within a city shall be acquired or disposed of until after the planning commission has reviewed the proposed acquisition or disposal and reported in writing to the city council its findings as to compliance of the

proposed acquisition documents and transfer or disposal with the comprehensive plan; and WHEREAS, The same statute further states, however, that the city council may, by resolution adopted by two-thirds vote, dispense with the requirements of this subdivision when in its judgment it finds that the acquisition or disposal of real property has no relationship to the comprehensive plan.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL THAT:

1. The City Council hereby finds that sale of the Property by the City to NSK Properties LLC has no relationship to the City's Comprehensive Plan, and therefore review of the proposed sale by the City of St. Francis Planning Commission is not required under Minn. Stat. § 462.356, Subd. 2, and is hereby dispensed with as allowed by that statute.
2. The Mayor and City Clerk are authorized to execute the attached

ADOPTED BY THE CITY APPROVED: Steve Kane Mayor of St. Francis
 Properties, LLC for the OF ST. FRANCIS THIS 6th DAY OF SEPTEMBER, 2016.
 ATTEST: Barbara Held, City Clerk

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SHIRLEY ANN WARNEKE

STATE OF MINNESOTA TENTH JUDICIAL DISTRICT DISTRICT COURT PROBATE DIVISION Court File No. 02-PR-16-451
 COUNTY OF ANOKA In Re: Estate of Shirley Ann Warneke, Decedent
 NOTICE OF INFORMAL PROBATE OF WILL AND APPOINTMENT OF PERSONAL REPRESENTATIVE AND NOTICE TO CREDITORS

Notice is given that an application for informal probate of the Decedent's will dated March 25, 1998, has been filed with the Registrar. The application has been granted.

Notice is also given that the Registrar has informally appointed Susan J. Kurth, 2438 177th Avenue NE, Ham Lake, MN 55304 and Dawn M. Snow, 22554 Buchanan Street NE, East Bethel, MN 55005 as personal representatives of the Estate of the Decedent. Any heir, devisee or other interested person may be entitled to appointment as personal representative or may object to the appointment of the personal representative. Unless objections are filed with the Court (pursuant to Minn. Stat. 524.3-607) and the Court otherwise orders, the personal representative has the full power to administer the Estate including, after 30 days from the issuance of letters, the power to sell, encumber, lease, or distribute real estate.

Any objections to the probate of the will or appointment of the Personal Representative must be filed with this Court and will be heard by the Court after the filing of an appropriate petition and proper notice of hearing.

Notice is also given that (subject to Minn. Stat. 524.3-801) all creditors having claims against the Estate are required to present the claims to the personal representative or to the Court Administrator within four months after the date of this Notice or the claims will be barred.

Dated: August 17, 2016 /s/ Peggy Zdon, Registrar
 Dated: August 17, 2016 /s/ Lori Meyer, Court Administrator

Susan J. Kurth; 2438 177th Ave NE, Ham Lake, MN 55304 swarneke@hotmail.com; (612) 810-3848
 (Published 9/6, 9/13, 2016 Anoka County Record) #512

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CITY OF COLUMBIA HEIGHTS

ADVERTISEMENT FOR BIDS
 2016 SANITARY SEWER LINING - CITY PROJECT NO. 1604

Notice is hereby given that sealed bids will be received, publicly opened, and read aloud by representatives of the City Council of Columbia Heights, Anoka County, MN, at the Municipal Service Center, 637 - 38th Avenue NE in said City at 10:00 a.m. on Tuesday, September 20, 2016 for furnishing all work and materials for consideration of City improvements: CITY PROJECT NO. 1604, consisting of the following approximate quantities:

- Continuous lining of sanitary sewer:
- 12" VCP on 37th Avenue from Johnson Street to Hayes Street 643 L.F.
 - 12" VCP on Polk Street from 37th Avenue to 140' North of 37th Avenue 140 L.F.
 - 8" VCP on Washington Street from 44th Avenue to 45th Avenue 613 L.F.
 - 8" VCP on Jefferson Street from 43rd Avenue to 217' North of 43rd Avenue 217 L.F.
 - 8" VCP on Royce Street from 350' North of McLeod Street to 44th Avenue 558 L.F.
 - 8" VCP on Leander Lane from 427' South of 44th Avenue to 44th Avenue 427 L.F.
 - 8" VCP on Tyler Street from 41st Avenue to 376' North of 42nd Avenue 1,146 L.F.
 - 8" VCP on Arthur Street from 39th Avenue to 216' South of 40th Avenue 788 L.F.
 - 8" VCP on Arthur Street from 40th Avenue to 218' North of 40th Avenue 218 L.F.
 - 8" VCP on Arthur Street from 327' South of 42nd to 424' North of 42nd Avenue 751 L.F.
 - 8" VCP on Cleveland Street from 39th Avenue to 39½ Avenue 645 L.F.
 - 8" VCP on Cleveland Street from 250' North of 41st to 510' North of 41st Avenue 260 L.F.

Alternate:
 Installation of main to service lateral connection liner 20 Ea.
ONLY BIDS FOR PRE-QUALIFIED PRODUCTS WILL BE READ.

All in accordance with plans and specifications prepared by the City and available at the Office of the City Engineer, 637 38th Avenue NE, Columbia Heights, MN 55421, dated May 9, 2016. Plans and specifications incorporating the work for the projects may be examined and obtained at the Office of the City Engineer. Upon request, one printed copy will be provided to each company at no cost. Additional copies may be purchased from the City of Columbia Heights for the price of \$50.00 per set. The City will not refund any portion of the purchase price.

BASE BID: SANITARY SEWER LINING WORK MUST BE COMPLETED BY DECEMBER 1, 2016.

ALTERNATE BID: SANITARY SEWER LINING WORK MUST BE COMPLETED BY MAY 1, 2017.

SERVICE LATERAL CONNECTION LINING WORK MUST BE COMPLETED BY MAY 1, 2017.

Bids must be on the basis of cash payment for the work and materials, and no bid will be considered unless sealed and accompanied by a cash deposit, certified check, or bidder's bond, payable to the City, for not less than 5%, as a guarantee that the bidder will, within ten (10) days after notification of the award of contract, enter into an agreement with the City and furnish a bond for the full amount of the contract as provided for by law. This deposit will be subject to forfeiture as provided by law.

Cash deposits, certified checks, and bidder's bonds of the three (3) lowest bidders may be retained until the contract has been awarded and executed, but no longer than 60 days from the date of opening bids. All other deposits will be refunded promptly.

The City reserves the right to reject any and all bids, to waive any informalities therein, and to adjourn the meeting to a later date for the purpose of further consideration of the bids and taking action thereon. No bid may be withdrawn within 60 days from the date of opening of bids.

The City Council will consider award of contract at their regular meeting held on Monday, September 26, 2016 at 7:00 p.m. in the Council Chamber at 590 - 40th Avenue NE, Columbia Heights, Minnesota.

The City of Columbia Heights does not discriminate on the basis of disability.
 Kevin Hansen, Director of Public Works



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