

Spreading the Cheer: Columbia Heights Tells Anoka County Board of the City's Award City Manager Groans About "The Local Fish Wrap"

Columbia Heights officials were present at the Anoka County Board meeting of September 27 to beat their chests about the "All America City" award, which the city won in June from the National Civic League. The competition, held in Denver, required a \$200 application fee.

It's this fee that city manager Walter Fehst groaned about as he referred to the big rock in his shoe that is called the *Anoka County Record*. The mayor and the city manager make it a point (they're so clever) not to mention this newspaper by name. On this day it was "the local fish wrap."

Observations from the Field Bryan Olson



Commissioner Jim Kordiak, gushing with enthusiasm, represents Columbia Heights on the County Board

He dismissed any complaints about the \$200 — "I think it's part of the business." (See *Record*, Sept. 6, 2016).

Fehst however forgot to tell the County Board the cost was around \$30,000, or to the real heart of the matter, that \$10,675 of that figure was made up of taxpayer dollars.

After more groaning about "the local fish wrap's" observations, and taking a shot at "the trolls who hang out on the internet making negative comments," Fehst then went on to read a recent editorial from the *Minneapolis Star Tribune* which was chock-full of superlatives for the city. So many, it read like paragraphs lifted from a number of different city press releases. At a city meeting a few months ago, Fehst said he and city staff

had arranged to meet with the newspaper. That explains why the editorial sounded like city staff had written it.

Fehst should have made a disclaimer that no *Star Tribune* reporter has ever been to a city council meeting. Also not mentioned was that Columbia Heights city staff rewarded a reporter at the June 13 city council meeting with a certificate of appreciation and a gift card, without attempting to hide the reason: favorable coverage. Mayor Gary Peterson even went as far as to call the reporting "objective and open-minded." This is the way they do things in Columbia Heights, not knowing they were putting their friend in a professional ethics crosshairs.

Peterson opened the 20-minute presentation to the County Board members by reminding them of where the city is, so he pointed in a southerly direction from the lectern, "we're the small community down there." He then delivered a set of quick facts about the geography and population makeup of the city in case they had forgotten those too.

When the delegation left the room, they said "don't forget us now!" Chair Rhonda Sivarajah assured them with a smile that she had recently been in Columbia Heights. She didn't say why, but maybe she had to renew her driver's license.

Award expenditures were questioned by city councilor

During a July 11 meeting, Columbia Heights city councilor Donna Schmitt, in a very uncharacteristic moment, questioned several of the bills that had dribbled in from the award trip to Denver. (See *Record*, Sept. 6, 2016; Aug. 9, 2016; May 24, 2016).



Mayor Gary Peterson needed a taxpayer paid hotel room to rest 20 min from his home

While being on the council nearly six years, Schmitt has rarely made any waves, always leaving that discomfort to councilor Bruce Nawrocki.

On this night, she took heat from city manager Walter Fehst, known for getting testy whenever staff actions, including his own, are questioned.

To Save or Not to Save METS: That's the Real Question for Counties

By Tom Steward | Center of the American Experiment

Three years after a disastrous launch, the MNsure state health care exchange's IT system (METS) remains so dysfunctional that county officials still struggling to implement it openly question whether the system should be scrapped.

"The whole operability of the public program side is a complete, unmitigated disaster," said Dakota



County Commissioner Mary Liz Holberg.

"After a while you just get numb," said Pennington County Commissioner Darryl Tveitbakk. "...The administration of it has been a disaster."

"It's been three years of incremental improvements, temporary fixes and manual work-arounds for public healthcare programs," Hennepin County Board Chair Jan Callison told Gov. Mark Dayton in a letter.

Counties were told MNsure's new online "METS" eligibility determination system would make their job of enrolling record numbers of Minnesotans into the system easier.

But the Minnesota Eligibility and Technology System (METS) has been plagued with chronic software problems that make eligibility workers nostalgic for the 1980s mainframe system being replaced.

"We never know from case to case in which situations we can load information and everything will work correctly or shut things down and reload everything from scratch," said Kathleen Herring, Financial Assistance Supervisor for Pennington County Human Services.

The Minnesota Association of Counties estimates it costs property taxpayers \$27 million a year to keep the wheels on what some view as a fatally flawed system. In Olmsted County, for example, commissioners blame MNsure-related staff expenses for \$800,000 of a pending 2.5 percent levy rate hike.

"We really need to look at the hidden cost of administering METS and the consequence to the taxpayer. We are in the midst of working on our truth in taxation hearings and our county budgets and all over the state counties are adding staff," Olmsted County Commissioner Shelia Kiscaden told a MNsure Legislative Oversight Committee this week.

An estimated 249 employees have been added to county payrolls in 2016 due to the system's

Taxpayer Paid Award *continued on page 2*

METS *continued on page 2*

Local Postal Customer

PRSR STD
ECRWSS
U.S. POSTAGE
PAID
EDDM RETAIL

Taxpayer Paid Award *continued from page 1*

Mayor Gary Peterson, who often mumbles his way through meetings, showed alarming clarity in his diction and a decibel level that was ratcheted up a couple notches. He worked himself up to accusing Schmitt of “politicking” because she had filed to run against him for the mayor’s seat in the primary election only a few weeks away.

Eventually, \$10,675 was presented as the final figure for the taxpayer-paid portion of the award trip. During the July 11 meeting however some of the expenses had not been tallied up yet and hazy answers were given to most of Schmitt’s questions.

Schmitt asked for line item detail on the bus cost, hotel room costs, etc. She also asked Fehst what would the benefit be to the city for being a paying member of the National Civic League. He replied, “you stay connected to the organization that you won the award from.”

At a televised council meeting some weeks later, city staff reported that the NLC requires the All-America City award logo must be displayed with the year it was won underneath. (This keeps cities coming back for more awards). The city’s water tower was being painted but city staff scotched the plan to add the logo to the water tower — the paint job is expected to last 30 years. They thought they would look foolish to have a logo that said “2016” to people who may see it in 2046. There has been talk of installing banners on Central Avenue, emulating so many other cities that do this at a cost of thousands of dollars. If the award logo is attached to such things as city vehicles, stationery, street signs or buildings there would also be those added costs.

Schmitt didn’t ask about staff time spent on anything related to this award; that time of course is a cost to the taxpayer as well.

The logo was put to use right away by printing it out on several sheets and taping them all over the city council chambers. There were so many it may have reminded one of a first-grade classroom filled with 30 students’ art work on butcher paper. The PDF files of the council agendas suddenly had the award logo covering the entire page of the agenda. Any computer-savvy person can remove the logo, so no harm done to the meeting packets.

Schmitt pointed out July 11 “this (expenditure) was never approved by the council,” citing that anything over \$15,000 has to be approved. She said she wanted to make it clear there was never a formal vote taken to approve the expenditure and had only discussed the award during a “work session” (the back-room, off-camera meetings where council gives direction to staff without a formal vote).

City manager Walter Fehst replied, “if the council had any issue about it, they certainly should have stated so. I heard nothing in opposition to it. I made it clear the city would be paying for the bus and that was under \$15,000 — (taken from) the Contingency Fund.”

Fehst has intimated several times before and after receiving the award, that “P.R.” (public relations) is important to him. He claims the boost that the city will get from the award would cost a private sector business a quarter of a million dollars to attain.

Schmitt reminded the council that \$30,000 had been spent a couple years ago on a new city logo (the buzz word for that today is “branding”) and was of the opinion that the new “brand” hadn’t been fully utilized yet.

“I think there should have been more discussion and revealing how much it was going to cost us.” Schmitt’s words sent Peterson and Fehst into defense mode. They were a little perplexed as to why Schmitt was making these inquiries after the fact, rather than before.

In so many words, Schmitt complained that the city council had been left out of the loop and the award quest was a staff project. She also found fault with the award application and essay, claiming it contained misstatement of facts regarding the city’s population and the document needed proofreading. (The *Record* reported on the city’s 2010 Census data in the Mar. 15, 2012 edition)

Peterson also showed some uncharacteristic reactions, getting very agitated in defending this taxpayer expenditure: “... we’re trying to improve our image (within) our state and our surrounding communities . . . I think we took a giant step, and if eight thousand dollars offends people, I’ll take it upon myself to raise that (money) and wipe it off, to get rid of this silly, silly attack.” Both Peterson and Fehst pointed fingers at Schmitt for not participating in the bus trip.

Peterson’s blood pressure went up even more when Schmitt went on to inquire about his bill for the Mayors’ Conference.

Schmitt questioned why he stayed at a hotel in Bloomington, when he could have easily driven home to Columbia Heights.

Peterson explained, “I stayed there because I wasn’t going to drive home at 11 o’clock at night and I had to get back there by seven in the morning. If that offends you, that’s too bad.”

Schmitt asked if the city had a travel policy and neither Fehst or Peterson said they were aware of any policy. The finance director said he would look into it. (State statute 471.661 requires a city to have a policy regarding *out of state* travel).

Peterson wanted to move the spotlight away from him by changing the subject to mileage reimbursement and said he has never taken a dime for gasoline in his travels for the city.

“You’re politicking and I think it’s silly, damned silly,” Peterson scoffed.

The cost to attend the mayors’ conference (put on by the League of Minnesota Cities) was \$130. Schmitt did not mention the cost of the room, however booking information from the LMC said conferees would be given a special room rate of \$109.

Peterson’s story doesn’t hold water, according to the mayors’ conference agenda.

The conference was held at the Airport Marriott hotel in Bloomington, Friday-Saturday (April 29-30) and was sponsored by the League of Minnesota Cities.

The Friday agenda had no business activities until 2:30 p.m., when a two-hour roundtable discussion was scheduled. The next presentation was an hour, from 7 to 8 p.m. Between 4:30 and 7:00 p.m. were social hours and dinner. After 8:00 p.m. was a “dessert buffet”. Adjournment was to be at 9:30 p.m.

The Saturday morning schedule was not as rigorous as Peterson implied. The mayors got on a bus at the hotel to take them on a tour of the new Vikings (Peoples’) Stadium in Minneapolis. The bus left at 8:30 and the tour began at 9 a.m. A noon luncheon and business meeting of the Minnesota Mayors Association was held back at the hotel. Two seminars took up the afternoon, beginning at 1:30 p.m. After 4:30 there was another bus trip to a location where social time and drinking would take place. A bus took everyone back to the hotel at 8:30 p.m.

When Schmitt was done with her quizzing, Peterson said “that’s good.”

Councilor Bruce Nawrocki raised his hand and Peterson gave him the floor.

Guess what he wanted to ask about?

More bills.

METS *continued from page 1*

continuing lack of functionality and a federal mandate to transfer 280,000 individuals from the state’s old computer system into MNsure.

“The new MNsure system has posed a number of serious challenges that have caused a staggering amount of extra work for our staff and a frustrated customer base that we can offer little assistance to,” said Susan Rynda, Le Sueur County Human Services Director, in a service agreement document filed with the Minnesota Department of Human Services.

Even simple data entry can turn into a time-consuming chore. Staff say the system’s software lacks the logic to automate some functions, forcing eligibility workers to often close down cases and reload them into METS.

“If instead writing out the word ‘road’ you put in ‘rd’, it will kick it out. It’s just god awful,” Dakota County Commissioner Holberg said. “There’s no private sector company that would pay a penny for what the government’s been paying for.”

While entering a new address for a client takes about a minute on the state’s mainframe system, the process consumes about eight minutes for each individual in a household on METS, according to Olmsted County Director of Family Support and Assistance Heidi Welsch.

“I use that as an example to describe the fact that the software just wasn’t designed to do the kind of case management functions that we need. That’s one of many things that are more complicated when we do them in METS. Some things are easier but most things are more complicated,” Welsch said. State IT experts claim a fix is on the way.

Even seemingly routine data transfers can backfire. In late September the Minnesota Department of Human Services acknowledged that a data mismatch has forced 45,000 Minnesotans to scramble to reapply in order to keep their state health exchange coverage.

“It comes down to the fact that MNsure has not been functioning the way it was promised to function. The website itself is years away from being functional in any way, shape or form and the state says to the counties, ‘you figure it out,’” said Rep. Sarah Anderson, R-Plymouth, Chair of the House State Government Finance Committee. Anderson authored a bill to reimburse counties for cost overruns due to the system’s inefficiencies.

“I am disheartened. The system does not meet our needs,” said Kathleen Herring, Financial Assistance Supervisor for Pennington County Human Services. “And as Minnesotans, we know better, we have experience doing better, and we need to do better for the Minnesotans we serve.”



ANOKA COUNTY WATCHDOG

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

October 7, 2016

Quotes of the Week: "So you've got this crazy system where all of a sudden 25 million more people have health care, and then the people who are out there busting it, sometimes 60 hours a week, wind up with their premiums doubled and their coverage cut in half. It's the craziest thing in the world."

- **Bill Clinton**

"The only thing we're going to try to do is lower costs so that those cost savings are passed onto you. And we estimate we can cut the average family's premium by about \$2,500 per year."

- **Barack Obama**

"We are far better off doing it our way and having control over it."

- **Mark Dayton, upon signing MnSure into law**

"This is the most significant reform of health insurance we've seen in Minnesota in 50 years."

- **State Rep. Joe Atkins (DFL - Inver Grove Heights)**

MNSURE MELTDOWN

The state's insurance exchange has imploded. Just as many, including this publication, predicted.

As readers have surely learned over the past week, the state's Obamacare exchange is collapsing, with similar meltdowns occurring across the country.

Now, before you think this piece is just a recitation of the bad numbers spilling out from MnSure and Obamacare, read on.

There are two important things you need to know about the MnSure debate as it unfolds just weeks before Election Day.

The first thing to know is an important historical fact regarding healthcare in Minnesota that will surely play into the debate and public discourse.

Back in 1976, the legislature created the Minnesota Comprehensive Health Association (MCHA).

The government-regulated non-profit was designed to offer health care coverage for the "hard to insure," those with very difficult health care issues that made them hard to insure.

Essentially, it was a high-risk insurance pool that sought to provide coverage.

It was a model health care idea and it worked well for 38 years, until it was closed down in favor of, you guessed it, MnSure.

MCHA was one of the innovations that made Minnesota a leader in health care and showcased our state as one with among the lowest numbers of uninsured in the nation.

So why bring it up?

We raise this historical item because the more things change, the more they stay the same.

The Star Tribune, a font for liberal/DFL ideas and collaboration, this week penned an editorial describing their "fix" for the broken MnSure system.

The "fix" consists of putting citizens with difficult health issues in a special pool where they can shop for health insurance, with heavy state subsidies.

Wait a minute. That sounds exactly like what the state used to do with the MCHA high risk pool.

So the state wasted over \$150 million on a web site, including consultant's fees and employee bonuses, created a mess, and the solution is to simply go back

to where we were before Obamacare.

Only in government.

Recall that Governor Dayton and DFL own this debacle lock, stock, and barrel.

They created this mess without a single GOP vote.

Of course, that hasn't stopped DFL politicians from trying to pin blame on Republicans.

This finger pointing comes in the form of demanding that the GOP help the DFL get out of the mess and find solutions to their problem.

This is typical, expected, and emblematic of the shameless nature of their politics.

DFLers set fire to some issue, and then jump up and down demanding that the GOP play fireman (fire person?) and douse the flames.

It's all part of the deflection of the issue. This all follows a familiar pattern:

First, DFL identifies some issue as being in need of a government solution.

Two, DFL creates policy that makes situation worse.

Three, DFL blames some boogie man (e.g. Big Insurance Companies) and demands GOP fix problem.

Four, DFL uses the we-care-about-people-so-our-results-don't-matter excuse.

Five, GOP fixes problem. Or if they don't, DFL blames GOP for not caring and not having a solution.

Needless to say, the GOP has solutions, and has had solutions.

The House and Senate GOP should go through the record and tally the number of amendments that were offered by their members in all committees and on both floors.

Amendments were offered by the GOP. The DFL rejected them.

Now, the DFL wants GOP ownership of their problem.

We would love to see a response that goes like this: "The GOP offered X suggestions to improve MnSure. They were rejected. Legislative Republicans hope Governor Dayton and DFL legislators will now listen to our ideas now that their ideas have been tried and have failed."

The GOP should stand firm in demanding true reforms in exchange for any fixes. If not, the FL can lump it. They own it.

This is a big issue. The Watchdog has spoken to many legislative candidates over the past few weeks. Many say the biggest issue they hear about on the trail is the cost of health care and the damage wrought by Obamacare.

No wonder the Star Tribune and the DFL are demanding fixes. Their Big Idea is under fire.

What a debacle.

MEET YOUR CANDIDATE - ROB FARNSWORTH

Between now and Election Day, the Watchdog will occasionally highlight interesting legislative candidates.

This week's candidate is Rob Farnsworth, who is running as the endorsed Republican in District 6A, in the heart of the Iron Range.

Farnsworth is interesting because he represents the vanguard of political realignment on the Iron Range.

He's Republican through and through. He's pro-life. He's pro Second Amendment.

He supports the Range economy, backing mining and other skilled trade jobs.

But he's also proudly pro-union and pro-labor.

In other words, he's precisely the kind of person to represent the folks on the Iron Range, folks who are increasingly ignored by the DFL.

Farnsworth recently earned the endorsement of the Duluth News Tribune, hardly a conservative mouthpiece.

But it's easy to see why he's earned support across the political spectrum.

Listen to what he had to say regarding his candidacy: "The DFL that most Iron Rangers are voting for hasn't existed for 20 years. The DFL in the Twin Cities, that has taken over the DFL in Minnesota, wants to end mining. At their convention and then again at their executive board meeting in the Twin Cities, they tried to pass an anti-mining resolution that I believe will be passed in November because they just pushed it down (the road). This is not a group that is in favor of mining."

Farnsworth grew up in Chisholm, the son of a miner. He's living down the road in Hibbing these days, teaching in the Hibbing School District.

Can he win? Of course it's an uphill climb, but there is always someone who is at the forefront of change.

Two years ago, few people thought Rep. Tim Miller would win his traditionally DFL district in western Minnesota.

He shocked the world in 2014 and looks poised to hold the seat in 2016. Sources tell the Watchdog Miller is in excellent shape, which is a credit to him and to the changing politics of the district.

Is Rob Farnsworth this year's Tim Miller?

Conventional wisdom would argue against it, but conventional wisdom is out the window this year.

The Iron Range is another area turning red. Farnsworth is the darkest of dark horses, but it's a race we will be watching closely on Election Day.

GETTING SLIMED

Recent campaign finance reports have shown, not surprisingly, that liberal special interest groups have accumulated millions to dump into (and on to) legislative races.

Republican candidates around the state in targeted races are telling the Watchdog that they are getting "slimed" with all sorts of negative advertising, telling voters what evil people they are, simply because they chose to throw their hats in the ring as Republicans.

The liberals say, "When they go low, we go high."

Yeah, right.

To showcase the DFL high road, Harold Hamilton encourages Republicans to scan the negative mail and send it to him at harold@anokacountywatchdog.com.

Or send it to him on Facebook.

Let the world see the "high road" the liberals are taking this year.

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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Sharon LeMay for the Anoka County Conservation District

District 5: Bethel, East Bethel, Ham Lake, Columbus, Linwood, Circle Pines, Lino Lakes, and Centerville

Life depends on fertile soils and clean water. In the past, we have not always been mindful of this as we've polluted our environment. Many of the products and processes we employ today contribute to the loss of precious topsoil, the decrease in soil fertility, the contamination of surface and ground waters, and the die off of bees and other pollinators.



It doesn't have to be this way. We can choose sustainable products and processes that allow us to live lives in harmony with nature so there will be clean, abundant natural resources for future generations. We can work together as a community to preserve what is left, protect what is threatened, and restore that which is damaged.

Serving on the board of the Anoka County Soil and Water Conservation District will allow me to advocate for the formation and implementation of programs to protect, preserve, and restore our soil and water. I want to serve my community and contribute towards cleaning up our environment and protecting it from further abuses.

Three issues I see as priorities for Anoka County are:

1. Water Scarcity—Within the next 20 years, our groundwater may no longer provide us with an adequate supply. Ever increasing development, along with water usage in the rest of the Metropolitan area, is drawing down our reserves faster than they can be replenished. Finding ways to conserve water presents us with a critical challenge going forward.

2. Sanctity of Wetlands—as Anoka County continues to grow, demands are placed to fill in existing wetlands. Studies have shown replacement wetlands are often not as efficient as natural wetlands. We need to work towards no-net loss of remaining natural wetlands and restoration of existing impaired wetlands.

3. Soil sterility—Modern farming and gardening practices have resulted in our soil losing its fertility. Regenerative techniques such as no-till, green manure, permaculture, intercropping, and organic amendments can help rebuild what we have lost. We need to practice Agroecology.

This is what I support, and will work towards if elected:

Work to preserve environmentally sensitive areas that would suffer irreparable harm from human activities.

Promote sustainability in all areas which affect our soil and water. I define sustainability as using resources in a way that will allow the use of those resources to be continued indefinitely.

Facilitate understanding about environmental and social justice concerns to ensure that projects improving the environment are fairly distributed among all socioeconomic classes in Anoka County.

Foster a culture change towards naturalized landscapes of native plants and grasses and other treatments that need minimal care, and more importantly, provide a wealth of benefits to our soils and waters.

Encourage farmers to transition to methods which include practices such as no-till, cover crops, green manure, diversity in crops, and permaculture—collectively known as agroecology.

Assist homeowners in completing environmentally friendly features such as gardens for pollinators, wildlife habitat, rain gardens, shore stabilization, and usage of rain barrels.

Education, education, education. Ultimately, positive change for the environment will not happen unless people are convinced it is the right path to follow. The Conservation District can be instrumental in gathering resources to provide a strong educational curriculum to the public so people can learn of the problems that face us, and the array of solutions we may choose from.

For more information on my views, please visit my website at: <https://lemay4soilandwater.wordpress.com>

Thank you, Sharon LeMay

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PUBLIC NOTICES *continued from page 5*

Desired Qualifications: Becker at NBecker@columbiaheightsmn.gov . A City application form must be completely filled out and returned to the Library Director, 3939 Central Avenue NE, Columbia Heights, MN 55421. Applications will be accepted until 4:30 PM, Monday, October 24, 2016. In addition, applicants may submit any other data they feel is pertinent to their consideration. Resumes will be accepted in addition to, but not in lieu of, a city application.

Hours: Approximately 14 hours per week average. Applicants must be available to be scheduled anytime on Mondays 4 - 8 PM, Tuesdays 4 - 8 PM, Wednesdays 4 - 8 PM, Thursdays 3 - 5 PM, Fridays 3 - 5 PM, and Saturdays 10:45 AM - 4 PM.

Wage Range: \$10.21 to \$12.01 per hour

Application Procedure: Closing Date: City applications accepted are available at the until 4:30 PM, Monday, Columbia Heights October 24, 2016. Public Library or they can be downloaded from our website at www.columbiaheightsmn.gov or by emailing Nancy

ANOKA COUNTY NOTICE OF UNCLAIMED PROPERTY TAX REFUNDS

Pursuant to Minnesota Statute 276.19 Sub 2. the following persons appear to be owners of unclaimed property tax refunds (caused by overpayments) in Anoka County. Information concerning the amount of overpayment, the property address and proof needed to claim the refund, can be obtained by calling the Anoka County Property Tax Accounting Division at (763) 323-5406 or (763) 323-5507 Monday - Friday between 8:00 a.m. & 4:30 p.m. If responding by mail, please enclose the name & address of the owner listed, your daytime phone number & mail to: Anoka County Property Tax Accounting Division, 2100 Third Avenue, Anoka, MN 55303. If proof of claim is not presented by owner to Anoka County, or if the owner's right to receive the property is not established to Anoka County's satisfaction by January 9, 2017, the unclaimed refund will be considered abandoned and all claims to the property tax overpayment will be forfeited.

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Signature Title
1850 121st St E Ste 107
Burnsville, MN 55337

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STATE OF MINNESOTA COUNTY OF ANOKA DISTRICT COURT TENTH JUDICIAL DISTRICT FAMILY COURT DIVISION Court File No.02-JV-16-521 Co. Att. Case No.: JW-2016-00049

In the Matter of the Welfare of the Children of: Leah Marie Pluff, Parent/Legal Custodian. **JUVENILE PROTECTION PETITION TO TRANSFER PERMANENT LEGAL AND PHYSICAL CUSTODY**

Children: Jace James Schroeder, DOB: 7/3/2012

TO: LEAH MARIE PLUFF BY AND THROUGH HER ATTORNEY, STEPHEN NICOL, NICOL & GREENLEY, LTD., 403 JACKSON ST, #309, ANOKA, MN 55303; KATEY ZOLENY, HUMAN SERVICES, ANOKA COUNTY GOVERNMENT CENTER, 2100 THIRD AVENUE, ANOKA MN 55303; DONALD LABARON, ASSISTANT ANOKA COUNTY ATTORNEY, ANOKA COUNTY GOVERNMENT CENTER 2100 THIRD AVENUE, SUITE 720, ANOKA MINNESOTA 55303; SARA MCKLUGELL, GUARDIAN AD LITEM, TENTH JUDICIAL DISTRICT ADMINISTRATION OFFICE, 7533 SUNWOOD DRIVE NW, SUITE 306, RAMSEY, MINNESOTA, 55303.

Intervenor, Dustin Schroeder, alleges the following:

1. The children who are the subject of this petition are as follows:

a. Jace James Schroeder, DOB 7/3/2012, Age 4, Caucasian Male
Current Residence: 838 Laurel Avenue, St. Paul, MN 55104.
Home Address: 838 Laurel Avenue, St. Paul, MN 55104.
Tribal Affiliation: None

2. The children's legal custodian, person having custody or control of the children or the nearest known relative if no parent or legal custodian can be found is as follows:

a. Mother
Leah Marie Pluff, DOB: 2/17/1971, Age 45, Caucasian Female
Home Address: Unknown
Mailing address: Unknown
Tribal Affiliation: None

The mother was not married when the child was conceived or when they were born and is the sole custodian under Minn. Stat. Section 257.541, subd. 1.

The mother does not have any children that are not a subject of this action.

b. Adjudicated Father of Jace James Schroeder
Dustin James Schroeder, DOB: 7/28/1986, Age 30, Caucasian Male
Home Address: 838 Laurel Avenue, St. Paul, MN 55104.
Mailing address: 838 Laurel Avenue, St. Paul, MN 55104.

According to the Anoka County Parental Fee Unit, Mr. Schroeder is the adjudicated father of Jace James Schroeder as he signed a Recognition of Parentage Form regarding the child.

3. The parties to this proceeding include the following:

a) Leah Marie Pluff, Mother;
b) Dustin James Schroeder, Adjudicated Father;
c) Anoka County Human Services and Public Health Department, Petitioner,
d) Guardian ad Litem's Office

4. The Participants to this proceeding are as follows:

a) Jace James Schroeder

5. Based on information now known, the Indian Child Welfare Act does not apply.

To the best of the Department's knowledge, the child does not reside on an Indian Reservation. In addition, the child's tribe does not have exclusive jurisdiction pursuant to 25 U.S. C. section 1911 (a), MRJPP Rule 33.02, subd. 1(h) and (i). The children are also not a ward of the tribal court.

6. Procedural History

a) On April 27, 2016 a petition was filed in Anoka County District Court, Juvenile Division, alleging that the above-named child was in need of protection or services.

b) On April 27, 2016 the child was adjudicated in need of protection or services and legal custody was transferred to the Anoka County Human Services and Public Health Department. Finding of Fact, Conclusions of Law and Order for CHIPS Adjudication and Foster Care Placement are attached hereto as Exhibit A.

c) The child has been in court-ordered out-of-home placement since April 27, 2016.

d) The following reasonable efforts were made by the Department to facilitate reunification, but failed to correct the conditions that led to the out of home placement

a. To consistently make arrangements for adequate and appropriate supervision,
b. Address her mental health needs in a safe and legal ways; will follow recommendations of psychological/psychiatric evaluations and other mental health professionals managing her care,
c. Will complete a psychological evaluation,
d. Will attend, participate in and successfully complete individual therapy,
e. If recommended in therapy, will attend, participate in, and successfully complete domestic abuse programming,
f. Will complete a psychiatric evaluation for medication management,
g. Will get any needed medication to support her mental health prescribed by one psychiatrist and/or physician that is familiar with her situation re: depression, anxiety, current medication, methadone, previous pain pill

addiction,
h. Will complete an updated Rule 25 Assessment and will follow the recommendations thereof,
i. Will abstain from all mood altering, non-prescribed chemical use, including alcohol use,
j. Will complete random UA's as directed by ACSS.

7. The Petitioner alleges that it is in the child's best interests for his custody to be transferred to Dustin Schroeder, who is the adjudicated father for the following reasons:

a) The proposed custodian expresses a desire to become the legal custodian of Jace Schroeder.
b) The child is not of sufficient age and maturity to express a desire to be placed permanently in the home of the proposed custodian.
c) The proposed custodian has been the child's primary caretaker since August 5, 2016 and has provided a stable and satisfactory environment for the child.
d) A family relationship has developed between the child and the proposed custodian and others in the household and it is desirable to continue this relationship.
e) The child has made an excellent adjustment to the home, school and community in this home.
f) The proposed custodian presents a permanent family unit for the child.
g) The proposed custodian is mentally and physically fit to undertake the custody of the child.
h) The proposed custodian demonstrates the capacity and disposition to provide the child with love, affection, and guidance.
i) The proposed custodian is willing and able to continue educating and raising the child in his culture and religion.
j) Domestic abuse has occurred between the parties.

8. Petitioner alleges that the following facts constitute grounds for transfer of legal custody:

a) Respondent Mother

a. Pursuant to the CHIPS adjudication, Respondent Leah Marie Pluff was ordered to comply with a case plan. Respondent has failed to comply with the court-ordered case plan as follows:

i. To consistently make arrangements for adequate and appropriate supervision,
ii. Address her mental health needs in a safe and legal ways; will follow recommendations of psychological/psychiatric evaluations and other mental health professionals managing her care,
iii. Will complete a psychological evaluation,
iv. Will attend, participate in and successfully complete individual therapy,
v. If recommended in therapy, will attend, participate in, and successfully complete domestic abuse programming,
vi. Will complete a psychiatric evaluation for medication management,
vii. Will get any needed medication to support her mental health prescribed by one psychiatrist and/or physician that is familiar with her situation re: depression, anxiety, current medication, methadone, previous pain pill addiction,
viii. Will complete an updated Rule 25 Assessment and will follow the recommendations thereof,
ix. Will abstain from all mood altering, non-prescribed chemical use, including alcohol use,
x. Will complete random UA's as directed by ACSS.
xi. Following the CHIPS adjudication on April 27, 2016
xii. Other: Respondent Leah Marie Pluff did not appear for the previous hearing and her current whereabouts are unknown.

9. Transfer of legal and physical custody of the above-named child to a relative or kin who is able and desires to become the permanent custodian of the child is in the child's best interests. The allegations contained herein support a transfer of legal and physical custody pursuant to Minn. Stat. Section 260C.515 subd. 4.

WHEREFORE, the Intervenor asks the Court to make and file its order transferring permanent legal and physical custody to Dustin Schroeder.

ACKNOWLEDGMENT

The undersigned hereby acknowledges that costs, disbursements and reasonable attorney and witness fees may be accredited, pursuant to Minn. Stat. § 549.211.

Dated: 9/21/16

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