

Anoka County RECORD

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



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Nowthen City Council Gets Crash Course In Road Maintenance Funding Options Council Informed of “Outstanding” AA+ Credit Rating

by ACR staff

In Minnesota, cities have numerous ways to fund road improvement projects. Each method apportions the overall cost differently. How the cost of a project is applied to a particular property may determine the overall amount of support or opposition.

With each road improvement project, every property owner in the city will fall into one or more categories. Most are general city property taxpayers. A few will be taxpayers with land near the improvement. Other property owners include non-profits, cemeteries, state owned public lands, or other government institutions such as schools. Some in these categories pay property taxes and/or assessments while others do not.

Each method of funding comes with a process and risks of lawsuits. The city council process could range from one single meeting to multiple meetings spanning a year or two. As the impact upon individual property owners is increased, the risk of the city being sued on valuation or assessment claims also increases.



Nowthen Councilmember Mary Rainville and Nowthen Mayor Jeff Pilon

City Council Holds Special Meeting

At a July 27th Nowthen City Council meeting, members got a crash course in road improvement project funding. In addition to the Mayor and council members, City Engineer Shane Nelson and City Attorney Bob Ruppe were in attendance. Joining them was Financial Advisor Bruce Kimmel from Ehlers & Associates.

Driving the need to address these issues were concerns raised by council members as to how to address existing paved roads that need work and how to upgrade gravel roads to pavement upon citizen request. Specifically mentioned during the discussion were Old Viking Boulevard and the streets just to the northwest of Rogers Lake in the southeast corner of the city.

City Attorney Discusses Chapter 429

Starting out the discussion was City Attorney Bob Ruppe. He discussed Minnesota Statutes Chapter 429 which is one of the most common tools used to fund road improvements. This law allows the city to borrow money without voter approval, provided that a portion of the project cost is directly billed to affected property owners.

Assessments are essentially fees charged directly to affected property owners. Payments on assessments can generally be stretched out for 10 years with interest. The city must give property owners at least 30 days to pay assessments in full with no interest.

Chapter 429 requires two public hearings, which are part of a

multi-part process that could easily span an entire year. The process would begin either by a citizen petition or vote of the council, the latter being the most common method. Then the city would prepare a report estimating the scope of the project and the cost. The report is discussed at an improvement hearing where the city council must allow public testimony. Within six months of the improvement hearing, the council has the authority to order the project be built by using a competitive bidding process.

The second hearing where the city council must allow public comment is when assessments are determined for affected property owners. This hearing can be held before or after the project has been completed. After the hearing, the city council can adopt the assessments and direct city staff to send invoices to property owners and to the county for collection through property taxes.

Property owners then can object to the assessments, by providing written notice at the hearing or prior to the hearing. Following the hearing, the property owner would then file a lawsuit in District Court against the city. In court, they would have to prove that the assessment will cost them more than the property will increase in value. In recent years, property owners have won many of these lawsuits. Replacing a paved road, sidewalk, or curb with something nearly identical may does not increase the sale price of many properties. In some communities,

Nowthen Special Meeting *continued on page 2*



Nowthen City Attorney Bob Ruppe

Out-of-Control State Agency to Pay Nearly \$1 Million in Botched “Investigation”

by Tom Steward

A botched investigation has not only cost the Minnesota Department of Commerce its reputation for impartiality but also nearly \$1 million in court-ordered legal expenses to be paid to the auto glass replacement company victimized by the state agency’s discredited tactics.

The \$941,534 judgment comes as the latest development in a series of missteps at the regulatory agency that critics



Minnesota Department of Commerce Commissioner Mike Rothman

have characterized as an “unconstitutional attack on Minnesota consumers and businesses.”

A key member of a legislative oversight committee who’s called on Gov. Dayton to fire Commerce Commissioner Mike Rothman repeated her concerns over the agency’s abuse of power and rogue regulators.

“On Commissioner Rothman’s watch, the Department of Commerce abused their power, bullied businesses and acted against the interest of Minnesota consumers,” Vice Chair of the Minnesota House Commerce and Regulatory Reform Committee, Rep. Kelly Fenton, (R-Woodbury) said in a statement. “Now, taxpayers are on the hook for nearly \$1 million because unelected bureaucrats believed they were above the law.”

U.S. District Court Judge Susan Nelson earlier this year found that investigators under Rothman pursued a baseless, yet relentless investigation of Safelite AutoGlass, violating the company’s First Amendment rights and harming Minnesota consumers.

Court documents show that not only was the investigation predicated on “financially-motivated complaints from competitors” but that Rothman’s agency shared confidential investigative information with those competitors in violation of procedure. Moreover, commerce department officials overtly pressured other companies to stop doing business with Safelite in Minnesota.

“Where is the accountability? While I am pleased the courts put a stop to the Department of Commerce’s egregious actions, it is frustrating that hardworking Minnesota taxpayers will bear the burden of the Department’s misconduct and unethical behavior,” Fenton added.

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Nowthen Special Meeting continued from page 1

residents band together to hire one attorney to represent multiple property owners, therefore making lawsuits against city assessments more practical.

In addition to the hearing process that must be followed, the actual act of setting the assessment amount is subject to additional laws. Dollar amounts charged to each property owner do not need to be the same, but similar types of properties must be treated equally. Properties that receive direct vs. indirect benefit can be treated differently, but properties within these categories must be treated similarly. A specific property owner cannot have their assessment lowered due to an inability to pay.

Mr. Ruppe also provided his opinion on best practices. He advised the council to first obtain a feasibility report for the proposed project, and then invite the public to an informational meeting to discuss the contents of the report. He stated that while an informational meeting is not required at this point in the process, it would be advisable to hold one. After public input is received, the report should then be amended if needed. The report that would be brought forward to the city council for adoption at the improvement hearing would be one based off of staff and public input.

In response to Mr. Ruppe's review of the process, Councilmember Randy Bettinger stated that in his opinion, the improvement and assessment hearings should be held at the same time in case there are objections. His rationale was that it did not make sense to order a project to be built at the improvement hearing and then have to deal with objections at the assessment hearing after the project was finished.

Mr. Ruppe also reviewed several legal points which related to Mr. Bettinger's comments. He stated that all court costs for objections to assessments are paid by the city and are not covered under the city's insurance policy. But he did note that the court presumes the assessment amounts to be valid unless the resident can prove in court that it was unreasonable. He also stated that only people who challenge the assessment will get a price break of the court agrees, not other property owners who chose not to raise a challenge.

City Engineer Discusses Plan

Mayor Jeff Pilon then asked City Engineer Shane Nelson to lay out the argument in support of moving forward with a citywide road improvement plan. In response, Mr. Nelson informed the city council that 2008 was when the last road project was done in the city and the last citywide road study was conducted in 2012. He noted that most road deterioration occurs in the last 25% of pavement life, therefore he advised the city council to focus on crack filling as this gives the city the greatest benefit for the cost. He noted that at a certain point, no maintenance would extend the life of a road therefore requiring complete reconstruction. Furthermore, he informed the city council that prioritizing road projects is a scientific analysis, not a visual estimation of which road appears to be the worst in the city.



Nowthen City Engineer Shane Nelson

Mr. Nelson said that based upon the 2012 report, the city has a total of \$3,300,000 in backlogged road maintenance. He noted that for new construction, paved roads range from \$350,000 to \$400,000 per mile and \$100,000 to \$150,000 per mile for gravel. In total, he estimated that the city's road system had a value of approximately \$20,000,000.

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In referencing Old Viking Boulevard, Mr. Nelson stated that a current overlay project would cost \$130,000 to \$180,000 per mile. Waiting a decade might require a full reconstruction of the street at a cost of \$500,000 per mile at that time.

Financial Advisor Reviews Options

The city's financial advisor, Bruce Kimmel from Ehlers & Associates, distributed a report to the council outlining the type of work they do for cities, along with common facts about borrowing for public projects. The report addressed various debt options available to the city, interest rates over the past 30 years, and a sample payment schedule for borrowing \$1,050,000 with a repayment schedule of 10 years.

Mr. Kimmel said the first step in the process is for the city council to adopt a long range road improvement plan. This plan would then provide him the information needed to determine if financing should be obtained through a larger bond market or at a local bank. He later stated that amounts less than \$700,000 are generally obtained from a local bank.

Mr. Nelson interjected that a lot of roads in the city were built from 2000-2005. He said that if they were able to do an overlay at this point in time for these roads, it might be better in the long run vs. working on other projects.

Mr. Kimmel told the city council that there are options to raise fees instead of taxes to fund road projects. He noted that they had the ability to place a fee on utility bills to fund a road improvement program. He later cited Brooklyn Park as a city which does this.



Bruce Kimmel from Ehlers & Associates

After Mr. Kimmel's presentation, Mr. Bettinger stated his personal opposition to placing the city in debt for road improvement projects, preferring to raise the tax levy instead. He said, "It is better to pay as you go."

Mr. Ruppe reminded the city council that while there is a cost to borrowing, there is also the cost of a missed opportunity.

City Council Discussion

Mayor Pilon opened discussion by asking several questions to council members and staff. He asked "How do we answer these questions? Do we need another road study? What kind of plan do we need?"

Mayor Pilon noted that road standards are better today than they were back in the township days. Some developments in the city simply had better built roads than others.

Mr. Bettinger shared some historical perspective on this point, stating that back in 1991 the township had no public works engineer. Town board members personally supervised projects. This led to problems which required road standards to be adopted at that time.

Mr. Nelson responded to Mayor Pilon's questions stating that the city needs a plan that addresses projects for the next five years, and that should include overlays on several streets as this would be less time intensive. He said that he would like to put that plan together, and then bring in Mr. Kimmel for financing options. At that point, the city council could seek to get buy-in from residents.

Mr. Nelson also asked the city council to consider several questions, stating "Do you want to reroute roads? Do you want future developers to have to comply with the city's plan? Do you want to invest in a road that may be rerouted in the future?"

Mr. Ruppe said that with a plan in place, residents would accept assessments if they are applied consistently and treat everyone equally.

In response to Mr. Ruppe's statement, Mr. Bettinger said, "What are we going to assess and what is the city going to pay for. That is where we are stuck at."

The council then discussed Old Viking Boulevard. Recommendations were to assess property owners 50% of the cost. It was estimated that the project would cost \$540,000 which would lead to an individual property assessment of \$4,100 to each of 66 properties located on the street.

Questions though remained as to the true cost of this project. Mr. Nelson stated that he felt that 70% of the project would benefit from a simple overlay. His concern though was the remaining 30%, which includes the portions of the road that were sliding into wetlands.

Councilmember Dan Breyen noted that this was at the top of his list for maintenance work, but raised the question of how do you determine benefit if the road is already paved. The city cannot assess property owners for more than the project increases their property value.

Mr. Ruppe suggested an idea used by other cities where they have different percentages of assessment for overlays vs. Complete reconstruction. Let residents pick if they wish to do an overlay now and extend the life of the road or do nothing and pay more for a complete reconstruction at a sooner date. He also stated that the council was able to apply a different methodology for each individual project.

Mayor Pilon raised concerns about the amount of an assessment to an individual property owner. He said, "I don't want to charge people an amount where they cannot keep their parcel. But we need to get the project done."

Mr. Ruppe advised the city council to look at a particular road, figure out who to assess, and then determine the dollar amount of the assessment. He advised the city council to not follow what big cities do by setting city wide policies that affect all projects, because the city does not do enough projects. He suggested that assessment plans should be written on a project by project basis.

Mr. Bettinger raised questions about large farm properties. He

Road Maintenance *continued on page 4*



ANOKA COUNTY WATCHDOG

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

August 18, 2017

Quote of the Week: "Kim Jong Un, the world always thought he was not a responsible leader, well he's acting more responsible than this guy is."

- Rep. Keith Ellison (MN-5) on President Trump

Quote of the Week: "This is terrifying. When Donald Trump said he wanted to 'Make America Great Again' many of us knew what he was referring to - he and others want to take us back to a time when scenes like this were commonplace, back to a time when white people terrorized communities of color and people were being killed because of their race, ethnicity and sexual orientation."

- MN DFL Chairman Ken Martin

UNITED OR DIVIDED?

The recent events in Charlottesville have further unmasked very troubling and ongoing issues in our country.

It would be a mistake to view recent events as isolated or in a vacuum.

Moreover, much of the rhetoric and commentary regarding these events is simplistic and misses the larger point.

These events are not the "cause" but rather the "effect" of the toxic erosion of our social, educational, and political institutions.

The erosion of these institutions has made it harder to for them to cushion the country against the shocks that come from the inevitable clashes that arise from time to time when the nation confronts change and upheaval.

This is precisely what's happening today and it's quite concerning.

To begin, political leaders from both parties have abdicated their moral responsibility to unite the country, to subordinate political gain to the common good, to seek compromise instead of confrontation.

In short, most of our political leaders aren't letting any crisis "go to waste."

President Trump thus far has failed miserably in his duty to unite a fractured nation. In fact, he has made no bones about having no real interest in fulfilling that obligation.

But so did President Obama.

A man uniquely suited to advance the cause of racial harmony put in little effort.

Instead of serious national conversation about race and justice, we got a "beer summit" and meaningless gestures.

Worse, President Obama did little to bring hope to very people most susceptible to white supremacist messaging and recruitment.

Rural men, the "Forgotten Man" of our era, face issues of economic dislocation and a lack of opportunity and the accompanying despair that has manifested itself in addiction, suicide, indolence, anger, and alienation.

The response from Obama was to dismiss the Forgotten Man as "bitterly clinging to guns and religion."

In Congress, both parties have failed to responsibly govern the country, failing to pass any meaningful compromise legislation (or even doing basic work like passing a budget) and engaging in a disturbing pattern of obstruction followed by the abrogation of rules meant to foster bi-partisanship in order to ram through one-sided solutions (e.g. Obamacare and the confirmation of any judge).

The rhetoric from our leaders has been even worse, and is once again a bi-partisan affair, contrary to what our DFL friends are proclaiming.

Take DFL chairman Ken Martin's recent comments as Exhibit "A."

Read again his comments: "This is terrifying. When Donald Trump said he wanted to 'Make America Great Again' many of us knew what he was referring to - he and others want to take us back to a time when scenes like this were commonplace, back to a time when white people terrorized communities of color and people were being killed because of their race, ethnicity and sexual orientation."

That kind of rhetoric is irresponsible, inflammatory, counter-productive, divisive, and just plain false.

Martin is accusing the President of the United States and the nearly 63 million Americans - including the 1.3 million Minnesotans - who voted for him of supporting racist policies that would reinstitute Jim Crow laws, voter suppression, and even lynching.

Chairman Martin continues to show an urban, liberal, elitist disdain for those who think differently than the liberal elites for whom he does his dirty work.

Recall his statement that the DFL "no longer needs the Iron Range to win."

Another root cause of the division in our country is the death of the First Amendment and the free exchange of ideas.

Segments of our society, especially on the Left, have become very comfortable ignoring free speech and instead shutting down speech they deem offensive or merely inconvenient.

Our college campuses, the cradle of that exchange of ideas, are now choked with speech codes, "trigger" words, safe spaces, and petitions to exclude certain people from speaking.

Relieving ourselves of the civic obligation to respectfully consider the ideas of others paves the way to dismiss those who don't think like we think and dismiss their societal goals and aspirations.

In short, the suppression of speech, especially core political speech, paves the way to a hardcore "winner take all" parochialism instead of a spirit cooperation for a common good.

American society is quickly forgetting that is possible, indeed necessary, to both

vigorously oppose certain viewpoints while simultaneously supporting the right of others to say it.

Indeed, conservatives should lead the way in this regard.

For example, the racist views expressed at Charlottesville should be vehemently rejected.

Conservative thought is underpinned by the twin values of logic and merit.

Racism is inherently illogical, emotional, and denies the intrinsic value of each human being.

In short, racist thought is antithetical to the core values conservatives believe.

On the other hand, conservatives believe strongly in the value of free speech, especially core political speech.

The First Amendment was designed especially to protect unpopular speech.

The Framers clearly understood that when certain speakers are allowed to be heard and others are not, it puts us on the road to tyranny.

If some political speech is to be suppressed, it presupposes an arbiter of political thought who makes that call.

The Framers rightly believed that such a task could never be undertaken free from bias and the risk that the right to speak would be based upon the partisan viewpoint of those charged to pick the winners and losers.

We are right now lacking courageous leaders who are willing to stand up for the First Amendment.

Despite these challenging times, there is still hope.

Our institutions, while wounded, remain strong. Our nation has weathered political and social conflict before and will again.

This isn't the 1860s. But it certainly feels like the 1960s.

We can stand untied or fall divided.

As Ben Franklin noted, we can hang together or surely we will hang separately.

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.

PAID ADVERTISEMENT

Road Maintenance

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suggested that there should be a sliding scale that tied future development to assessments. If a property was subdivided shortly after a road improvement project, they should pay differently than if the property remained a farm for 10 years following the project.

Mayor Pilon then noted that the city council needed input from those who live on gravel roads. If they wish to see their roads blacktopped, does the city council need all residents who live on the road to agree, or just a majority to agree. He also raised an additional concern that as the tax levy increases, resident will want to know where they fit into the city's road improvement plan.

AA+ Bond Rating

Mr. Kimmel informed the council that the financing tool to use may be street reconstruction bonds. The state legislature gave this option to cities 10 years ago, allowing them to borrow for projects where property owners were personally assessed 20% or less of the project with the remainder to be paid for by all taxpayers throughout the city. He said that it requires a 2/3rds vote of the city council to adopt, and there is a reverse referendum option if citizens wish to stop the project.

Mr. Kimmel stated that the city's credit rating was "outstanding". He stated that Nowthen is currently rated by Standard & Poor's at AA+, which is one place lower than the top AAA category. In his opinion, borrowing was a good option for the city. He did note that stable financial management is

one reason for the city's high rating along with changes in their rating standards. Personal wealth of residents in the community directly affects the city's credit rating as it is taxpayers who are paying back the debt.

Plan to Move Forward

Mr. Nelson was given direction by the city council to prepare a report with recommendations on which roads should be considered for improvement over the next five years. Mr. Ruppe stated that he would provide the city council with a summary of the special assessment process.

It is anticipated that this discussion will become part of the overall budget discussion for 2018 which must be adopted in December 2017.

ANOKA COUNTY SHERIFF CRIME REPORT

Andover

Thefts & Damage to Property

August, 14 - 17xx 148 Ln NW – vandalism to a vehicle; tires slashed

August, 14 - 177xx Bluebird St NW – shattered vehicle window; purse, backpack

August, 11 - 157xx Vale St NW – vandalism to a mailbox; firework placed inside and set off

Arrests

August, 16 - 16600 Block of Wintergreen St NW – 5th Degree Possession of Narcotics; deputies responded to a report of a suspicious vehicle at the location. Narcotics were located in plain view. The female was arrested.

August, 15 - 17200 Block of Argon St NW – 5th Degree Possession of Narcotics, 4th Degree DWI, DAR; deputies responded to a report of a male slumped over in the driver seat of a vehicle. The driver appeared intoxicated. Field sobriety tests were conducted and failed. During the search of the vehicle narcotics were located. The male was arrested.

August, 13 - 25xx 181 Ave NW – DAR, Possession of a Stolen Firearm; a deputy stopped a driver for failing to signal a turn. The driver did not have a valid driver's license and was in possession of a stolen gun. The male was arrested.

August, 13 - Round Lake Blvd NW/Jonquil St NW – 5th Degree Possession of a Controlled Substance; a deputy stopped a driver for not signaling a lane change. The occupants appeared very nervous and their stories did not add up. A K9 was requested to perform a sniff of the vehicle. Narcotics were located. The female passenger was arrested.

August, 13 - 29xx 181 Ave NW - Warrant Arrest, Possession of Stolen Property; deputies responded to the location attempting to locate a male with a warrant. The male was located and arrested.

August, 13 - 16400 Block of Hanson Blvd NW – 4th Degree DWI; a deputy stopped a driver for speeding. The driver appeared intoxicated. Field sobriety tests were conducted and failed. The male was arrested. .096

August, 11 - 155xx Avocet St NW – 3rd Degree DWI; a deputy stopped out with a male who was reported as driving while excessively intoxicated. The male was arrested. .332

August, 11 - 144xx Inca St NW – Warrant Arrest; deputies responded to the location in an attempt to locate a male with an active warrant. The male was located and arrested.

Bethel

Arrests

August, 11 - Main St NW/University Ave NW – 4th Degree DWI, Speed, Careless Driving; a deputy stopped a driver for poor driving conduct. The driver appeared intoxicated. Field sobriety tests were conducted and failed. The male was arrested. .16

Columbus

Arrests

August, 14 - Hornsby Sr NE/145 Ave NW – Possession of Stolen Property; a deputy stopped a driver for driving a stolen truck. The two male occupants were arrested.

August, 13 - 15100 Block of West Freeway Dr NE – 1st Degree DWI; deputies responded to a property damage crash at the location. The driver appeared intoxicated and had numerous open bottles in the vehicle. The male was arrested.

East Bethel

Burglaries

August, 14 - 2xx Cedar Rd NE – unsecure screened-in porch; lpad

Arrests/Incidents

August, 16 - 184xx Lakeview Point Dr NE – House Fire; deputies responded to a house fire at the location. The East Bethel Fire Department extinguished the fire. No one was injured.

August, 15 - Hwy 65 NE/237 Ave NE – Warrant Arrest, DAR, Possession of Stolen Property; a deputy stopped a driver for poor driving conduct. The driver did not have a valid driver's license, had an active warrant and was driving a stolen motorcycle. The male was arrested.

August, 13 - 203xx Hwy 65 NE – 3rd Degree DWI; a deputy stopped out with a vehicle parked in a parking lot of a closed business. The driver appeared intoxicated. Field sobriety tests were conducted and failed. The male was arrested. .318

August, 12 - 226 Ave NW/Hwy 65 NE – DAR, 5th Degree Possession of Narcotics; a deputy stopped

a driver for speeding. The driver did not have a valid driver's license. During the search of the male narcotics were located. The male was arrested.

August, 12 - 181xx Hwy 65 NE – DANCO Violation; a deputy stopped a vehicle due to a domestic abuse no contact order being violated between two of the occupants. The male was arrested.

Ham Lake

Thefts & Damage to Property

August, 11 - 23xx 139 Ln NE – mail stolen from the mail box

Arrests

August, 11 - 17500 Block of Madison St NE – DAR, Altering a License Plate, No Insurance; a deputy stopped a driver for expired vehicle registration. The driver did not have a valid driver's license or insurance on the vehicle. The male was arrested.

August, 11 - 15400 Block of Hwy 65 NE – Warrant Arrest; deputies responded to the location in an attempt to locate a female with an active warrant. The female was located and arrested.

Linwood

Thefts & Damage to Property

August, 14 - 228xx Typo Creek Dr NE – vandalism to a park; graffitied

Arrests

August, 16 - 223xx Typo Creek Dr NE – DANCO Violation; deputies responded to a report of a domestic abuse no contact order violation. It was determined that the order was violated. The male was arrested.

Nowthen

Arrests

August, 11 - 187xx Cleary Rd NW – Warrant Arrest, 5th Degree Possession of Narcotics; deputies responded to the location in an attempt to locate a male with an active warrant. The male was located and arrested.

Oak Grove

Arrests

August, 13 - Lake George Blvd NW/Viking Blvd NW – 4th Degree DWI; a deputy stopped a driver for not having a rear license plate light. The driver appeared intoxicated. Field sobriety tests were conducted and failed. The male was arrested. .13

PUBLIC NOTICES

ANOKA COUNTY SUMMARY OF BIDS

Bid #2017-17

Description of Bid/RFP: Corrections Food Management

Bid Opening:

September 22, 2017

For more information regarding the above published bids/RFPs, please visit the Anoka County Web Site at: www.AnokaCounty.us/bids. (8/22, 8/29, 2017 ACR) #719

ANOKA COUNTY SUMMARY OF BIDS

Bid #2017-15

Description of Bid/RFP: Bunker Hills Activity Center Sanitary Sewer

and Water No Prevailing Wages Required

Bid Opening: September 25, 2017

For more information regarding the above published bids/RFPs, please visit the Anoka County Web Site at: www.AnokaCounty.us/bids. (8/15, 8/22, 8/29, 2017 ACR) #717

CITY OF OAK GROVE

NOTICE OF ASSESSMENT HEARING

STATE OF MINNESOTA CITY OF OAK GROVE TO WHOM IT MAY CONCERN:

Notice is hereby given that the Oak Grove City Council will meet at the City Hall, 19900 Nightingale Street

NW in the City of Oak Grove, on the 11th day of September 2017, at 7:00 P.M. to consider the proposed assessment for the following road improvement project: The bituminous surfacing of the following streets within the Blackfoot Forest Subdivision: Lane NW east of Blackfoot Street NW and Woodbine Street NW south of 194th Lane NW within the City of Oak Grove, Anoka County, Minnesota; (the "improvement"), and the adoption of a final assessment roll itemizing that portion of the cost of improvement to be assessed against each property within the area proposed to be assessed.

It is proposed that the cost of the Improvement be assessed against the properties abutting said listed streets. The total amount proposed to be assessed against the benefited properties is \$64,870. The proposed assessment roll is on file for public inspection at the City Hall. Written or oral objections will be considered at the meeting. No appeal may be taken as to the amount of an assessment unless a signed, written objection is filed with the City Clerk prior to the hearing or presented to the presiding officer at the hearing. An owner may appeal an assessment to the district court pursuant to Minnesota Statutes, Section 429.081, by

the appeal notice of the or Clerk of the City shall be adopted within 30 days after the adoption of the assessment and filing such notice with the district court within ten days after service upon the Mayor or Clerk, unless the property owner has failed without reasonable cause to object prior to or at the assessment hearing. Any city electing to defer special assessments shall adopt an ordinance or resolution establishing standards and guidelines for determining the existence of a hardship and for determining the existence of a disability, but may determine hardship on the basis of exceptional and unusual circumstances not covered by the standards and guidelines where the determination is made in a non-discriminatory manner and does not give the applicant an unreasonable preference or advantage over other applicants. The homeowner shall make application for PUBLIC NOTICES *continued on page 5*

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PUBLIC NOTICES

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deferred payment of special assessments on forms prescribed by the County Auditor of the county in which the homestead is located. Where the deferred assessment is granted, the Auditor shall record a notice thereof with the County Recorder of said county which shall set forth the amount of the assessment. The taxing authority may determine by ordinance or resolution the amount of interest, if any, on the deferred assessment and this rate shall be recorded by the Auditor along with and in the same manner as the amount of the assessment

The option to defer the payment of special assessments shall terminate and all amounts accumulated, plus applicable interest, shall become due on the occurrence of any of the following events: (a) the death of the owner, provided that the spouse is otherwise not eligible for the benefits hereunder; (b) the sale, transfer, or subdivision of the property or any part thereof; (c) if the property should, for any reason, lose its homestead status; or (d) if, for any reason, the taxing authority deferring the payments shall determine that there would be no hardship to require immediate or partial payment.

Hearing impaired persons planning to attend the hearing and who need an interpreter, or other persons with disabilities who require auxiliary aids, should contact City Hall at (763) 404-7000 no later than Wednesday, September

6, 2017.
Dated: August 15, 2017
Tara Olson, City Clerk
(8/22, 8/29, 2017 ACR) #698

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: **piiot.tech**
2. Principal Place of Business:

1933 Branch Ave Suite 8 Anoka, MN 55303
Nameholder(s):
Justin J Gund 1933 Branch Ave Suite 8 Anoka, MN 55303

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: 8/10/2017
960672900020
/s/ Justin J Gund
(8/22, 8/29 2017 ACR) #720

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: **ROBOT**
2. Principal Place of Business:

17485 Butternut St NW Andover, MN 55304
Nameholder(s):
Elliot Weston

Nelson 17485 Butternut St 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: 7/31/2017
959238700029
/s/ Elliot Nelson
(8/15, 8/22 2017 ACR) #714

PUBLIC NOTICES

UNPAID CITY OF COON RAPIDS

ORDINANCE NO. 2194
AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF COON RAPIDS SO AS TO PROVIDE CHANGES IN THE ZONING CLASSIFICATION (PC 17-23)

The City of Coon Rapids does ordain:
Section 1. The official zoning map of the City of Coon Rapids is hereby amended to change the classification of the following described property from Office to High Density Residential:

Lot 4, Auditor's Subdivision No. 36 described as follows: Commencing at point of intersection of easterly line of said Lot with northerly right-of-way line of Coon Rapids Boulevard; thence North 61 degrees 44 minutes West along said northerly right-of-way line 230.84 feet to point of beginning; thence North 160.00 feet; thence North 61

degrees 44 minutes West 115.42 feet; thence South to intersection with said northerly right-of-way line; thence Southeasterly along said right-of-way line 115.42 feet to point of beginning.

Introduced the 2nd day of August, 2017

Adopted on the 15th day of August, 2017

Jerry Koch, Mayor
Stephanie Lincoln, Deputy City Clerk

CITY OF COON RAPIDS

NOTICE OF PUBLIC HEARING BEFORE THE COON RAPIDS CITY COUNCIL

PLEASE TAKE NOTICE that the Coon Rapids City Council of the City of Coon Rapids, Minnesota will hold a public hearing on Tuesday, September 5, 2017, at approximately 7:00 p.m. in the City Hall located at 11155 Robinson Drive NW to take public comments on the following grant:

Edward Bryne Memorial Justice Assistance Grant Program to be used toward the purchase of public safety equipment. All persons interested may appear and be heard as set forth above or may file written comments with the City Police Department prior to the date of the hearing set forth above.

Joan Lenzmeier, City Clerk

IND. SCHOOL DISTRICT NO. 831

Forest Lk, MN

REGULAR SCHOOL BOARD MEETING

August 3, 2017

Revised for Publication
The following unapproved minutes have been revised for publication and will be approved at the next Regular School Board Meeting. The full text

is posted on the district web site, available by standard or email, and for public inspection at the school district offices during normal business hours. The regular mtg of the School Board of ISD No. 831, Forest Lk., MN, was called to order by Rob Rapheal at 7:00 pm on 8-3-17, at the School District Offices. Following the Pledge of Allegiance, roll was called and the following members were present: Julie Corcoran, Karen Morehead, Luke Odegaard, Jill Olson, Jeff Peterson, Robert Rapheal, Gail Theisen and Supt. Steve Massey, ex officio.

The mtg agenda was revwd and no changes were made.

Unscheduled Visitors: Mmbr Corcoran rptd one attendee at the Listening Session and they discussed district positive happenings. Student Achievement:

Jr. High Principal JP Jacobson along with K. McDonald and A. Gibson presented the Educational Model design for the 7/8 bldg.

Positive Happenings: Schl Bd Mmbrs rptd on sch prog and events attended the past month.

Reports: 916 -Mmbr Theisen rptd touring Pankalo Education Center, revwd supt eval and appvd the new contract, revwd mmbrrship options, enrollment at Level 4 programs closed to non-mmbrrs, appvd the organizational chart and recognized retirements. Equity Alliance MN - Mmbr Morehead rptd they continue to look for mmbrrs and more staff development opps.

City of FL - Mmbr Morehead rptd much residential and business growth. FL City Council Mmbr Husnik was in the audience and said budgeting workshops are starting, a study with the FLPD is starting, and they are looking for community input on the city's comprehensive plan.

Reshaping Opps for Success 2015-2020 - Bus Dir Martini gave project updates and shared investment proceeds info.

Superintendent's Report - Dr. Massey rptd things are going well in his new position. He recognized the passing of Dawn Soltis and sent condolences to her family & friends. Tchrs return to work Aug 14 and the first day of sch is Aug 21. Dr. Massey thanked all those involved with the district construction projects.

Mmbr Morehead made a motion to appv agenda items 7.1-7.5. Mmbr Peterson 2nd the motion and all mmbrrs voted aye. The motion carried.

Appvd the minutes of June 22 & July 13, 2017

Appvd the bills as of Aug 3 totaling \$13,439,796.04 broken into the following funds: Gen Fund \$725,722.79; Food \$15,387.32; Transp: \$444,920.05; Comm. Services \$46,868.02; Maroon Gold Spt Ctr \$4,466.92; Grants-SDE \$1,161.61; Capital \$249,093.87; Internal Health Ins \$4,428.00; Internal HRA Rollover \$141.00; Bldg Fund \$11,915,063.67; Non Public Schools

\$5,696.17; Pop Fund Agreement with St. Softball Booster Club, \$572.95; Federal Prog. Cloud State University to FLHS softball for pmt of an asst coach; \$7,969.79; Special Ed Principal Jacobson introduced J. Miller, the Lake Park Lions Club to ISD 831 for negative sch lunch acctgs; prevention materials from Hazelden Betty Ford Foundation through funding from the Fred C. and Katherine B. Anderson foundation to FLAS in support of district

Appvd Classified Personnel: Transfer - 1; End of Employment - 1; LOA - 1; New Position - 2; Recommend Employment - 5; Resign - 9

Appvd Licensed Personnel: Unpaid LOA - 1; Employment - 12; Retire/Resign - 3; Change in FTE - 1; Auth of Addl Positions - 3

Appvd Student Training

St. Softball Booster Club, to FLHS softball for pmt of an asst coach; \$5,000.00 from Spring Lake Park Lions Club to ISD 831 for negative sch lunch acctgs; prevention materials from Hazelden Betty Ford Foundation through funding from the Fred C. and Katherine B. Anderson foundation to FLAS in support of district

Donations: Mmbr Odegaard moved, 2nd by Mmbr Theisen to accept the resolution of the following: valued at \$800.00 from Ziegler CAT, Columbus, to district administrators; \$2869.96 from FL

PUBLIC NOTICES

continued on page 6

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WARD RAYMOND PIPENHAGEN
STATE OF MINNESOTA
DISTRICT COURT
COUNTY OF ANOKA
PROBATE DIVISION
TENTH JUDICIAL DISTRICT
Court File No. 02-PR-17-413
Estate of
Ward Raymond Pipenhagen
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 June 3, 2010, ("Will"), has been filed with the Registrar. The application has been granted.
Notice is also given that the Registrar has informally appointed Mary M. Erickson, whose address is 4109 120th Ave. NW, Coon Rapids, Minnesota, 55433 as Personal Representative 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 Minnesota Statutes section 524.3-607) and the Court otherwise orders, the personal representative has full power to administer the Estate, including, after 30 days from the date of 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 Representatives 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 Minnesota Statutes section 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: 8/8/17
/s/ Peggy Zdon, Registrar
/s/ Lori O'Brien, Court Administrator
Attorney for Personal Representative: Joseph A. Field; Field Law, P.A.; 8021 152nd LN NW, Ramsey, MN, 55303; Attorney License No: 018519X; Telephone: (763) 427-9066; FAX: (763) 231-5601; Email: jfield@jfieldlaw.com
(8/15, 8/22, 2017 ACR) #715

DWAYNE SCOTT LULICH
STATE OF MINNESOTA
DISTRICT COURT
COUNTY OF ANOKA
PROBATE DIVISION
TENTH JUDICIAL DISTRICT
Court File No. 02-PR-17-421
Estate of
Dwayne Scott Lulich
Decedent
NOTICE AND ORDER OF HEARING ON PETITION FOR FORMAL ADJUDICATION OF INTESTACY, DETERMINATION OF HEIRSHIP, APPOINTMENT OF PERSONAL REPRESENTATIVE AND NOTICE TO CREDITORS
It is Ordered and Notice is given that on October 3, 2017, at 9:00am, a hearing will be held in this Court at 325 E. Main Street, Anoka, Minnesota, for the adjudication of intestacy and determination of heirship of the Decedent, and for the appointment of Richard N. Lulich, whose address is 1677 - 21 1/2 Street, Cameron, WI, 54822 as Personal Representative of the Estate of the Decedent in an UNSUPERVISED administration. Any objections to the petition must be filed with the Court prior to or raised at the hearing. If proper and if no objections are filed or raised, the Personal Representative will be appointed with full power to administer the Estate, including the power to collect all assets, to pay all legal debts, claims, taxes and expenses, to sell real and personal property, and to do all necessary acts for the Estate.
Notice is also given that (subject to Minnesota Statutes section 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: 8/10/17
/s/ Dyanna L. Street, Judge of District Court
Dated: 8/14/17
/s/ Lori O'Brien, Court Administrator
Attorney for Petitioner: Donald L. Hoeft; LeVander, Gillen & Miller, P.A.; 633 S. Concord Street, Suite 400, South St. Paul, MN, 55075; Attorney License No: 45706; Telephone: (651) 451-1831; FAX, (651) 450-7384; Email: dhoeft@levander.com
(8/22, 8/29, 2017 ACR) #718

PUBLIC NOTICES
from page 5

prevention work valued at \$3,000.00; \$50.00 from B. Zaruba, Chisago City, and \$300.00 from First Resource Bank, Lino Lakes to FLAS to purchase schl supplies for Back-to-School event Aug 9; \$500.00 from FL Lions Club to FLAS Family Support to purchase schl supplies. All mmbrs voted aye and the motion carried.
Old Business:
B. Morris of Morris Leatherman Co. presented the results of a July 2017 community survey relating to a levy/ bond election. The bd

mmbrs then discussed. Bd Chair Rapheal called for a recess at 9:15 pm. The mtg resumed at 9:28 pm and all mmbrs were present.
Mmbr Peterson made a motion to adopt the resolution as written which is an addl \$750 of levy for a period of 8 yrs and a \$9 million bond with neither question contingent on the other. The motion was 2nd by Mmbr Theisen, by roll call vote all mmbrs present voted aye. The motion carried.
Mmbr Theisen moved, 2nd by Mmbr Peterson, to Appv Resolution Establishing Precincts, Designating Polling Places and Designating to Appv Community

Hours for Voting for Schl District Elections Not Held on the Day of a Statewide, County, or Municipal Election. By roll call vote all mmbrs vote aye and the motion carried.
Mmbr Theisen moved to Appv Revw and Comment Submission to the MDE. The motion was 2nd by Mmbr Peterson, by roll call all mmbrs voted aye. The motion carried.
Mmbr Peterson moved to Appv Schl Bd Mmbr Liaisons to Schls for 2017-2018. The motion was 2nd by Mmbr Olson, all mmbrs present voted aye. The motion carried.
Mmbr Peterson moved to Appv Community

Use of School Facilities Levy Calendar. This dates. Mmbr Morehead asked that bd mmbrs be put on the agenda to rpt on business, Mmbr Theisen moved, 2nd by Mmbr Bd Chair Rapheal said that bd mmbrs wanting mmbrs voted aye & the calendar to give a brief rpt should mtg adjourned at 9:51

Communications: The Schl Bd revwd communications and upcoming calendar to give a brief rpt should mtg adjourned at 9:51

contact the Supt office to pm. be added to the agenda. As there was no further on the agenda to rpt on business, Mmbr Theisen moved, 2nd by Mmbr Bd Chair Rapheal said that bd mmbrs wanting mmbrs voted aye & the calendar to give a brief rpt should mtg adjourned at 9:51

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**JOHN W. LANG, JACKIE FEHN,
AND LANG INVESTMENTS, LLC**

STATE OF MINNESOTA
DISTRICT COURT
COUNTY OF HENNEPIN
FOURTH JUDICIAL DISTRICT
OTHER CIVIL

SUMMONS

Dana Johnson,
Plaintiff,
vs.
John W. Lang, Jackie Fehn, and Lang Investments, LLC, a Minnesota Limited Liability Company,
Defendants.

THIS SUMMONS IS BEING DIRECTED TO: JACKIE FEHN

1. **YOU ARE BEING SUED.** The Plaintiff has started a lawsuit against you. The Plaintiff's Complaint against you is attached to this summons. Do not throw these papers away. They are official papers that affect your rights. You must respond to this lawsuit even though it may not yet be filled with the Court and there may be no court file number on this summons.

2. **YOU MUST REPLY WITHIN 20 DAYS TO PROTECT YOUR RIGHTS.** You must give or mail to the person who signed this summons a written response called an Answer within 20 days of the date on which you received the Summons. You must send a copy of your answer to the person who signed this summons located at:
5101 Thimsen Ave #200, Minnetonka, MN 55345

3. **YOU MUST RESPOND TO EACH CLAIM.** The answer is your written response to the Plaintiff's Complaint. In your Answer you must state whether you agree or disagree with each paragraph of the Complaint. If you believe the Plaintiff should not be given everything asked for in the complaint, you must say so in your Answer.

4. **YOU WILL LOSE YOUR CASE IF YOU DO NOT SEND A WRITTEN RESPONSE TO THE COMPLAINT TO THE PERSON WHO SIGNED THIS SUMMONS.** If you do not Answer within 20 days, you will lose this case. You will not get to tell your side of the story, and the Court may decide against you and award the Plaintiff everything asked for in the complaint. If you do not want to contest the claims stated in the complaint, you do not need to respond. A default judgment can then be entered against you for the relief requested in the complaint.

5. **LEGAL ASSISTANCE.** You may wish to get legal help from a lawyer. If you do not have a lawyer, the Court Administrator may have information about places where you can get legal assistance. Even if you cannot get legal help, you must still provide a written Answer to protect your rights or you may lose the case.

6. **ALTERNATIVE DISPUTE RESOLUTION.** The parties may agree to or be ordered to participate in an alternative dispute resolution process under Rule 114 of the Minnesota General Rules of Practice. You must still send your written response to the Complaint even if you expect to use alternative means of resolving this dispute.

Dated: August 16, 2017
DANIEL KAUPPI, ESQ.
/s/ Daniel S. Kauppi
Daniel S. Kauppi #0390577; 5101 Thimsen Ave. #200, Minnetonka, MN 55345; tele: (952) 470-6361; Fax: (844) 272-1310
Attorney for Plaintiff

(8/22, 8/29, 9/5, 2017 ACR) #721

02-PR-15-615
FILED
Court Administrator
AUG 09 2017
Anoka County, MN
Deputy

DISTRICT COURT
TENTH JUDICIAL DISTRICT

STATE OF MINNESOTA
COUNTY OF ANOKA

Estate of:

Arthur Stanley Brannan,

Deceased.

**AMENDED NOTICE AND ORDER
OF HEARING ON PETITION FOR
REMOVAL OF PERSONAL
REPRESENTATIVE AND FORMAL
APPOINTMENT OF SUCCESSOR
PERSONAL REPRESENTATIVE**

Court File No. 02-PR-15-615
Case Type: Probate

IT IS ORDERED AND NOTICE IS GIVEN THAT on October 17, 2017 at 9:00 a.m./pm. a hearing will be held in this Court at the Anoka County Courthouse, 325 East Main Street, Anoka, Minnesota, regarding Anoka County's Petition for Removal of Personal Representative and Formal Appointment of Successor Personal Representative. Any objection to the Petition must be filed with the Court prior to or at the hearing. If the petition is proper and no objections are filed or raised, the Petition will be granted.

1. Notice shall be given to all persons who currently have an interest in the Estate (Minn. Stat. § 524.1-401) and persons who have filed and not withdrawn a demand for notice pursuant to Minn. Stat. § 524.3-204.
2. Notice shall be given by publishing this Notice and Order as provided by law and by:

Mailing a copy of this Notice and Order by U.S. Postal Service at least 14 days prior to the hearing date.

BY THE COURT:

Judge of District Court

Dated: 8/9/17

Attorney for Petitioner
Christine V. Carney
Attorney ID #319491
Assistant Anoka County Attorney
2100 - 3rd Avenue, 7th Floor
Anoka, Minnesota 55303
(763) 324-5401

(8/22, 8/29, 2017 ACR) #722

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SINCE 2011

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