

PUBLIC NOTICES

CITY OF TOWER MEETING NOTICE

The Tower City Council will hold their regular monthly meeting on **Monday, Aug. 17, 2009 at 5:30 p.m. at Tower City Hall.** (this meeting was rescheduled from the original meeting date of Aug. 10)

Tim Kotzian, Clerk/Treasurer, City of Tower
Published in the Timberjay, Aug. 15, 2009

ATTN: GREENWOOD RESIDENTS Old Town Hall Tables & Chairs STILL AVAILABLE

Greenwood Township will be selling 6 folding banquet tables and 60 plastic stacking chairs. Residents are invited to bid on however many they wish. The tables are in well-worn condition, and would be best used in a stationary spot. The chairs are orange in color, stacking, and in good condition. Anyone interested in purchasing any of these items should send a letter to the Ellen Trancheff, Clerk, Greenwood Township, 3000 Cty. Rd. 77, Tower, MN 55790. Please indicate how many tables/chairs you are interested in, and what price you would be willing to pay.
Published in the Timberjay, Aug. 15, 2009

CITY OF ELY NOTICE Sidewalk Maintenance Policy

The City of Ely adopted the "Ely Sidewalk Inspection and Maintenance Policy" on March 17, 2009. The City of Ely has approximately 20 miles of public sidewalks which require inspection. The policy requires the sidewalks be inspected by October 30, 2009. Following the inspections the Projects Committee will develop a priority list for future improvements. The priority areas will then be repaired so that all sidewalks identified in the initial sidewalk survey will be repaired by October 30, 2012.

The City of Ely will be accepting volunteers to complete this survey at Ely City Hall until noon on August 28, 2009. Anyone interested should provide their name, address, phone number, and area they would like to survey. The City of Ely will provide maps and inspection forms.

Sincerely,
City of Ely
Harold R. Langowski
P.E., Operations Director
Published in the Timberjay, Aug. 15 & 22, 2009

CITY OF ELY NOTICE Washington Street Electrical Improvements

The Ely Utilities Commission along with Lake States Construction are currently working on electrical system improvements in the Washington Street and Miner's Drive area from Central Avenue to 10th Avenue West. This work will began on August 17, 2009 and continue through September resulting in periodic power outages in this area during the day. These outages are required to replace the electrical system in this area. The crews working in the area will give notice to all affected properties in advance before the outages occur. If you have any questions feel free to contact Butch Gornik at 235-3085 or Harold Langowski at 365-2695.

The Ely Utilities Commission apologizes for any inconvenience these outages may cause.

Sincerely,
City of Ely
Harold R. Langowski P.E.,
Operations Director
Published in the Timberjay, Aug. 15, 22 & 29, 2009

CALL FOR BIDS CITY OF ELY BIDS ON SURPLUS EQUIPMENT

1. 1996 Ford F-350 4x4 with 9 ft. Meyers snow plow and dump box, 75,000 miles, 460 gas motor. Minimum bid of \$1,000 dollars required.
2. 8 ft. Western plow, blade only. Minimum bid of \$200 dollars required.
Bids will be accepted at Ely City Hall Clerk's Office until 2 p.m. on Sept. 15, 2009. The City of Ely reserves the right to reject any and all bids. The equipment can be viewed at the joint public works garage by contacting Mike Popesh, General Foreman, at 365-6313.
Published in the Timberjay, Aug. 15 & 22, 2009

CALL FOR BIDS CITY OF ELY HAS UP FOR BID

Five (5) sections of 8' x 16' Floating Dock. These sections of dock can be viewed next to the old water plant located on the 1800 block of W. Shagawa Rd. Dock must be picked up/removed from the site within 10 days of bid award. Sealed bids must be received by August 25, 2009 at 2 p.m. Mail or deliver bids to: Ely City Hall, 209 E. Chapman St., Ely, MN 55731. Terri Boese
Clerk/Treasurer
Published in the Timberjay, Aug. 15 & 22, 2009

CERTIFICATE OF ASSUMED NAME

Minnesota Statutes Chapter 333 The filing of an assumed name does not provide a user with exclusive rights to that name. The filing is required for consumer protection in order to enable consumers to be able to identify the true owner of a business.
1. State the exact assumed name under which the business is or will be conducted: Remote Site Service.
2. State the address of the principal place of business: 3809 Highway 21, Embarrass, MN 55732.
3. List the name and complete street address of all persons conducting business under the

above Assumed Name. If the business owner is a corporation, provide the legal corporate name and registered office address of the corporation.
Name: Nathan Bjork, 3809 Highway 21, Embarrass, MN 55732.
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.
Dated: June 14, 2009
Signed: Nathan Bjork, owner
Published in The Timberjay, August 15 & 22, 2009

Ely City Council Regular Meeting July 21, 2009

The Ely City Council regular meeting was called to order by Mayor Skraba at 7:00 p.m. on July 21, 2009 at the Ely City Hall.

PRESENT: Council members Debeltz, Nikkola, Omerza, Salerno, Shedly, Zupec and Mayor Skraba (7) ABSENT: None

Moved by Salerno supported by Zupec to approve the minutes of the July 17, 2009 Special Meeting as presented. Motion carried unanimously.

Mayor's Agenda Mayor Skraba read the League of Minnesota Cities Board of Directors legislators of distinction memorandum.

Consent Agenda Items: Authorize Public Works & Utilities employees to provide support services for Blue Berry Arts Festival as provided at previous festivals
Appoint Robert Wilmunen to Alternative Energy Task Force
Approve Peddler's License to Larry Davis
Approve amending fire department 2009 budget increasing revenue and expenditures with regard to donation Letter of support to Northeast Service Cooperative in their application for funding to provide fiber optic to rural NE MN

Moved by Salerno supported by Debeltz to approve consent agenda items 1-5 as presented above. Motion carried unanimously.

REQUESTS TO APPEAR Mary Lou Blaising presented the 2nd Quarter ECR report and the 2010 funding request of \$13,260. Council member Omerza thanked Blaising for her presentation and dedication to the program. Mayor Skraba expressed his desire to fund the 2010 request but stated it would be dependent upon the city's resources in 2010.

Richard Zahn presented a petition from property owners along the 1st block of White Street requesting the city repair that section of road as it holds standing water constantly and is a health issue. He questioned what the city's plans were for fixing this issue. The council recommended this issue be addressed by the Structures & Infrastructure Committee at their August, 2009 meeting.

COMMITTEE REPORTS Moved by Salerno supported by Zupec to task the Employee Relations Committee to review and update all the job descriptions that report to the City Clerk and then bring back to the council for approval. Motion carried unanimously.

Council member Omerza requested that the pictures in the Library Board Room be hung as soon as possible and thanked the Ely Winton Historical Society for loaning the pictures to the library.

Omerza reported on the League of MN Cities Policy Committee on local economics which she sits on.

Mayor Skraba reported on the airport commission meeting he attended and recommended the city meet with Jeff Stewart of WSB.

Moved by Zupec supported by Debeltz to authorize Mayor Skraba meet with the Clerk Boese, Accountant Erickson and Jeff Stewart to review the current grant, apply for additional funds and a possibly apply for an extension of the grant deadline. Motion carried unanimously.

Clerk Boese was directed to advertise the sale of the float plane dock stating it must be removed before winter.

Department Head Reports Barb Lyke presented a proposal from the Grand Ely Lodge to hold a pack sack race on Sheridan Street on August 29, 2009 from 12:30-2:30 p.m. Barb will bring a map and additional information regarding the race back to the council at the next meeting. She will coordinate with the Police Chief and the Public Works Director.

Moved by Zupec supported by Debeltz to accept the recommendation of the Police Commission and appoint John Lahtonen to the position of Assistant Police Chief. Motion carried unanimously.

Moved by Zupec supported by Salerno to authorized Chief Saw to sell the old squad car currently being used by the public utilities department. Motion carried unanimously.

Moved by Zupec supported by Salerno to the Fire Protection Contract with St. Louis County for Unorganized Townships 64-12 & 64-13 for fire protection and first responder services as presented. Motion carried unanimously.

Chief Gerzin presented information regarding the sprinkler system repairs needed at the Miner's Dry building. A representative from Nardini Alarm Co. will be looking at the system next week if it cannot be repaired by city employees.

City Attorney Attorney Klun presented a request by Jessica Bayer and Tim Leeson for right of re-entry and repurchase request. The council discussed the possibility of extending the option of waiving the right to resale.

The Phase II purchase agreement for George Burger land transfer has been drafted and will be ready for signature at the attorney's office on Wednesday.

All lot sales in Spaulding from this point forward will contain the penalty agreement as presented by Attorney Klun previously.

The community center rental agreement was reviewed and Attorney Klun suggested that language be included in the document requiring deposits to be paid when the agreement is signed.

Attorney Klun presented the school district's request for a JFK building agreement for 2010. Superintendent Langen informed Attorney Klun that he believes there will not be a shortfall for the 2008-2009 based on decreased

propane costs. Attorney Klun will present a draft agreement to the council in August.

Moved by Zupec supported by Salerno to approve the first reading of Peddler's Ordinance revision to Section 6.31 as presented. Roll call: Debeltz-yes; Nikkola-yes; Omerza-yes; Salerno-yes; Shedly-yes; Zupec-yes; Mayor Skraba-yes. Motion carried unanimously.

City Engineer Moved by Salerno supported by Zupec to award the surfacing bid of 2nd Avenue West project to the low bidder, Ulland Brothers, Inc. for \$86,042.70. Motion carried unanimously.

Moved by Debeltz supported by Zupec to approve partial pay estimate #1 in the amount of \$73,531.31 for 2nd Avenue West project as presented. Motion carried unanimously.

Moved by Salerno supported by Zupec to approve partial pay estimate #2 in the amount of \$42,786.68 for 2nd Avenue West project as presented. Motion carried unanimously.

City Engineer Maninga reviewed the Army Corp of Engineers grant application for 2010 funding which Nancy Larson of the EADA who is drafting. Moved by Zupec supported Debeltz to pre-approve the Army Corp of Engineers grant application for 2010 funding due 7/31/09. Motion carried unanimously.

2nd Avenue utility testing will be completed this week and the extension into the alley will begin next week. CSI's work will be completed in 2 weeks. Public works will begin preparing for resurfacing next week after the completion of utility testing. The entire project should be completed by the end of August.

DEPARTMENTAL REPORTS Clerk-Treasurer Moved by Debeltz supported by Salerno to approve payment of the EUC and city bills and payroll as presented. Motion carried unanimously.

City Operations Director Director Langowski presented a proposal to have the elder circle employees at the recycling center for approximately 40 hours per week at the new location. The center will be closed Tuesdays and Sundays. The center will be closed when the bins are full and remain closed until the bins are emptied.

Moved by Debeltz supported by Shedly to remove the dumpster from the present recycling center immediately. Motion carried unanimously.

Director Langowski talked to Terry Soderberg of St. Louis County and it looks favorable that the city will receive grant monies for the purchase of a new cardboard bailer.

Director Langowski did not have a recommendation at this time as to where relocation funding would be coming from for the preliminary estimate of \$20,000.

The Planning & Zoning Commission has recommended the city review all city building to make sure they are secured and if necessary the council look at demolition of unsafe buildings.

Director Langowski reviewed the current list of city buildings and presented an IRR grant application for commercial redevelopment. Building discussed included Captain's Dry, engine house and the water plant.

Moved by Salerno supported by Shedly to have Director Langowski review if any of these buildings would need asbestos or lead paint abatement through the PCA and report the findings back to the council. Motion carried unanimously.

EUC Consent Agenda Items Approved drafting an ordinance to assess fees required for professional services such as legal and engineering services concerning customer billing issues and service issues to the customer.

Approve the purchase of cross arms and braces from Resco for \$2,374.95.
Approved prepaid bills and the bills list for July 2, 2009 totaling \$47,509.54.
Approved paying Law Firm \$1,262.59 for legal fees on various past due customer bills. It was noted that if an ordinance is passed, the commission would want these bills paid by the individual customer, if possible.
Approved partial pay estimate for 2nd Ave west work completed to date by Construction Services Inc. totaling \$73,531.31.

Moved by Salerno supported by Nikkola to approve payment of items 1-5 of the EUC consent agenda as presented above. Attorney Klun will review the legality of item #1 with regard to Statutes. Motion carried unanimously.

COMMUNICATIONS The council reviewed a thank you note to the Police Department from Charlie and Brenda Feller.

The council reviewed a thank you letter from Jane Sadler for the Council's decision to move the recycling center.

The council reviewed the State Demographers 2008 population estimate of 3529 and household estimate of 1660.

Moved by Debeltz supported by Salerno to approve placement of a POW flag at the cemetery and replace the POW flag at the city hall. Motion carried unanimously.

Claims for Payment
RLK - Spaulding Phase III Invoice #2008125600013 for \$1,343.00
US Bank - 2003 GO Bonds for \$2,867.50
Paul Ness - Library Clerk Position Invoice #09-701 for \$297.00
MN PFA - 2003A GO Bonds for \$210,512.40 (pending approval by the EUC)
ECR - 3rd Qtr payment for services \$3,315.00
ISD #696 - JFK building support Invoices #203 & #203A for \$6840.00 & \$1,543.88
MPCA VIC - Duluth Metals cleanup at Business Park Invoice #770000783 for \$675.00

Moved by Nikkola supported by Debeltz to approve the claims for payment A-G as presented above. Council member Zupec - no item F. Motion carried.

OLD BUSINESS

Moved by Omerza supported by Salerno to waive readings in entirety of all ordinances and resolutions. Motion unanimously carried.

Director Langowski was directed by the council to check with property owners adjoining the Lucky Boy property to see if they would be willing to share in the costs of survey that property. If they are willing the council agreed to proceed with the survey as proposed by Bear Island Surveying.

Moved by Shedly seconded by Zupec to request Forester Eric Mayranen to put the timber sale together and schedule the survey after the adjacent property owners are notified of the survey. Motion carried unanimously.

NEW BUSINESS Moved by Omerza supported by Salerno to approve resolution establishing business loan program and to seek funds through St. Louis County's CDBG program as presented. Roll call: Debeltz-yes; Nikkola-yes; Omerza-yes; Salerno-yes; Shedly-yes; Zupec-yes; Mayor Skraba-yes. Motion carried unanimously.

Moved by Salerno supported by Zupec to approve resolution establishing procedures relating to compliance with reimbursement bond regulations with regard to purchase of fire truck and equipment as presented. Roll call: Debeltz-yes; Nikkola-yes; Omerza-yes; Salerno-yes; Shedly-yes; Zupec-yes; Mayor Skraba-yes. Motion carried unanimously.

Moved by Debeltz supported by Salerno to approve resolution allowing wire/automated bank payments - St. Louis County as presented. Roll call: Debeltz-yes; Nikkola-yes; Omerza-yes; Salerno-yes; Shedly-yes; Zupec-yes; Mayor Skraba-yes. Motion carried unanimously.

Moved by Salerno supported by Debeltz to approve resolution authorizing grant application for Pilot Count Enforcement Project as presented. Roll call: Debeltz-yes; Nikkola-yes; Omerza-yes; Salerno-yes; Shedly-yes; Zupec-yes; Mayor Skraba-yes. Motion carried unanimously.

Moved by Salerno supported by Debeltz to approve resolution approving raffle permit for Ducks Unlimited September 5, 2009 as presented. Roll call: Debeltz-yes; Nikkola-yes; Omerza-yes; Salerno-yes; Shedly-yes; Zupec-yes; Mayor Skraba-yes. Motion carried unanimously.

The council will hold a joint meeting with the Ely Utilities Commission on July 28, 2009 at 6:00 p.m.

The council will hold a joint meeting with the Police Commission on July 28, 2009 at 6:30 p.m.

OPEN FORUM Duane Whalen expressed concern about the traffic issues that may be caused by the proposed recycling relocation area.

Moved by Salerno supported by Omerza to adjourn at 8:20 p.m. Motion carried unanimously.

Terri Boese
Clerk/Treasurer
Published in The Timberjay, Aug. 15, 2009

STATE OF MINNESOTA
COUNTY OF ST. LOUIS

DISTRICT COURT
PROBATE DIVISION

SIXTH JUDICIAL DISTRICT
Court File No. 69DU-PR-09-334
NOTICE AND ORDER OF HEARING ON PETITION FOR SUMMARY ASSIGNMENT OR DISTRIBUTION- EXEMPT ESTATE

that the Estate assets be summarily assigned and distributed without probate administration.

Any objection to the petition must be filed with the Court prior to or raised at the hearing. If proper, and if no objections or claims are filed or raised, the Court may issue a decree distributing or assigning the Estate's assets.

It is Ordered and Notice is now given that the Petition will be heard on September 2, 2009, at 9:30 a.m. by this Court at 300 S. 5th Ave., Virginia, Minnesota.

Dated: August 11, 2009
HON. TERRENCE M.

ARONSON
Judge
Cindy Stratioti
Court Administrator
By: Gail Garrick, Deputy

Attorney for Petitioner
Mark C. Weir
VERMILION LAW, LTD.
415 Main Street- Spruce Entrance
P. O. Box 416
Tower, MN 55790
218-753-2009
Published in the Timberjay, Aug. 15 & 22, 2009

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GREENWOOD TOWNSHIP BOARD OF ADJUSTMENT NOTICE OF PUBLIC HEARING VARIANCE REQUEST

Public Notice is hereby given that the Greenwood Board of Adjustment will conduct a public hearing on:
MONDAY, Aug. 31, 2009 at 6:30 pm at the Greenwood Town Hall for the following variance:

Applicant: Kathy Bukovac Sandnas
Address: 3432 Breezy Pt Rd
Legal: Lot 21 Breezy Point
Site Size: 100' shoreline/.38 acres
Zone: SMU - 11
Request: To remove existing cabin which is 25' from the shoreline and rebuild a 28'x36' home with a 28'x28' attached garage-50' from shoreline and a 10'x36' deck - 40' from the shoreline and to build a 20'x26' boathouse - 10' from the shoreline/10' from the sidewalk
Relief from: Art. III, Sec 2 requiring a 75' setback and 1/2 acre

Applicant: Thomas Gornick
Address: 2271 Birch Rock Rd.
Legal: Lot 1, Bl. 2 Birch Point including the vacated road adjacent 90' shoreline/.65 acres
Site Size: SMU - 11
Zone: SMU - 11
Request: Allow the existing 22'x28' cabin to be moved to the back of lot and used as a guest cabin
Relief from: Art. VI, Sec. 13.03 A/B - requiring double the lot size for two primary structures

Public Comments may be submitted in writing to the address below or given at the public hearing. Written Comment Deadline is **NOON** on the day of the Public Hearing. For additional information contact Director John Ziegler at 218-290-1132.

****There will be a regular meeting of the board following the close of the public hearing.**

Greenwood Town Clerk
3000 County Road 77
Tower, MN 55790
E-Mail: greenwoodtownship@frontiernet.net
Fax: 218-753-6006
Published in the Timberjay, Aug. 15, 2009