

BOARD OF CITY COMMISSIONERS
Fargo, North Dakota

Adjourned Regular Meeting: Monday: July 6, 2009:

Agreeable with adjournment the Board of City Commissioners of the City of Fargo, North Dakota, convened in Adjourned Regular Meeting in the City Commissioners' Room at the City Hall at 11:30 o'clock a.m., Monday, July 6, 2009.

The Commissioners present or absent were as shown following:

Present: Mahoney, Piepkorn, Williams, Wimmer, Walaker.

Absent: None.

Mayor Walaker presiding.

The Board received the results for the Special City Election held June 30, 2009 at which election there was a question on an amendment to Article 3 of the Home Rule Charter of the City of Fargo to authorize collection of a one-half of one percent (1/2%) municipal sales, gross receipts and use tax to commence January 1, 2010 for a period of twenty (20) years to expire on December 31, 2029, and to be utilized by the City of Fargo for such flood risk protection, mitigation and reduction as the governing body of the city may select.

City Auditor Steve Sprague introduced DeAnn Buckhouse, Election Coordinator with the Cass County Auditor's office, to speak on the ballots in question that were not counted on Election Day.

Canvass of Absentee Votes Received for the Special City Election Held on June 30, 2009:

Commissioner Wimmer moved to not open or count four ballots received following the election that were postmarked either on or after Election Day.

Second by Piepkorn. On call of the roll Commissioners Wimmer, Piepkorn, Williams, Mahoney and Walaker voted aye.

No Commissioner being absent and none voting nay, the motion was declared carried.

Commissioner Piepkorn moved to not open or count one ballot received back in an envelope that the voter failed to sign.

Second by Wimmer. On call of the roll Commissioners Piepkorn, Wimmer, Williams, Mahoney and Walaker voted aye.

No Commissioner being absent and none voting nay, the motion was declared carried.

Commissioner Wimmer moved to not open or count one application received on Election Day that included a marked sample ballot.

Second by Mahoney. On call of the roll Commissioners Wimmer, Mahoney, Williams, Piepkorn and Walaker voted aye.

No Commissioner being absent and none voting nay, the motion was declared carried.

Commissioner Williams moved to count the one ballot set aside at the polling place because there was some question as to whether or not the person had cast an absentee ballot.

Second by Piepkorn. On call of the roll Commissioners Williams, Piepkorn, Mahoney, Williams and Walaker voted aye.

No Commissioner being absent and none voting nay, the motion was declared carried.

Commissioner Mahoney moved to count one ballot missed in processing by the Absentee Board when they opened ballots on Election Day.

Second by Wimmer. On call of the roll Commissioners Mahoney, Wimmer, Williams, Piepkorn and Walaker voted aye.

No Commissioner being absent and none voting nay, the motion was declared carried.

Commissioner Wimmer moved to accept and process two absentee ballots where a husband and wife simply signed each other's return envelopes.

Second by Piepkorn. On call of the roll Commissioners Wimmer, Piepkorn, Williams, Mahoney and Walaker voted aye.

No Commissioner being absent and none voting nay, the motion was declared carried.

Commissioner Wimmer moved to reject one ballot where the signature on the envelope did not appear to match the signature on the application.

Second by Piepkorn. On call of the roll Commissioners Wimmer, Piepkorn, Williams, Mahoney and Walaker voted aye.

No Commissioner being absent and none voting nay, the motion was declared carried.

Commissioner Mahoney moved to accept and process one absentee ballot received after the election but postmarked before Election Day.

Second by Wimmer. On call of the roll Commissioners Mahoney, Wimmer, Williams, Piepkorn and Walaker voted aye.

No Commissioner being absent and none voting nay, the motion was declared carried.

Abstract of Votes Signed and the Question Declared Passed:

Ms. Buckhouse updated the June 30, 2009 Special Election results reflecting the absentee ballots counted by the Canvassing Board and the Commissioners signed the two copies of the Abstract of Votes.

Commissioner Wimmer moved to declare the ballot measure regarding a sales tax to be utilized for flood protection as voted on in the June 30, 2009 Special Election passed.

Second by Mahoney. On call of the roll Commissioners Wimmer, Mahoney, Williams, Piepkorn and Walaker voted aye.

No Commissioner being absent and none voting nay, the motion was declared carried.

Commissioner Mahoney moved that the Board adjourn to 5:00 o'clock p.m., Monday, July 13, 2009.

Second by Williams. All the Commissioners voted aye and the motion was declared carried.

The time at adjournment was 11:50 o'clock a.m.