

STATE OF MINNESOTA )  
COUNTY OF RAMSEY ) ss.

I, the undersigned, being the duly qualified Clerk/Deputy Clerk of the City of Mounds View, Minnesota, hereby certify that I have carefully compared the attached and foregoing with the original thereof on file in my office, and the same is a full, true and complete copy thereof, insofar as the same relates to

Minutes from Canvassing Board On December 5, 1979

WITNESS MY HAND officially as such Clerk and the corporate seal of the City of Mounds View this 9th day of January, 19 80.

(SEAL)

Jeffrey A. Nelson  
Clerk

32609

PROCEEDINGS OF THE SPECIAL COUNCIL MEETING  
CITY OF MOUNDS VIEW  
RAMSEY COUNTY, MINNESOTA

Regular Meeting  
December 5, 1979  
Mounds View City Hall  
2401 Hwy. 10, Mounds View MN 55112

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The Mounds View City Council was called to order to act as the Canvassing Board for the Special Election which occurred on December 4, 1979. The meeting was called to order at 5:12 p.m. at the Mounds View City Hall.

1. CALL TO ORDER

Members Present: Mayor McCarty, Councilmembers Forslund, Rowley, Ziebarth.

2. ROLL CALL

Members Absent: Councilmember Hodges out-of-town on business. He could not attend the meeting.

Also Present: City Attorney Meyers, City Finance Director Brager, City Clerk Administrator Nelson.

Nelson presented to the Canvassing Board the results of the Special Election held on December 4, 1979. The results of the election were 2,016 cast of which 1,031 voted in favor of the proposition and 985 voted against the proposition. Precinct results:

3. REPORT ON  
ELECTION RESULTS  
OF THE CHARTER  
ELECTION.

Precinct 1 - 155 yes  
201 no

Precinct 2 - 141 yes  
93 no

Precinct 3 - 210 yes  
191 no

Precinct 4 - 51 yes  
202 no

Precinct 5 - 125 yes  
98 no

Precinct 6 - 156 yes  
107 no

Precinct 7 - 193 yes  
93 no

Pursuant to the Minnesota Statutes 410.11 a Charter proposition to be considered adopted must pass by 51% of the votes cast on the proposition. A determination was made by the Clerk-Administrator that the proposition passed. The City Attorney advised that a determination of the undervotes should be made. The City's Finance Director explained the undervote to some detail to the Canvassing Board. The City Attorney said when determining what duties the Council as the Canvassing Board had included the authority to correct obvious errors. Certification of the elections results by the Canvassing Board commences the timing for an election contest.

The issues before the Canvassing Board are;  
(1) Whether or not to exclude or include the seven (7) "undervotes" to determine the election results. (2) The Canvassing Board must then certify the election results.

Mayor McCarty moved that the seven undervotes be excluded from the election results since they were not votes cast on the proposition. The definition of an undervote has described by the Secretary of State's office in it's regulations was taken in to consideration. Councilmember Forslund seconded the motion.

4 ayes  
0 nays

The City Attorney advised that legal precedent has held that blank ballots and defective ballots would not be counted as votes cast on the proposition. Previous court decisions, the statutes and attorney general's opinions have indicated that blank ballots and possible defective ballots do not count in the determination of the percentage needed for passage of an issue.

Forslund moved to accept the results of the December 4, 1979 Charter proposition was adopted by 1,031 yes, 985 no for a total votes cast of 2,016 votes. The proposition passes by 51.14% in favor in the proposed Charter.

Ziebarth seconded the motion which carried.

December 5, 1979

There being no further business before the Canvassing Board. Motion made to adjourn.

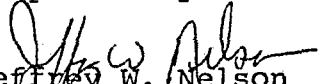
Ziebarth moved that the Canvassing Board adjourn on December 5, 1979. Rowley seconded the motion and it carried.

4 ayes  
0 nays

The meeting was adjourned at 6:00 p.m.

4. ADJOURNMENT

Respectfully submitted,

  
Jeffrey W. Nelson  
City Administrator

STATE OF MINNESOTA  
DEPARTMENT OF STATE  
FILED  
JAN 17 1980  
*Jean Anderson Howe*  
Secretary of State

#32609  
O.R.