

**TREMONTON CITY CORPORATION
CITY COUNCIL CANVASS OF ELECTION RETURNS MEETING
November 10, 2009**

Members Present:

David Deakin
Roger Fridal
Lyle Holmgren
Jeff Reese
Byron Wood
Max Weese, Mayor
Shawn Warnke, City Manager
Paul Fulgham, Public Works Director
Darlene Hess, Recorder

**CANVASS OF THE NOVEMBER MUNICIPAL
ELECTION RETURNS MEETING**

Mayor Weese called the November 10, 2009 City Council Canvass of the November Municipal Election Returns Meeting to order at 5:30 p.m. The meeting was held in the Tremonton City Public Works Building at 300 East 1200 South, Tremonton, Utah. Those in attendance were Mayor Weese, Councilmembers Deakin, Fridal, Reese, Holmgren, and Wood, Public Works Director Paul Fulgham, and Recorder Darlene Hess.

1. Welcome:

Mayor Weese welcomed the City Council and Department Heads in attendance.

2. Canvass of Election Returns:

Recorder Hess distributed copies of the Election Summary Reports which were prepared by Box Elder County Recorder's Office. She reminded those in attendance that Tremonton City used the County's electronic voting equipment for both Early Voting and for the November 3rd voting; therefore, the County compiled the information presented. The Canvass Board reviewed votes compiled in each Precinct and for each candidate.

Manager Shawn Warnke arrived at 5:40 p.m.

Recorder Hess said the early voting is very costly especially for the smaller municipalities and some of the cities/towns want to discuss this matter with the State Legislature. She felt that the County was very fair in their pricing and the citizens seem to enjoy using the electronic equipment.

An Official Canvass of Election Return, with the City Council and/or Canvass Board's signatures and certified by the City Recorder will be attached to the minutes. This is a complete review of the outcome of the Election.

Motion by Councilmember Wood to approve the Canvas of Election Information as reported. Motion seconded by Councilmember Reese. Vote: Councilmember Deakin - aye, Councilmember Fridal - aye, Councilmember Holmgren - aye, Councilmember Reese - aye, and Councilmember Wood - aye. Motion approved.

Mayor Weese said there has been some controversy over filling the vacant Councilmember seat which will be created when Councilmember Fridal takes office as Mayor. Mayor Weese read from Utah State Code 20A-1-510: (1)(a) "the municipal legislative body shall appoint a registered voter in the municipality who meets the qualifications for office established in Section 10-3-301 to fill the unexpired term of the office vacated until the January following the next municipal election. (b) Before acting to fill the vacancy, the municipal legislative body shall: (I) give public notice of the vacancy at least two weeks before the municipal legislative body meets to fill the vacancy; and (ii) identify, in the notice; (A) the date, time, and place of the meeting where the vacancy will be filled; and (B) the person to whom a person interested in being appointed to fill the vacancy may submit his name for consideration and any deadline for submitting it."

Mayor Weese also read from the August 29, 2000 City Council Meeting Minutes when a vacant seat was filled in a prior year: 1(a) "Mayor Weese explained that the City has reviewed the requirements within the Utah Code for the mid-term replacement of City Councilmembers Lloyd E. Lish and Blaine Mauchley. It is believed that the intent of the law has been met. Bruce Jorgensen, the City Attorney, was advised of our process. After publishing the opening in the newspaper, several names were received from citizens interested in serving in this capacity. The list of names was reviewed with the City Council at previous meetings and the list was narrowed down to four and then to two, Burton Johnson to fill the vacancy left by Lloyd E. (Junior) Lish and Stanley Stokes to fill the vacancy left by Blaine Mauchley."

Mayor Weese suggested that the City begin advertising for the Councilmember position in the local newspaper; however, he suggested that Manager Warnke check with the City Attorney, Dustin Ericson, to make sure it meets with the Election Law.

No decision was made on this matter.

3. Adjournment:

Motion by Councilmember Deakin to adjourn the meeting. Motion seconded by Councilmember Fridal. Vote: Councilmember Deakin - aye, Councilmember Fridal - aye,

Councilmember Holmgren - aye, Councilmember Reese - aye, and Councilmember Wood - aye. Motion approved. The meeting adjourned at 6:15 p.m.

The undersigned duly acting and appointed Recorder for Tremonton City Corporation hereby certifies that the foregoing is a true and correct copy of the minutes for the City Council Meeting held on the above referenced date. Minutes were taken by Shirley Colvin.

Dated this 1 day of December, 2009.



Darlene S. Hess, Recorder

ATTACHMENT

**TREMONTON CITY CORPORATION
OFFICIAL CANVASS OF ELECTION RETURNS
2009**

DATE OF ELECTION: NOVEMBER 3, 2009
 DATE OF CANVASSING OF RETURNS: NOVEMBER 10, 2009
 NO OFFICIAL WRITE-IN DECLARATION OF CANDIDACY SUBMITTED

ELECTION FOR: MAYOR - FOUR YEAR TERM
 COUNCIL MEMBER - FOUR YEAR TERM

TOTAL REGISTERED VOTERS - 3394 BALLOTS CAST - 1184
 NUMBER OF PROVISIONAL BALLOTS VOTED - 72 - AUTHORIZED AND COUNTED - 55 - NOT COUNTED - 17
 TOTAL PERCENTAGE VOTED - 34.89%
 SUMMARY FOR TREMONTON 1 - REGISTERED VOTERS 751 - BALLOTS CAST 384 - PERCENT VOTING 51.13%
 SUMMARY FOR TREMONTON 2 - REGISTERED VOTERS 735 - BALLOTS CAST 247 - PERCENT VOTING 34.97%
 SUMMARY FOR TREMONTON 3 - REGISTERED VOTERS 735 - BALLOTS CAST 210 - PERCENT VOTING 28.57%
 SUMMARY FOR TREMONTON 4 - REGISTERED VOTERS 1173 - BALLOTS CAST 333 - PERCENT VOTING 28.39%
 TOTAL VOTES FOR MAYOR - 1180
 TOTAL VOTES FOR COUNCIL MEMBER - 2321

DISTRICTS	VOTES FOR ROGER FRIDAL	VOTES FOR BLAINE MAUCHLEY	WRITE IN
TREMONTON 1	258	120	4
TREMONTON 2	146	111	0
TREMONTON 3	77	132	0
TREMONTON 4	188	140	4
TOTAL	669	503	8

OF THE VOTES CAST, OUTCOME OF THE VOTING WAS AS FOLLOWS:
 ROGER G. FRIDAL - 56.69%
 BLAINE R. MAUCHLEY - 42.63%
 WRITE INS - 0.68%

DISTRICTS	VOTES FOR DAVID DEAKIN	VOTES FOR DIANA DOUTRE	VOTES FOR LYLE HOLMGREN	VOTES FOR GERALD SMITH	WRITE IN
TREMONTON 1	281	165	271	41	0
TREMONTON 2	126	128	182	64	1
TREMONTON 3	136	78	108	91	1
TREMONTON 4	212	171	203	60	2
TOTAL	755	542	764	256	4

OF THE VOTES CAST, OUTCOME OF THE VOTING WAS AS FOLLOWS:

DAVID D. DEAKIN - 32.53%
 DIANA DOUTRE - 23.35%
 LYLE HOLMGREN - 32.92%
 GERALD H. SMITH - 11.03%
 WRITE INS - 0.17%


 Max Weese, Mayor


 Jeff Reese, Councilmember


 Byron Wood, Councilmember


 Shawn Warnke, City Manager


 David Deakin, Councilmember


 Lyle Holmgren, Councilmember


 Roger Fridal, Councilmember


 Darlene S. Hess, City Recorder

STATE OF UTAH)
: ss.
County of Box Elder)

I, DARLENE HESS, the City Recorder of Tremonton, Utah, do hereby certify that the above and foregoing is a full and correct canvass of elections for the Tremonton City Municipal General Election held November 3, 2009. Adopted per motion by Councilmember Byron Wood and seconded by Councilmember Jeff Reese at a meeting held on the 10th day of November 2009 for the Canvass of Election.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the City this 18th day of November, 2009.



Darlene Hess
City Recorder

