

# CORPORATE REPORT

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|-----------------------|--|----------------------|-------------------|
| <b>DEPARTMENT:</b>    | Administration                                       | <b>REPORT NO.</b>    | 2020.250          |
| <b>DATE PREPARED:</b> | December 1, 2020                                     | <b>MEETING DATE:</b> | December 16, 2020 |
|                       |  | <b>NO. OF PAGES</b>  | 1 of 9            |
| <b>SUBJECT:</b>       | Alternative Voting Methods – 2022 Municipal Election |                      |                   |

## RECOMMENDATION

THAT with respect to Report No. 2020.250 the Council of the Municipality of Oliver Paipoonge recommends the use of \_\_\_\_\_ as the alternative voting method for the 2022 Municipal Election being held on Monday October 24, 2022;

AND THAT Administration proceed to issue an RFP as noted in this Report, if required;

AND THAT the necessary funds be allocated from the Modernization Fund;

AND THAT the necessary by-law to authorize alternative voting for the 2022 Municipal Election be presented to Council for ratification no later than April 28, 2021.

## PURPOSE

To provide information to Council with respect to Alternative Voting Methods versus the traditional paper ballot for the 2022 Municipal Election.

## BACKGROUND

The *Municipal Elections Act*, 1996 provides for the use of alternate methods of voting and vote tabulation. Council has expressed an interest in investigating the feasibility of using alternative voting methods like internet voting, telephone voting and vote-by-mail for the 2022 Municipal Election.

## Legislative Context

The *Municipal Elections Act*, 1996 (the “Act”) as amended, provides in Section 11(1), that the Clerk of a local municipality is responsible for conducting municipal and school board elections. As outlined in Section 11(2) of the Act, that responsibility includes:

- (a) Preparing for the election;
- (b) Preparing for and conducting a recount in the election; and
- (c) Maintaining peace and order in connection with the election.

The general powers of the Clerk are set out in Section 12 of the Act.

Additionally, the Act specifies a number of responsibilities given to Council, including:

- A decision to put a question on the ballot
- A decision to use languages other than English in notices and forms
- A decision to use voting and vote-counting equipment like vote tabulators
- A decision to use alternative voting methods like internet voting, telephone voting and vote-by-mail

The Act, in Section 42(1) (b), provides Council with the authority to pass a by-law that authorizes the use of any alternative method of voting “that does not require electors to attend at a voting place in order to vote.” Such a by-law must be passed on or before May 1 in the year before the year of the election – last day is May 1, 2021. As May 1, 2021 is a Saturday it would be prudent to pass the by-law at the April 28, 2021, Council Meeting.

In considering new voting methods for the electorate, all options brought forward need to be evaluated to ensure that the principles of the Act are upheld, and that citizens’ democratic rights are protected.

The principals of the Act include:

- The secrecy and confidentiality of individual votes is paramount
- The election should be fair and non-biased
- The election should be accessible to the voters
- The integrity of the process should be maintained throughout the election
- There be certainty that the results of the election reflect the votes cast
- Voters and candidates should be treated fairly and consistently within a municipality

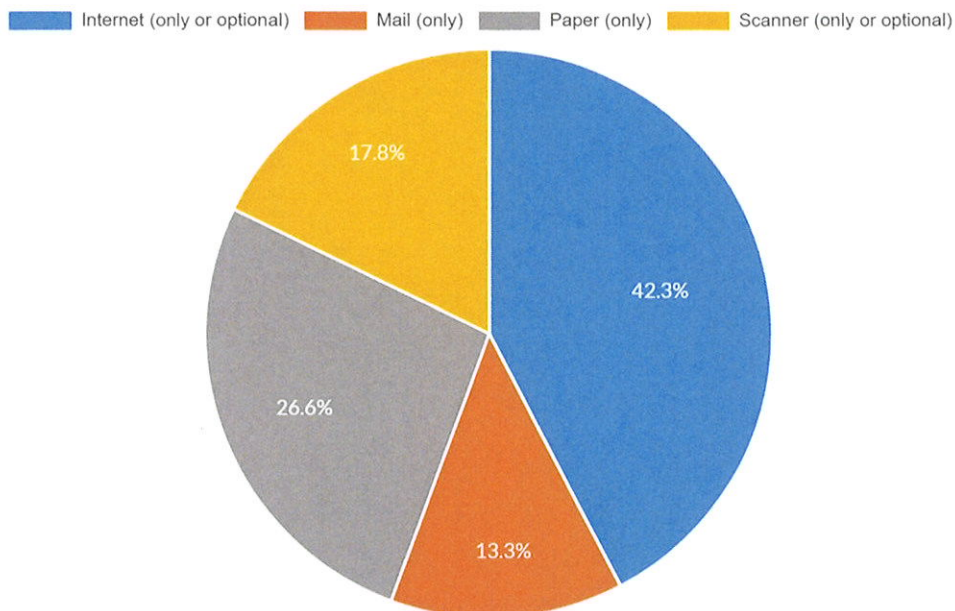
#### **REPORT SUMMARY**

Alternate methods of voting are not new to Ontario municipalities. Vote-by-mail and telephone voting have been used in a number of municipalities for decades and, more recently, voting via the internet has grown in popularity.

How votes are cast continues to move to technology-based methods. In the 2018 Municipal Election, 178 municipal governments used internet/telephone methods, which is 84 more than the previous election (2014). The use of vote by mail in 2018 dropped by 46% and likely reflected a move to a method that is safe from a postal strike.

A report from AMO indicates the following:

### **2018 VOTE METHODS**



Scanner above refers to vote tabulators at polls that are used for electronic counting of the ballots.

The tables below illustrate Traditional Paper Ballot and Alternative Vote Methods and provides information regarding casting of ballots, location for voting, advance polls, accessibility and counting of votes;

- Traditional Paper Manual Ballot Voting

### **ALTERNATIVE VOTE METHODS**

- Vote by Mail
- Vote by Telephone
- Vote by Internet

|                           |                                 |  |
|---------------------------|---------------------------------|--|
| <b>Traditional Voting</b> | <b>Casting Ballots</b>          | Voters attend a specified voting location to cast their paper ballot on election day (typically until 8pm)                             |
|                           | <b>Location For Voting</b>      | Polling stations setup at facilities in the municipality.  |
|                           | <b>Advance Polls for Voting</b> | Advance Polling stations setup at facilities in the municipality (typically one day).  |
|                           | <b>Recording Votes Cast</b>     | The voters name is recorded by the polling clerks - marking a line through the electors name on the voters list to record a vote cast. |
|                           | <b>Accessibility</b>            | Provisions are made to accommodate accessibility needs within voting locations.  |
|                           | <b>Counting of Votes</b>        | Votes are counted manually.  |
|                           |                                 |  |

## ALTERNATIVE VOTE METHODS (continued)

|                     |                                 |   |
|---------------------|---------------------------------|---|
| <b>Vote By Mail</b> | <b>Casting Ballots</b>          | A vote-by-mail election is a paper based alternative voting method in which a package containing instructions, a ballot and a voter declaration form is mailed to every qualified elector on the voters list. A voter will mail back their completed ballot and declaration form, in a separate prepaid postage envelope. On voting day, the municipality will hand count the returned ballots. |
|                     | <b>Location For Voting</b>      | Votes are cast by the elector and mailed to the municipality to record voter and vote is counted on voting day.   |
|                     | <b>Advance Polls for Voting</b> | Votes are cast up to 10 days in advance of the election. Additional advance poll locations - typically the Sat. prior to election. If not enough time for the mail to reach the municipality an additional opportunity to cast ballot closer to the election is by dropping off a completed package at the municipal office in a specified ballot box (until the close of the election).        |
|                     | <b>Recording Votes Cast</b>     | The voters declaration form is scanned to record a vote cast.   |
|                     | <b>Accessibility</b>            | Individuals are able to vote from the comfort of their home.  |
|                     | <b>Counting of Votes</b>        | Votes are counted manually or by use of a tabulator.  |

|                         |                                 |   |
|-------------------------|---------------------------------|---|
| <b>Telephone Voting</b> | <b>Casting Ballots</b>          | Voters call a dedicated toll-free number and are prompted to authenticate their identity. The voter enters the PIN provided in a Voter Information Letter using a touch-tone dial pad and the system checks where they have voted. The voter is prompted to select from the candidates and finally to confirm their choices. The Voter is optionally issued a receipt and is now blocked from voting a second time. |
|                         | <b>Location For Voting</b>      | Vote can be cast from anywhere provided the voter has access to a telephone and have a Voter Information Letter for which they are able to authenticate their identity.   |
|                         | <b>Advance Polls for Voting</b> | Votes are cast up to 10 days in advance of the election (until the close of the election).  |
|                         | <b>Recording Votes Cast</b>     | The voters list is updated immediately upon casting a telephone vote.   |
|                         | <b>Accessibility</b>            | Individuals are able to vote from the comfort of their home or an alternate location with access to a telephone.  |
|                         | <b>Counting of Votes</b>        | Once the voting has ended the results and audit trails are provided to the Clerk.   |



## ALTERNATIVE VOTE METHODS (continued)

|                        |                                 |   |
|------------------------|---------------------------------|---|
| <b>Internet Voting</b> | <b>Casting Ballots</b>          | Voters login to a specified voting website and enter the PIN provided in their Voter Information Letter. If the voter hasn't yet voted they click on the election site and a tamper-proof electronic ballot will appear. The voter submits their vote choices and the results are encrypted and kept anonymous. The voter is issued a printable receipt and is now blocked from voting for this election again. |
|                        | <b>Location For Voting</b>      | Vote can be cast anywhere provided the voter has access to internet service and have a Voter information Letter for which they are able to authenticate their identity.   |
|                        | <b>Advance Polls for Voting</b> | Votes are cast up to 10 days in advance of the election (until the close of the election).  |
|                        | <b>Recording Votes Cast</b>     | The voters list is updated immediately upon casting an internet vote.   |
|                        | <b>Accessibility</b>            | Individuals are able to vote from the comfort of their home or an alternate location with access to internet service.   |
|                        | <b>Counting of Votes</b>        | Once the voting has ended the results and audit trails are provided to the Clerk.   |

### Traditional Voting

#### Pros –

Familiar: Voters are comfortable with the process.

No Issues with Technology: Process is not impacted by technical difficulties.

#### Cons –

Cost: There is an increased cost at each election due to rising prices.

Low Voter Turnout: This could be due to only having select days to vote or difficulty getting to the polls due to inclement weather.

### Vote by Mail

The following is a list of pros and cons contained in a report compiled by AMO from a survey of municipalities in Ontario who utilized Vote by Mail.

#### Pros –

Voter Turnout Improved: Voters cast their ballots in the comfort of their own home and voting is as easy as mailing a letter. More convenient way for non-residents, seniors and those with disabilities to cast their vote.

Eliminates Proxy Voting: Proxy voting involves a large time commitment on the part of municipal staff in explaining the proxy process, resolving complaints and receiving and verifying large numbers of forms. Proxy voting also involves additional time and complication at the polls.

Eliminates Need for Advance Polls: Vote by Mail eliminates the need for advance polls as well as the need to have several voting locations spread throughout the municipality. This reduces the number of election staff required to operate the polls and the amount of election supplies needed at each of the polls.

Only need one Poll on Voting Day that can be operated by designated Municipal Staff.

#### Cons -

Costs: The purchase of the voter kits for Vote By Mail are costly.

Labour Intensive: Opening the voter kits is time consuming. Difficult to judge the number of staff required and how much time to allow since the total number of kits to be received is unknown.

Canada Post: Need to work closely with Canada Post to avoid confusion.

Canada Post Strike: At the mercy of Canada Post on whether a strike occurs during the Election.

Accuracy of the Voters list is paramount. Staff need to ensure voter kits are sent to the correct addresses, etc. to eliminate waste.

### **Online Voting – This Encompasses both Internet and Telephone Voting**

#### Pros -

Benefits to online voting (internet and telephone voting) can be summarized in the following points:

- Makes voting more convenient
- Voter choice and flexibility
- Immediate, auditable results (results would be finalized by 8:20 p.m. on Voting Day)
- Voter intent clear – no spoiled ballot issues, positive ballot confirmation
- Helps improve voter participation
- Environmentally positive, reduction in carbon emissions
- Addresses provincial accessibility requirements
- Could provide longer period for Advance Voting
- The availability of reports with internet and telephone voting are exceptional
- Service provider provides the necessary training, mailings, policies and procedures, etc.
- It is secure and provides efficiency
- No longer need to hire and train 27 – 30 staff
- Cost effective - As the municipality and voters become more familiar with online voting, there is potential for further cost reductions and efficiencies utilizing online voting (internet/telephone voting) in subsequent elections.

The internet and telephone offers voters convenience, choice and greater access to the voting process. Access by voters with mobility challenges, retirees, shift workers, non-resident voters, voters that are away from home during an election (students, business travelers, and vacationers) all can have access to voting without having to visit a voting location or surrender their privacy through a proxy vote. With internet voting, Election Officials have the option of allowing voting to commence with the date of the first advance poll and continue 24 hours a day, 7 days a week right up until the close of polls on Voting Day.

It should be noted that with the demographics of our society it can be expected that the number of people with disabilities, for whom attending at a voting location presents challenges, will be steadily increasing each year.

Many voters with visual disabilities require the assistance of another person to vote which undermines their privacy. With the current technology available for home computers, many individuals with a range of disabilities can vote via the internet or telephone in complete privacy.

In 2014, the Municipality of Oliver Paipoonge had 4,951 eligible elections of which 329 were non-resident. Non-residents who through property rights are eligible to vote but would have to travel, in some cases considerable distances, to exercise their right to vote often do not vote in municipal elections.

Those voters that travel out of the municipality for business, school or pleasure at election time can only vote now by exercising a proxy vote, a process that requires they surrender all privacy of their vote. As a consequence many in this position choose not to vote.

There is also a considerable benefit through internet and telephone voting for candidates. All of the major vendors offer a 'candidate' package that allows candidates to access the live voters list, greatly enhancing strategies for voter support (getting the vote out).

Cons –

Some disadvantages of internet/telephone voting are the voter's perception of security and if their personal information will be kept confidential and secure from hackers. The service providers continue to establish measures to decrease and mitigate security risks, including banking-level encryption. These same security questions occur with vote by mail.

### **Financial Implications**

The cost of election administration is funded through the Oliver Paipoonge Elections Reserve Fund to which contributions are made in non-election years. The costs for the Municipal Election included staff for the advance and voting day polls, supplies, printing of ballots, printing of Voter Notification Notices, printing of the Voters' List, postage, and maintaining the Voters' List, etc. If the modernization funds are utilized in 2021 to implement an alternate voting method of voting, it would result in a decrease in the operating budget for elections in 2022.

The following is statistical information on previous Oliver Paipoonge and Shuniah elections.

| 2018               | Oliver Paipoonge                | Shuniah  |
|--------------------|---------------------------------|--|
| Voting Method      | Traditional Paper Ballot        | Internet/Telephone Voting  |
| Number of Electors | 4,984                           | 3,852  |
| Cost               | \$26,638.43                     | \$14,855   |
| Voter Turnout      | 32.40%<br>(1,615 actual voters) | Unable to obtain 2018 stats in time to include in this report so used 2014<br>- increase by 22% to a total well over 50%<br>- 82% used internet versus the telephone<br>- 60 voters physically attended at a poll set up at office |

In 2015 Report No. 2015.81 was presented to Council at the March 29, 2016 Council Meeting and included a quotation from Intelivote Systems Inc. for \$15,000 to implement internet/telephone voting for the 2018 Municipal Election. There was no change to the method of voting in the Municipality of Oliver Paipoonge and the traditional paper ballot method was used for the 2018 Municipal Election.

### **Electronic Voters List**

DataFix/Voterview is a list management program utilized by the Municipality of Oliver Paipoonge and is an extremely valuable resource for staff managing the election. The system allows election officials with comprehensive tools for managing elector and election-related data. The program is compatible with internet/telephone voting and there are platforms for which DataFix is fully integrated and enables secure, real-time electronic data transfers for voter's list revisions and for in-person or online voter strike-off activity.

Administration spoke to our contact at DataFix and were advised that the two vendors they work with for internet/telephone voting are as follows:

- Intelivote Systems Inc.
- Simply Voting Inc.

It is expected, should Council approve internet/telephone voting, and if a RFP is required, it would be forwarded to these service providers who have most of the market in Ontario as well as post on the website should any other vendors wish to submit a proposal.

### **Security, Integrity and Risks**

New methods of voting are considered with the understanding that Council and the public will need to be further assured that the security and integrity of any system utilized meets the highest of standards. There would need to be an effort to communicate to the public the new procedures and features and this will include videos for the benefit of voters, candidates and the general public. Security, integrity and risks will all be addressed in the vendor selection process. The integrity of the voting process would be verified, including review of and recommendations on voting procedures prior to the election.



## **Auditing and Recount**

Outside auditors are generally hired to conduct independent tests of an internet and telephone voting system to perform Specified Auditing Procedures before, during, and after the electronic voting portion of the advanced polling period.

Should Council wish to proceed to implement an alternative voting method for the 2022 Municipal Election the following are some next steps to be considered:

1. Pass a resolution approving the use of an alternative voting method for the 2022 Municipal Election.
2. Prepare and advertise a RFP for a vendor to provide the alternative voting method, if deemed necessary.
3. Pass a by-law authorizing the use of an alternate voting method prior to May 1, 2021 (April 28, 2021)
4. Ensure adequate public education is in place leading up to Voting Day such as:
  - Instruction videos posted on the municipal website and shared through social media to assist voters.
  - List of Common Voter Questions and Answers made available on the website, mailed to electors with their PIN, notices in the Oliver Paipoonge Newsletter well in advance of Voting Day.

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