

Municipality of Lakeshore – Report to Council

Strategic & Legal Affairs

Civic Affairs



To: Mayor & Members of Council

From: Brianna Coughlin, Division Leader - Civic Affairs

Date: June 28, 2021

Subject: Municipal Election 2022 – Alternate Methods of Voting

Recommendation

Approve the voting method of telephone/internet for the 2022 municipal election, as described in the report presented July 13, 2021; and Direct the Clerk to prepare a by-law authorizing the alternate voting method as required by Section 42(1b) of the *Municipal Elections Act, 1996*.

Background

The next Municipal Election will take place October 24, 2022. Since the 2018 election, several changes have been made to the *Municipal Elections Act, 1996* (MEA) relating to the method and timing of the election, including:

- Shorter time between the first day for nominations (May 1), Nomination Day (August 19) and Election Day (October 24)
- Removal of ranked ballot option (Bill 218)
- Requirement to pass by-law to allow for alternate method of voting extended from May 1, 2021 to May 1, 2022

While the deadline to choose an alternative method has been extended to May 1, 2022, Administration recommends that Council make a decision on the method at this time in order to allow for sufficient preparation and proper resource allocation for the 2022 Budget. The Budget deliberations are scheduled for November 2021. Sufficient time is also required to prepare and issue the necessary requests for proposal associated with the election process.

The following table provides a comparison of voting methods used by municipalities in the County of Essex for the 2018 municipal election. Please note that this is the base method only; in-person voting may have also included the use of assistive devices such as electronic tabulators while alternate methods such as internet/telephone voting may have also utilized in-person voting assistance centres.

Municipality	Voting Method for 2018 Election	Voter Turnout (source: AMO)
Amherstburg	In-person	42.73%
Essex	In-person	45.00%
Kingsville	Vote by mail	46.79%
Lakeshore	Vote by mail	42.12%
LaSalle	Internet/telephone	42.12%
Leamington	Internet/telephone	44.64%
Tecumseh	Internet/telephone	37.43%

The voter turnout results noted above are included as a base comparator only. There are many factors involved in voter turnout including voting method, voter engagement, number of candidates, acclamations, etc. The average voter turnout Ontario-wide was 38.29% in 2018.

Lakeshore has used the Vote By Mail method for the past five election cycles. Voter turnout has ranged between 40% and 53%, with the most recent voter turnout at 42.12%. It is important to note that the Canada Post strike had significant ramifications on the conduct of the 2018 election requiring a significant expenditure of additional staffing time and resources for ballot distribution and collection.

Comments

While each election is unique, the 2022 election will have some special considerations that make it unlike its predecessors.

The COVID-19 pandemic has introduced new challenges to the election planning process. While current vaccination rates are showing increased effectiveness in lowering the number of COVID-19 cases, contingency plans are required for the safety of the voters and election day staff, as well as preparing for the possibility of interruptions in the voting process due to new waves of this virus or other health concerns.

Any in-person voting place or voting assistance centre must consider safety protocols such as social distancing, reducing common touchpoints, Personal Protective Equipment (PPE) or other tools that may be needed to protect both electors and election officials.

In addition to the health and safety considerations noted above, Administration must also ensure that the election process is accessible for all voters and complies with the *Accessibility for Ontarians with Disabilities Act* (AODA). For traditional voting methods, election officials must ensure that each voting location is physically accessible and ensure alternative methods are available for the casting of the ballot itself. Accessibility must be considered in the procurement process for vote tabulating equipment as well as during the hiring process of election officials.

Alternative methods of voting such as Vote By Mail or remote Internet/Telephone Voting provide increased independence of voting for voters with disabilities. Voter assistance centres must also be considered to provide assistance in the voting process and these must comply with accessibility requirements.

It is expected that interest in alternative voting methods will increase throughout Ontario leading up to the next election, especially given the COVID-19 pandemic. Administration has conducted a review and preliminary cost comparison of Vote By Mail and Internet/Telephone voting methods for consideration for the 2022 Municipal Election.

Traditional In-Person Polling Stations

Although Administration is not recommending In-person Polling Stations for the 2022 Municipal Election, it has been included in this report for comparison purposes.

This method of vote requires printing hard-copy ballots that are provided to voters in person at their designated voting location. The counting of the ballots can be enhanced through the use of electronic voting tabulators.

The use of in-person polling stations is the most labour-intensive option, which will require additional considerations for COVID-19 safety and accessibility requirements. It will also require the rental of accessible polling locations; traditionally churches and schools have been rented for voting locations, which may be more difficult to rent given increased safety protocols for COVID-19.

This method of vote provides the option of proxy votes for those electors who cannot attend the voting place in person. Proxy voting has been an issue of concern in recent elections, relating to voter fraud or access to proxy forms. Procedures would need to be put in place to ensure these concerns are mitigated.

In-Person Polling Stations		
Category	Advantages	Disadvantages
Accessibility		Least accessible voting method for voters with disabilities; may require voter assistance and rental of assistive devices because all voting locations must be fully accessible for voters and election staff
Voter Convenience	Voting locations would be located close to home	Must vote in-person during prescribed hours
		Requires a proxy vote if not able to attend in-person

Staffing Requirements		Labour intensive: would require approximately 80 election officials
COVID-19 Safety Precautions		Voting locations must comply with safety protocols (spacing, increased cleaning of touch spots, etc)
		Election officials must be provided with PPE and safety training
		Does not provide a voting alternative for those self-isolating
Technology	No technology required for voters	Recommend renting at least 2 electronic voting tabulators per voting location
		Does not eliminate unintentional spoiled ballots

Administration does not recommend traditional in-person polling stations for the 2022 Municipal Election.

Lakeshore has been a leader in the use of alternate methods of voting for the past five elections and returning to a less-accessible method of vote is not recommended. In addition, this method would require hiring, training and supervising approximately 80 election officials. All of these officials are anticipated to still need to be compliant with COVID-19 safety protocols and PPE provided, if necessary.

Vote By Mail

Lakeshore has conducted 5 elections using the Vote By Mail method. This method relies on significant up-front planning prior to mailing the voting kits but is overall less labour intensive than traditional in-person polling stations.

Of special consideration is the reliance on mail delivery through Canada Post, which has the inherent risk of a postal strike or other delivery delays. Canada Post workers may again be in a position to strike during the 2022 election period as the current collective bargaining agreement is set to expire in January of 2022.

Should Council choose this method of vote, Administration recommends drive-thru drop-off locations be planned in each of the six wards on Election Day. Even if there are no postal delivery delays, this provides an additional element of convenience for electors who may choose to drop off their ballot at any of these locations thereby potentially increasing ballot returns.

Vote By Mail		
Category	Advantages	Disadvantages
Accessibility	Allows independence for voters using assistive devices at home	Concerns with perceived voter fraud
	Eliminates the requirement for proxy votes	
Voter Convenience	Convenient mail or in-person drop off at designated locations	Relies on swift delivery through Canada Post. Recommend the use of drive-thru drop-off locations on Election Day
Staffing Requirements	Less labour intensive than traditional voting polls; election officials for drive-thru drop-off locations and	Multiple election officials required on Election Day, can take several hours to tabulate ballots
COVID-19 Safety Precautions	Option of drive-thru drop-off locations can easily comply with COVID-19 safety protocols	
Technology	No technology required for voters	Requires the rental of voting tabulators and several election officials to count votes on Election Day
	Recommend renting 3 electronic voting tabulators for counting ballots	Does not eliminate unintentional spoiled ballots

The Vote By Mail method is a good alternative voting method for the 2022 Municipal Election. Lakeshore electors are familiar with this method and the convenience and accessibility can be improved upon with the option of drive-thru locations.

Internet/Telephone Voting

The use of remote internet and telephone voting for municipal elections has become more popular over the past decade, as it allows for convenient and accessible voting from any location. Electors are mailed a confidential access code that must be used in conjunction with a personal identifying code, such as birth date, in order to access the ballot online or by telephone.

This method allows for the most flexibility in the voting process, as votes can be cast any time during the 10-day voting period from anywhere in North America. Although the voting process is very accessible, it is recommended that at least one voting assistance centre be established to help voters that are not comfortable with technology or simply wish to cast their ballot “in-person”.

The security of the vote is an important consideration for internet and telephone voting. The procurement process will need to include considerations such as data storage with servers located in Canada, stringent access methodologies (similar to online banking or medical records systems) as well as thorough testing and auditing capabilities throughout the election process.

Internet/Telephone Voting		
Category	Advantages	Disadvantages
Accessibility	Allows independence for voters using assistive devices such as screen readers and TTY phones	Some voters may lack internet access or skills to use the technology. This can be eliminated with the use of phone voting. Recommend having one Voter Assistance Centre located at the Atlas Tube Recreation Centre during the 10-day voting period staffed with election officials and voting kiosks
	Eliminates the requirement for proxy votes	
Voter Convenience	Vote anywhere, anytime during the 10-day voting period	Telephone voting can be confusing if there are more than 10 candidates for one position
Staffing Requirements	Requires fewest election officials	
COVID-19 Safety Precautions	Internet and phone voting can be done “hands off” from any location, even if voters are self-isolating	Requires training and PPE for election officials at the Voter Assistance Centre
	Voter Assistance Centre at ATRC would be accessible and COVID-19 safety compliant	
Technology	Faster results on Election Day with no requirement for vote tabulators	Concerns with voter fraud (reduced with use of PIN and personal identifiers)
	Can vote from any computer, tablet or smart phone (internet voting) or any non-rotary phone (phone voting)	Perceived security concerns (reduced through frequent auditing and other measures outlined in RFP process)
	Eliminates unintentional spoiled ballots (would still allow spoiling a ballot on purpose if desired by voter)	Requires the use of laptops or tablets at the Voter Assistance Centre

The use of internet/telephone voting with one in-person voter assistance centre is the recommended option of Administration for the most accessible “vote anytime anywhere” approach.

Given the size of the Municipality, Council may have a desire to provide a voter assistance centre in each of the six wards. Securing, staffing and maintaining six locations during the 10-day voting period is not recommended, as this is costly and difficult to maintain given accessibility and health/safety considerations. If Council decides that one voter assistance centre is not sufficient, it would be Administration’s recommendation to move to the Vote By Mail method instead.

Election Resources

Administration will continue to use the Voter View system to maintain, revise and finalize the Voters List. Should Council choose the Vote By Mail method of vote, Administration will procure the rental of three electronic tabulators in order to facilitate the counting of ballots on Election Day.

Administration will be including funds in the 2022 Budget for a 10-month temporary contract Election Coordinator position. This position is intended to be a key resource in responding to voter and candidate inquiries and would be responsible for:

- Assisting with the development and implementation of the election workplan;
- Coordinating the assignment of tasks and deployment of staff and resources;
- Assisting with the registration of voters, third-party advertisers and nomination of candidates;
- Performing revisions to the Preliminary List of Electors and maintaining, finalizing, producing and distributing the Voters List;
- Assisting with the development and distribution of communications materials, including public notices and website content;
- Preparing, distributing and securing forms, signs, ballots and other election materials;
- Coordinating the preparation, deployment and use of voting equipment/technology;
- Assisting with the coordination, tabulation and finalization of election results and election statistics;
- Assisting with the inaugural meeting and new Council training sessions.

In addition to this position, Administration will develop an Elections Engagement Plan for the overall communication and branding of the election materials, with the intention of providing consistent and frequent messaging to engage voters in the election process.

Financial Impacts

The following table outlines the estimated cost of Vote By Mail and Internet/Telephone Voting options. Please note that these costs are estimates only at this time and cannot be finalized until after the RFP process and confirmation of voting locations.

Method of Vote	Contract Cost		Location and Equipment Rental	Staffing	Total
Vote By Mail with drop off Station at Town Hall or ATRC	50% turnout	\$147,500 \$5.35 per elector	\$4,000 3 tabulators	\$2,500	\$154,000
	100% turnout	\$175,000 \$5.35 per elector			\$181,500
Vote By Mail with drive-thru in each ward on Election Day	50% turnout	\$147,500 \$5.35 per elector	\$5,400 3 tabulators plus location rental	\$10,500	\$163,400
	50% turnout	\$175,000 \$5.35 per elector			\$190,900
Internet/Telephone Voting with help centre at ATRC	\$81,000 \$2.70 per elector		\$4,000 Tablet/laptops	\$16,400	\$101,400
Internet/Telephone Voting with help centres in each ward	\$81,000 \$2.70 per elector		\$32,000 Equipment cost plus rental and cleaning costs for 10 days	\$98,400	\$211,400
Traditional ballots with tabulators and accessibility devices	Mailing and printing costs \$50,000		\$28,000 12 tabulators plus location rental and equipment	\$53,600	\$131,600

Next Steps

Following the direction of Council, Administration will begin preparing a Request for Proposal (RFP). This will include exploring joint RFP opportunities with local municipalities to find efficiencies. Further information will be provided to Council as part of the 2022 Budget process.

Lakeshore has contributed to the Election reserve fund for the past three years in order to avoid one lump-sum cost in the election year. The Election reserve has a current balance of \$88,856. The annual budget allocation to this reserve is \$35,000. If this is approved as part of the 2022 budget, the Election reserve account will have a balance of \$123,856. As this may not be sufficient to cover the costs of the election based on the options above, there may need to be an increase in the transfer to the reserve for the 2022 budget.

Report Approval Details

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This report and all of its attachments were approved and signed as outlined below:

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