



Report to Council

Department: Office of the CAO
Division: Legal and Legislative Services
Date: March 21, 2022
Prepared by: Robert W. Auger Town Solicitor/Clerk
Report Number: **Appendix A to Legal and Legislative Services-2022-09**
Subject: 2022 Municipal Election Voting Method
Number of Pages: 8

Background and Discussion

At its March 7, 2022 regular meeting Council reviewed and discussed Legal and Legislative Services Report 2022-09 (entitled "2022 Municipal Election Voting Method") and asked administration to further review the two following additional options relating to method of voting in the 2022 municipal election:

- 1) **Alternative Option A:** 100% in-person voting only on both voting day and during advance polls using voting tabulators at each of the four Town Centre locations (Essex Centre Sports Complex, Harrow and Colchester South Community Centre, Colchester Community Centre and McGregor Community Centre); and
- 2) **Alternative Option B:** A hybrid form of voting using in-person voting with voting tabulators at each of the four town centers on voting day itself and for advance voting using a hybrid of internet voting during an extended advance vote period (October 10 to October 21) together with also offering in-person advance poll voting at designated dates at each of the four Town Centre locations.

By way of this Appendix A to Legal and Legislative Services Report 2022 -09, these options have been reviewed as follows below and they are in addition to the option already outlined and recommended by Administration on March 7, 2022 being Internet Voting with Voter Help Centres during an advance voting period from October 10-21 together with in-person voting only on election day (October 24).

Alternative Option A

Under this option, which would eliminate the recommended hybrid offering of Internet Voting during the Advance period, the required labor and number of election workers would significantly increase. Under this 100% in person scenario it is projected that the Town would need approximately 75-80 election workers to work on voting day and cumulatively for the four (4) Advance Polls. Under this scenario we are hopeful that the same 80 election workers could be available to work both at one of the four (4) advance dates and on voting day itself. but in essence the Town would need approximately 75-80 election workers to work on voting day itself and up to another 75-80 election workers in total for the four (4) Advance Poll dates.

Under this option total labor related costs would be expected to increase to approximately \$37,000 inclusive of training costs. Under the option that Administration has recommended (internet voting during advance vote period with in-person only on voting day) the labour related costs inclusive of training expenses are projected at approximately \$25,000 with that cost being inclusive of approximately 54 election day workers and an additional 4 workers to staff the "Voter Help Centres" during the Internet voting Advance period (October 10-21).

One item to further take into consideration is that in 2018 the Town hired 47 election workers to work the election which consisted of in-person voting on election day and two (2) in-person advance poll dates. Back in 2018 it was a challenge to recruit this complement of election workers and in particular there were challenges in adequately staffing the Harrow Advance Poll. Under this Alternative Option A and given the expansion of advance polls to all 4 town centers a full complement of 80 election workers will be required to ensure no issues with line-ups at the voting places. This is especially a concern given that if voting in person is the only option then the voting locations will have an increased likelihood of traffic/congregation of

voters at the voting location, something which the Town will attempt to mitigate as much as possible both from an efficiency point of view and to ensure proper social distancing at the voting place. If the Town is unable to recruit all 80 workers or the required number of workers that are able to work on both election day and at any of the advance poll dates then the Town may require further assistance from existing Town Staff to assist in ensuring adequate levels of staffing and coverage.

In 2018 eight (8) voting tabulator machines were used. It is anticipated that under this option the Town will need to expand to approximately eleven (11) voting tabulator machines. Under this option the additional voting tabulator machines, accessory equipment and supplies to be ordered so as to facilitate the four (4) in-person advance polls will be at an estimated additional total cost of \$8,000.

Finally under this option it is proposed that, in order to provide for the greatest amount of flexibility for the electorate it is proposed that the advance poll dates in the Four (4) Town centres be staggered over four different dates with variable scheduled times. The tentative Advance poll dates under this option would be the following:

Wednesday October 12: 5 p.m to 9 p.m. (At one (1) of the four (4) Town Centres to be determined)

Saturday October 15: 10 a.m to 2 p.m. (At one (1) of the four (4) Town Centres to be determined)

Wednesday October 19: 1 p.m to 5 p.m. (At one (1) of the four (4) Town Centres to be determined)

Saturday October 22: 12 p.m. to 4 p.m. (At one (1) of the four (4) Town Centres to be determined)

Under this Alternative Option A the total projected cost of the election would be \$139,500 (\$140,000.00 has been budgeted for the 2022 election).



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Alternative Option B

Under this option voting would still be in-person only on Election Day (October 24) at the four (4) town centres. However for the Advance Voting period residents would have the dual option of either :1) Internet voting during an advance voting period of October 10 to October 21 or voting in person at one of the four (4) Town Centre locations on separate dates to be designated.

As already stated under Alternative Option A this option will similarly require significant additional labour and equipment costs for the Advance polls as compared to Administration's recommendation of Internet voting only for the advance poll period.

Under this Alternative Option B, offering both internet voting and in-person voting at the four Town Centres during the advance period will result in a overall total projected cost for the election of \$163,500 (\$140,000.00 has been budgeted for the 2022 election). As this option is over the budgeted amount the surplus amount of \$23,500.00 would need to be funded via Council Contingency. This again compares to a total projected election cost of \$139,500.00 for the aforementioned Alternative Option A and a total projected election cost of \$139,000.00 for Administration's recommendation of Internet only for the advance voting and in-person only on election day

While this Alternative Option B would be over budget and will certainly provide additional logistical and staffing challenges, there is no denying that this Option does provide for the greatest amount or highest range of accessibility for voters. If feasible, offering multiple options as to when, where and how to vote during the advance vote period together with traditional in-person voting on election day itself will truly provide voters with a wider range of options than any of the other options previously mentioned. The introducing of internet voting not only provides a tremendous increase in accessibility for voters but as well it could lead to greater and more

balanced voter turnout . For example in the 2018 Town of Essex election only 5 % of those who voted were in the 18-25 age group and only 13% of those who voted were in the 26-41 age group. The introduction of internet voting as a further option may possibly capture a larger portion of these voting groups.

Those who are not in favour of internet voting commonly cite concerns with security. In any type of election, three essential elements are the security, secrecy and integrity of the process. These elements are satisfied with internet voting. All electronic service providers have measures in place to prevent breaches of security, maintain the secrecy of the ballot, and ensure the capacity of the system to deal with increased traffic volumes (i.e. firewalls, encryption protocols, user authentication systems). In addition to those measures, municipalities commonly implement additional processes and procedures to address these concerns. As previously mentioned, 178 municipalities offered e-voting to its electors in 2018. Administration is not aware of any reports related to voter fraud, security breaches or other issues that could call into question the integrity of those Internet voting elections. Regardless, Administration would conduct testing of any Internet voting system that is implemented to ensure the security of the system.

In conclusion Administration does still recommend the option of: in-person voting only on election day together with internet voting only during the advance voting period but to be complemented by two (2) in-person Voter Help Centres. These Voting Help Centres will be complete with assigned staff and a Kiosk to assist those with the Internet voting process. While either of Alternative Options A and B can be implemented it is felt that the current recommendation of Administration provides the most appropriate balance having regard to all relevant factors.

Consultations

Doug Sweet, Chief Administrative Officer

Kate Giurissevich, Director, Corporate Services/Treasurer

Shelley Brown, Deputy Clerk

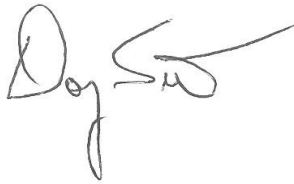
Link to Strategic Priorities

- Manage, invest and plan for sustainable municipal infrastructure which meets current and future needs of the municipality and its citizens.
- Create a safe, friendly and inclusive community which encourages healthy, active living for people of all ages and abilities.
- Provide a fiscal stewardship and value for tax dollars to ensure long-term financial health to the municipality.
- Manage responsible and viable growth while preserving and enhancing the unique rural and small town character of the community.
- Improve the experiences of individuals, as both citizens and customers, in their interactions with the Town of Essex.
- Improve the Town's capacity to meet the ongoing and future service needs of its citizens while ensuring the corporation is resilient in the face of unanticipated changes or disruptions.

Report Approval Details

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|----------------------|---|
| Document Title: | 2022 Election Voting Method - Legal and Legislative Services-2022-09.docx |
| Attachments: | - By-Law No. 2132 - Voting Methods for the 2022 Municipal Election.pdf |
| Final Approval Date: | Mar 2, 2022 |

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

A handwritten signature in black ink, appearing to read "Doug Sweet", with a long horizontal stroke extending to the right.

Doug Sweet, Chief Administrative Officer - Mar 2, 2022 - 1:14 PM

Report Approval Details

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| Document Title: | Appendix A to Report Legal and Legislative Services-2022-09 - Legal and Legislative Services-2022-13.docx |
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| Final Approval Date: | Mar 16, 2022 |

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

No Signature - Task assigned to Doug Sweet, Chief Administrative Officer was completed by workflow administrator Robert Auger, Town Solicitor, Legal and Legislative Services/Clerk

Doug Sweet, Chief Administrative Officer - Mar 16, 2022 - 6:07 PM