

STAFF REPORT: Administration

REPORT TO: Finance and Administration
MEETING DATE: August 18, 2009
REPORT NO.: A.09.08
SUBJECT: 2010 Municipal Election Update
PREPARED BY: Stephen Keast, Clerk

A. Recommendations

THAT Council receive Staff Report A.09.08, "2010 Municipal Election Update" for information purposes.

B. Background

The next municipal election will be November, 2010 and the groundwork for the election is now being considered.

It is proposed the 2010 election will be run exactly as in 2006, save and except the Beaver Valley Community Centre will not be advertised as a ballot drop off centre on election day. Although advertising was clear that it was not a traditional voting place, many electors discarded their vote by mail ballot kit and appeared believing they would be given a ballot to complete.

People who discarded their ballot kit had to be issued new blank kits as if they were being added to the voter's list and this caused a great deal of extra work. Voters will be directed to either mail their ballot kit back or drop it off at the municipal office up to 8:00 p.m. on election day.

It is proposed that DataFix again be retained to supply ballot kits and the Municipal Voterview software, with Dominion Voting to again supply ballot scanning and tabulator equipment. Competitive bids for both services were received and considered in 2006 and these two firms were selected. We have an existing contract with DataFix to upgrade and update the voter's list from the last election to the 2010 election and DataFix works with Dominion in ensuring ballot design and tabulator readings. Retaining these two firms again in 2010 would represent standardization in the election process.

DataFix has made revisions to the vote by mail ballot kit to reduce the instances of a non-conforming ballot kit being returned as noted on the attached information sheet. DataFix advises that in two recent by-elections the number of non-conforming ballot kits being returned was significantly reduced.

C. The Blue Mountains' Strategic Plan

Providing a strong, well-managed municipal government.

D. Environmental Impacts

N/A

E. Budget Impact

Not yet finalized, the final cost of the 2006 election being \$40,883.84. The lease with Dominion Voting for the ballot tabulators was \$10,600 plus taxes in 2006, with a recent proposal being received from Dominion in the form of a five year contract in the amount of \$24,600 plus taxes. This contract gives a guaranteed cost for the 2014 municipal election at the same cost as 2010 and will be reviewed with Financial and Information Services Staff.

F. Attached

1. Staff Report A.07.01, 2006 Municipal Election Review
2. DataFix announces our new Mail-in Voter kit.

Respectfully submitted,

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Stephen Keast, Clerk
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Approximately 500 ballots were rejected (414 as of close on Friday) and if these ballots were suitable for counting, the turnout would have been approximately 39%, up 5% from 2003.

68 yellow return envelopes were returned after November 13.

With regard to the voter's list, closing in 2003 at a total of 10,450 voters and in 2006 at a total of 10,722 voters, certain matters should be noted. Firstly, a significant number of duplicated names were removed for the 2006 list and a good number of deceased persons names were also removed. Secondly, 440 undeliverable vote by mail kits were returned following the initial mailing and these names were deleted from the list, an expensive but one-time enumeration exercise. Had the MVV software been utilized in the 2003 election, the final voter total would have been significantly less than 10,450.

Component Summary

Vote by Mail kits

The writers had no experience with vote by mail prior to the 2006 election. The Town of Collingwood used vote by mail in 2000 and 2003 and the Municipality of Meaford used vote by mail in 2003. The Town of Collingwood used DataFix and Dominion tabulators in 2006 as did The Blue Mountains, Meaford using DataFix but with a manual count of ballots.

The vote by mail ballot kits were identical in Meaford, The Blue Mountains and Collingwood, other than Meaford instructions referred to an "X" rather than filling in a box as tabulators were not used. As reported in the media, early in the return process it was noted in many vote by mail municipalities that return yellow envelopes were being received that did not conform to the instructions, i.e. either the Voter Declaration Form was not signed or was not present, i.e. the Form might be sealed in the Ballot Secrecy Envelope.

The Blue Mountains and Collingwood jointly considered policy to address the processing of the non-conforming ballots and approximately 160 ballots were tabulated in this manner, the vast majority of rejected ballots having an un-signed Form or having no Form present. During the tabulation process ballots may also be rejected for more traditional reasons.

The attached Globe and Mail article dated December 6, 2006 recounts municipalities that have received applications to appear before the Superior Court of Justice with requests for the Judge to rule they should have opened Secrecy Envelopes in an attempt to address the non-conforming return envelopes, the Judge subsequently ruling the secrecy envelopes be opened to determine if Voter Declaration Forms were present and if so, the ballots be tabulated.

Up to November 10, where a return yellow envelope contained an unsigned Form and where a telephone number could be obtained, local or long distance, the voter was

called once and asked to attend the Town Office to sign the declaration. Approximately 50 ballots were processed in this manner.

Where a voter believed they did not sign the Voter Declaration Form, a declaration was signed by the voter and a blank vote by mail ballot kit was issued with the voter's name written on the Form. During processing of the return yellow envelope the voter's name is marked off from the electronic voter's list as having voted and the software will reject any subsequent ballot that might present itself in that name, so provision of a second ballot kit was not of concern and this practice was evident in various municipalities.

Conclusions

Vote by Mail

The vote by mail direction sheet should be revised with instructions starting at the top of the first page of the sheet and the Voter Declaration Form located at the bottom of page one, facing the elector as they read through the directions. A return yellow envelope featuring a window with the Voter Declaration Form having to be placed in the yellow envelope to show a return address would reinforce return of the Form.

The attached 2006 DataFix instruction sheet is for comparison with the attached 2003 Canada Post Collingwood election sheet which was formatted as earlier recommended, and discussion with any supplier as to format would be recommended prior to the next election. Discussion of ballot kit format did not seem to be an issue in any municipality during election training seminars and ongoing staff discussions in 2006.

Use of the BVCC on election day as a ballot drop-off location should be reviewed and its subsequent role in the election clarified. A significant number of voters attended believing they would be provided a traditional ballot and many had earlier discarded or destroyed their vote by mail kit. Replacement kits were issued where necessary as earlier described.

Interestingly, the attached Huntsville election result sheet indicates a mix of vote by mail and manual ballot election was utilized, although voter turnout was only 31% with the hybrid election. Huntsville also had a question on the ballot to the effect of whether voters preferred vote by mail only.

Municipal Voter View Software

This voter's list software is exclusive to DataFix and used by the majority of Ontario municipalities employing the vote by mail process. It provides tremendous benefits and ease of access in amending and revising the voter's list information initially supplied by the Municipal Property Assessment Corporation. For example, one feature shows all names duplicated in the case of two or more properties owned and options to delete repetitions, one feature shows name anomalies that may be the same person on different properties and another feature allowed electors to check the voter's list through the Town website. For any future vote by mail process, MVV should be included.

There is a fault with MPAC enumeration information on particular properties being out of date as to resident status, but returning accurate enumeration information is not compulsory for residents or owners. If it was made so, the basic information would be greatly improved.

Ballot Tabulators

The tabulators worked flawlessly and as expected. These are the same machines used in the City of Toronto, where they work in conjunction with manual ballots placed in 8.5” by 11” secrecy envelopes, the ballot taken by the machine directly from the envelope and deposited in an attached ballot box.

The tabulators are set to reject any ballot not immediately readable as a safeguard and these ballots were collected through the tabulation process and re-marked on blank ballots by the Clerk and Deputy Clerk in the presence of a candidate and a scrutineer and as per the procedure provided to candidates on November 10. Exactly 300 ballots were re-marked and the original ballots are kept separated, the re-marked ballots sealed in the ballot boxes in their place.

For any future vote by mail process, ballot tabulator machines would be recommended.

C. Budget Impact

Final cost of the 2003 election was \$25,964.59 (\$7.18 per ballot cast)

Final cost of the 2006 election was \$40,883.84 (\$11.14 per ballot cast)

D. Attached

1. Globe and Mail article, December 6, 2006, “Spoiled ballots cloud elections”
2. 2006 DataFix vote by mail instruction sheet.
3. 2003 Canada Post (Collingwood) vote by mail instruction sheet.
4. Town of Huntsville 2006 election result sheet.
5. Election accounts

Respectfully submitted,

Stephen Keast, Clerk

Serena Wilgress, Deputy Clerk

DataFix Announces the Successful Introduction of our New Mail-In Voter kit

“Thank you for allowing us to be a pilot project for the new [kit]. The mail-in vote for our recent by-election was successful thanks to the changes you made to the [kit].

We also received very positive feedback from voters regarding the simplicity of the process.

All in all we were very pleased with the process and I’ve enjoyed working with [DataFix].”

Marilyn Brickles
CAO/Clerk Treasurer
Wollaston Township



Following the 2006 Ontario Municipal Elections, DataFix conducted an extensive survey to solicit feedback about the Municipal VoterView service.

While feedback on the list management component of the application was extremely positive, users of the DataFix Mail-In Voting kit found that the percentage of spoiled kits was not acceptable, based on historical results.

After consulting with our Mail-In Voting customers, DataFix identified four key objectives for improving the performance of the kit:

Simplified Instructions

DataFix undertook a comprehensive kit redesign that incorporated:

- Coloured highlights on the Declaration and Instruction sheet
- Simplified language for improved reading comprehension
- Improved checklist on the back of the yellow return envelope
- Labeled Declaration form

Samples of the new kit were made available at the 2007 AMCTO conference, and feedback was received that resulted in further changes to the Declaration and Instruction sheet.

Improved Return Envelope

DataFix worked closely with Canada Post to introduce a completely new double-window yellow return envelope. With the new yellow return envelope, the windows on the envelope display the municipal mailing address and business reply account number that are printed on the Declaration form.

This means that electors can immediately recognize if they have neglected to include the declaration form or if they have incorrectly included the Declaration form in the secrecy envelope.

As an added protection, the mailing address and business reply account are printed on both sides of the Declaration form.

Process Improvements

Since 2006, DataFix has worked extensively with our printing partner, Gilmore Doculink International, to streamline the entire Mail-In Voting process.

One key enhancement to the new process is that DataFix will be able to send blank Mail-In Voting kits to your municipality before the regular kits are inducted into the mail stream. Now, your municipality will be able to respond immediately to electors who advise that they have not received a kit.

Focus Testing

DataFix evaluated a number of focus testing options for the new Mail-In Voting kit, but we were not confident that the kits could be accurately evaluated within a controlled environment. Rather, the best possible test remains a live electoral event.

In January 2008, both the Town of Fort Frances and the Township of Wollaston agreed to use the new Mail-In Voting kits for their municipal by-elections. The experience of both municipalities was overwhelmingly positive, with Wollaston reporting a spoiled ballot percentage of less than 1 percent—a dramatic reduction from the 2006 municipal election. In fact, with the new Mail-In Voting kit the elector turnout in Wollaston was actually higher for the 2008 by-election than for the 2006 municipal election.

Benefits Summary

- Full integration with Municipal VoterView, the leading Ontario election management tool
- Cost-effective
- Available for use in by-elections
- Barcoded for fast elector strike-offs
- Windowed yellow return envelope
- Coloured highlights for declaration instructions

Further Information

To find out more about the new Mail-In Voting kit and the Municipal VoterView service, please contact Jim Stewart at (416) 363-8170 x242 or jstewart@datafix.com.



“I have reviewed the various reasons for the spoiled/rejected ballots that could not be counted in the last by-election. None of the spoiled/rejected ballots can be attributed to any deficiency or weakness in the voter kits prepared by DataFix.”

Once again, it has been a pleasure having the staff of DataFix as a resource and MVV as a working tool in our election process.”

**Glenn W. Treftlin,
A.M.C.T.
Town Clerk
Town of Fort Frances**

DataFix

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