



THE CORPORATION OF THE TOWN OF AMHERSTBURG

OFFICE OF THE CAO

MISSION STATEMENT: *Committed to delivering cost-effective and efficient services for the residents of the Town of Amherstburg with a view to improve and enhance their quality of life.*

Author's Name: Kevin Fox	Report Date: November 15, 2022
Author's Phone: 519 736 0012 ext. 2272	Date to Council: December 12, 2022
Author's E-mail: kfox@amherstburg.ca	Resolution #:

To: Mayor and Members of Town Council

Subject: 2022 Municipal Election Post Report

1. **RECOMMENDATION:**

It is recommended that:

1. The report by the Municipal Clerk entitled 2022 Municipal Election Post Report dated December 12, 2022, **BE RECEIVED**;
2. A combination of traditional voting method with the use of electronic tabulators and drive through voting locations **BE APPROVED** for the method of voting on Advance Voting Days for the 2026 Municipal Election;
3. The traditional voting method with the use of electronic tabulators **BE APPROVED** for the method of voting on Election Day for the 2026 Municipal Election; and,
4. By-law 2022-114 being a by-law to authorize the use of optical scanning vote tabulators in the 2022 Municipal Election be taken as having been read three times and finally passed and the Mayor and Clerk **BE AUTHORIZED** to sign same.

2. **BACKGROUND:**

Section 12.1(3) of the *Municipal Elections Act* requires that within 90 days after voting day in a regular election, the clerk shall prepare a report about the identification, removal and prevention of barriers that affect electors and candidates with disabilities and shall make the report available to the public.

Section 42(1) of the *Municipal Elections Act* provides that the Council may pass by-laws:

- (a) authorizing the use of voting and vote-counting equipment such as voting machines, voting recorders or optical scanning vote tabulators;

- (b) authorizing electors to use an alternative voting method, such as voting by mail or by telephone, that does not require electors to attend at a voting place in order to vote.

3. DISCUSSION:

In addition to the required reporting on the accessibility of the election, this post report offers an opportunity to reflect on the election and the various components of producing an election so that Council can provide direction to Administration with regards to what they would like to see as the standard for the next Municipal Election. For that reason, this report will be broken into components to address various elements of the election and what has been observed through the election season.

Accessibility

The Town of Amherstburg conducted an in-person voting method for the 2022 Municipal Election that included such accessible features as:

- In-Home voting options for Persons with Disabilities.
- AutoMark Accessible Ballot Marking Device with built in screen reader, read aloud audio ballot functionality, rocker panel, sip'n'puff interface, braille, screen magnification, contrast setting and error feedback and prompts.
- Accessible Customer Service standards training for election staff.
- Voting assistance with the declaration of the oath of assistance or the oath of the interpreter.
- Interpreter services.
- Accessible Transportation to the Polls provided free of charge from Amherstburg Community Services (ACS).
- Other assistance as required (such as magnifying sheets, etc.).

It was not observed that any elector opted to use the AutoMark Accessible Ballot Marking Device in the 2022 Municipal Election although we did see a number of other methods employed to assist electors, most notably through the use of the oath of assistance or of the in-home options. The 2022 Municipal Election provided services to four retirement homes and long-term care facilities. Feedback from this election showed that the use of voter registration days at Seasons and Richmond Terrace were effective in ensuring residents were provided an easier time of casting their vote on Election Day. Additional feedback received indicated that an expansion of the hours available at these sites was preferred. Should Council endorse the Administrative recommendation to make use of in-person voting options for the next election, the use of voter registration days and longer polling times would provide a greater level of service to these residents.

Other observations were received with regards to the location and type of signage used and the communication of the accessible features of the voting places. It is recommended that future elections include additional information denoting the barrier-free route of travel that is most expedient for the end user at each location. Public education and promotion of this in advance of voting days would also ensure wider understanding of the accessible routes and service levels provided.

Additional observations included the frequency and quantity of rest areas available in queuing spaces. These experiences may have varied based upon the voting place and location but are certainly valuable feedback to incorporate into any in-person voting place.

Voting Places

The Voting Places chosen worked well to provide barrier-free routes of travel and closer polling places to where voters live. The absence of a Voting Place to serve the Kingsbridge area was noted as a concern, as those residents faced a longer drive to reach a polling place than in 2018 when the Fort Fun Centre was available for use as a Voting Place. Administration will explore opportunities to locate a suitable Voting Place closer to those Voters in 2026 if such a facility exists.

Voting Method

The choice of voting method has received considerable attention before, during and after the municipal election. While not a true indication of the views of those voters who did not cast a vote at the 2022 Municipal Election, an exit poll was conducted with those voters who attended to determine the preferred method of voting. The overwhelming response was that voters who attended the 2022 Municipal Election preferred the in-person voting option (72.66%).

Option	Number of Votes	Expressed as %
In Person	3097	72.66%
Internet	848	19.89%
By Mail	236	5.54%
Telephone	81	1.90%

While such a poll is admittedly limited in that it excludes those who may not have voted due to the method of voting not being preferred, it is the only method of polling available from the 2022 Municipal Election.

It is often asserted that the Voting Method can impact the Voter Turnout, and this assumption is not often challenged with a review of the datasets we have available. In reviewing the data provided to the Associations of Municipalities of Ontario (AMO) from its member municipalities, the Voter Turnout for Amherstburg (39.34%) is higher than the Provincial average (36.30%) and greater still than those who used online/phone voting methods in the local area (Lasalle, 30.13%, Tecumseh 28.72%) and lower than those who used mail in voting methods (Kingsville, 50.19%, Leamington 45.70%). When using our municipal comparators from other areas around the province the numbers are perhaps surprising:

Municipality	Voter Turnout (%)	Voting Options
Town of Lincoln	27.34%	In-person and internet voting.
Niagara-on-the-Lake	47.48%	In-person only.
St. Thomas	30.63%	Internet and telephone only.

When comparing these datasets to the wider provincial numbers, Voter Turnout can vary greatly, regardless of the Voting Method used. This hints at Voter Turnout being tied to other factors that are not as easily established, such as who or what is on the ballot. Even a historical lens shows that as trends away from in-person voting in Ontario have been occurring (35% in 2018 down to 24% in 2022), Voter Turnout has been decreasing since the 1980's from a provincial high of 48%, down to 38.29% in 2018 and 36.30% in 2022. As such, it should not be expected that simply transitioning to an alternative voting method will greatly impact voter engagement by itself.

Understanding this, the choice of Voting Method should be reflective of the desires of the electorate and serve to increase trust and confidence in the reliability and accuracy of the electoral system. For the 2022 Municipal Election the Voters List dataset was provided to the Town of Amherstburg by the Municipal Property Assessment Corporation (MPAC) in accordance with the *Municipal Elections Act*. Given the dataset is predominantly focused on ensuring accurate assessment data for property assessments, the data requires significant review and correction, in collaboration with the community's feedback. For example, renters who have not been reported to MPAC, or dependents who have moved away but whose parents or guardians have not changed status with MPAC result in difficulties in producing an accurate initial Voters List.

In recognition of this, the Province has directed that for the 2026 Election the dataset will be the same one used for Provincial elections and draw upon a number of provincial systems to increase accuracy. As this is the first time we will use this dataset and it is too early to know what role, if any, the municipality may have in providing corrections to this data, it has to be assumed that the Voters List we will be working from will have some of the same concerns as those in the past. For this reason, it is not recommended at this time, to move to online, internet or telephone based voting methods. These methods require that the data used have a high degree of accuracy to ensure protections against individuals being missed or to protect against those who may wish to take advantage of the still developing safeguards on their use.

That said, there is a growing call for municipal government to provide access to alternative voting methods that make it easier for electors to cast their votes. In recognition of this, Administration proposes that the 2026 Municipal Election feature a Drive Thru voting option during Advance Voting for elector convenience. Similar alternative voting arrangements were employed by other municipalities during the COVID-19 pandemic with favorable feedback from those that attended. Should Council wish to provide direction to Administration to plan for this, we can commence the requirements early so that we can ensure it is a success.

Election Signs

The 2022 Municipal Election utilized the existing 2018 Election Sign By-law. In the application of the By-law it was noted there was no explicit reference built within the Town's User Fee By-law to account for the removal of election signs, and therefore the default fee to be applied was the fee established for the removal of signs under the Town's Sign By-law. Going forward, a fee is to be established and maintained relative to the removal of Election Signs will be proposed at \$20. This accounts for the staff time to conduct enforcement, but also entertains a more realistic fee for the release of those signs back to the offender. Further, it was noted that the Town of Amherstburg had one

of the longest runways for Election Sign's to be advertised. An Administrative revision to the Election Sign By-law will seek to provide greater clarity around the placement of signs, the permissible interaction of those signs with commercial advertisements and adjust the timeline to 21 days prior to the first Advance Voting Day. This is in keeping with our contemporaries and provides a more manageable timeframe for election advertisements. These changes will be brought in a subsequent report for Council's consideration.

Ballot Question

The Question on the Ballot resulted in a near split vote result, with 50.38% of voters favoring a Ward Election System and 49.62% not in favour of such a system. This question has arisen for each Council since amalgamation with similar split results. Given the Voter Turnout was not over 50% the question is not binding and is therefore provided to Council for information.

While the result is not binding, it does illustrate that the underlying concern that often sparks this discussion has not been adequately addressed. That is, the tensions that exist post-amalgamation between the more rural centres and the urban ones. Given that the resolution to these concerns does not appear that it can be addressed through a change from the At-Large Election System to a Ward Election System, other options should be pursued such as through the Community Based Strategic Plan renewal, and seeking direct input from the communities that make up the municipality so that the strategic direction provided to Council can be holistic. Community engagement sessions and open houses could also seek to gather community feedback as to what services are desired or where concerns may exist. Meaningful dialogue with affected stakeholders and strategic planning based on community feedback may be more impactful than any change in the Election System.

4. RISK ANALYSIS:

There are no direct risks associated with the recommendations of this report.

5. FINANCIAL MATTERS:

An increase of \$5,400 to the base budget contributions over the four year period to the Election Reserve has been included in the 2023 Municipal Budget considerations to account for the Drive Thru voting method and increased hours of operation at retirement homes and long-term care facilities as well as the inflationary pressures associated with the delivery of these services. This increase will ensure that the Town can hire the additional staffing, secure the tents and other materials that are required to conduct an efficient and effective election.

6. CONSULTATIONS:

Valerie Critchley, Chief Administrative Officer
Bill Tetler, Manager of Licensing and Enforcement

7. **CONCLUSION:**

The 2022 Municipal Election post report is provided for Council's information and for reflection when considering the direction to provide to Administration for the 2026 Municipal Election.



Kevin Fox
Clerk