


**Item No. 11.1.2**  
**Halifax Regional Council**  
**September 27, 2011**

**TO:** Mayor Kelly and Members of Halifax Regional Council  
Original signed by 

**SUBMITTED BY:** \_\_\_\_\_  
Richard Butts, Chief Administrative Officer  
Original Signed by \_\_\_\_\_  
Mike Labrecque, Deputy Chief Administrative Officer

**DATE:** September 12, 2011

**SUBJECT:** **2012 Municipal and School Board Election**

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**ORIGIN**

January 13, 2004 Motion of Regional Council directing Staff to examine complementary voting options and return to Council with options and alternatives prior to the 2008 Municipal Election.

January 9, 2007 Motion of Regional Council to approve internet/phone voting for a limited period of advanced voting and maintain the status quo for ordinary polling day for the 2008 Municipal and School Board election.

May 5, 2009 Motion of Regional Council to direct the election office to conduct fully integrated e-voting and in-person election for any special elections to be held within the Region before the 2012 Municipal and School Board Election.

November 23, 2010 Motion of Regional Council to recommend, to the Province, changes to the Municipal Elections Act to allow municipalities to elect the use of e-voting only for advanced polls.

The election office has commenced planning for the 2012 Municipal and School Board election, and direction from Council regarding the use of Electronic Voting for the 2012 Municipal and School Board election is required in order to proceed with election planning.

**RECOMMENDATION**

It is recommended that Halifax Regional Council:

- 1) Adopt Option 3, as outlined in Attachment A of this report, for the 2012 Municipal and School Board Election which is to utilize e-voting **only** for advanced polls from Saturday, two weeks before ordinary polling day, through to the Thursday prior to ordinary polling day and in-person polling locations only for Election Day.

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- 2) And, direct Elections Staff to proceed with the planning and implementation for the 2012 Municipal Election based on the direction of Regional Council.

**BACKGROUND**

Electronic voting has been used in Municipal Elections in Ontario since 2002 and for elections in Great Britain and Australia since 2000.

In February 2004, Halifax Regional Council directed staff to examine complementary voting alternatives in preparation for the 2008 Municipal and School Board Election.

In the 2006 Ontario Municipal Elections, 24 municipalities used some form of electronic voting. HRM used data from the Ontario municipal elections as well as Elections Canada discussion papers in evaluating the risks and opportunities for electronic voting options in HRM.

In January 2007, a report outlining voting alternatives was submitted for Council's consideration. Council directed staff to proceed with an advanced internet / phone option for the 2008 Municipal and School Board election in addition to retaining in-person poll locations for advanced and election day polls.

Based on Council's direction, an RFP was issued for a hosted electronic (internet & phone) voting solution which would be in place for the 2008 Municipal and School Board Election. Intelivote Systems Incorporated of Dartmouth NS was the successful proponent. HRM entered into a four (4) year agreement with Intelevote to provide e-voting services to HRM. The agreement expired in August 2011.

HRM has utilized electronic voting in an advanced poll in the 2008 Municipal and School Board Election and in from the beginning of advanced polling through the close of polls on election day for the 2009 Special Election in District 6.

A description of the options provided to HRM electors and the resulting voter participation rates and methods of casting ballots is outlined in the table below:

<b>Election</b>	<b>Format</b>	<b>Results</b>
2008 Municipal and School Board Election	<ul style="list-style-type: none"><li>• Electronic Voting available for 4 days prior to the beginning of the Advanced Poll</li><li>• Paper Ballots available at Advance Polls and Election Day</li><li>• No reduction in number of advanced or election day in-person polling locations</li></ul>	<ul style="list-style-type: none"><li>• 36.2% overall voter participation</li><li>• 28.4% of voters cast votes electronically</li><li>• The largest number of electors were age 40-79 (76.35% of votes cast); 11.8% of these votes were cast electronically</li></ul>

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Election	Format	Results
2009 District 06 Special Election	<ul style="list-style-type: none"> <li>• Electronic Voting available from 1<sup>st</sup> day of advanced polls through close of poll on election day</li> <li>• Paper ballots available at advanced Polls and election day</li> <li>• 1 in-person polling location only</li> </ul>	<ul style="list-style-type: none"> <li>• 35.2% overall voter participation</li> <li>• 74.2% of voters cast their vote electronically</li> <li>• The largest turnout of electors were ages 40-89 (69.37% of votes cast); 45.06% of these votes were cast electronically</li> </ul>

**HRM Elections with Electronic Voting****DISCUSSION**

The principles outlined by Halifax Regional Council for considering electronic voting solutions were:

- Increasing access to voters within HRM (all areas & all demographics in HRM)
- Impacting voter participation rates
- Improved speed of tabulation and reporting
- Value for money in achieving those desired outcomes

The criteria use by Election officials and Council in evaluating the adoption of electronic voting options for HRM were:

- Security and auditability of the solution – the integrity of the voting process is paramount
- Alignment with NS regulatory requirements
- Serves to increase voter accessibility (all areas and all demographics in HRM)
- Experience in other jurisdictions
- Public acceptance
- Value for money

The principles and evaluation criteria adopted by Council, in the view of the elections office, should continue to be the basis for Council's considerations regarding the use of Electronic (internet & telephone) voting for the 2012 Municipal and School Board Election.

**Increase Access to Voters within HRM (all areas & all demographics)**

HRM's e-voting options have met the accepted guidelines for accessibility including:

- Multi-channel accessibility, by providing voters with the option of using either internet or telephone voting. 10% of voters who voted electronically used the telephone channel. By implementing both internet and phone voting, no voter anywhere in HRM was excluded from access to HRM's electronic voting options.

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- Multi – system – by allowing for different types of PC's, software & configuration such as windows, MAC, Internet Explorer, Firefox Etc.
- Improves access for voters with physical accessibility challenges – by enabling voters with hearing, vision and physical challenges to cast their ballots privately, independently and without assistance from a 3<sup>rd</sup> party.

Improved speed of tabulation and reporting

E-voting results are held securely in a locked (encrypted) “electronic ballot box” until close of polling. Results of e-voting polls are available within minutes of the close of the polls. Results from in-person polls are generally provided within 2-3 hours, depending on voter volume.

Security and Auditability of the solution

The integrity of the electoral system and voting process is paramount to any consideration of voting options. Under guidelines provided by Elections Canada, in order to be trusted by the electorate, the e-voting alternative must guarantee the following conditions:

- *Voter privacy* – guaranteed privacy of the voters’ choice from all including election officials and system administrators. No one must be able to link a voter to his/her selected voting option
- *Voter authentication* – the system must ensure that only valid voters are able to cast a ballot and provide for strong authentication of the voter
- *Secrecy of intermediate results* – All votes cast electronically must be kept secret until the close of the voting period, so no partial tallies can be performed
- *Integrity of the election results*- All votes cast electronically will be held securely in a “secure electronic ballot box” in such a way that no one can modify results in any way
- *Control of a central election authority* – control over the e-voting process should be under the control of a duly appointment election authority (Returning officer or board)
- *Auditability* – the electronic system should be available at all times for auditing by election officials and a trusted 3<sup>rd</sup> party
- *Conventional e-security measures*- the system must implement strong conventional e-security measures that guarantee the prevention of external attacks and incursions and detects any vulnerability should they arise.

These measure and guidelines have been integrated into HRM’s RFPs and contracts for e-voting solutions and are tested and verified by 3<sup>rd</sup> party audit in HRM’s use of e-voting alternatives.

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Alignment with NS regulatory requirements

The Municipal Elections Act was amended in 2003 to allow municipalities to implement alternative voting methods including electronic voting. HRM has complied with all requirements under the Municipal Elections Act.

Public acceptance/ Experience in other jurisdictions

Before implementing electronic voting, HRM conducted a number of polls that indicated public acceptance of e-voting alternatives. In that 2005 poll, 64% of voters completely or mostly favored implementing electronic voting. Since 2005, the public has become more familiar with conducting many types of secure transactions electronically, including participating in electronic voting.

In 2008, the Town of Windsor, the Town of Stewiacke and HRM used e-voting options for Municipal and School Board elections. A number of other municipalities in Nova Scotia are in discussions regarding the use of e-voting for the 2012 Municipal and School Board Election.

In the 2006 Ontario Municipal Elections 24 municipalities utilized some form of e-voting option. In 2010, 44 Ontario municipalities (representing 783,887 voters) used electronic voting solutions to either supplement or replace the traditional paper ballot.

E-voting has not yet been adopted for use in provincial or federal elections. Elections Canada has been mandated by the Federal Election Commission to conduct an e-voting pilot project by 2014.

In the HRM experience of e-voting, during the 4 days of advanced e-voting pilot project in the 2008 municipal election, 28.4% of voters cast their ballots electronically. In 2009, in the district 6 Special Election, e-voting was offered from the beginning of the advanced poll through close of Election Day. 74.2% of voters chose to cast their ballots electronically.

Impacting voter participation rates

The overall impact of e-voting on voter participation rates is challenging to determine as overall participation rates in a given election are effected by many factors such as voter engagement, number of acclaimed races and overall election issues. The general trend in federal, provincial and municipal elections has been for declining voter participation.

Each party in an election has a role to play in reversing or stabilizing this trend – the electorate in choosing to vote, candidates in engaging the electorate on issues of interest or concerns to voters, and election officials in ensuring that the voting process is well advertised, transparent, secure and accessible to voters.

The following table provides an overview of HRM's participation rates in Municipal and Special elections. In keeping with the general trend, overall voter participation rates for the 2008

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Municipal and School Board election, even with the 4 days of advanced e-voting, were lower than previous elections. The participation rate in the 2009 Special Election in District 6 was substantially higher than most Special Elections.

Voter Participation Rates – General Municipal Elections			
1995- 43.65% In person advanced & election day polls	2000- 47.64% In-person advanced & election day polls	2004 -48.39% In-person advanced & election day polls Plebiscite on Sunday Shopping held jointly	2008- 36.19% 4 days advanced e-voting In person advanced polls In person election day polls
Voter Participation Rates – Special Elections			
1998- District 14 36.9%	1999 - District 17 26.1%	1999- District 1 32.3%	1999- District 3 27.7%
1999- District 19 19.4%	1999- District 13 14.1%	2003 – District 2 33.46%	2003 – District 3 21.5%
2003 –District 16 14.08%	2006 – District 21 27.14%	2007 – District 10 10.22%	2008- District 21 21.49%
2009 – District 6 35.2% e-voting during entire voting period plus 1 in person advanced & election day poll			

### Value for money

The major cost drivers for conducting elections are:

- Cost of election staff, including logistical and Election Day workers and locations for all advanced and Election Day polling locations (1,700 to 1,800 Election Day workers) - 40-50% of Election Costs
- Production and postage for elector notification cards and production/destruction of ballots. Each of the 327,615 eligible voters in HRM must receive notification of their right to vote and poll location for voting - 25-30% of Election Costs
- Advertising and Promotion – legislatively required and informational advertising to inform the electorate - 10-15% of Election costs
- Variables such as provision of additional voting methods, external audit/oversight (if required) or enumeration (if required) – approx. 25% of Election costs

Since 2004, HRM's election costs, including e-voting options, have averaged \$5.00 per eligible voter. HRM's election costs compare favorably with similar sized Canadian municipalities and are significantly lower than either provincial or federal election costs.

Opportunities to create efficiencies, while retaining the security, integrity and accessibility for voters, are considered in the planning and preparation for each election.

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The Elections office has prepared budget estimates for a number of alternative approaches for conducting the 2012 Municipal and School Board Election. All options fall within the election budget as outlined in this report and provided for within the Election Reserve.

Options include:

- 1) Return to **only** in-person polls for advanced and ordinary polling day
- 2) Utilize **both** e-voting and in-person polls **for the entire period of advanced polls** and retaining in-person polls only for Election Day
- 3) Utilize **only** e-voting for **advanced polls** and retaining in-person polls for Election Day (based on legislative direction from the Province)
- 4) Utilize **both** e-voting and **a reduced number** of in-person polls in an integrated fashion through both advanced polls to the end of ordinary polling day

The costs, assumptions, risks and opportunities for each option are provided in Appendix A of this report.

Based on the experience of conducting e-voting in HRM, trends in voter acceptance and alignment with the principles previously adopted by Council Election, including seeking value for money, Election staff are recommending that Council adopt Option 3.

To utilize e-voting only for advanced polls from Saturday, two weeks before ordinary polling day, through to the Thursday prior to ordinary polling day and in-person polling only for Election Day.

Should the Province not provide for the necessary legislative changes to the Municipal Elections Act to facilitate this approach for the 2012 Municipal election, one (1) in person poll could be held to comply with the current MEA or twenty (20) in-person advanced polls could be provided at an additional cost of approximately \$100,000 (Option 2).

Final election costs will be determined based on a number of factors such as the value of the contract for e-voting services (based on RFP), per diem rates for election day staff, number of eligible electors on the electoral list received from Elections Nova Scotia as well as other logistics and factors such as postage rates, and will be within the budget of \$1.6 million as provided for by Council through the Election Reserve.

Election staff require Council's direction in order to engage in the necessary planning and preparation to conduct the 2012 Municipal and School Board Election, including issuing an RFP to engage e-voting services should that be the direction of Council.

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**BUDGET IMPLICATIONS**

The final costs for the provision of an electronic voting option will be determined through:

- The Option selected by Council
- An RFP and contract with e-voting proponent (if required);
- And, the further detailed election planning process

**Q313 - Municipal Election Reserve- Financial Summary**

<b>Balance, March 31, 2011</b>	<b>987,517</b>
Interest to date	5,732
Contributions to date	167,958
<b>Current Balance</b>	<b>1,161,207</b>
Projected Contributions	235,142
Projected Interest	9,500
<b>Projected balance March 31, 2012</b>	<b>1,405,849</b>
<b>Projected Contributions for fiscal 2012/2013</b> (pending Council approval)	203,100 (from account A125) 200,000 (from fiscal services)
<b>Projected balance September 30, 2012</b>	<b>1,808,949 (plus applicable interest)</b>

The Elections Office will continue to plan and propose a budget for the Election Reserve based on a projected cost of \$1.6M for the 2012 Municipal and School Board Election. The estimate is based on a cost of \$5/eligible voter and HRM's experience in the cost of running Municipal and School Board elections. The current rate of contribution to the Reserve will provide sufficient funding for this approach or may have to be adjusted during the 2012/13 budget process depending on the timing of the Elections.

Assuming the Halifax Regional School Board and Conseil scolaire acadien provincial (CSAP) provide the same level of funding (or in kind support) as in 2008 there may be recoveries of approximately \$350,000 to offset HRM expenses. However, this offsetting revenue is not assured at this time.

**FINANCIAL MANAGEMENT POLICIES/BUSINESS PLAN**

This report complies with the Municipality's Multi-Year Financial Strategy, the approved Operating, Project and Reserve budgets, policies and procedures regarding withdrawals from the utilization of Project and Operating reserves, as well as any relevant legislation.



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**COMMUNITY ENGAGEMENT**

Not applicable

**ALTERNATIVES**

Halifax Regional Council may choose from any of the options as provided for in this report

All options provided comply with the legislative requirements for conducting Municipal and School Board Elections and are within the projected budget as set out in the Municipal Election Reserve.

**ATTACHMENTS**

Appendix A – Scenario Descriptions

Appendix B – 2012 Proposed Election Budget (Option Based)

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A copy of this report can be obtained online at <http://www.halifax.ca/council/agendasc/cagenda.html> then choose the appropriate meeting date, or by contacting the Office of the Municipal Clerk at 490-4210, or Fax 490-4208

Report Prepared by: Lori McKinnon, Election Coordinator

Report Approved by:

\_\_\_\_\_  
Cathy J. Mellett, Municipal Clerk, 490-6456

Financial Approval by:

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Jim Cooke, CGA, Director of Finance/CFO, 490-6308

## Appendix A – Option Descriptions

	Option 1	Option 2	Option 3	Option 4
<b>Description</b>	<ul style="list-style-type: none"> <li>Paper Ballot only</li> <li>Electronic Voting not offered.</li> </ul>	<ul style="list-style-type: none"> <li>Electronic Voting until the Thursday before Election Day (October 18th, 2012)</li> </ul>	<ul style="list-style-type: none"> <li>Electronic Voting until the Thursday before Election Day (October 18th, 2012)</li> </ul>	<ul style="list-style-type: none"> <li>Electronic Voting until the Close of Poll (October 20th, 2012))</li> </ul>
<b>Electronic voting usage estimates</b>	0%	35-45%	35-45%	50%
<b>Advanced Polls</b>	<ul style="list-style-type: none"> <li>In person (paper only); printed electors list</li> <li>31 advanced polls</li> </ul>	<ul style="list-style-type: none"> <li>In person (paper only); live electors list</li> <li>Electronic voting available</li> <li>20 advanced polls</li> </ul>	<ul style="list-style-type: none"> <li>Electronic Only;</li> <li>Advance poll in person not provided</li> <li>1 advanced polls (if required to comply with current MEA)</li> </ul>	<ul style="list-style-type: none"> <li>In person (paper only); live electors list</li> <li>Electronic voting available</li> <li>20 advanced polls</li> </ul>
<b>Polling location staff required (approx.)</b>	129 poll locations  1600 workers plus 150 stand by	71 poll locations  935 workers plus 80 stand by	71 poll locations  815 workers plus 60 stand by	52 poll locations  810 workers plus 60 stand by
<b>Estimated Budget</b>	<b>\$1,280,000.00</b>	<b>\$1,560,000.00</b>	<b>\$1,460,000.00</b>	<b>\$1,590,000.00</b>

Table 1 - Option Descriptions

## Appendix B - 2012 Proposed Election Budget (Option Based)

### 2012 Municipal Election

#### Event Budget for 2012 Municipal Election: EXPENSES Overview

Salaries/Wages	Option 1	Option2	Option 3	Option 4	Actual
Total	\$640,000.00	\$460,000.00	\$400,000.00	\$460,000.00	\$0.00
Telecom/Equipment	Estimated	Estimated	Estimated	Estimated	Actual
Total	\$60,000.00	\$70,000.00	\$50,000.00	\$110,000.00	\$0.00
Printing/Postage	Estimated	Estimated	Estimated	Estimated	Actual
Total	\$310,000.00	\$310,000.00	\$310,000.00	\$310,000.00	\$0.00
Contract Services	Estimated	Estimated	Estimated	Estimated	Actual
Total	\$70,000.00	\$550,000.00	\$550,000.00	\$550,000.00	\$0.00
Local Travel	Estimated	Estimated	Estimated	Estimated	Actual
Total	\$20,000.00	\$20,000.00	\$20,000.00	\$20,000.00	\$0.00
Facility Rental	Estimated	Estimated	Estimated	Estimated	Actual
Total	\$80,000.00	\$50,000.00	\$30,000.00	\$40,000.00	\$0.00
Advertising	Estimated	Estimated	Estimated	Estimated	Actual
Total	\$100,000.00	\$100,000.00	\$100,000.00	\$100,000.00	\$0.00
<b>Total Expenses</b>	Estimated	Estimated	Estimated	Estimated	Actual
	<b>\$1,280,000.00</b>	<b>\$1,560,000.00</b>	<b>\$1,460,000.00</b>	<b>\$1,590,000.00</b>	<b>\$0.00</b>

Table 2 - Budget Estimates