

Manitoulin-Sudbury District Services Board POLICY & PROCEDURES MANUAL	
Section: B. General Administration	Effective Date: February 1, 2014
Topic: 2. Governance	Replaces: July 1, 2010
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POLICY

The District Social Services Administration Boards Act and its regulations do not define the election process for members representing territory without municipal organization;

The Ministry of Community and Social Services has issued a Resource Guide setting out the Ministry’s key requirements for running elections;

The Resource Guide specifies that a by-law must be passed to authorize the use of alternative voting and counting methods;

The Manitoulin-Sudbury DSB hereby enacts as follows:

1. THAT the alternative voting methods of “vote by mail **and voting by internet**” is hereby authorized for purpose of electing members representing territory without municipal organization.
2. THAT the Returning Officer shall adapt forms and procedures in keeping with the Ministry’s key requirements set out in the Resource Guide.
3. **THAT the Manitoulin-Sudbury DSB Chief Administrative Officer (CAO) be appointed Returning Officer for the purposes of TWOMO elections.**
4. THAT this **Policy**/by-law will remain in force until repealed.

PROCEDURE

Area Seven (7) is the territory without municipal organization within the district for the Manitoulin-Sudbury District Services Board (DSB); and three (3) members shall be selected by the residents of that territory.

Election Personnel

- a) The Returning Officer is responsible to run the (TWOMO) Election, establish the procedures and rules and to interpret the procedures and rules except as varied by a Court.

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- b) The Returning Officer may appoint in writing, Deputy Returning Officers (DROs) and such other officials as required assisting in the administration, management, security and control of the Vote by Mail election system.
- c) Written appointments and delegation of duties of DROs and election officials shall include the authority to require any person to furnish proof of identity or qualifications pursuant to the *Municipal Elections Act, 1996*.

Notices

- a) Notice of Revision of Voters List is to be published and posted before the date specified by the Returning Officer. The revision period runs to the close on voting day.
- b) Notice of Nomination is to be published and posted before Nomination Day. Nomination period will be consistent with Municipal elections.

Revision of Voters List Procedure

- a) The period for revisions to the voters list will be determined by the Returning Officer. Persons, upon application in writing on the appropriate form established by the Returning officer, may have their name added, removed or information added or amended on the voters list.
- b) Applications to remove another person's name from the voters list must be made in writing on the appropriate form established by the Returning Officer.
- c) Revisions to the Voters List will be conducted at the Manitoulin-Sudbury-DSB office at 210 Mead Blvd. Espanola during regular office hours Monday to Friday, 8:30 a.m. to 4:30 p.m. Electors may call the 1-800 -667-3145. Ext 401
- d) Electors added to the Voters' List by the dated specified by the Returning Officer will receive their Vote by Mail Kit by mail from Canada Post.
- e) Electors added to the Voters' List, after the date specified by the Returning Officer, may pick up their Vote by Mail Kit at 210 Mead Blvd. Espanola. Mailing may be an option dependent on time before election.

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- f) Electors added to the Voters' List after the date specified by the Returning Officer will be provided with a Vote by Mail Kit. These electors will have the option of returning the ballot at a later time or conducting their vote at the Ballot Return Station at 210 Mead Blvd. Espanola.

Vote by Mail Procedure

- a) The Manitoulin-Sudbury DSB in conjunction with Canada Post will provide the Vote by Mail Kit to every person who qualifies to be an elector in TWOMO elections.
- b) The Vote by Mail Kit shall consist of:
Voting Instruction Sheet
Composite Ballot
Ballot Secrecy Envelope (coded with sequential Numbers)
Voter Declaration Form
Outer Return Envelope (yellow) with-prepaid postage
Such other material as the Returning Officer determines
- c) The Returning Officer during shall cause to be mailed, via Canada Post, to every elector who had qualified to be on the Voters' List by the specified mailing date.
- d) The Returning Officer shall provide for pick up at 210 Mead Blvd, Espanola a Vote by Mail Kit to every person qualified to be on the Voters' List who has been added after the mailing date.
- e) If a qualified elector does not receive his/her Vote by Mail Kit or if the Vote by Mail Kit is lost or destroyed, a new Vote by Mail Kit may be issued by attending at 210 Mead Blvd Espanola 10 days after the mailing date of the Vote by Mail Kits. The Returning Officer will confirm that the elector is qualified and have the elector or agent sign a statement by qualified elector or agent, and a new Vote by Mail Kit will be issued. It shall be noted on the Voters List that the elector/agent was issued a new Vote by Mail Kit.
- f) Upon receipt of the Vote by Mail Kit, the voter shall complete the ballot, place it in the inner Ballot Secrecy Envelope and seal the envelope. The voter shall complete the Voter Declaration Form and place it, along with the sealed Ballot Secrecy Envelope, in the yellow prepaid business reply envelope. If a voter requires assistance in voting, he/she shall make their mark (i.e. an "X") on the signature line and have a witness sign in the

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signature area of the Voter Declaration Form. The yellow prepaid business reply Return Voting Envelope may be mailed or delivered to the "Ballot Return Station." Return Voting Envelopes mailed in Canada are prepaid.

- g) In addition to using Canada Post Mail, the "Ballot Return Station", 210 Mead Blvd Espanola will be established for those electors wishing to deposit or have deposited their Return Voting Envelope directly to the Returning Officer on Election Day from 8:30 a.m. to 8:00 p.m.
- h) The final day to deposit the Return Voting Envelope in the mail to ensure delivery to the Returning Officer is 10 calendar days prior to Election Day. Following this date, voters are encouraged to deposit their Return Voting Envelope at the designated "Ballot Return Station" located at 210 Mead Blvd. Espanola prior to 8:00 p.m. on Election Day.
- i) A separate Return Voting Envelope will be provided to each individual elector. Any Return Voting Envelope which contains more than one Voter Declaration Form or more than one Inner Ballot Secrecy Envelope shall be treated in the following manner:
 - Envelopes containing equal numbers of Ballot Secrecy Envelopes to Voter Declarations WILL BE COUNTED.
 - Envelopes containing more Ballot Secrecy Envelopes to Voter Declaration Forms or more Voter Declaration Forms to Ballot Secrecy Envelopes WILL BE REJECTED.
- j) Each day as Return Voting Envelopes are received either by mail or dropped off at "Ballot Return Station," the Returning Officer will remove the sealed Inner Ballot Secrecy Envelope and Voter Declaration Form and update the Voters' List by striking through the name of the voter and assigning a number beside the elector's name on both the Voters' List and the elector's Declaration Form.
- k) A master Voters' List containing deletions, amendments and additions, along with those persons who have voted to date and those persons who have been issued with Vote by Mail Kits by the DSB will be maintained by the Returning Officer. This list may be inspected by candidates and scrutineers at any time during regular office working hours and on up to 8:00 p.m. on Election Day.

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- l) If, upon opening the Return Vote Envelope the Ballot Secrecy Envelope has not been sealed, the Returning Officer may seal the envelope without examining the ballot.

- m) Ballots received by the Returning Officer after 8:00 p.m. on Election Day shall not be counted, but shall be date stamped and retained for the statutory document retention period.

Rejection of Ballots

In addition to rejecting cast ballots for violations of the Municipal Elections Act, 1996 the following conditions will also cause a ballot to be considered rejected if:

- a) Upon opening the Return Vote Envelope there is no Voter Declaration Form;

- b) Upon opening the Return Vote Envelope the Voter Declaration Form is not signed;

- c) Upon opening the Return Vote Envelope there is a different number of Ballot Secrecy Envelopes to Voter Declaration Forms;

- d) There are identifiable marks on the sealed Ballot Secrecy Envelope;

- e) Upon opening the sealed Ballot Secrecy Envelope at the Counting Centre, the envelope contains more than one ballot; and

- f) Upon opening the sealed Ballot Secrecy Envelope at the Counting Centre, the envelope contains a ballot which has not been marked; it will be counted as a Ballot Used but Unmarked by Elector.

Counting Procedures

- a) The 210 Mead Blvd. Espanola will be established as the Ballot Counting Centre. Only the Returning Officer, Deputy Returning Officers, appointed Election Officials, certified Candidates and authorized Scrutineers will be permitted to remain in the Ballot Counting Centre.

- b) The doors to the Ballot Counting Centre will be locked at 8:00 p.m. on Election Day and only Officials will be allowed to enter thereafter. Candidates and Scrutineers leaving the Centre after 8:00 p.m. will not be permitted to return.

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- c) The Ballot Counting Centre will be designated as a "No Smoking Area."
- d) Scrutineers will be provided with an area away from the "Counting Stations" for their use. Cell phones or other equipment will not be permitted in the Ballot Counting Centre other than for Election officials. Scrutineers shall not interfere with the vote count in any manner. Should they do so, they shall be required to leave the facility when so requested by the Election Official.
- e) No campaign material will be allowed within the Ballot Counting Centre.
- f) Prior to 8:00 p.m. on Election Day, the secured sealed Ballot secrecy Envelopes received by the Returning Officer to the time of delivery will be delivered to the Ballot Counting Centre. Sealed Ballot Secrecy Envelopes received at the DSB Office after the initial ballot transfer and prior to the close of voting on Election Day, will be delivered to the Ballot Counting Centre immediately after the close of voting. Scrutineers will be allowed to view the sealing of the ballot boxes prior to the transfer.
- g) After 8:00 p.m. on Election Day the sealed Ballot Secrecy Envelopes will be opened, counted and the statement of results undertaken. Ballot Secrecy Envelopes will be grouped into bundles of fifty (50) and delivered to the Returning Officer and Election Official for counting of the ballots. When the initial fifty (50) ballots are counted, a second bundle of fifty (50) will be delivered for counting, and so on until all ballots have been counted.
- h) In the event a ballot is accidentally cut when the sealed Ballot Secrecy Envelope is opened, the Election Official shall repair the ballot, and attach a notice advising that the damage was caused by the Election Official.
- i) The Deputy Returning Officer and Election Official shall count the ballots for Eligible candidates for area seven (7).
- j) Any part of any ballot rejected shall not invalidate the remainder of the ballot except if there are identifying marks, in which case the entire ballot shall be rejected.
- k) After the completion of the count of each bundle of fifty (50) ballots, a statement or results for that bundle shall be completed, signed by the

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Deputy Returning Officer and Election Official and if desired, initialed by any Scrutineers present for the count, and forwarded for tabulation.

- l) The original statement of results will be posted for tabulation. The duplicate original Statement of Results will remain affixed to the ballots and stored by Area Seven (7) in a secure place under the control of the Returning Officer.
- m) All UNUSED ballots will be placed in the envelope provided with the Ballot Box. The numbers of USED envelopes will be noted on the envelope.
- n) All REJECTED, CANCELLED, and DECLINED ballots will be placed in the envelope provided with the ballot box. The number of REJECTED, CANCELLED, and DECLINED ballots will be noted on the envelope.
- o) Once all ballots have been counted, the ballots will be secured, the ballot boxes sealed and returned to the Returning Officer for secure storage.

Tabulation Procedures

- a) Tabulation of the Statements of Results will be conducted at 210 Mead Blvd. Espanola.
- b) Tabulation of results for each elected position will be calculated and posted as the information is received from the Counting Centre.
- c) The results forwarded to 210 Mead Blvd. Espanola will be unofficial.
- d) As the duplicate copy of the Statement of Results from each bundle of votes counted is recorded, these results will be entered and once certified by the Returning Officer, will be the official results.

Announcement of Results

- a) Unofficial results of the counting will be posted at 210 Mead Blvd Espanola.
- b) The official results will be posted at 210 Mead Blvd. Espanola after 8:00 p.m. on Election Day; will be posted on DSB website and to the media.

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Security of the Ballot Prior To Voting

- a) Ballots will be printed under the supervision of Canada Post and the number of ballots printed will be forwarded to the Returning officer.
- b) Canada Post will mail a ballot to each person identified on the Revised Voters List as of the date specified by the Returning Officer.
- c) The number of ballots distributed by the Returning Officer to persons qualifying to be voters after the official bulk mailing date will be recorded.
- d) If the Returning Officer runs out of ballots printed by Canada Post, the Returning Officer may photocopy as many ballots as necessary and place R.O. initials upon the back of such ballots. The number of ballots copied will be recorded.

Security of the Ballot During/After the Vote

- a) Upon receiving the prepaid yellow return envelope by mail or from a Ballot Return Station, the envelope will be opened and upon being verified, the sealed Ballot Secrecy envelope will be stored in ballot boxes. The number of Ballot Secrecy Envelopes entered into the container each day will be recorded.
- b) At the end of each day the Returning Officer or designated official shall affix a seal to the ballot boxes, initial the seal and place the sealed drop boxes in the DSB vault. Each day, Returning Officer or designated official shall retrieve the drop boxes, inspect the seals to ensure they are intact, and in the presence of another staff member, break the seals to access the slots for use during the day. After 8:00 p.m. on Election Day, the boxes will be sealed and then transported by the Returning Officer or designated official to the Counting Centre. At the close of voting at 8:00 p.m. the ballot boxes maintained at the Ballot Return Station shall be sealed.
- c) The ballot boxes, once sealed, will be transported to the Counting Centre and the boxes opened and the ballots counted.
- d) After the count, each bundle of ballots, along with the duplicate original Statement of Results will be placed back into the ballot box. When the vote is complete, the ballot boxes will be sealed and initialed by the Returning Officer prior to transfer to a secure place under the control of the Returning Officer.

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Form of Ballot

The form of ballot will be a "Composite Ballot."

Scrutineers

- a) Each Candidate may appoint, in writing, Scrutineers to be present during the voting, which will take place at 210 Mead Blvd. Espanola and during the counting of ballots at the Counting Centre. At the Counting Centre, a Scrutineer representing a candidate may be present at each counting table and at the ballot-opening table to oversee the count, upon the submission of his/her written appointment. Only **one Scrutineer per candidate** may be present at one time at each of the tables.
- b) All scrutineers must comply with the procedures that are set out on their Appointment Form.

Emergencies

In the event of any condition of an emergency or any circumstance that will undermine the integrity of the election, the Returning Officer has the discretion to declare an emergency and make any arrangements deemed necessary to conduct of the election.

Amendment to This Procedure

- a) The Returning Officer at any time has the right to amend this procedure to facilitate the vote, count, tabulation of the votes and security.
- b) The Returning Officer's ruling on any interpretation of this document is final.
- c) Currently the vote by mail option is being utilized, however the Returning Officer may develop procedures for the implementation of vote by internet when deemed appropriate.