
HALDIMAND COUNTY

Memorandum CS-CL-M03-2018 French Language Public School Board Trustee By-election



For Consideration by Council on September 24, 2018

To: Mayor Hewitt and Members of Council
From: Evelyn Eichenbaum, Clerk

On Wednesday, September 19, 2018, staff received notice that one of the two candidates for the French Language School Board trustee election is no longer eligible to hold office and as such, section 39 (b) of the Municipal Elections Act comes into effect, and the election is void, and a by-election must be held. Haldimand County falls within Area 8 of the French Language Public School Board which encompasses Haldimand County, Norfolk County, Chatham-Kent and municipalities within the counties of Oxford, Elgin and Lambton – 29 municipalities in total. As the City of Sarnia has the most eligible voters out all 29 municipalities, it administers the election for this trustee position.

The City of Sarnia's Clerk has set October 15, 2018 as the Nomination Day for this new race, and November 29, 2018 as Voting Day for the by-election. Haldimand County is now in the unique position of potentially holding two by-elections shortly after the regular election on October 22, 2018. The by-election for English Language Public School Board trustees is scheduled for November 19, 2018 with a Nomination Day of October 5, 2018. (Report CS-CL-10-2018 indicated that the by-election could take place either November 19th or 26th, and the earlier date was chosen to reduce issues related to inclement weather. The date of the by-election must meet certain timeframes outlined in the legislation, and moving our first by-election to coincide with the second by-election does not meet those timeframes.)

Haldimand County has 76 eligible electors for the French Language Public School Board. In a regular election, our typical turnout is around 35% (27 voters), and in a single race by-election, the turnout would likely be lower. For this volume of votes, manual counting of votes will suffice, and as we will not be using optical scan tabulators, a by-law must be passed to exempt this by-election from By-law 1802-17, which authorizes optical scan tabulators for the October 22nd election and would apply to any by-elections, unless exemptions are enacted. A by-law is being tabled at the September 24th Council meeting to effect this exemption.

If the French Public School Board by-election is required, staff will schedule 1 or 2 Advanced Polls to coincide with the English Language Public School Board by-election, and a voting poll will be available at the Cayuga Administration Building on Voting Day - November 29, 2018. There has been discussion about potentially using Vote-by-Mail, as it seems that Norfolk County is planning to do for this by-election. In order to ensure that a Vote-by-Mail election maintains the integrity and secrecy of the voting process, comprehensive procedures need to be established. Special supplies need to be procured either through a third-party provider or through other sources. Voter kits need to be prepared and mailed out early enough to be mailed back in time to be counted (late ballots are not counted). As Haldimand County has not previously used this method, it would require additional staff time to customize procedures and make arrangements for special materials at a time when staff are in the midst of preparing for the regular election and another possible by-election, and is not recommended in this current situation.