
HALDIMAND COUNTY

Report CLE-21-2024 Internet Voting Procurement for the 2025 By-Election For Consideration by Council on December 16, 2024



OBJECTIVE:

To defer the by-law that is required to authorize a by-election for Ward 1 and Ward 4 Council vacancies and the use of internet voting for the by-election, to the January 22, 2025 Regular Council meeting.

RECOMMENDATIONS:

1. THAT Report CLE-21-2024 Internet Voting Procurement for the 2025 By-Election be received;
2. AND THAT the being a by-law to require that a by-election be held to fill the Ward 1 and Ward 4 Councillor vacancies and to authorize the use of internet voting for the by-election be deferred to the January 22, 2025 Regular Council meeting for approval.

Prepared and Respectfully Submitted by: Chad Curtis, Municipal Clerk

Approved: Cathy Case, Chief Administrative Officer

EXECUTIVE SUMMARY:

Haldimand County has an agreement with a voting services vendor to provide voting services to the municipality for the 2022 and 2026 Municipal Election and any by-election in between. The vendor has recently informed staff that they will not be providing internet voting services for the duration of our agreement with the company. The Municipal Elections Act contains language that requires municipalities to conduct any by-election in, as much as a way possible, the same manner as the most recent regular election. As such, staff are in the process of procuring a vendor to provide internet voting services for the 2025 Ward 1 and Ward 4 by-election. A by-law is attached to this agenda to approve the by-election and permit internet voting to be utilized as an alternative method of voting. Given the timelines suggested in CLE-19-2024 Options to Fill Vacant Ward 1 and Ward 4 Council Seats, staff are currently unable to confirm whether an internet voting vendor can be secured for the by-election to meet the prescribed timelines, if the by-law is passed at this meeting. Staff are recommending that this by-law be instead deferred to the January 22, 2025 to provide additional time to secure an internet voting vendor.

BACKGROUND:

At the December 10, 2024 Council in Committee meeting, Committee considered Report CLE-19-2024, and voted to recommend a by-election to fill the vacant Ward 1 and Ward 4 Council seats. Section 65 of the Municipal Elections Act governs by-elections and requires that a by-election be conducted as far as possible in the same way as regular elections, and within a specified timeframe following passing the by-law declaring a by-election. As such, the report referenced, indicated that the upcoming by-election would employ the same method of voting as the preceding elections, vote tabulation and internet voting, and provided a suggested timeline for the by-election.

ANALYSIS:

For the 2022 Municipal Election in Haldimand County, an agreement with a voting services vendor was secured for both the 2022 and 2026 Municipal Election and any by-election in-between. For the 2022 regular election and the 2023 Ward 4 by-election, the vendor provided services for vote tabulators and internet voting. As we had an on-going agreement, it was expected that the same vendor would provide these services for the 2025 by-election in Haldimand County.

Following the recommendation at the Council in Committee meeting on December 10, staff and representatives from the voting services vendor had a meeting to discuss vote tabulators and internet voting. At this time, the vendor indicated to staff that they are not offering internet voting as an alternative voting method until after the 2026 regular municipal elections.

The current vendor for voting services did confirm that they would be able to provide vote tabulators for the 2025 by-election. Staff are in the process of procuring a second voting vendor to provide internet voting as an alternative voting method for the 2025 municipal by-election. As two separate vendors would then be involved in the voting process, staff would be required to do their due diligence to ensure that the voting methods and voting companies are interoperable. There are numerous examples across Ontario of two vendors providing different voting methods for a municipal election.

Attached to the December 16, 2024 Council Agenda is a by-law to require that a by-election be held to fill the Ward 1 and Ward 4 Councillor vacancies and to authorize the use of internet voting for the by-election. If this by-law is passed at this meeting, Voting Day would be scheduled for March 17, 2025 with Advance Voting, using internet voting, starting on March 7, 2025. These dates are not flexible due to the prescribed timing of nominations opening and closing, and other stipulated timeline requirements. Staff cannot confirm at this time that internet voting can be secured and implemented for this timeframe. Considering the procurement process and the upcoming holiday season, it has been difficult to gauge or determine an appropriate timeline to conduct due diligence and ensure that internet voting services from a new vendor will be compatible with our current practices and technology, and can be delivered on this timeframe.

Staff are recommending that the by-law to require that a by-election be held to fill the Ward 1 and Ward 4 Councillor vacancies and to authorize the use of internet voting for the by-election be deferred to the January 22, 2025 Council meeting for approval. Approximate timelines for a by-election if a by-law is passed at the January 22, 2025 Council meeting are as follows:

- January 22, 2025 – By-law passed to authorize the by-elections (within 60 days of declared vacancy as required by section 264 of the Municipal Act)
- January 23, 2025 - Nomination period opens (section 65(4) of the Municipal Elections Act)
- February 24, 2024 (2 p.m.) – Nomination Day
- March 31, 2025 – Internet voting begins
- April 5-8, 2025 – In-person advance voting period (2 dates)
- April 10, 2025 – Voting day
- April 14 (or May 5), 2025 – New Ward 1 and Ward 4 Elected Councillor sworn in at Council meeting.

If Council defers voting on the by-law declaring a by-election to be held to fill the Ward 1 and Ward 4 Councillor vacancies and to authorize the use of internet voting for the by-election, this would continue to fulfill legislative requirements but would move the 2025 by-election to April 2025, providing staff adequate time to find an internet voting vendor that is interoperable with the vote tabulator provider.

FINANCIAL/LEGAL IMPLICATIONS:

Not applicable.

STAKEHOLDER IMPACTS:

Not applicable.

REPORT IMPACTS:

Agreement: No

By-law: Yes

Budget Amendment: No

Policy: No

REFERENCES:

1. [Report CLE-19-2024 Options to Fill Vacant Ward 1 and Ward 4 Council Seats](#)
2. [Municipal Elections Act](#)

ATTACHMENTS:

None.