

Report

Date November 2, 2022
Subject 2022 General Local Election Results

File: 4200-40

PURPOSE

To receive the report of the election results and summary of ballot accounts from the Chief Election Officer.

BACKGROUND

Under section 158 of the *Local Government Act* (LGA), the chief election officer must submit a report of the election results to the local government (Council), including a compilation of the information on the ballot accounts for the election, within 30 days after the declaration of the official election results (October 18, 2022).

Two new voting opportunities were introduced for the 2022 general local election through the adoption of Election and Assent Voting Bylaw No. 3837, 2022:

- (1) mail ballot voting; and,
- (2) special voting opportunities for:
 - residents or workers at a senior care facility,
 - residents, patients or workers at a hospital; or,
 - students, faculty or staff at a post-secondary education facility.

Legislative Services staff reached out to the hospital, four senior care facilities, and the Vancouver Island University (VIU) to determine if it was practical or if the facility was interested in having North Cowichan conduct a special voting opportunity for their residents, patients, students, faculty, staff or workers. VIU was the only facility to accept our invitation. The hospital had limited space and was therefore unable to accommodate, and the seniors' facilities were concerned about COVID. The special voting opportunity for VIU students, faculty and staff was conducted on October 3, 2022.

DISCUSSION

Vote counting machines were used to tabulate the results quickly and provide electors with the opportunity to correct any errors they had made to ensure that every valid vote (i.e., where at least one candidate or option was selected for the race) that was submitted was counted.

Complaints, Offences and Other Issues

The following **complaints** were received from residents and candidates by email or phone and electors while at a voting place (this list is not exhaustive):

- (1) campaign signs during the pre-campaign period;
- (2) campaign signs attached to trees;
- (3) campaign signs creating a safety hazard for motorists at intersections;

- (4) use of elements of North Cowichan's logo in newspaper advertisements and campaign signs;
- (5) offensive language used on campaign signs;
- (6) that the Large Committee Room was too small for the advanced voting opportunities;
- (7) that more than one voting place should be provided for advanced voting opportunities;
- (8) that accessible voting machines for visually disabled persons were not provided;
- (9) endorsements made by the former Mayor that a candidate felt could be interpreted as Council endorsement or should be considered as an unregistered candidate organization; and,
- (10) that the postcards sent out that advertised that North Cowichan electors should vote yes on the CVRD assent voting question (regional recreation) was unethical.

The following **offences**, including the section of the LGA where the offence is defined, occurred during this election:

- (1) a mail ballot submitted was a photocopy, not the original ballot [LGA s.163(3)(b)];
- (2) two non-resident property electors (NRPE) both tried to vote on the same property [LGA s.163(2)(a)];
- (3) an elector returned to a voting place (after having voted during the day as a resident elector) and tried to register as a NRPE so that they could give the ballot to an ineligible elector [LGA s.163(3)(a)];
- (4) a scrutineer did not stay in their designated space and spoke to voters [LGA s.103(a)];
- (5) teenagers running through the hallways at École Mount Prevost shouting at electors in line to vote for a particular mayoral candidate [LGA s.163(4)(a)];
- (6) residents or strata representatives unreasonably restricting candidate(s) access to their property for campaign purposes [LGA s. 160.1 (2)]; and,
- (7) numerous campaign signs within 100 metres of a voting place [LGA s.163(4)(c)].

In addition to responding to complaints and investigating and/or dealing with election offences, either the Chief Election Officer or voting place Presiding Election Official had to deal with the following **other issues**:

- (1) School District's notice which identified VIU as an additional voting place for advance voting on October 5th and 11th;
- (2) requests from candidates for intervention by the Chief Election Officer when disparaging remarks were made about them by other candidates or members of the public;
- (3) an elector was issued a ballot who then decided that they didn't want to vote nor would they insert their ballot into the voting machine as a blank ballot, so the ballot was treated as a spoiled ballot that was not re-issued;
- (4) four ballots (Ballot Type #2) were issued in error but caught before the voter placed their ballot into the vote counting machine, who were then issued the correct ballot type (Ballot Type #1);
- (5) three ballots were issued in error to non-residents [2 electoral area residents and 1 City of Duncan resident] who registered as resident electors; however, only one of the ballots issued to the electoral area residents was processed through the vote counting machine as the election official caught their error when the person returned their ballot for a new one after making a mistake;
- (6) a couple of incidents occurred in two of the voting places, an elector fell down who required assistance, and a domestic issue which the RCMP responded to; and,
- (7) Canada Post was advising electors who were returning their mail ballots that the cost would be over \$15 even though the cost to mail the package by North Cowichan was only \$3.19.

Staff will be bringing forward a report before the next general election to present potential changes to the Election and Assent Voting and Sign Bylaws and impacts to the budget in relation to the above complaints, offences and issues.

Voters Turnout

- The total number of electors who voted was **8,545**.
- The estimated number of eligible voters was **26,673**, which included those on the Voters List plus the new Registrations (411).
- The estimated voter turnout was **32.04%**.

The preliminary voter turnout value did not include the number of new registrations, bringing the total from the Voters List (26,262) to 26,673 (see TABLE 1). This decreased the final voter turnout value from 32.54% to 32.04%. Figure 1 (FIG 1) illustrates the number of electors who voted compared to those who could have voted.

FIG 1: Voter Turnout

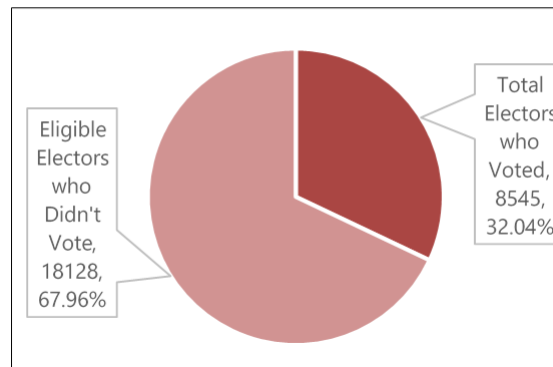
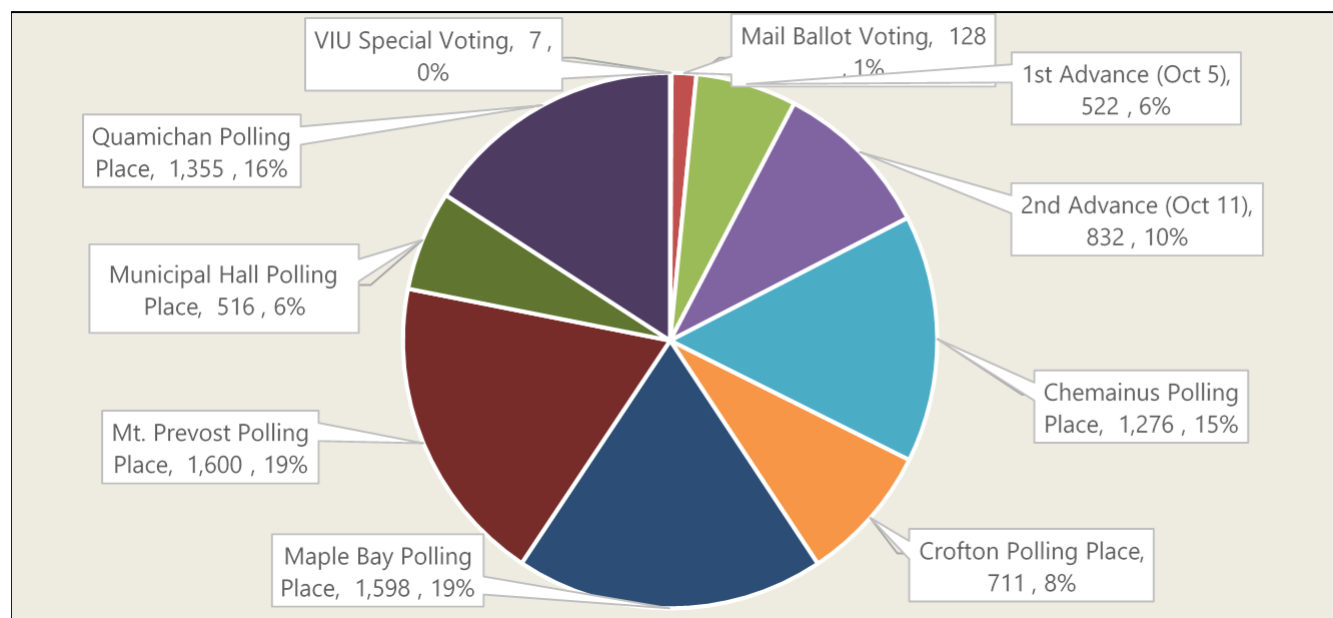
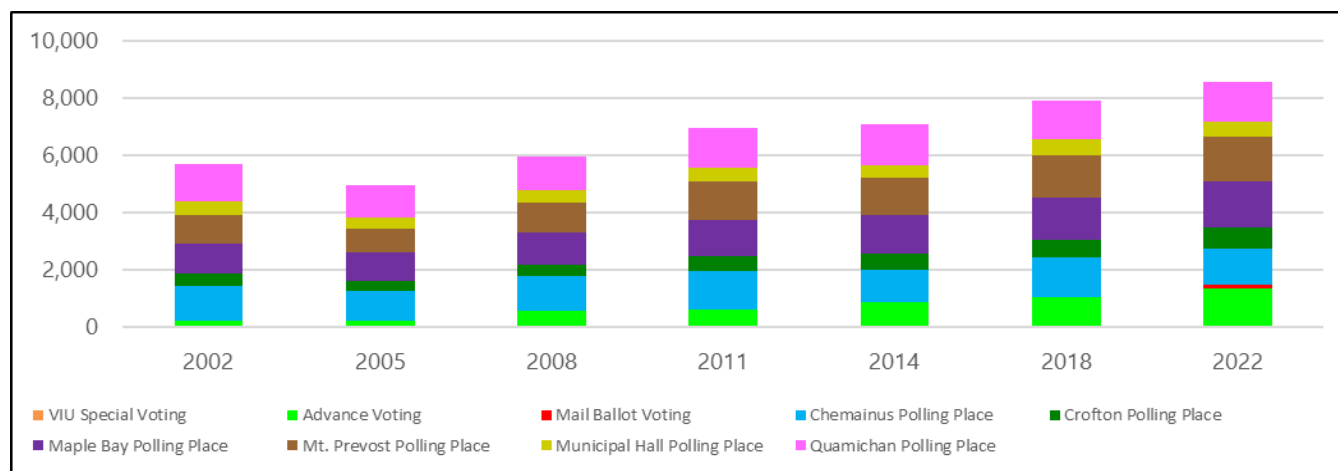


Figure 2 illustrates the voter turnout during the 2022 general local election by voting opportunity and Figure 3 represents voter turnout over the past 20 years.

FIG 2. 2022 General Local Election Voter Turnout



Although voter numbers have increased over the years, that increase has been consistent with North Cowichan's population growth, resulting in voter turnout remaining relatively the same. For example, in 2014, the total number of electors who voted was 7,076 and increased to 7,898 in 2018, yet the voter turnout for both of those elections was 33.20% because the estimated number of eligible electors ($23,792 - 21,314 = 2,478$ / $2,478 \div 23,792 = 10.42\%$) and voter turnout ($7,898 - 7,076 = 822$ / $822 \div 7,898 = 10.41\%$) both increased by approximately 10%.

FIG 3. Voter Turnout between 2002 and 2022**TABLE 1:** Estimated Eligible Electors

Voting Opportunity	# of New Resident Electors	# of New NRPEs	TOTAL New Electors
Number of Electors on the Voters List	26,228	34	26,262
New Registrations			
Mail Ballot	6	2	8
1 st Advance Voting Opportunity (Oct 5)	12	1	13
2 nd Advance Voting Opportunity (Oct 11)	16	0	16
Chemainus Seniors Centre	68	1	69
Crofton Elementary School	49	0	49
Maple Bay Elementary	85	1	86
École Mount Prevost	66	0	66
Municipal Hall	33	1	34
Quamichan Middle School	63	7	70
SUBTOTAL New Registrations	398	13	411
TOTAL Eligible Electors	26,626	47	26,673

Special Voting Opportunity at Vancouver Island University (VIU)

Since there were only seven ballots cast at the VIU special voting opportunity held on October 3, 2022, they were combined with the mail ballots that were processed on October 13, 2022, in accordance with section 137(3) of the LGA, in order to preserve the secrecy of the ballot.

Mail Ballots

153 Mail Ballot Packages were prepared for pick-up or mail out, and 111 Certification Envelopes were opened on October 13, 2022, in the presence of the Chief Election Officer, an Election Official and one Scrutineer. However, one ballot was rejected because it was a photocopy and not the ballot that was delivered to the elector, which is an election offence under section 163(3)(b) of the LGA. Eighteen Certification Envelopes were opened on general voting day and processed through the voting counting machine, for a total of 128 certified and accepted as valid Mail Ballots.

Of the 153 Mail Ballot Packages prepared:

- 128 ballots were processed as valid (that ballot that was rejected was not processed);

- 10 were never picked up;
- 3 were received in the mail on October 17, 2022, after the close of voting and were not counted;
- 1 was spoiled when the ballot was accidentally torn while opening the return envelope, and a new ballot was issued and processed as part of the 128 ballots noted above; and,
- 10 have not been returned (as of the time that this report was written).

Preliminary Results

Election results were streamed live so that candidates and the public, in general, were able to view the results as they were received from the six voting places, the final tabulations from the special voting at VIU on October 3rd, mail ballots, and the advance voting opportunities on October 5th and 11th.

[Preliminary results](#) from all voting places/opportunities was posted to the [website](#), [CivicInfoBC](#) and the notice board, and a media release was sent out shortly after 9:00 pm.

Official Results

The official results for Mayor (Attachment 1), Councillor (Attachment 2), and the determination of the election results (Attachment 3) were declared on October 18, 2022. The number of votes for each candidate in the 2022 general local election is as follows:

Mayor

- | | |
|-------------------|-------|
| • DOUGLAS, Rob | 3,503 |
| • KOURY, John | 2,747 |
| • SAWRIE, Rosalie | 2,195 |

Councillor

- | | |
|------------------------|-------|
| • CALJOUW, Mike | 4,361 |
| • MANHAS, Tek | 4,289 |
| • TOPOROWSKI, Debra | 3,903 |
| • JUSTICE, Christopher | 3,527 |
| • FINDLAY, Bruce | 3,343 |
| • ISTACE, Chris | 3,142 |
| • MARSH, Kate | 2,952 |
| • CROFT, Elizabeth | 2,828 |
| • RUSLAND, Peter W | 2,778 |
| • BEHNSEN, Joyce | 2,616 |
| • BORG, Charles | 1,789 |
| • RICHARDS, Adrienne | 1,317 |
| • SHAW, Christopher A | 1,075 |
| • ENSLOW, Joseph | 1,009 |
| • ARTHURS, Dana | 876 |

Ballot Account

Three different ballots were used for the election and were issued to electors based upon where that elector resided (see TABLE 2).

- Resident (North Cowichan) electors and NRPEs living within BC but outside of the CVRD boundary

were issued Ballot Type #1.

- NRPEs who live in Ladysmith were issued Ballot Type #2. Although Ladysmith is within the CVRD boundary, it is in a different School District boundary (SD 68, Nanaimo-Ladysmith) than the rest of the municipalities and electoral areas within the CVRD (SD 79, Cowichan Valley). As such they are entitled to vote in the SD 68 School Trustee election as a resident elector in Ladysmith AND in the SD 79 School Trustee election as an NRPE.
- NRPEs who live within the CVRD boundary, except Ladysmith, were issued Ballot Type #3 as they had the opportunity to vote for School District 79 and the CVRD Assent Voting Question within their home jurisdiction.

Table 3 identifies the number of ballots rejected and spoiled per Ballot Type.

TABLE 2. Ballot Types

Ballot Type Number	Voters were able to vote for:
Ballot Type #1	Mayor, Councillor, School Trustee and CVRD Assent Voting Question
Ballot Type #2	Mayor, Councillor and School Trustee
Ballot Type #3	Mayor and Councillor

TABLE 3. Issued Ballots

	Ballot Type #1	Ballot Type #2	Ballot Type #3
Total Electors who Voted	8,534	1	10
Rejected Ballots	2	0	0
Spoiled Ballots	139	4	0

RECOMMENDATION

THAT Council accept the report from the Chief Election Officer on the 2022 general local election results, dated November 2, 2022.

Report prepared by:



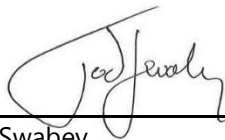
Michelle Martineau
Chief Election Officer / Manager, Legislative Services

Report reviewed by:



Talitha Soldera, CPA, CGA
General Manager, Corporate Services

Approved to be forwarded to Council:



Ted Swabey
Chief Administrative Officer

Attachments:

- (1) Declaration of Official Election Results for Mayor
- (2) Declaration of Official Election Results for Councillor
- (3) Determination of Election Results