



SIX NATIONS OF THE GRAND RIVER 2015 ALCOHOL REGULATION REFERENDUM

PROCEDURE GUIDELINES FOR USE OF VOTE COUNT TABULATORS

This copy of the Procedural Guidelines for Use of Vote Count Tabulators has been prepared for the use of the Alcohol Regulation Referendum Staff for reference and guidance to assist them with the operation of the tabulators during the Referendum.

Should you have any questions regarding the procedures, please contact the Economic Development Office at 519-753-1950.

DEFINITIONS

In this procedure,

“Auxillary Compartment” means the front compartment of the ballot box in the tabulator and where electors’ ballots are temporarily stored in the event of a vote count tabulator fails to operate;

“Ballot-Marking Pen” shall mean the designated black ballot-marking pen provided by an election official for the use by a voter to mark the ballot;

“Blank ballot” shall mean a ballot without votes in any of the specified voting spaces. A blank ballot card will be processed in the same manner as a cast ballot.

“Designated Referendum Official” shall mean any person designated by the Council to perform certain referendum functions. .

“USB Flash Drive” means a removable memory device that the DS200 vote tabulator uses to store the scanner’s election definition, audit log, and other election-specific information. The USB Flash Drive is updated each time the DS200 scans a ballot.

“Secrecy Folder” shall mean an apparatus in which a ballot can be placed so as to conceal the names of the candidates and the marks on the ballot face, but does expose the initials of the DRO;

“Vote Count Tabulator” means an apparatus that digitally scans a specified area on the ballots to read the votes and tabulate the results.

“Valid Mark” shall mean a mark made in the designated space to the right of the candidate’s name, using the ballot-marking pen provided by the Deputy Returning Officer, filling in the oval immediately to the right of the candidate’s name will be considered a valid mark;

APPLICATION OF PROCEDURE

This procedure applies to the 2015 Alcohol Referendum duly authorized by Six Nations Council resolutions ICGC#560/10/14/2014 and SC#2-6/1/2015;

ELECTION OFFICIALS

The Elected Council has appointed Economic Development staff specifically, the Community Planner, External Project Coordinator and Director of Economic Development to act as Election Officials for the Referendum.

ELECTION OFFICIAL DUTIES

The following are the basic duties of the Election Officials

- 1) to open, close and conduct the voting place in an accurate, efficient manner with peace and order;
- 2) to facilitate the necessary oaths, declarations and to process the necessary documentation, as required;
- 3) to deliver the supplies, equipment, documentation at the close of the vote to the designated staff contact;
- 4) to maintain control of the voting place;
- 5) to obey all rules outlined and procedures provided;
- 6) to administer the necessary procedures to electors for voting purposes;
- 7) to assist and instruct the elector with procedures for inserting their ballot into the ballot box
- 8) to attend the designated voting place from 9:00 a.m. on voting day until completion of duties;
- 9) to provide administration and oversee the integrity of the vote;
- 10) to organize the voting subdivision within the voting place;
- 11) to verify the total number of ballots supplied and used;

- 12) to distribute appropriate ballots accordingly;
- 13) to process the necessary documentation, as required;
- 14) to count the unused ballots upon receipt and verify receipt of the number of ballots;
- 15) to count any cancelled, spoiled, and unused ballots at the close of the Vote;
- 16) to deliver the unused supplies, documentation, and equipment to the designated staff;
- 17) to maintain control of the voting place;
- 18) to request use of forms and require identification;
- 19) to refuse to amend the list should the information not be complete; to conduct the election appropriately;
- 20) to inspect the voting location throughout the day;
- 21) to cross off all names of electors who voted from the advance votes;
- 22) to assist with the preparation of the final list of revisions;
- 23) to assist in issuing a second ballot to an Elector should an Elector return their first ballot as a cancelled ballot;

BALLOTS

A circular or oval shape will appear on the ballot to the left of each of the options. There shall appear on the ballot to the left of each of the options a designated space for the marking of the ballot.

The instructions on the ballot direct the elector to vote by filling in the blank space adjacent to the elector's answer.

PROGRAMMING OF THE VOTE COUNT TABULATOR

The vote count tabulator shall be programmed so that a printed record of the number of votes cast for answers to any by-laws or question can be produced.

Note: The staff will be required to determine which, if any ballots will be returned by the vote count tabulator for inspection. The only ballots to be returned are those which the vote count tabulator cannot read. No messages identifying "blank" and "over-voted ballots" will be displayed.

The vote tabulator shall be programmed so that ballots are handled by the vote tabulator as follows:

- Ballots which the vote count tabulators cannot read (i.e. ballots damaged or defective or that have been marked in a way that the ballot cannot be processed by a vote count tabulator) are returned to the election official.

- Ballots which are marked with over votes or under votes will be returned to the election official giving the option to ACCEPT or REJECT the ballot. IF REJECT is chosen, the ballot will be returned to the voter to verify, repair their vote, spoil their ballot, or for re-insertion and acceptance. IF ACCEPT is chosen, the ballots not over voted or considered blank will be accept and counted.

RE-TESTING OF VOTE COUNT TABULATORS

In the event that a tabulator malfunctions during the voting process, it may be necessary for an adjustment or replacement of the “read heads” on the tabulators. If this is necessary, the preferred course of action is to substitute the faulty equipment with another “spare” vote count tabulator.

The following steps are to be performed in order to smoothly, and quickly replace the faulty equipment and resume regular voting activities.

Note: At no time should an elector be prevented from casting their ballot. The casting of votes still occurs but the ballots are placed into the ballot box auxiliary compartment (small enclosure in the ballot box that will hold between 150-200 ballots) or an auxiliary sealed ballot box for counting at the end of the voting day. Boxes will be clearly numbered in sequence. The boxes will identify the date, time, location and sequencing of the ballot box. However, a short line may develop as the vote count tabulator is replaced.

An additional ballot box may be required should the ballot box be filled with ballots.

The Tabulator Operator or designated staff shall pack up the faulty equipment and set up the substitute vote count tabulator.

In an effort to expedite the replacement, the election official who delivered the replacement tabulator may assist in packing up the faulty equipment and setting up the replacement equipment.

The Tabulator Operator shall ensure that the USB Flash Drive (containing the Election Definition, audit log, and ballot images/vote results) from the malfunctioning unit is transferred to replacement vote count tabulator, plug the unit into the AC power outlet, turn on the replacement vote count tabulator, and proceed to print, verify and sign the zero totals report, as was done prior to the opening of the vote.

Once verified that the replacement vote count tabulator is operational, the ballot box containing any ballots which were either processed through the faulty equipment or manually inserted into the ballot box during the “equipment swap”, is sealed and is set aside in a secure location under supervisor until the close of the vote. The unprocessed ballots will be fed through the vote count tabulator after the close of the poll.

A new, empty, ballot box is used to accept ballots that are fed through the replacement equipment for the remainder of the day. The ballot box is clearly marked and will identify the date, time, location and sequencing of the ballot boxes.

PROCEDURES AT THE VOTING PLACE ON VOTING DAY

Election Officials shall perform the following steps:

Never leave the equipment or any supplies unattended. Ask for assistance from another Election Official, should you be required to leave your voting station temporarily.

Organize your supplies. Set up the table, ballot box, emergency spare ballot box and tabulator near a power source in a location that is central to the exit. There will be a floor plan outlining the location of the subdivision stations and logistics for the voting place.

The Tabulator Operator will take the vote count tabulator out from the carrying case and organize the supplies and equipment. A checklist of supplies and instruction on setup is provided in the vote count tabulator carrying case.

Place the ballot box with the vote count tabulator on a flat surface with the front of the vote count tabulator unit facing toward the voter, as demonstrated at the training session.

Guide the vote count tabulator into position on the top of the ballot box. Plug the power cord directly into a standard 110V outlet. It is recommended that the unit be plugged directly into the power outlet without the use of an extension cord.

Insert the tabulator key into the lock in the front of the lid to unlock the unit. Raise the lid of the vote count tabulator and the unit will automatically power up and begin its boot up process. Verify that the correct election definition is loaded and that the tabulator is running on electricity and not on battery power. If the device indicates otherwise, check that the unit is properly plugged into an operating AC power outlet.

Press OPEN POLL (green button) on the screen and the unit will open the polls and the tabulator printer will automatically print a Configuration Report, a Ballot Status Accounting Report, and a Zero Report. In all, 3 copies of the Zero Report will print (must be programmed to print more than 1 copy). Tear off the printed tape, confirm the date and time and sign the Zero Report. One (1) copy is to be taped to the front of the ballot box, one (1) copy is to be posted in the immediate area for electors/candidates to see, and one (1) copy is to stay attached to the vote tabulator.

Print an additional copy of the Zero Report by pressing REPORT OPTIONS to enter the report menu.. Then select Zero Reports and PRINT to print another report. Press CANCEL when you are finished printing reports.

Tear off and sign the additional Zero Report. Roll the Zero Report, unlock the rear access compartment of the tabulator, and store the report in the rear access compartment of the vote count tabulator. Lock the rear access cover on the vote count tabulator when complete,

Press the GO TO VOTING (green button) on the display to go to voting mode. A blue welcome screen will appear. Verify that the vote count tabulator LCD display shows the public counter is at "0" zero.

Procedures At The Voting Place

The Tabulator Operator shall, in the presence of election officials, cause the vote count tabulator to print a copy of all totals in its memory before opening of the voting place confirming "0" totals;

If the totals are zero for all candidates, by-laws and questions, the Tabulator Operator shall ensure that the zero printout remains affixed to the vote count tabulator until the results are printed by the vote count tabulator after the close of the vote.

If the totals are not zero for all candidates, and questions/by-laws, the Tabulator Operator or the election official shall immediately conduct the vote using the auxiliary back-up compartment of the ballot box until the vote count tabulator is made operational or the Clerk provides a back-up vote count tabulator to the voting location.

Procedures Under Normal Circumstances

Once the elector is verified and has completed voting, the Tabulator Operator shall, in the presence of the voter and without removing the used ballot from the secrecy folder, verify their initials and then insert the used ballot into the feed area of the vote count tabulator until the vote count tabulator draws the ballot from the secrecy folder in full view of the voter.

Procedures in Extraordinary Circumstances

Procedure in the event the vote count tabulator cannot read the ballot:

If a ballot is returned by the vote count tabulator and the voter who delivered the ballot is present, the Tabulator Operator shall re-insert the ballot into the feed area of the vote count tabulator. If the vote count tabulator again rejects the ballot, the Tabulator Operator shall mark the ballot "cancelled-replaced", then place the ballot in the cancelled-replaced envelope and deliver another ballot to the voter. The replacement ballot will then be re-inserted into the ballot feed of the vote count tabulator.

If the elector who delivered the ballot is present but declines to accept another ballot, the Tabulator Operator shall mark the ballot "declined" and insert the original ballot into the "declined" envelope.

If the elector who delivered the ballot is not present, the Tabulator Operator shall re-insert the ballot into the feed area of the vote count tabulator.

If the vote count tabulator again rejects the ballot, the Tabulator Operator shall mark the ballot "cancelled".

The Tabulator Operator shall, in full view of any candidates or scrutineers present, mark a new ballot with the same marks contained in the designated voting spaces on the original ballot, and the replacement ballot shall be clearly labeled "replacement" and given a serial number which shall also be recorded on the cancelled ballot. The cancelled ballot shall be inserted into the cancelled-replaced envelope, and the Tabulator Operator shall substitute the replacement ballot for the cancelled ballot and feed the replacement ballot into the vote count tabulator.

Procedure in the Event a Vote Count Tabulator Malfunctions During the Voting Process

In the event that a vote count tabulator malfunctions during the voting process and the USB Flash Drive is still functional it may be necessary for an adjustment or replacement of the vote count tabulator. If this is necessary, the preferred course of action is to substitute the faulty equipment with a spare vote count tabulator.

The following steps shall be performed in order to smoothly and quickly replace the faulty equipment and resume the regular voting activities. NOTE: At no time shall an elector be prevented from casting their ballot.

The Tabulator Operator shall remove the USB Flash Drive from the malfunctioning vote count tabulator, and insert the flash drive into the replacement vote count tabulator. Verify that the election official has used the EQC media from the current election to clear and prepare the replacement unit (if the replacement unit has not been properly cleared, tested, and qualified with the appropriate EQC media, the unit cannot be used).

The Tabulator Operator shall pack up the faulty equipment and set up the substitute vote count tabulator. In an effort to expedite the replacement, the election official who delivered the replacement vote count tabulator may assist in packing up the faulty equipment.

The Tabulator Operator shall turn on the replacement vote count tabulator by pressing the ON button inside the USB access well. If the replacement unit has been properly cleared and qualified, the tabulator will automatically print the Configuration Report, the Ballot Accounting Status Report, and a Zero Report. The Tabulator Operator shall then sign the reports and leave the tape attached to the vote count tabulator. After the report is printed and signed, the Tabulator Operator will press the DON'T CLOSE CONTINUE VOTING button on the tabulator touch screen which will then bring up the blue welcome screen. Verify the public count agrees with the last known public count from the malfunctioning tabulator. The existing ballot box continues to be used to accept ballots that are to be fed through the replacement vote count tabulator for the remainder of the day.

In the event that a USB Flash Drive malfunctions after it has been used to open and tabulate ballots, the Tabulator Operator shall immediately contact the Clerk's Office. Once a replacement USB Flash Drive has been provided, the Tabulator Operator shall:

Verify that the vote count tabulator and replacement USB Flash Drive are operational, seal the ballot box containing any ballots which were previously processed or inserted into the auxiliary compartment during the "equipment swap" and set it aside in a secure location until the close of the poll.

A new, empty ballot box is then used to accept ballots that are to be fed through the vote count tabulator with the new USB Flash Drive for the remainder of the day.

The Tabulator Operator shall turn on the vote count tabulator and proceed to print, verify and sign the zero totals report, as was done prior to the opening of the poll.

The ballots in the original ballot box will be fed through the vote count tabulator after the close of the poll.

PROCEDURES FOR VOTING DAY

The voting place officially opens to receiving the public to vote at 10:00 a.m. sharp. The voting place closes at 7:00 p.m.

Voting opens and electors proceed to the respective voting subdivisions to obtain their ballot.

The Staff provides the elector with the appropriate ballot and instruction for voting.

As each elector arrives at the ballot issuing table, the staff verifies that the name of the person is entered on the voters' list. The staff shall, at the same time as the ballot is delivered, provide a secrecy folder to the voter and briefly explain the voting procedure.

Upon receiving the ballot, the voter shall:

- immediately proceed to the voting compartment; and
- using the ballot-marking pen provided, vote by filling in the circle or oval to the right of the candidate(s) of their choice or indicates their selection for the answer to any by-law or question on the ballot.
- Only one person is permitted in a voting compartment at any time, unless they are assisting a voter.

A SWORN DECLARATION IS REQUIRED BEFORE THEY CAN ASSIST THE ELECTOR.

- There is to be no cell phone use in the voting compartment

After the elector has marked their ballot in the voting compartment, the voter shall:

- insert the ballot into the secrecy folder;
- leave the compartment without delay.

After the elector returns their marked ballot in the secrecy folder to the Tabulator Operator for processing, the Tabulator Operator requests that the elector remain at the vote count tabulator until the vote count tabulator has successfully accepted their ballot.

The voter shall, in the presence of the Tabulator Operator, without removing ballot from the secrecy folder, inserts the secrecy folder containing the voted ballot, into the feed area of the vote count tabulator until the vote count tabulator draws the ballot from the secrecy folder in full view of the voter; The cast ballot is pulled from the secrecy folder into the vote count tabulator and the vote is then processed by tabulation. The public display count will increase incrementally with each voter.

The elector promptly leaves the voting location. A person whose ballot has been placed in the ballot box is deemed to have voted.

PROCEDURE FOR TABULATORS AT THE CLOSE OF VOTING PLACE AT THE END OF VOTING DAY

The vote totals from all of the advanced votes and from a voting shall not be printed until after 7:00 p.m. on the voting day (Saturday, January 17, 2015) at the Six Nations Community Hall.

The Staff / Tabulator Operator shall, after the close of the voting, check the back-up envelope/box for ballots to ensure all ballots have been processed.

The Staff / Tabulator Operator confirm whether any defective ballots are in the "defective ballots holding". These ballots were previously placed in this envelope/box because they could not be read by the vote count

tabulator. In the case of defective ballots, all defective ballots from envelope/box are kept for counting on Saturday January 17, 2015 after 7:00pm.

If the ballots are still unable to be read by the vote count tabulator, the Staff or Tabulator Operator uses a new unused ballot and prepares a replacement ballot in the view of any candidates or scrutineers present by marking a new ballot with the same marks contained in the designated voting spaces on the defective ballot, and the replacement ballot shall be clearly labeled "replacement" and given a serial number which shall also be recorded on the defective ballot.

The Staff / Tabulator Operator shall substitute the replacement ballot for the defective ballot and feed the replacement ballot into the vote count tabulator. If the ballot cannot be read by the vote count tabulator after three attempts, the manual count of the defective ballot occurs.

The defective ballot is placed in a defective ballot envelope (if the vote count tabulator was not able to process the replacement ballot, this fact shall be recorded on the defective ballot).

The Staff / Tabulator Operator seals the ballot box to ensure the box cannot be re-opened without breaking the seals and covers the ballot entry slot.

The Staff / Tabulator Operator look at the public display count on the vote count tabulator and write down the number of ballots processed through the unit. The number will later be recorded on the statement form.

In full view, leave the "Zero Report" attached to the vote count tabulator. The USB Flash Drive can remains with the vote count tabulator and is confirmed by the red plastic tie on the vote count tabulator. The Tabulator Operator must check the roll tape before you print the final results.

The Staff / Tabulator Operator shall insert the key into the tabulator USB well access door and open the door. Press the CLOSE POLLS button which is located right above the POWER button. A screen will appear on the LCD monitor; press the red CLOSE POLLS button on the screen to continue closing the poll.

The Ballot Accounting Status and Results Report will begin printing automatically

Announce the results. Confirm the total numbers announced by having the election staff read back the votes for each candidate, confirming the numbers again.

Do not provide additional copies of printouts for any scrutineer upon request. Please have them contact Economic Development.

Once all the reports have printed, the vote count tabulator LCD display screen will allow the Staff/Tabulator Operator to print additional copies of the results tape. Press REPORT OPTIONS, then select Results Report and PRINT. Another copy of the Results Report will print. Leave this copy attached to the vote count tabulator unit.

When the additional report has printed, select CANCEL and the tabulator display screen will return to the previous screen.

The Staff / Tabulator Operator will sign the certificate portion of the printed record.

Remove the "Zero Report" and attach the printed Results Report from the vote count tabulator and place them in the statement envelope.

The LCD display on the vote count tabulator will indicate that the “device has been successfully closed for voting”.

This is the final step, press FINISHED-TURN OFF on the LCD display screen to power off the tabulator.

Seal the ballot box to ensure the box cannot be re-opened without breaking the seal and to cover the ballot slot. Slide out the vote count tabulator unit and turn it off and unplug the power source. Store the vote count tabulator unit and power cord in the carrying case with your supplies.

Complete the statement in duplicate of the number of:

- ballots received from the Staff;
- ballots counted by the vote count tabulator;
- cancelled ballots;
- defective ballots; and
- unused ballots.

The Staff / Tabulator Operator signs the statement and places the statement in the return envelope to be delivered to Economic Development.

The Staff / Tabulator Operator attaches the duplicate copy of the statement of all ballots that have been counted by the vote count tabulator, to the vote count tabulator.

Ensure that the original signed statement, the security envelope containing “Zero Report” is included in the package to be returned to Economic Development.

Place all other used forms, unused forms and supplies into the ballot transfer carrying case. Seal the case in such a way so that it cannot be re-opened without breaking the seal.

The Staff or designate shall deliver the transfer carrying case, all ballot boxes, voting compartments, and the return envelope to designated staff for the return to the Six Nations Records Department for secure storage.

Note: If the vote count tabulator is to be used on a daily basis, ensure that the USB Flash Drives and vote count tabulators are individually secured. Individual vote count tabulators will be used for each advance vote.

After the close of the vote at 7:00 p.m. sharp, and all electors present in the voting place have voted and disposed their ballot in the vote count tabulator, the Staff / Tabulator Operator removes all defective ballots from the envelope for “defective ballots holding”. These ballots were previously placed in this envelope/box.

TABULATOR FAILURE

If a vote count tabulator is available in the voting place but fails to operate, the Staff / Tabulator Operator shall;

Insert the ballot into the back-up ballot box for counting at the end of voting.

After the close of the voting place and all eligible electors have voted, the Tabulator Operator inserts any ballots which were sealed in the ballot box during the equipment transition into the feed area of the vote count tabulator after the close of voting.

If a vote count tabulator has been used to tabulate votes cast in a voting place but the tabulation of the votes cannot be completed because the vote count tabulator is not operating or cannot be made to operate within a reasonable time following the close of the voting, the Staff shall, after the close of the voting and after determining the tabulation cannot be completed:

- seal the ballot box in such a manner that it cannot be opened or any ballots be deposited in it without breaking the seal;
- follow procedure outlined above for dealing with ballots;
- secure the vote count tabulator against receiving any more ballots;
- place all supplies and all cancelled, declined, defective and unused ballots in the transfer carrier and seal it;
- personally deliver the ballot box, supply carrier, ballot transfer container and vote count tabulator to a place designated by the Staff where a back-up vote count tabulator is located;
- follow the procedures set out to ensure that the totals of the back-up vote count tabulator are zero for all candidates, by-laws and questions;
- insert all the ballots from the ballot box into the back-up vote count tabulator, and;
- follow the procedures outlined.

BLANK BALLOT PROCESSED BY VOTE COUNT TABULATOR

The vote count tabulator will be programmed to reject or query blank ballots. This is to ensure the voter has understood the instructions on how to fill in the response area. After the initial ballot has been returned the voter will have the option to reinsert if they do wish to cast a blank ballot.

BALLOT ACCIDENTALLY SPOILED

If a ballot has been accidentally spoiled (for whatever reason, inadvertently marked the wrong candidate or over-voted a race) and the elector would like a replacement ballot, then the Staff takes back the “spoiled/cancelled” ballot and provides the elector with a replacement ballot. This must happen before the elector tries to deposit the ballot into the vote count tabulator.

The Staff shall mark the spoiled ballot “cancelled”, and place the cancelled/spoiled ballot in the cancelled ballot envelope, to be delivered with their supplies at the end of the voting day. Special note on the statement form confirms the number of ballots issued and returned.

DAMAGED OR DEFECTIVE BALLOT

If a damaged or defective ballot is returned by the vote count tabulator and the voter who delivered the ballot is still present, the Tabulator Operator shall re-insert the ballot into the feed area of the vote count tabulator. If, after several attempts, the vote count tabulator again rejects the ballot, the Staff or other Election Official will place the ballot in the “defective ballot” envelope and direct the elector to obtain another ballot from the issuing Staff. The “defective ballot” is returned to the originating Staff to be cancelled.

If the elector who delivered the ballot is not present, the Staff/Tabulator Operator marks the ballot “defective” and inserts the ballot into the envelope “defective ballots” to be replicated and counted and the end of the voting day.

OVER-VOTED BALLOT

The vote count tabulator will be programmed to eject ballots which have over-voted for any of the races (i.e. the elector filled in too many ovals in a race).

GENERAL

If, at the close of the voting, the Staff is of the opinion that it is impracticable to count the votes with the vote count tabulators or replacement vote count tabulators, the Staff may direct that all the votes cast in the election shall be counted manually.

The Staff shall, at the completion of the count, retain the programs, USB Flash Drives, test materials and ballots.

The Staff shall retain and may have access to the pre-audited group of ballots referred to and other materials used in the programming of the vote count tabulators.

The Staff may alter or make minor changes to the materials referred in this manual as the election process nears as this is a new undertaking for staff and some minor instructions may have been excluded.

RECOUNTS

If a recount of votes is held, the votes shall be counted in the same manner as the votes were counted on voting day.

The Staff shall attend the recount and bring the supply carriers, ballot transfer containers, vote count tabulators, statement envelopes and all documents that, in the opinion of the Staff, are relevant to the recount.

If a vote count tabulator is used for a recount, the recount is limited to the ballots tabulated by a vote count tabulator during the advance voting and on voting day.