



Elections

Prince Edward Island

A Non-partisan Office of the Legislature

May 17, 2021

Report of the
Municipal Electoral Officer

2021 Cornwall By-Election



Monday June 28, 2021

Town of Cornwall

To: Mayor, Councillors and CAO;

RE: 2021 Town of Cornwall By-Election – May 17, 2021

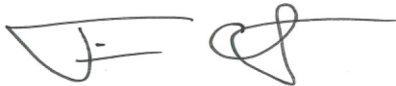
I am pleased to submit the Report of the Municipal Electoral Officer (MEO) to Mayor McCourt and Councillors of the Town of Cornwall for the Municipal By-Election, held on May 17, 2021 pursuant to the Town of Cornwall Election Bylaw.

As the Chief Electoral Officer is appointed by the Town of Cornwall to be the MEO, Elections PEI was responsible for the coordination and administration of this Municipal By-Election. I would like to extend my appreciation and congratulations to the Returning Officer and Election Clerk for their dedication and hard work in running this By-Election.

Three days of advance polling were established on Saturday May 8, 2021, Monday May 10, 2021, and Friday May 14, 2021. Fourteen people were hired, including the Returning Officer, Election Clerk/Supervising Deputy Returning Officer, Deputy Returning Officers, Poll Clerks, Registration Clerk, an Information Officer and facility sanitizers to administer this By-Election.

This report includes an overview of the By-Election procedure, the expenses and a statistical report for the By-Election.

Respectfully,

A handwritten signature in black ink, appearing to read 'Tim G. Garrity', with a stylized flourish at the end.

Tim G. Garrity

Municipal Electoral Officer – Town of Cornwall

Chief Electoral Officer - Province of Prince Edward Island

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Message from the Municipal Electoral Officer

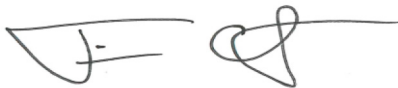
I am pleased to present the report on the Cornwall Municipal By-Election.

I would like to express my thanks to the election team, Deputy Municipal Electoral Officer - Stephanie Thorpe, Manager of Election Operations and Communications - Paul Alan and our Elections Office Coordinator – Gabrielle Anderson. My appreciation and thanks extends to Bridgett MacCormac as well as the Returning Officer: Bev Gaudet, her Election Clerk: Diane Boulter, the dozens of workers who worked at the polling location, as well as the support of the ITSS Department. Their dedication and professionalism were all instrumental in the success of the Cornwall Municipal By-Election.

The COVID-19 pandemic had a significant impact on the running of the election, the safety of both our workers and the electors were primary in the planning of this By-Election. With the use of all of the CPHO health and safety measures and additional staff to assist with cleaning, the By-Election was a success.

The voter turnout continues to be at a lower level in the municipal elections and we want to encourage all eligible electors to vote, as it is their democratic right and an amazing privilege to be able to vote safely in Canada.

I would like to thank all of the voters from the Municipality of Cornwall. While PEI has been dealing with the pandemic quite well, we thank you for your trust in the electoral process as well as in our staff to keep you safe while exercising your democratic right to vote.



Tim G. Garrity

Municipal Electoral Officer

2021 Cornwall By-Election SUMMARY

2021 CORNWALL MUNICIPAL BY-ELECTION

The Chief Electoral Officer of PEI; Tim Garrity, was appointed by the Town of Cornwall Council as the Municipal Electoral Officer. Elections PEI was then contracted to administer the Municipal By-Election for the Town of Cornwall on Monday, May 17, 2021. This By-Election was the result of Councillor Peter Meggs' resignation on January 20, 2021, vacating the councilor seat in Cornwall, forcing a by-election within a six month period.

CANDIDATES

There were six candidates registered with Elections PEI before the Nomination deadline of Friday April 30, 2021.

BEER, Parker
CAMPBELL, Steven
HERLIHY, Judy
HICKEN, Graham
LOWTHER, Tina
MCNEIL, Simon

RETURNING OFFICER

The Office of the Returning Officer was established in the Town of Cornwall – Town Hall. Beverly Gaudet was appointed as the Returning Officer for this Municipal By-Election with Dianne Boulter appointed as the Election Clerk.

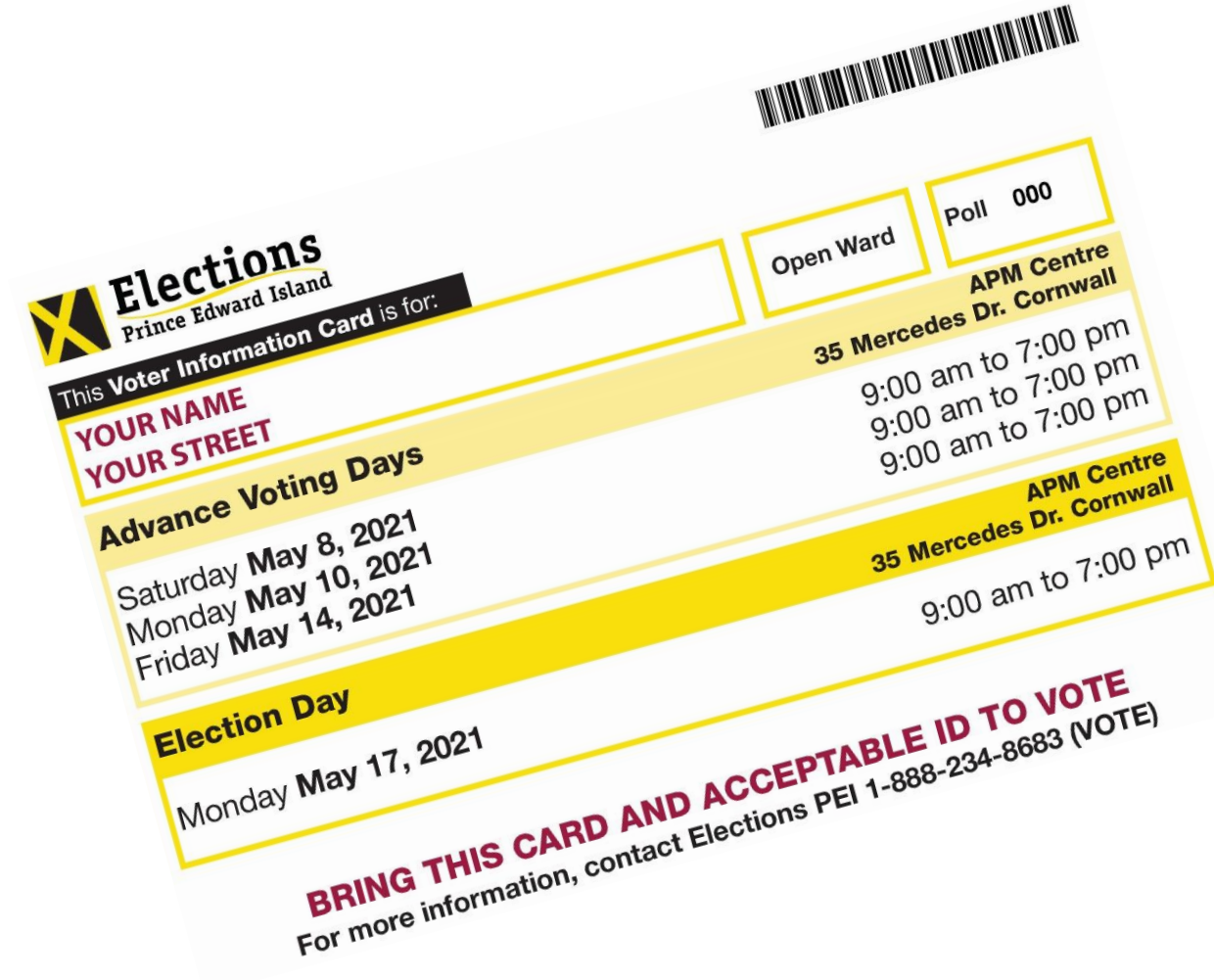
POLLING DAYS

Elections PEI established one voting location in this By-Election for the Advance Polling Days and Ordinary Polling Day. For the Advance Polls; including Mail-In-Ballots, 416 electors cast ballots, another 433 electors chose to vote on Ordinary Polling Day.

There were 3,969 eligible electors registered with Elections PEI in the Town of Cornwall. The overall voter turnout was 21% with 38 new eligible electors registering to vote at the poll.

VOTER INFORMATION CARDS

All eligible electors on the Register of Electors from the Town of Cornwall received a Voter Information Card; also known by the name “VIC” through the mail. The VIC contained the elector’s name and address. It also provided information on when and where to vote. Each VIC contained a unique bar code specific for each individual elector. The VIC’s are branded and identifiable in the mail, in yellow envelopes, with the Elections PEI logo and the date of the by-election.





Voter Information Card (VIC)

MAIL-IN BALLOTS

Electors who wish to vote in an election but are unable to attend any of the Advance Voting Days or on Ordinary Polling Day, may apply for a Mail-in Ballot. In the COVID-19 environment, Elections PEI opened the parameters and invited any eligible registered resident of the Town of Cornwall, the opportunity to vote from home, with a Mail-In Ballot. There were fewer Mail-in Ballot requests than expected with a total of 7 Mail-in Ballot Packages processed with a return rate of 100%.

Mail-In Ballot Process

The application process to request a mail in ballot began the day following the start of the By-Election period on Wednesday April 21, 2021 and closed on Tuesday May 4, 2021, the 13th day; before Election Day. A fillable Mail-In Ballot Application PDF document was available online on the Elections PEI website. Users filled out the form online, print and then place their ID (Drivers License or Voluntary ID) in a placeholder in the form. They then could simply take a picture with their smartphone and email the picture of the completed application to info@electionspei.ca. Elections PEI notified by email those applicants whose application was accepted and processed; they would receive their ballot in the mail.

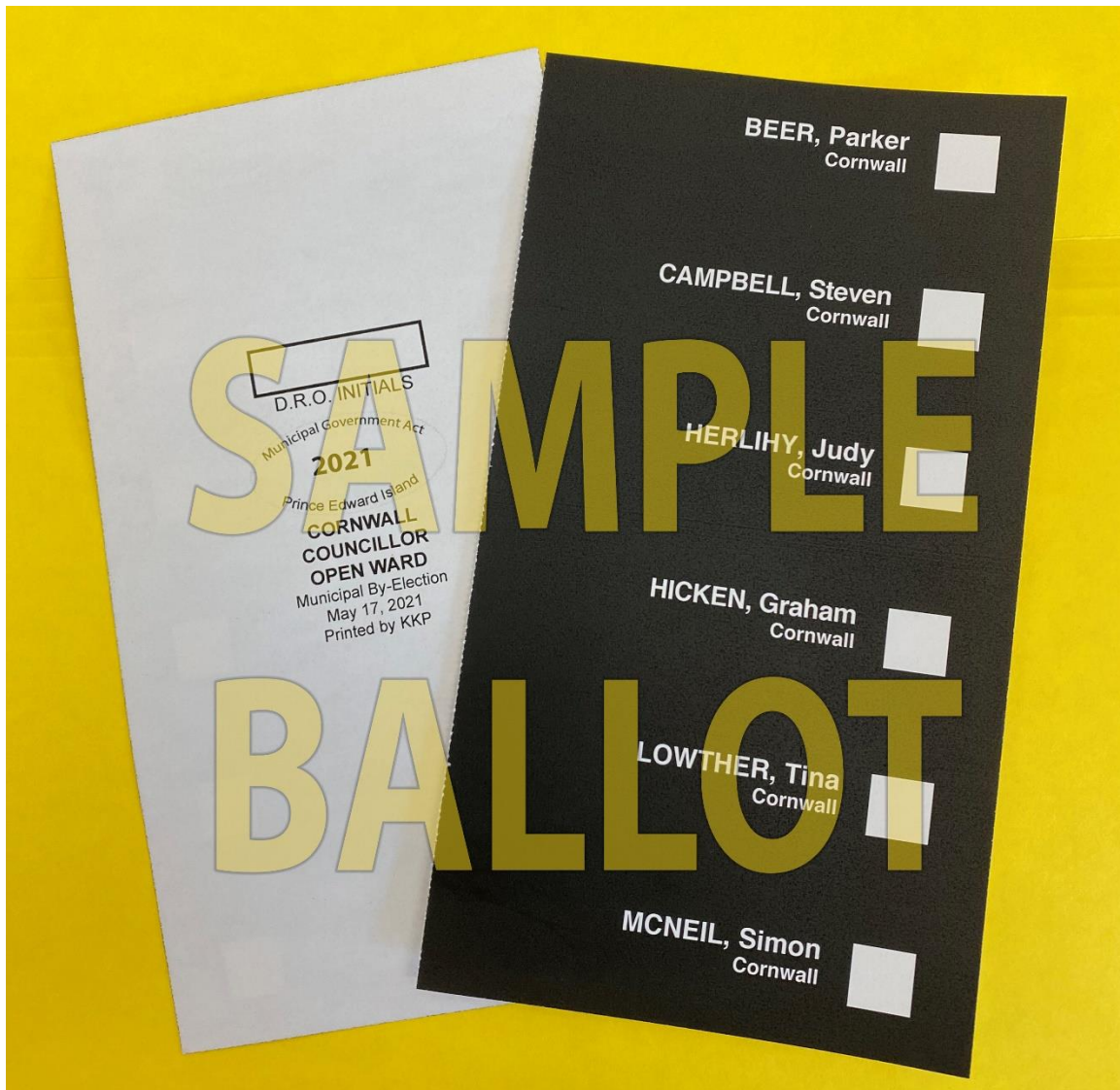
Please place your driver's licence or gov't issued ID here and take a picture of your application to submit by email to voting@electionspei.ca			
MAIL-IN BALLOT APPLICATION			
WARD NO. <input type="text"/>		DATE: <input type="text"/>	
SIGNATURE: _____			
LAST NAME <input type="text"/>	FIRST & INITIAL <input type="text"/>	CONTACT NO. <input type="text"/>	
PROPERTY ADDRESS			
CIVIC NO. <input type="text"/>	STREET NAME <input type="text"/>	APT# <input type="text"/>	
MUNICIPALITY <input type="text"/>	POSTAL CODE <input type="text"/>	EMAIL <input type="text"/>	
MAILING ADDRESS <input type="checkbox"/> Check here if Mailing address is same as Property address			
CIVIC NO. / P.O. BOX NO. <input type="text"/>	STREET NAME <input type="text"/>	APT# <input type="text"/>	
MUNICIPALITY <input type="text"/>	POSTAL CODE <input type="text"/>	EMAIL <input type="text"/>	
YOU MUST SIGN THIS APPLICATION AND ATTACH A PICTURE OF YOUR IDENTIFICATION WITH YOUR NAME, ADDRESS, DATE OF BIRTH AND SIGNATURE ie DRIVERS LICENCE OR GOV'T ISSUED I.D. ALL INFORMATION AND SIGNATURE MUST BE LEGIBLE AND COMPLETE IN ORDER TO PROCESS APPLICATION			
IF YOUR MAIL-IN BALLOT APPLICATION IS ACCEPTED YOU MAY NOT VOTE IN ANY OTHER MANNER			
DECLARATION - I DECLARE:			
<ul style="list-style-type: none"> • I AM 18 YEARS OF AGE OR OLDER ON OR BEFORE ELECTION DAY ; and • I AM A CANADIAN CITIZEN; and • I HAVE LIVED IN THE PROVINCE FOR SIX MONTHS IMMEDIATELY PRECEDING ELECTION DAY; and • I AM ORDINARILY RESIDENT IN THIS MUNICIPALITY ON ELECTION DAY. 			
PHYSICAL ADDRESS		MAILING ADDRESS	
MUNICIPAL ELECTORAL OFFICER		MUNICIPAL ELECTORAL OFFICER	
ELECTIONS PEI		ELECTIONS PEI	
176 GREAT GEORGE ST. SUITE 160		176 GREAT GEORGE ST. SUITE 160	
CHARLOTTETOWN, PE		CHARLOTTETOWN, PE, C1A 7L3	
EMAIL			
voting@electionspei.ca			
PHONE (902) 368-5895			
TOLL FREE 1-888-234-8683 (VOTE)			
FAX (902) 368-6500			
INSTRUCTIONS			
Please fill out this form completely. The quickest and easiest method to submit your application is to print application, place your drivers licence or gov't ID in the placemaker in top left corner. Take a picture of the form with your cellphone/smartphone and email to voting@electionspei.ca			
You may also, make a copy of your driver's licence or gov't ID and mail it with the application to the Mailing Address above, or, you are welcome to drop of the application and copy of your gov't ID in person at the Physical Address above. Please call for any assistance.			
You may contacted to verify your residency for this election.			
OFFICE USE ONLY			
DATE RECEIVED: _____		ELECTIONS OFFICIAL: _____	

(mail-in ballot application -newspaper advertisement)

AT THE POLLS

The polling location was equipped with secure laptops and barcode scanners. Poll workers were able to register new electors and record those who had voted using the Register of Electors.

Elections PEI utilized social media, newspaper and radio news coverage, to remind electors to bring their Voter Information Cards (VIC) and Identification (ID) with them to the polls. This communication strategy was effective, as 61% of those recorded as voted brought their VICs to the polls.



2021 Town of Cornwall By-Election Ballot sample

ELECTION NIGHT

After the close of the polls, election officials, in the presence of representatives of the candidates, began counting the ballots one by one, all by hand. Only the Deputy Returning Officer (DRO) handles the ballots for the count, determining if the vote cast is valid. Once completed, the results were relayed to the Returning Officer, who in-turn entered the unofficial results onto our webpage. The Elections PEI unofficial results webpage had results from the Advance Polls and 7 Polls from Ordinary Polling Day posted by 8:30pm. Elections PEI stresses upon its election officials during training, and that is “accuracy before speed”. We want to ensure the results posted for the public and the media to view on our website are accurate. The unofficial results showed the top three candidates with the most votes were all within 1 vote from each other, forcing an automatic recount by the Municipal Electoral Officer (MEO). This recount was to happen no later than the seventh day following the By-Election date.

Elections PEI contacted all the candidates on Tuesday May 18, 2021 to inform them the recount would take place that afternoon at 1:15pm and they would be welcome to witness the recount. One of the top three candidates, and agents for the remaining top two candidates attended the recount. The MEO, in clear view of the candidate and two agents, opened all sealed election documents from the By-Election and proceeded to recount each ballot for the Advance Polls and the individual polls. Two ballots that were originally rejected by the Deputy Returning Officer in the Advance Poll count were overturned, giving two of the top candidates one more vote each. This recount resulted in a two way tie.

According to the *Municipal Government Act* Section 54 (2) a Judicial Review can be requested to try and establish a candidate with the most votes. Neither of the two tied candidates requested a judicial review, so the MEO was to decide the official winner. Section 54 (4) provides direction on the procedure to break a tie vote. This required both candidates to have their names placed on identical size paper, folded in the same manner and placed in a receptacle. The MEO draws one piece of paper out and the candidate whose name is on this piece of paper would be the official winner of the by-election. The candidate name drawn was **Judy Herlihy**.

COVID-19

As part of the By-Election preparation, Elections PEI carried forward it’s COVID-19 operational pandemic plan used in a provincial by-election held in the fall of 2020. Elections PEI held conversations of voting procedures in a COVID-19 world with the Office of The Chief Public Health Officer. An operational pandemic plan was created with the guidance of the CPHO. Elections PEI staff has been part of a national panel made up of members from other electoral management bodies from across Canada since April of 2020. The main focus was the discussion of best practices for voting in a COVID-19 world. The Elections PEI plan included the sanitizing of all points of contact in a voting location i.e. poll clerk tables, voting booths, door handles. Great consideration was given in selecting a voting location where social distancing could be practiced to keep the electors and our staff safe. Every election official assisting electors with the vote, were positioned behind a plexi-glass barrier. Hand sanitizer was made available at every station within the voting location, along with the entrance and exit. Extra staff were hired specifically to sanitize the points of contact in the voting location. The voting booth itself was sanitized following every single voter. Elections PEI had enough one-time use

pens and pencils to accommodate every potential voter in the Town of Cornwall. Elections PEI also hired “stand-by” poll workers, in the event any worker experienced any symptoms of COVID-19 or any other ailment preventing them from safely carrying out their duties in the polling location.

Prior to every Advance Voting day and on Election Day, the Supervising Deputy Returning Officer interviewed each and every poll worker upon their arrival to the polling station and received their verbal declaration they were not experiencing any symptoms of COVID-19 and were able to work safely in the polling location. One standby election official was brought in to substitute for a worker who took precaution to remove themselves from the work roster.

Special attention was given to social distancing everywhere within the voting location with large branded floor stickers 2 metres apart. Electors coming to vote were asked to bring a mask, however in the event they didn’t have one, Elections PEI was able to supply masks to all at the entrance. It was mandatory for each and every election official to wear a mask or face shield. They were instructed to sanitize their work stations and hands following every elector.

COVID-19 PRECAUTIONS

One of the main objectives of Elections PEI, besides administering a fair and impartial by-election, was the safety of every elector coming to cast their votes, and the election officials working at the poll. Elections PEI created a very low contact environment between elector and election official. Many materials were added to the election supply list to keep everyone as safe as possible. These supplies included;

- Plexi-glass barriers;
- Face masks;
- Face Shields;
- Social Distancing Floor Stickers;
- COVID-19 Symptom Warning posters;
- Hand Sanitizers at every worker station;
- Sanitizing Wipes;
- Single use Pencils; and
- Single use Pens

COVID-19 has provided Elections PEI with a fresh outlook for future operations of voting locations. Many precautions taken during this By-Election event will carry forward to future electoral events to ensure the safety of the electorate and our election poll workers.

ELECTIONS PEI PANDEMIC GUIDELINES FOR ELECTIONS AND BY-ELECTIONS

These guidelines and protocols are in place to ensure the safety of all election workers as well as all voters. There will be changes at the polling locations due to the COVID-19 pandemic. These changes are to ensure that all voters are able to participate in the electoral process while maintaining social distancing and sanitization procedures at all polling locations.

Hand Hygiene

Proper hand washing and not touching your face with unwashed hands is essential to prevent the spread of COVID-19.

- Hand sanitizer MUST be available at the entrance, exits, at every table where there are staff/voters.
- Voters MUST sanitize their hands upon entry.
- Election workers must frequently sanitize their hands.

Physical Distancing

Guidelines must be in place for election officials, scrutineers and citizens to maintain a distance of two metres away from each other at all times.

The polling location selected is structured to support physical distancing. The location has a separate entrance and exit to limit mixing of traffic non-medical masks are strongly recommended for voters. Elections PEI will provide non-medical masks if someone presents without one. The following measures will also be in place:

- COVID-19 signage outside and inside the building.
- Floor decals and mark 6 feet intervals where possible.

Venue Capacity

The CPHO venue capacity limits will be followed.

Policies for Election Officials

Prior to beginning work on any of the Advance Polling Day and on Ordinary Polling Day, the SDRO will administer a verbal declaration indicating that all election workers are not experiencing any COVID-19 symptoms and do not have to isolate for any reason.

- Election officials must self-monitor for symptoms and report to the Returning Officer or Supervising Deputy Returning Officer if they have concerns about possible COVID exposure or possible symptoms.
- Any election official developing symptoms of COVID-19 at work must immediately perform hand hygiene, report to the Returning Officer or Supervising Deputy Returning Officer, avoid contact with all other staff and leave as soon as it is safe to do so. Please call 811 to arrange testing.
- Symptomatic staff will be required to self-isolate until tested for COVID-19 and the results are confirmed.

- If the test results are negative for COVID-19 but the staff member remains ill and/or symptomatic, they should continue to isolate and not participate in any election activities.
- The Returning Officer should train and maintain a list of additional staff should an election official be required to self-isolate.
- Masks and/or face shields are required for all election officials and scrutineers in the polling location.

Safety Precautions during the Voting Process

- Elections PEI staff are required to frequently clean and disinfect common surfaces, such as the voting booth after each elector has voted, writing utensils, door handles, tables, chairs, etc. and will add hand sanitizer dispensers throughout the polling location.
- All election workers and any witnesses, candidates, agents, etc. MUST sanitize their hands prior to counting the ballots at the end of the evening and upon immediately completing the count. Hands must be sanitized regularly during this activity and counters advised to not touch their faces.

Candidates

Election Night

Candidates and/or their agents are still allowed to attend the counting of the ballots according to the legislation.

- Candidates will be required to adhere to the public health protocols while attending the counting of the ballots, including maintaining a distance of 6 feet (when possible and when not possible everyone will be required to use the proper PPE that will be provided) from other participants.
- Masks or face shields will be required for all who attend the count.

Voters

Voting

- Signage will be posted outside the entry to the polling station asking people with COVID-19 symptoms and who are required to self-isolate not to enter. Voters must self-monitor for symptoms.
- Voters with symptoms of COVID-19 or who are required to self-isolate should contact the returning office via telephone or electronically to discuss alternative voting arrangements.
- At the registration table, voters will be required to show their ID. Poll clerks will not touch the ID. They will have the voter place ID on the table so it is visible to the poll clerk or there will be magnifying sheets to clearly display this information on the ID card mounted on the plexiglass protective barriers.
- Voters will have one time use pens for signing their VIC cards.
- Voters will have a discard bin for the pencils that they use to vote, these will be a one-time use and Elections PEI will disinfect them following the election.
- Should a voter require assistance in voting, only the Supervising Deputy Returning Officer (SDRO) or the Deputy Returning Officer (DRO) will be assisting. All parties will be required to wear a mask and use hand sanitizer after.

COMMUNICATIONS

Newspapers

Elections PEI advertised in the local newspaper for Notice of Nominations, and Polling Days. The Notice of Nomination advertisement officially announced the By-Election and named the new Returning Officer. It encouraged eligible residents of the Town of Cornwall to become registered as a candidate by the close of Nominations on Friday April 30, 2021 at 2pm.

The Grant of Poll advertisement, announced the election following the registration of the candidates on Nomination Day. This advertisement listed the dates, times and location of the vote.

**TOWN OF CORNWALL
NOTICE OF NOMINATION
PROCEEDINGS**
Pursuant to The Municipal Government Act

NOTICE

Public notice is hereby given to the electors of the Town of Cornwall, PEI that a Municipal By-Election will be held on **Monday, May 17th, 2021** to elect a councillor for Cornwall, PEI, for the term of office ending on **December 6th, 2022**.

The nomination period for the councillor position commences on **Tuesday, April 20th, 2021** and closes at **2:00 p.m. on Friday, April 30th, 2021**.

Nominations shall only be received during office hours at the election office, located at the Town Hall of the Town of Cornwall, 39 Lowther Dr, Cornwall, PEI.


The election office hours shall be **weekdays 10 a.m. til 6 p.m., Saturdays 10 a.m. til 2 p.m. and on election days from 9 a.m. til 7 p.m.**

The deadline for correcting elector information shall be no later than **11:59 a.m. on Tuesday, May 4th, 2021**.

Municipal Electoral Officer: **Tim G. Garrity**
Phone: (902) 368-5895
Email: tggarrity@electionspei.ca

Returning Officer: **Bev Gaudet**
Phone: (902) 213-5618
Email: D16ro@electionspei.ca

(A candidate must file their completed nomination paper at the election office with the Municipal Electoral Officer or Returning Officer.)


www.ElectionsPEI.ca


**Grant of Poll • Town of Cornwall
Councillor: By-Election:
Monday May 17, 2021**
To all eligible electors in the Town of Cornwall

Candidates are:

BEER, Parker	HICKEN, Graham
CAMPBELL, Steven	LOWTHER, Tina
HERLIHY, Judy	MCNEIL, Simon

Advance Polling Days	Ordinary Polling Day
Saturday, May 8, 2021 9:00am – 7:00pm	Monday, May 17, 2021 9:00am – 7:00pm
Monday, May 10, 2021 9:00am – 7:00pm	
Friday, May 14, 2021 9:00am – 7:00pm	All voting will take place at the APM Centre at 35 Mercedes Dr, Cornwall, PEI.

Returning Officer: Bev Gaudet 902-213-5618 Town of Cornwall - Town Hall 15 Mercedes Dr., Cornwall	Office Hours: Monday to Friday 10:00am - 6:00pm Saturdays 10:00am - 2:00pm
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www.ElectionsPEI.ca

(Notice of Nominations and Grant of Poll newspaper advertisements)

Social Media

Our social media profiles on the Facebook, Twitter and Instagram platforms have increased the number of followers and were instrumental in reaching the electors, regarding candidates, mail in ballots, voting times and location, and most importantly, the unofficial results.



Website

Elections PEI website featured a special Cornwall Municipal By-Election page with an FAQ (Frequently Asked Questions) and information about voting dates, times and location. It also informed visitors of the eligibility of an elector in the district, an on-line voter registration, and updated voter turnout following each of the Advance voting days. The Website featured a page dedicated to Elections PEI's processes and precautions at the polls for voting in a COVID-19 environment. The Election Results page displayed the unofficial results Poll-by-Poll following the counting of ballots when the polls closed at 7pm.

COMPLAINTS

Elections PEI received a few phone calls regarding Voter Information Cards (VIC). Some voters did not receive their cards prior to the first Advance Voting opportunity. They were however still eligible to vote without their VIC. They just needed to provide identification documents at the poll.

As more voters received their VICs, the more voters showed up to the polls with their VIC to vote.

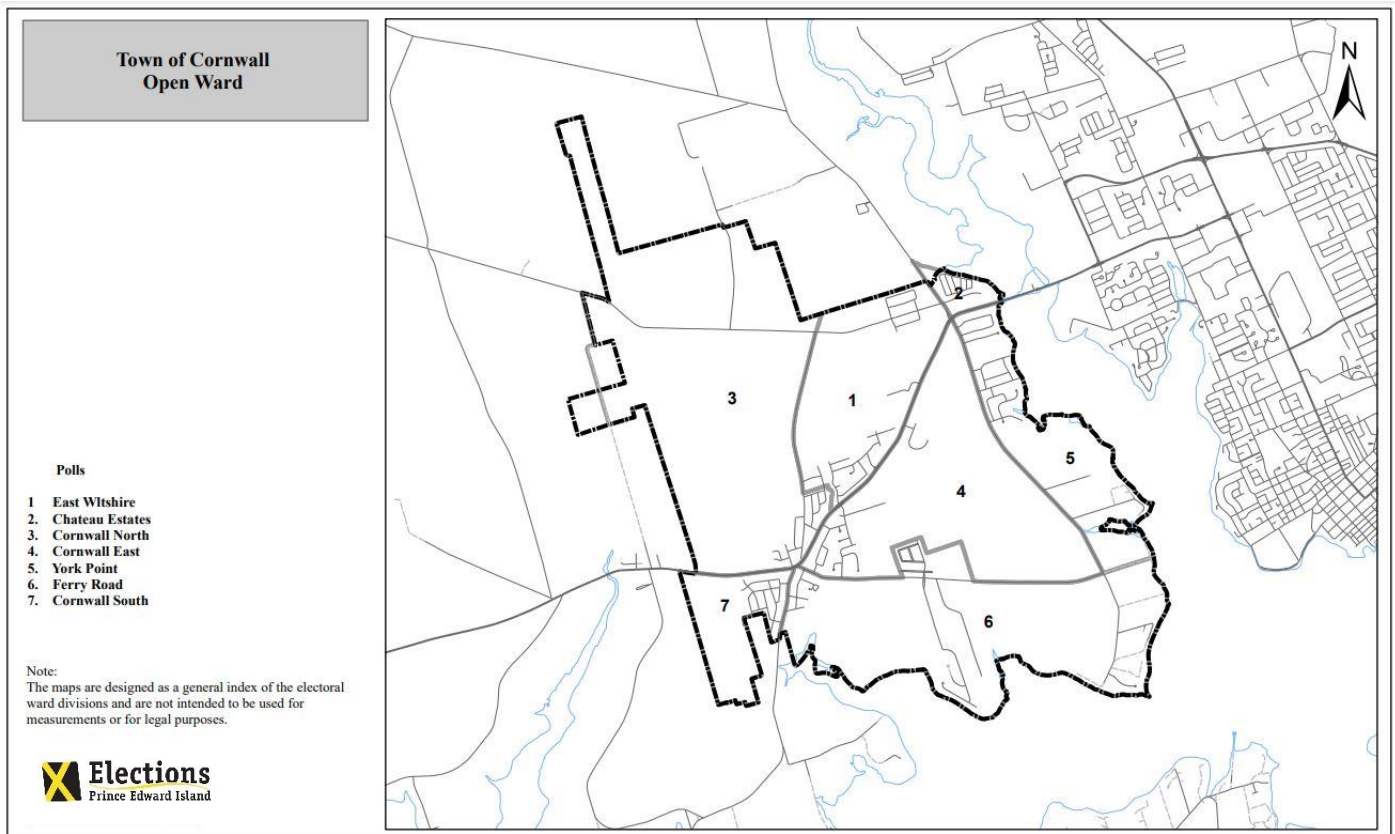
There were no further complaints and no investigations were required by the Elections PEI office.

2021 Cornwall By-Election STATISTICS

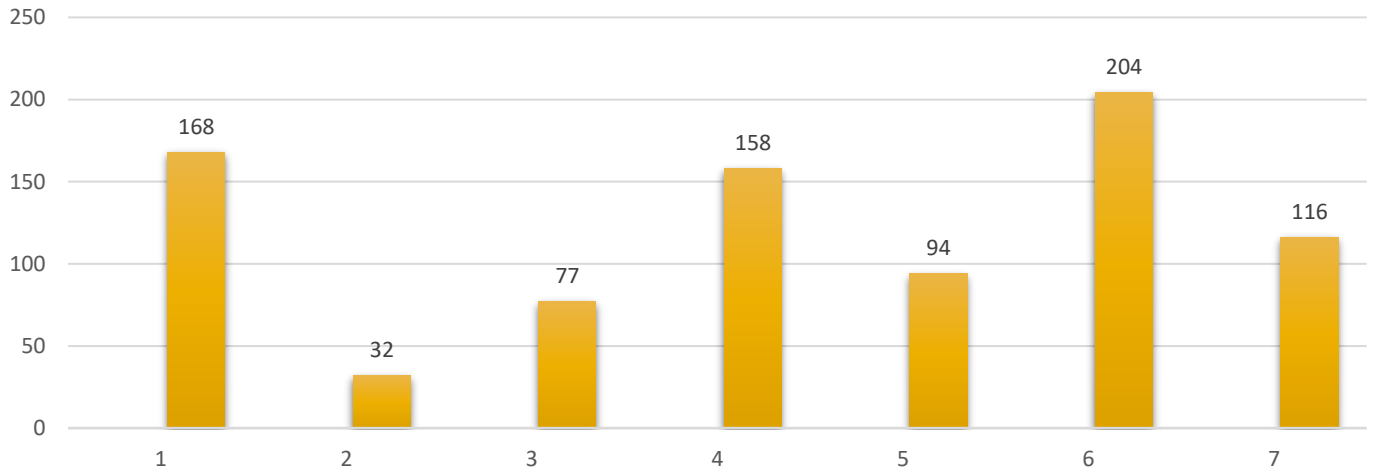
Town of Cornwall By-Election May 17 2021

Poll No.	Total Electors	Parker Beer	Steven Campbell	Judy Herlihy	Graham Hicken	Tina Lowther	Simon MacNeil	Rejected Ballots	Total Votes cast
Adv		11	112	110	52	126	2	3	416
1	755	3	15	23	16	20	6	0	83
2	319	1	5	8	4	7	1	1	27
3	455	1	8	20	3	14	2	0	48
4	701	5	13	22	4	25	2	0	71
5	549	2	11	17	14	12	1	1	58
6	843	0	37	21	13	22	0	1	94
7	385	1	30	11	2	6	0	2	52
TOTALS	4007	24	231	232	108	232	14	8	849
PERCENTAGE OF VOTES		3	27.2	27.3	13	27.3	2		

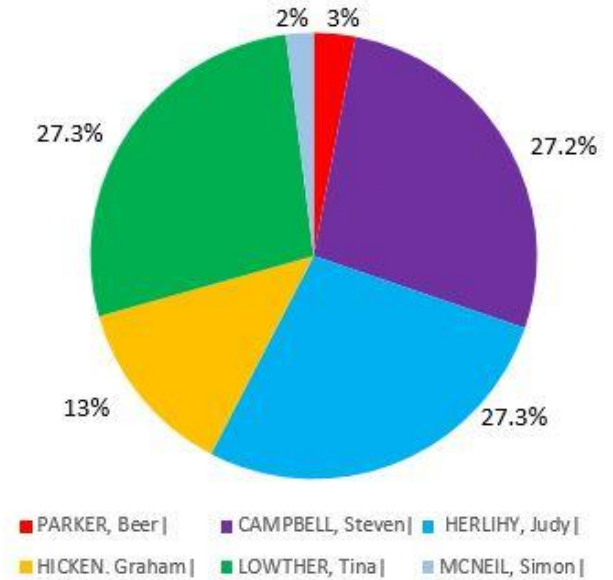
* Per the Municipal Government Act, a recount was conducted by the Municipal Electoral Officer. The recount resulted in 2 advance rejected ballots being overturned and 1 ballot added for both Steven Campbell and Tina Lowther. After the completion of a recount by the Municipal Electoral Officer, there was still an equality of votes. Per the MGA requirements, names were drawn. The winner by name draw was **JUDY HERLIHY**.



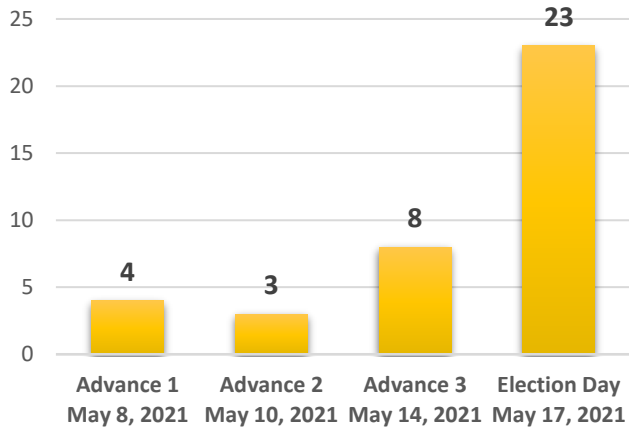
Total Votes by Poll



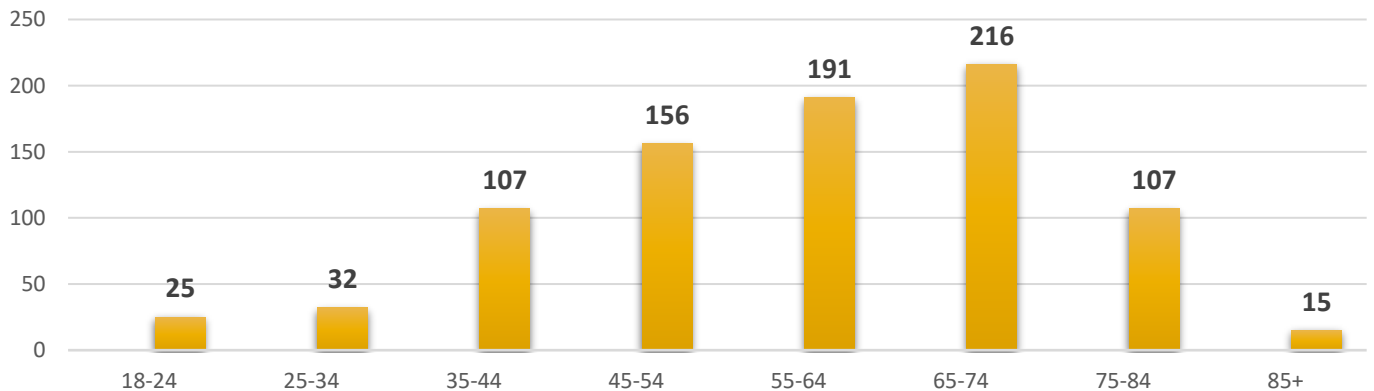
Cornwall Percentage of Votes for Candidates



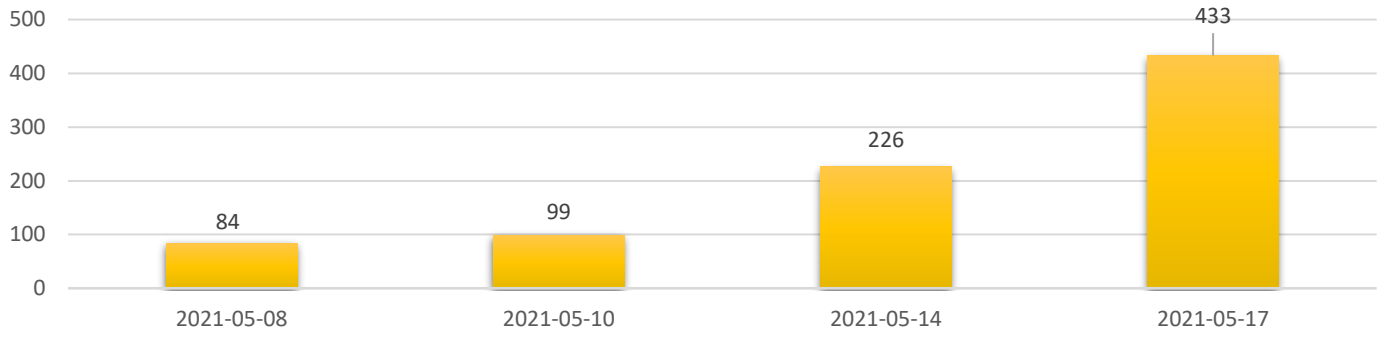
New Voters Added at Polls (38)



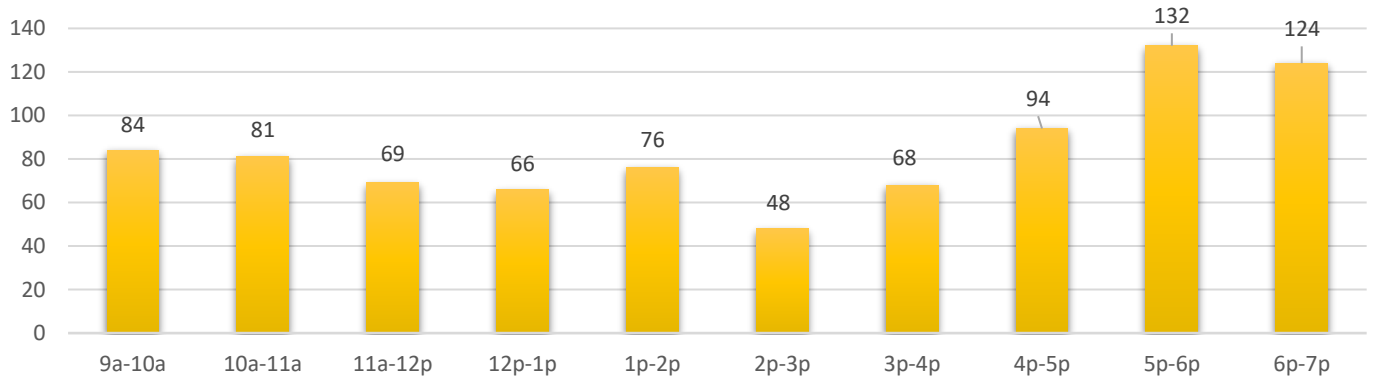
Voted by Age Demographic



Dates Electors Voted in Person



Time of Day for Voting



2021 Cornwall By-Election EXPENSES

EXPENSES

2021 Cornwall By-Election: Elections PEI Expenses

Advertising _____	\$644.00
Election Materials and Supplies _____	\$3,597.05
Payroll: Election Workers and Office Staff _____	\$19,092.82
Postage _____	\$1,208.26
Poll Location Rental _____	\$1,300.00
Total _____	\$25,662.13

Total number of registered voters on Ordinary Polling Day _____	4,007
Cost per Voter _____	\$30.22
Cost per registered elector _____	\$6.40

