

Request for Decision City Council




Type of Decision									
Meeting Date	November 29, 2006				Report Date	November 22, 2006			
Decision Requested	X	Yes		No	Priority	X	High		Low
	Direction Only				Type of Meeting	X	Open		Closed

Report Title
Distribution of Social Services Administration Board (SSAB) Trust Fund

Budget Impact / Policy Implication	Recommendation
<div>X</div> <div>This report has been reviewed by the Finance Division and the funding source has been identified.</div>	
	<p>THAT the balance due to the City of Greater Sudbury from the distribution of the SSAB Trust be allocated to the Ontario Works Reserve.</p>
Background Attached	Recommendation Continued

Recommended by the Department	Recommended by the C.A.O.
<p>Lorella Hayes Chief Financial Officer / Treasurer</p>	<p>Mark Mieto Chief Administrative Officer</p>

Date: November 22, 2006

Report Prepared By	Division Review
 Cheryl Mahaffy Deputy Treasurer	

Background

In 1999 and previous years, the District of Sudbury Social Services Administration Board (SSAB) delivered social services programs to the citizens of not only the former Region, but to the whole District of Sudbury. The Board levied the member municipalities, based on equalized assessment. In 1999 the Board was decommissioned, and Ontario Works became a department of the former Region, delivering social services programs to the citizens of the Region. A separate social services administration board was formed for the remainder of the district.

At the time of the decommissioning, the net assets of the Board were distributed to the member municipalities, with the exception of \$500,000 which was set aside in a trust fund, administered by the Region then the City of Greater Sudbury to allow for any contingent items which might materialize over the next few years. The SSAB board was aware that there was an outstanding Human Resources issue at the time of the decommissioning, and was also aware that with the 'downloading' issues from the Province, other liabilities might arise. It was agreed to leave the trust fund until 2006 and then to distribute the balance to the members, based on the apportionment at the time of decommissioning.

Since that time, only two items have arisen which have been, or will be paid from the trust before distribution. In total \$82,258.03, which is the total of expenses related to a Social Housing invoice and Human Resources issues outstanding from that time.

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Deducting the \$82,258.03 from the \$500,000 leaves \$417,741.97 to be distributed to the member municipalities, as follows:

Former Municipality	Present Municipality	%	Amount \$
Town of Espanola	Town of Espanola	3.776	15,773.94
Town of Massey	Twp. of Sables-Spanish Rivers	0.349	1,457.92
Town of Webbwood	Twp. of Sables-Spanish Rivers	0.127	530.53
Township of Baldwin	Township of Baldwin	0.261	1,090.31
United Township of Casimir Jennings and Appleby	Municipality of St. Charles	0.570	2,381.13
Township of Chapleau	Township of Chapleau	1.136	4,745.55
Township of Cosby, Mason, and Martland	Municipality of French River	0.723	3,020.27
Township of Hagar	Municipality of Markstay-Warren	0.249	1,040.18
Township of Nairn	Township of Nairn and Hyman	0.413	1,725.27
Township of Ratter and Dunnet	Municipality of Markstay-Warren	0.393	1,641.73
Twp. of Spanish River	Twp. Of Sables-Spanish Rivers	0.523	2,184.79
Region of Sudbury	City of Greater Sudbury	91.480	382,150.35
Totals		100.000%	\$417,741.97

The cheques will be issued to the municipalities before the end of this year.

Amount Due to the City of Greater Sudbury

It is recommended that the amount due to the City of Greater Sudbury - \$382,150.35 be contributed to the Ontario Works Reserve. The Long Term Financial Plan, adopted in principle by Council in 2002 includes the following under 'Principles and Policies':

"Establish a Stabilization Reserve for programs that are susceptible to significant annual expenditure fluctuations (eg. Winter Maintenance, Ontario Works)...."

A reserve has been established for Ontario Works (balance of \$340,000), and the recommendation is to contribute the funds being distributed from the SSAB Trust to this reserve as well. The reserve was established to offset fluctuations in the delivery of Ontario Works programs, and authority of Council is required to add to or distribute funds from this reserve.

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Summary

It is recommended that the balance due to the City of Greater Sudbury, from the distribution of the SSAB Trust, be allocated to the Ontario Works Reserve, which will bring the balance of this reserve to just over \$722,000.


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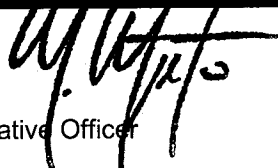


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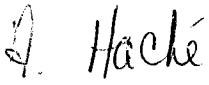
Report Title
Request for Recount - Office of Councillor, Ward 12

Budget Impact / Policy Implication		Recommendation	
X	This report has been reviewed by the Finance Division and the funding source has been identified.		
<p><u>Policy Implications</u></p> <p>Recounts are governed by Section 56 to 62 of the Municipal Elections Act 1996, as amended.</p> <p><u>Budget Impact</u></p> <p>The estimated cost of the recount for Ward 12 is approximately \$2,500 to 5,000. This is an unbudgeted expenditure.</p>		<p>Should Council decide a recount is warranted, an appropriate resolution will be presented.</p>	
X	Background Attached	Recommendation Continued	

Recommended by the Department
 Caroline Hallsworth Executive Director, Administrative Services

Recommended by the C.A.O.
 Mark Mieto Chief Administrative Officer

Date: November 21, 2006

Report Prepared By	Division Review
 Angie Haché City Clerk	Name Title

EXECUTIVE SUMMARY:

A request for a recount has been received from John Caruso, who was a candidate for the office of Councillor, Ward 12. The official results show Mr. Caruso received 57 fewer votes than the successful candidate Ms. Joscelyne Landry-Altmann. Mr. Caruso's request for a recount has been made pursuant to Section 57 of the *Municipal Elections Act, 1996*, (the "MEA") which permits a Municipality, by resolution, to require a recount for all or specified candidates for an office on the Council. Mr. Caruso's letter is appended for the information of Council. If Council directs the Clerk to conduct a recount, it must be held within fifteen days of the passage of the resolution and be conducted in the same manner as the original count.

BACKGROUND:**Pre and Post Election Process:**

Prior to the 2006 Municipal Election, logic and accuracy testing of the vote tabulators was conducted by the supplier, Election Systems and Software Inc. ("ES&S") under the supervision of KPMG L.L.P. Candidates, the public and the media were invited to attend. This testing involves the tabulation in each vote tabulator of a group of ballots, one marked for each candidate as well as an overvote and an undervote. The vote tabulator then produces a report of the results which is compared to the test ballots.

After the close of polls on the evening of the election, KPMG L.L.P. once again performed logic and accuracy on one vote tabulator from each Ward as well as one vote tabulator from the Advance Vote. All logic and accuracy testing was performed successfully. Attached hereto is KPMG L.L.P.'s report on the logic and accuracy testing.

At the close of the polls, the election officials operating the vote tabulators print out a report of the results from each tabulator at the voting location. The printed report from each vote tabulator is signed by election officials and by any candidates or scrutineers present. The report is then placed in an envelope and returned to the Clerk and stored in a secure location.

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As soon as possible after Voting Day, the Clerk is required to issue a Declaration of Election of Certified Candidates. The day following the election, the Clerk compared the printed reports produced by each of the vote tabulators to the aggregated results produced by the central election computer which received results from the vote tabulators on election night after the close of polls. Following the review of the reports from each vote tabulator and the verification of the totals reported by the central election computer, the Clerk established that the election results were accurate. Accordingly, the election results were certified by the Clerk on November 16th, 2006.

Election Day Reporting of Results:

Mr. Caruso's request for the recount is based on his concerns that the unofficial election results, as posted on the City of Greater Sudbury website at 9:34 p.m. on Monday, November 13 were incorrect and that the number of votes received by all candidates in that race dropped when the unofficial results were updated later that evening.

For the convenience of candidates, the media and the voting public, the City has chosen to post unofficial election results on the City of Greater Sudbury's election website. Results are posted periodically throughout the evening of the election, as results are received from the various voting locations.

After printing the report from the vote tabulator, the election official then electronically transmits the data by modem to election headquarters, where the results are aggregated using the ES&S "Unity " software system, which is operated by a secure computer. This computer is segregated from the network to prevent hacking and operated by staff from ES&S. Periodically through the evening, the election results file was downloaded by technical staff from ES&S to a memory stick which was handed to CGS staff for uploading on the web server which displayed the unofficial results.

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The Ward 12 Councillor Results as reported are summarized below:

	Unofficial Results as posted at 9:34 p.m. November 13	Unofficial Results as posted at 9:57 p.m. November 13	Certified Results	Difference Between Results Posted at 9:34 p.m. and 9:57 p.m.
BRUNETTE, Will G.	346	329	329	(17)
CARUSO, John	1793	1529	1529	(264)
LANDRY- ALTMANN, Joscelyne	1756	1586	1586	(170)
YOUNG, Derek	559	516	516	(43)

As soon as staff became aware of a potential discrepancy between the unofficial results that were posted at 9:34 p.m. and the unofficial results that were posted at 9:57 p.m., a number of steps were undertaken to determine what had happened and how the results were reported on the website as well as to verify the accuracy of the results posted at the end of the evening.

Staff from the City's Information Technology Section immediately went through the time stamped data from the website and confirmed that the incorrect results were posted at 9:34 p.m. Consultations were held with technical staff from ES&S who were not able to address or explain the problems with that particular data transfer. Over the course of the next few days, both the supplier and city staff worked through a number of scenarios in an attempt to identify with certainty how and why the 9:34 p.m. data transfer between the ES&S Unity system and the CGS website was incorrect.

Meanwhile, at 11:30 p.m. on November 13, the Clerk and other election officials attended at the Election Warehouse and pulled the printed reports produced by the vote tabulators used in Ward 12. Each printed report was manually checked against the results as aggregated in the final reports generated from the ES&S Unity system. The results corresponded with 100% accuracy and were also identical to the unofficial results as posted on the website at 9:57 p.m.

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As part of the review process, the difference in the number of votes between 9:34 p.m. and the certified results was compared with the results of each tabulator. The results from tabulator #1252 which was used at St. Andrew's Catholic School are as follows:

	Tabulator #1252 - Results
BRUNETTE, Will G.	17
CARUSO, John	264
LANDRY-ALTMANN, Joscelyne	170
YOUNG, Derek	43

The results from Tabulator #1252 are identical to the difference between the unofficial results as posted at 9:34 p.m. and the certified official results.

It is not uncommon for staff working at an election location to attempt to transmit their tabulator results more than once. This usually occurs when election officials fail to see the confirmation message on the vote tabulator's LCD screen or on the paper printout. As described above, there are a number of checks and balances in the system which ensure that each tabulator's results are counted only once. This process can either be done manually by ES&S technicians or automatically whereby the system rejects results from tabulators that attempt to resend their results. During the evening of the 13th, ES&S technicians were performing this process manually and when ES&S downloaded the data from the Unity system to the memory stick, they had not yet completed manually rejecting some results that had been transmitted more than once. Consequently, the results from vote tabulator #1252 were included twice in the results that were downloaded to the memory stick for uploading on the City's website. This should not have occurred but did not ultimately affect the official election results.

In summary, the post election review has determined that the vote tabulating machines were tested and were accurate. Any issues with the vote tabulators throughout the election were minor in nature. The error observed in the posting of the unofficial results was the result of human error which regrettably caused embarrassment and inconvenience to the candidates of Ward 12 but did not affect the accuracy of the final election results.

Criteria for Consideration in Granting Recount Requests:

In consultation with the City Solicitor, the Clerk has reviewed the criteria that Council should consider in determining if an election recount is appropriate. The MEA and the regulations do not provide any guidance for municipal Councils considering requests made pursuant to Section 57 of the Act. Therefore, Council may make any decision which it considers to be just and fair in the circumstances.

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However, Council may wish to have regard to the criteria which have been used by the courts when applications have been made pursuant to Section 58 of the Act for a determination as to whether a recount should be held.

Judges of the Superior Court of Justice have described the test as: whether there are reasonable grounds for believing that the validity of the election or any of the results are in doubt. In applying this test they have considered such factors as the margin by which

a candidate was declared elected, evidence that the vote counting machines may have improperly read ballots or evidence that vote counting machines have failed to accurately count the ballots.

Recount Process:

Pursuant to Subsection 60(1) in the MEA, the recount "shall be conducted in the same manner as the original count, whether manually or by vote-counting equipment."

Every certified candidate for the office to be recounted is entitled to attend and may bring with them a lawyer, and one scrutineer for each of the recount stations. The Clerk and other municipal election officials will be in attendance, as will be KPMG LLP who are the municipality's auditors of record for the municipal election.

When the recount is complete, the Clerk would announce the results of the recount. Should there be any disputes regarding the validity of a ballot or the counting of the ballots during the recount, the option is available for an individual to apply to the Superior Court of Justice for a judicial recount.

A representative from each media outlet will be invited to attend and observe the recount, however, they will be requested to remain in a media area of the room. No interviews will be permitted inside the facility where the recount is being conducted. To ensure the security of the process, the number of invited observers will be limited and only those individuals will be permitted into the room.

The cost of the recount as requested is estimated to be between \$2,500 and \$5,000 which will include the costs of the auditors and technical staff from the equipment supplier. It is estimated approximately 12 city staff will be required to assist with the recount for one full day.

If Council directs the Clerk to conduct a recount, the proposed date for the recount is Friday, December 1st, 2006.

Date: November 21, 2006

The Clerk's Office has been contacted by Le Conseil scolaire catholique du Nouvel-Ontario and advised that one of their Trustee candidates has requested their Board to order a recount of the Trustee Office for Zone 4 which includes Wards 1, 2, 3 and 4 of the City of Greater Sudbury as well as unorganized townships. Pursuant to Section 57 of the MEA, the Board has the same right as a Municipality to direct the Clerk to conduct a recount, at the Municipality's expense. This request will be considered by the Board on November 28th, 2006 and the Clerk will update Council at its November 29th meeting.

November 14, 2006

Ms. Angie Hache
City Clerk
City of Greater Sudbury

John Caruso
1077 Moss St.
City of Greater Sudbury

Re: Election results, Ward 12

Dear Ms. Hache,

As discussed with you on Tuesday morning November 14, 2006, regarding the above ward election, vote numbers were posted on the City web site showing 13 of 13 polls reporting with Caruso leading by some 37 votes. The total number of votes cast for the two front runners were app. 1796 to 1759. Based on the fact that this number reflected all polls reporting, channel 10 news declared a winner.

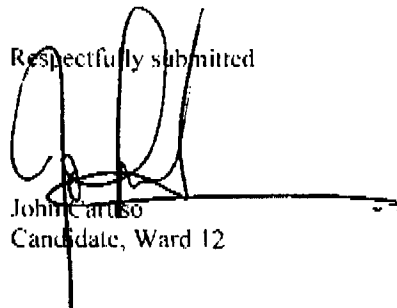
Some time after this, new numbers were posted, dropping the total votes cast for the two contenders to 1586 vs. 1529. This means that some 437 voted disappeared from the previous tabulation. When I asked about this situation I was told that there had been a computer glitch that was corrected. I find this response unacceptable for a number of reasons.

1. I could understand if there had been an adjustment to one or both sides, plus or minus a few votes. This was not the case in this situation. Indeed some 437 votes disappeared from the tally.
2. Ward 12 did not require the tabulation of thousands of votes, the voter turn out was not particularly high and the total number of votes cast, depending upon the numbers you believe did not exceed 3960 or 4397.
3. This issue is not just a matter of one side losing by a small number of votes. The fact that some 437 votes appeared as being cast and then were removed puts the very integrity of this system into question.
4. Computers are not infallible, nor are the humans that run them.
5. If the electorate and candidates are to trust this system in the future then the question of where these votes went must be answered. The only way to show that the system is correct is to undertake a recount for the Ward.

Let me assure you that this request is not motivated by sour grapes. The evidence that there was a problem is clear and not disputed. The cause and the correction are not clear to me or to anyone else that I have spoken with. It is my humble opinion that there could not be a better case for the City to undertake this requested recount to assure the electorate of the integrity of the system and to maintain their confidence in it.

I request that a recount of the votes cast in Ward 12 be undertaken pursuant to the Municipal Elections Act, under the authority of section 57.

Respectfully submitted



John Caruso
Candidate, Ward 12



**Statement of Election Systems & Software
November 22, 2006**

Re. Sudbury November Election Results Reporting

Election Systems & Software is very proud of our partnership with Sudbury election officials, and the work we have done together to enhance the election process for all Sudbury voters.

Though, overall, it was a smooth election and the voting equipment functioned well, we did experience one issue in the course of the results reporting process. Specifically, a human error in utilizing a reporting program – where an “add-to” function was chosen rather than a “replace” function – briefly affected the unofficial results reported for two of Sudbury's 160 reporting polls (Polls 0413 and 1252). Unofficial results from these two polls were inadvertently added into the reporting program twice, presenting the appearance of a duplication of votes. The error quickly was recognized and addressed by ES&S personnel. Correct totals for these polls were re-posted within 15 minutes. Importantly, the error does not - in any way - indicate a technical issue with Sudbury's voting equipment or the result reporting program. Sudbury voters can - and should - have confidence that all votes cast in the election were accurately counted and reported.

ES&S regrets any inconvenience the brief delay in the unofficial reporting process may have caused for Sudbury election officials and candidates.

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PRIVATE AND CONFIDENTIAL

Ms. Angie Haché, Clerk
City of Greater Sudbury
Tom Davies Square
200 Brady Street
Sudbury, Ontario P3A 5P3

November 23, 2006

Dear Ms. Haché

Pursuant to our engagement letter dated June 10, 2005, we have been retained by the City of Greater Sudbury (the "City") to undertake specified procedures relating to the use of vote tabulating equipment during the course of the 2006 local elections. This report provides an overview of the procedures undertaken and the results of our procedures.

1.0 ADVANCED LOGIC AND ACCURACY TESTING – ADVANCE POLLING MACHINES

On October 19, 2006, representatives of KPMG attended the City's premises to perform specified procedures relating to six vote tabulation machines to be used during the course of the advanced polls scheduled to be held from October 28th to October 30th, 2006. Table 1.1 lists the vote tabulating machines selected for testing.

Table 1.1 – Machines selected for logic and accuracy testing – advanced polling machines

Serial Number	Location	Ward
225183	Delki Dozzi Memorial Park	Ward 1
227369	Lively Citizen Service Centre	Ward 2
225198	Confederation Secondary School	Ward 5
227947	Garson Citizen Service Centre	Ward 7
226842	Science North	Ward 10
227690	Club Amical	Ward 12



For each of the machines listed above, the following procedures were undertaken:

- At the commencement of testing, a *zero totals report* was produced by the vote tabulating machines which listed the number of votes cast prior to our testing. ***In all instances, we note that the zero totals report indicated that no votes had been cast for any of the candidates listed prior to the commencement of our testing;***
- A total of 45 test ballots were inserted into each vote tabulating machine. Included in the test ballots was one ballot that would provide for an overvote, as well as one ballot that was blank;
- Following the insertion of the test ballots, a *voting results report* was produced by the vote tabulating machines listing the result of the test ballots cast. ***In all instances, the voting results report indicated results that were consistent with the intended results for the test ballots inserted (including overvotes);***
- Following the printing of the *voting results report*, a technician from Election Systems and Software Inc. ("ESS") was instructed to erase the results of the test ballots from the vote tabulating machines. ***A KPMG representative observed the LCD display for each machine indicating that the results were erased from the machines;***
- A technician from ESS was then instructed to seal the memory card for each vote tabulating machine. ***A KPMG representative observed the placement of seals for each machine;*** and
- The test ballots were placed in a sealed envelope for use in further testing which was signed by representatives of the City. The use of a common set of test ballots was intended to ensure the consistency of the testing process.

2.0 ADVANCED LOGIC AND ACCURACY TESTING – REGULAR POLLING MACHINES

Procedures undertaken

On October 25, 2006, representatives of KPMG attended the City's premises to perform specified procedures relating to 24 vote tabulation machines to be used during the course of the regular polls to be held on November 13, 2006. Table 2.1 lists the vote tabulating machines selected for testing.

Table 2.1 – Machines selected for logic and accuracy testing – regular polling machines

Serial Number	Location	Ward
227662	Gatchell Senior Public School	Ward 1
227682	Ecole Publique Helene-Gravel	Ward 1
227699	T.M. Davies Community Centre	Ward 2
227727	Beaver Lake Sports and Culture Centre Inc.	Ward 2
227811	Levack Public School	Ward 3
227593	Chelmsford Community Arena	Ward 3



*Table 2.1 – Machines selected for logic and accuracy testing – regular polling machines
(continued)*

227627	Dr. Edgar Leclair Community Centre	Ward 4
228334	Grace Family Church	Ward 4
228241	Confederation Secondary School	Ward 5
228145	Queen Elizabeth II Public School	Ward 5
228142	Ecole Separée Ste Joseph	Ward 6
228385	Centennial Arena	Ward 6
225126	Skead Senior Citizen's Club	Ward 7
228311	Falconbridge Community Centre	Ward 7
228243	St. Charles College	Ward 8
227445	Westmount Community Centre	Ward 8
227935	Wanup Public School	Ward 9
228290	Guhbawin Community Centre	Ward 9
228398	Lo-Ellen Park Secondary School	Ward 10
228280	SRH-Laurentian Site Continuing Care (Mobile)	Ward 10
227692	Royal Canadian Legion Weller Branch 76	Ward 11
228391	Finnish Rest Home	Ward 11
225198	Club Amical	Ward 12
227762	Hillside Park Retirement Residence (Mobile)	Ward 12

For each of the machines listed above, the following procedures were undertaken:

- At the commencement of testing, a *zero totals report* was produced by the vote tabulating machines and examined to ensure that no votes were recorded prior to our testing. ***In all instances, the zero totals report indicated that no votes had been cast for any of the candidates listed prior to the commencement of our testing;***
- The 45 test ballots used in the advanced poll testing were inserted into each vote tabulating machine. Included in the test ballots was one ballot that would provide for an overvote, as well as one ballot that was blank;
- Following the insertion of the test ballots, a *voting results report* was produced by the vote tabulating machines listing the result of the test ballots cast. ***In all instances, the voting results report indicated results that were consistent with the intended results for the test ballots inserted (including overvotes);***



- Following the printing of the *voting results report*, a technician from ESS was instructed to erase the results of the test ballots from the vote tabulating machines. *A KPMG representative observed the LCD display for each machine indicating that the results were erased from the machines; and*
- A technician from ESS was then instructed to seal the memory card for each vote tabulating machine. *A KPMG representative observed the placement of seals for each machine with the exception of the memory cards for the machines used for Wards 11 and 12. These cards were placed in a sealed envelope rather than sealed in the machine itself as these machines were being used for the advanced polls. This envelope was signed by representatives of both KPMG and the City.*
- For those machines to be used for Wards 11 and 12, the procedures noted in Section 1.0 of our report were repeated to ensure the suitability of the machines for use in the advanced polls. *We observed no issues as a result of these procedures.*

3.0 VOTES CAST TESTING – ADVANCED POLLS

Procedures undertaken

On October 30, 2006, a representative of KPMG attended the City's premises to select an advance poll machine for further testing. Table 3.1 lists the vote tabulating machine selected for further testing:

Table 3.1 – Machine selected for vote cast testing – advanced polls

Serial Number	Location	Ward
227486	Countryside Sports Complex	Ward 9

On October 30, 2006, the following procedures were undertaken with respect to the above-noted vote tabulating machine:

- Identification information relating to the vote tabulating machine selected (including serial number, seal number and label identifier) was recorded;
- The vote tabulating machine (including the slot for the insertion of ballots and the memory card) was sealed by the KPMG representative; and
- The ballot transfer case containing the ballots cast at the vote tabulating machine was sealed by a KPMG representative.



On November 13, 2006 (following the close of polls), representatives of KPMG attended at the City's premises and undertook the following procedures with respect to the above-noted vote tabulating machine:

- The seals placed by KPMG on the vote tabulating machine were inspected and removed. ***Based on our review, the seals originally placed by KPMG appeared to be intact;***
- The original memory card was removed after submission of the ballots cast and a new, test memory card was installed. A *zero totals report* was then produced by the vote tabulating machine and examined. ***The zero totals report indicated that no votes had been cast for any of the candidates listed prior to the commencement of our testing;***
- The 45 test ballots used in previous testing were inserted into each vote tabulating machine. Included in the test ballots was one ballot that would provide for an overvote, as well as one ballot that was blank;
- Following the insertion of the test ballots, a *voting results report* was produced by the vote tabulating machines listing the result of the test ballots cast. ***In all instances, the voting results report indicated results that were consistent with the intended results for the test ballots inserted (including overvotes); and***
- Following the printing of the *voting results report*, a technician from ESS was instructed to erase the results of the test ballots from the vote tabulating machines. ***A KPMG representative observed the LCD display for each machine indicating that the results were erased from the machines.***

4.0 VOTES CAST TESTING – REGULAR POLLS

Procedures undertaken

On November 13, 2006, representatives of KPMG attended the City's premises to select additional machines for logic and accuracy testing. Table 4.1 lists the vote tabulating machines selected for further testing:

Table 4.1 – Machines selected for additional testing

Serial Number	Location	Ward
225189	Royal Canadian Legion - Lockerby Branch #84	Ward 1
225165	Meadowbrook Village/Copper Cliff Manor	Ward 2
227295	Chelmsford Community Arena	Ward 3
228405	Dr.Edgar Leclair Community Centre	Ward 4
228234	Pioneer Manor	Ward 5
225035	Ecole Separee Ste Joseph	Ward 6
225179	Garson Community Centre	Ward 7



Table 4.1 – Machines selected for additional testing (continued)

227912	Ecole Separee St-Dominique	Ward 8
224809	St.Christopher Catholic School	Ward 9
227757	Lockerby Composite High School	Ward 10
228396	St. Raphael Catholic School	Ward 11
227298	Ecole Secondaire Sacre-Coeur	Ward 12

Following the close of polls, representatives of KPMG undertook the following procedures with respect to the above-noted vote tabulating machine:

- The original memory card was removed after submission of the ballots cast and a new, test memory card was installed. A *zero totals report* was then produced by the vote tabulating machine and examined. ***The zero totals report indicated that no votes had been cast for any of the candidates listed prior to the commencement of our testing;***
- The 45 test ballots used in previous testing were inserted into each vote tabulating machine. Included in the test ballots was one ballot that would provide for an overvote, as well as one ballot that was blank; and
- Following the insertion of the test ballots, a *voting results report* was produced by the vote tabulating machines listing the result of the test ballots cast. ***In all instances, the voting results report indicated results that were consistent with the intended results for the test ballots inserted (including overvotes).***

5.0 RESTRICTIONS

Our report is intended to provide the reader with an indication as to the results of performing specific procedures involving the vote tabulating machines. ***In light of the limited scope of our review, readers are cautioned that our comments do not represent an opinion as to the overall accuracy, completeness or validity of election results. As well, our comments should not be interpreted as an opinion as to the compliance of the election procedures with the requirements of the Municipal Elections Act or other applicable legislation or regulation relating to the conduct of municipal elections.***

We caution that we have not:

- Obtained a legal opinion as to whether the procedures conform with the Municipal Election Act or other applicable legislation, regulation or precedence arising from court proceedings;
- Subjected the election procedures established by the City to testing to determine their overall effectiveness or the degree to which election officials complied with established policies;
- Reviewed procedures and issues relating to the use of similar automatic vote tabulation systems in other communities; or

Ms. Angie Haché
City of Greater Sudbury
November 23, 2006

- Developed and executed specific procedures intended to assess voter intent (i.e. those instances where voters intended to vote for a candidate but marked the ballot in such a way that the vote was recorded outside of the designated area on the ballot and therefore not read by the vote tabulating machines).

We reserve the right (but will be under no obligation) to provide additional comments concerning our procedures and findings subsequent to the date of this report.

We trust the above is satisfactory for your purposes and appreciate the opportunity to be of continued assistance to the City. Should you have any questions concerning this or any other matter, please do not hesitate to contact us at your convenience.

Yours very truly



Oscar Poloni, CA, CBV

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