



# Guidance for Improvement Districts Holding Annual General Meetings and Elections During COVID-19

## Introduction

In March 2020, due to the COVID-19 pandemic, the Inspector of Municipalities recommended that improvement districts postpone their annual general meetings (AGM) and elections and Ministerial Order (MO) 83/2020<sup>1</sup> was issued which allowed improvement districts to:

- Hold electronic meetings electronically, other than the AGM;
- Delay the requirement for an AGM to be held, to on or before December 31, 2020;
- Extend the trustees' term until the AGM is held on or before December 31, 2020; and,
- Delay the financial reporting requirements, to on or before December 31, 2020.

B.C is currently in Phase 3 of the safe Restart Plan. [B.C.'s Restart Plan](#) sets out a careful, four-phase approach to restarting the province. Working in concert with public health monitoring from the Provincial Health Officer (PHO), the plan gradually allows for more social and economic activity. The operation of improvement districts, local governments, businesses and other organizations must comply with public health and safety guidance from the PHO and WorkSafeBC.

The Ministry of Municipal Affairs and Housing (Ministry) recognizes the importance of holding AGMs and trustee election as improvement districts take steps to fill vacancies on their Board of Trustees and engage their citizens in improvement district administration and operation.

This document provides guidance for improvement districts planning to hold an AGM and trustee election in their communities during the COVID-19 pandemic. Improvement districts can use the information provided, in conjunction with the *Local Government Act* (LGA), their letters patent and election procedure policy (see Appendix 1), to establish clear processes and procedures for these events that incorporate the recommended PHO health and safety measures (including physical distancing) and those set out by WorkSafeBC.

As part of the process for accessible, fair and transparent election processes, consideration needs to be given to how to support the public in participating in the democratic process during the pandemic. Effective communication with the public regarding the improvement district's safety protocols and guidance on how best to safely participate in the election and AGM may assist with managing safety measures and promote safe participation.

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<sup>1</sup> MO 83/2020 was replaced by MO139/2020 and MO192/2020. MO192/2020 was included in the schedule of the *COVID-19 Related Measures Act*.

Improvement districts have flexibility in how they deliver services and administer AGMs and elections in a manner that meets the unique needs and circumstances of their community. Improvement districts vary in population size and conduct elections and AGMs accordingly.

The PHO Order limiting in-person gatherings and events to 50 people applies to improvement district AGMs. In some cases, improvement districts that anticipate less than 50 landowners to attend their AGMs/elections may be able to conduct AGMs and trustee elections that align very closely to past practice with some additional safety measures (see pages 4 and 5). Some improvement districts have already safely conducted their AGMs and elections while incorporating physical distancing, hand sanitizing and other measures to mitigate risks associated with COVID-19.

Ministerial Order M336 (M336) amends the letters patent for 199 improvement districts, to allow for their election to be held separately from their AGM, which enables improvement districts to hold advance voting, mail ballot voting and/or the election separately from the AGM, if the trustees choose to. Some improvement districts may wish to consider broader measures, including separating their AGMs and trustee elections. This may be especially relevant for improvement districts with larger populations. Offering advance voting increases accessibility, spreads out in-person interactions and reduces the likelihood that AGMs will exceed the PHO Order limiting in-person gatherings to 50 people. Election attendance is staggered over time, similar to retail shopping, and may have more than 50 people attend to vote over several hours, if there is enough space for physical distancing and other safety measures are followed. Improvement districts that hold elections separate from the AGM typically report higher voter turnout.

If AGMs and elections are being held separately, improvement districts can consider holding AGMs electronically (the improvement district meeting procedure bylaw may require an amendment to allow for this, see [Guidance for Improvement Districts Conducting Electronic Meetings During COVID-19](#) for more details).

The Ministry has prepared an *Improvement District Trustee Election Procedures Template* (Template) (see Appendix 1) to support improvement districts conducting their elections. The Template can be customized to best fit the individual needs of each improvement district and includes options for holding separate advance voting and mail ballot voting.

In addition to this Guidance, improvement districts with large populations that conduct elections similar to a local government election may wish to review the Ministry's [Guidance for Conducting By-elections and Assent Votes During COVID-19](#) for local governments .

The considerations for AGMs and elections will vary by improvement district, depending on the number of landowners and the physical meeting space. The suggestions below are intended to reduce the risk of COVID-19 transmission during in-person AGMs and elections but may also be applied to regular committee or board meetings.

Given the evolving nature of the COVID-19 pandemic and the provincial response, the Ministry may update this document with new information, resources and practices as they become available.

### **Holding Annual General Meeting and Trustee Elections During COVID-19**

In response to COVID-19, the Ministry has provided some guidance and highlighted some key resources below that may assist improvement districts to develop a plan to hold an AGM and trustee election during the COVID-19 pandemic response and recovery.

The nature of improvement district AGMs and elections typically involve several in-person interactions that can increase the transmission risks of COVID-19 and put meeting attendees, electors and election officials at some level of risk. The [BC COVID-19 Go-Forward Management Strategy](#) prepared by the PHO, demonstrates how the risk of transmission from social interaction in public institutions is a function of two variables:

1. What is the contact intensity in the setting – the type of contact (close/distant) and duration of contact (brief/prolonged)?
2. What is the number of contacts in the setting – the number of people present in the setting at the same time?

By reducing these variables and incorporating safety protocols (for example, maintaining physical distance, use of face masks when physical distancing is not practical) improvement districts can help reduce the risk of transmission during the interactions and touch points that may occur at elections and AGMs.

#### **Key Resources:**

- The [PHO](#) has issued Public Health Orders and developed guidance materials for different sectors, which improvement districts may wish to consider as they develop their plans.
- The [BCCDC](#) is the primary source for COVID-19 health information, including prevention and risk information and commonly asked questions.
- [WorkSafeBC](#) has developed industry specific safety information including a general guide to reducing risk that may be useful for improvement districts.
  - Improvement districts may find the following WorkSafeBC Guidance useful:
    - [Municipalities and COVID-19 safety](#)
    - [Arts and Culture: Protocols for returning to operation](#)
    - [Retail](#) (involves short interactions between people at the check-out, similar to voting)
- The [WorkSafeBC COVID-19 Safety Plan template](#) may serve as a useful resource for improvement districts developing plans for an election and AGM.

Local circumstances and the improvement district's letters patent and election procedures will in part dictate the different approaches individual improvement districts may take in holding its AGM or trustee elections to ensure that electors do not have to choose between their health and exercising their right to vote and participate in the AGM. The improvement district administrator may wish to contact the local health authority to discuss specific safety questions about the proceedings.

#### **Provincial Health Officer Order Requirements**

Under [Order of the Provincial Health Officer: Gatherings and Events](#) (Order) issued on August 7, 2020, no more than 50 individuals may attend an improvement district event such as a board meeting or AGM in-person. In addition to complying with previously established physical distancing and hand sanitization practices, improvement districts are required to collect the first and last names and telephone number, or email address, of every person who attends an improvement district meeting or in-person.

Improvement districts must retain the contact information required by the PHO for 30 days in case there is a need for contact tracing on the part of the medical health officer, in which case the improvement district must provide that information to the medical health officer.

An election involves attendance that is staggered over a period of time, similar to retail shopping, and is not subject to the PHO Order to keep a record of attendance -- unlike AGMs or elections that take place at the AGM.

## **Conducting Elections in Conjunction with Annual General Meetings**

### **Policies and Processes**

- Establish safety policies and procedures based on the recommendations of the PHO and resources from WorkSafeBC, including the [WorkSafeBC Safety Plan](#)
  - By [PHO Order](#), employers must publish and post their safety plans.
- Create or update the improvement district election procedure -see the *Improvement District Trustee Election Procedures Template* (Appendix 1) -- to incorporate safety protocols and physical distancing measures.
- Request that the public RSVP to the AGM so that adequate seating can be prepared and to ensure attendance will not be over the 50-person limit on public gatherings (RSVPs can be encouraged, but not required).
- Include physical distancing protocols in election official training.
- Require staff, volunteers, and trustees to stay home if they are sick; have had [symptoms of COVID-19](#) in the last 10 days; are under the direction of the PHO to self-isolate; or have arrived from outside of Canada in the last 14 days.
- Collect contact information for attendees and keep the record of attendance for 30 days, in case contact tracing is necessary.

### **Nominations**

- Require written candidate nominations at least two weeks in advance of when notice for the election will be posted, so that the list of candidates can be included in the election notice. That way electors will know who the candidates are in advance or if there are as many candidates as vacancies, the trustee positions will be acclaimed, and the improvement district will not need to hold an election.

### **Location**

- Hold the AGM outside, if possible. If this is not possible then consider a large space, like a gymnasium.
- Consider facilities that are large enough to allow for physical distancing and, if possible, locations with HVAC systems or that provide for fresh air exchange.
- Consider offering video streaming so that members of the public who are ill, in social isolation or not comfortable attending may view the AGM.
- Arrange the physical space to allow for two metres physical distancing between individuals.
- Establish and post occupancy limits in order to meet physical distancing guidelines.
- Post signage provided by the BC Centre for Disease Control regarding:
  - [Physical distancing and](#)
  - [Hand washing and alcohol-based hand sanitizer.](#)

- Post directional signage.
- Establish cleaning protocols based on [WorkSafeBC](#) and the BCCDC guidance (for example, how frequently voting booths and washrooms will be cleaned).
- Encourage attendees to bring their own chairs and provide designated areas for distanced seating
- Provide handwashing or hand sanitizing stations.

### **Notice and Communication**

- In the AGM/election notice, include information on precautions and physical distancing measures that will be in place.
- Allow for questions to be submitted in advance (especially for individuals who will be watching by video).
- Post information about upcoming meetings, agendas, minutes, financial statements and updates on the improvement district website.
- Provide an e-mail subscription service where the public can sign-up to receive notice of upcoming meetings, agendas, minutes, financial statements and updates.

### **Voting**

- Consider using a voters list, based on the assessment roll, rather than same day registration to reduce line-ups and contact intensity.
- If the election procedures include circumstances where an elector is required to give ID (not a legislative requirement), establish protocols for verifying identification. For example, provide a physical barrier, like plexiglass; enough to allow the elector and election official to remain two metres apart (the election official steps back, the elector places their ID on the table and steps back while the election official inspects the ID); or use face masks if physical distancing cannot be maintained.
- If applicable, request that the elector give an oral declaration that they are entitled to vote and have not voted previously in the election, instead of signing the voters list. Have the election official initial beside the elector's information that an oral declaration was taken. This will ensure that only the election official is required to handle the voters list.
- Provide face masks and encourage election officials and the public to wear them.

## **Conducting Elections Separate from the Annual General Meeting**

### **Election**

#### **Policies and Processes**

- Establish safety policies and procedures based on the recommendations of the PHO and resources from WorkSafeBC, including the [WorkSafeBC Safety Plan](#)
  - By [PHO Order](#), employers must publish and post their safety plans.
- Create or update the improvement district election procedure policy – see *Improvement District Trustee Election Procedures Template* (Appendix 1) – to incorporate safety protocols and physical distancing measures.

#### **Nominations**

- Require written candidate nominations at least two weeks in advance of when notice for the election will be posted, so the list of candidates can be included in the election notice. That way electors will know who the candidates are in advance or if there are as many candidates as

vacancies, the trustee positions will be acclaimed, and the improvement district will not need to hold an election.

### **Voting Location**

- Consider facilities that are large enough to allow for physical distancing and, if possible, locations with HVAC systems or that provide for fresh air exchange.
- Provide directional signage and markers for physical distancing.
- Establish and [post occupancy limits](#) in order to meet physical distancing guidelines.
- Have a greeter at the entrance to track and limit the number of people in the facility at a time.
- Have a greeter at the entrance to request that electors follow safety protocols, including hand washing or sanitization and physical distancing.
- Post signage provided by the BC Centre for Disease Control (BC CDC) regarding:
  - [Physical Distancing; and,](#)
  - [Hand washing and Alcohol-based Rub.](#)
- Arrange the physical space to allow for two metres physical distancing between individuals.
- Provide handwashing or hand sanitizing stations.
- Establish cleaning protocols based on [WorkSafeBC](#) and the BCCDC guidance (for example, how frequently voting booths and washrooms will be cleaned).
- Encourage electors to leave the voting place without delay, once they have completed voting.

### **Voting**

- Consider using a voters list, based on the assessment roll, rather than same-day registration to reduce line-ups and contact intensity.
- Hold advance voting opportunities or commence voting several hours before the beginning of the AGM to reduce the contact intensity (for example, if the AGM is at 2 pm on a Saturday hold voting between 10am and 3 pm on the same day).
- Encourage eligible electors to vote during non-peak hours.
- If the election procedures include circumstances where an elector is required to give ID (not a legislative requirement), establish protocols for verifying identification. For example, provide a physical barrier, like plexiglass; enough space to allow the elector and election official to remain two metres apart (the election official steps back, the elector places their ID on the table and steps back while the election official inspects the ID); or use face masks if physical distancing cannot be maintained.
- If applicable, request that the elector give an oral declaration that they are entitled to vote and have not voted previously in the election, instead of signing the voters list. Have the election official initial beside the elector's information that an oral declaration was taken. This will ensure that only the election official is required to handle the voters list.
- Consider offering mail-ballot voting for all landowners including, individuals who are in self-isolation, quarantine or are not comfortable attending in-person, due to medical conditions or other factors.

### **Election Officials, Volunteers and Candidate Representatives**

- Include physical distancing protocols in election official training.
- Require staff, volunteers and candidate representatives to stay home if sick; have had symptoms of COVID-19 in the last 10 days; are under the direction of the PHO to self-isolate; or have arrived from outside of Canada in the last 14 days.
- Encourage election officials and the public to wear face masks.

### **Notice and Communication**

- Use the same methods and timing (for example, 14 days) as used for AGM notice.
- Include information on precautions and physical distancing measures that will be in place.

## **Conducting the Annual General Meeting Separate from the Election**

### **Policies and Processes**

- Request that the public RSVP to the AGM so that adequate seating can be prepared and to ensure attendance will not be over the 50-person limit on public gatherings (RSVP can be encouraged, but not required).
- Require staff, volunteers, and trustees to stay home if they are sick; have had [symptoms of COVID-19](#) in the last 10 days; are under the direction of the PHO to self-isolate; or have arrived from outside of Canada in the last 14 days.
- Collect contact information for attendees and keep the record of attendance for 30 days, in case contact tracing is necessary.
- Monitor and update policies and procedures for meetings.

### **AGM Location**

- Hold the AGM outside, if possible. If this is not possible then consider a large space, like a gymnasium.
- Consider facilities that are large enough to allow for physical distancing and, if possible, locations with HVAC systems or that provide for fresh air exchange.
- Offer video streaming so that members of the public who are ill, in social isolation or not comfortable attending may view the AGM.
- Arrange the physical space to allow for two metres physical distancing between individuals;
- Establish and post occupancy limits in order to meet physical distancing guidelines;
- Do not exceed the 50-person limit on gatherings.
- Post signage provided by the BC Centre for Disease Control regarding:
  - [Physical Distancing; and,](#)
  - [Hand washing and Alcohol-based Rub.](#)
- Post directional signage.
- Establish cleaning protocols based on [WorkSafeBC](#) and the BCCDC guidance (for example, how frequently high touch areas and washrooms will be cleaned).
- Encourage attendees to bring their own chairs and provide designated areas for distanced seating.
- Provide handwashing or hand sanitizing stations.

### **Notice and Communication**

- In the AGM notice, include information on precautions and physical distancing measure that will be in place.
- Allow for questions to be submitted in advance (especially for individuals who will be watching by video).
- Post information about upcoming meetings, agendas, minutes, financial statements and updates on the improvement district website.
- Provide an e-mail subscription service where the public can sign-up to receive notice of upcoming meetings, agendas, minutes, financial statements and updates.

***Freedom of Information and Protection of Privacy Act***

The *Freedom of Information and Protection of Privacy Act* (FOIPPA) applies to local public bodies – this includes improvement districts. The FOIPPA establishes the right of the public to access records held by improvement districts, the process for accessing those records and prevents the unauthorized collection, use or disclosure of personal information by improvement districts.

The contact information collected by improvement districts under the PHO Order is subject to FOIPPA as well as any internal document retention policies and practices an improvement districts may have in place.



## Appendix 1 – Trustee Election Procedures Template

This template contains procedures improvement districts may wish to consider, especially when conducting physically distant elections due to the COVID-19 pandemic.

### **IMPROVEMENT DISTRICT TRUSTEE ELECTION PROCEDURES**

#### **DEFINITIONS**

##### **RETURNING OFFICER**

1. Is appointed by the Board of Trustees and is responsible for the conduct of all elections, by-elections, and assent votes (formerly referendums);
2. Has the authority to determine whether or not an individual meets the voter eligibility requirements and may require such individual to make and file with him or her a solemn declaration showing that the declarant is eligible to vote;
3. May conduct the roll of Poll Clerk or delegate it to other staff; and,
4. Is responsible for training the Poll Clerk and any additional election officials required to conduct elections, by-elections and assent votes.

##### **POLL CLERK**

1. Assists the Returning Officer to set up and open the voting place and ensure that voting proceeds in an orderly and safe fashion;
2. Confirms an individual's identity and residential address and therefore their eligibility to vote; and,
3. Assists with counting ballots.

##### **SCRUTINEER OR CANDIDATE REPRESENTATIVE**

1. May be appointed in writing by a candidate to observe the election process to ensure that proper process is followed;
2. May be present while the ballots are distributed and at the final ballot count; and
3. May not interfere with the election proceedings.

#### **VOTER ELIGIBILITY**

1. A Canadian citizen;
2. 18 years of age or older;
3. A resident of British Columbia for the past 6 months;
4. Be an owner of land located within the improvement district or the authorized agent or legal representative of a deceased owner of such land;
5. Not otherwise be disqualified from voting under section 29 of the *Election Act*; and,
6. Have not voted before in the same election.

Each corporation or society that owns land within the improvement district has one vote and must designate, in writing, a person to vote on its behalf. That person can also be an owner of other property in the improvement district. If so, that person could vote twice, once on their own behalf as a landowner and as the agent authorized on behalf of the landowning corporation or society.

## TRUSTEE ELIGIBILITY

The eligibility requirements to be a trustee on an improvement district Board are the same as the eligibility requirements to vote in an improvement district election. Most letters patent state that the spouse or common-law partner of an eligible elector is qualified to be a candidate for trustee.

## NUMBER OF TRUSTEES

The Board consists of # elected trustees each elected for 3-year terms. Each year vacancies are identified on a rotational basis as follows: #-#-# [for example: 2-2-1]

## ANNUAL ELECTIONS

*[Option 1: Election separate from the annual general meeting (AGM)]*

1. A general election occurs annually on a day and time specified by the Returning Officer.

*[Option 2: Election in conjunction with the AGM]*

1. A general election occurs at the annual general meetings (AGM).

## BY-ELECTIONS

By-elections may occur at a special meeting.

## NOMINATIONS

*\*Note: The Local Government Act does not require nominations or that nominators be eligible electors; the following is best practice.*

*(Option 1 or 2 are recommended during the COVID-19 pandemic)*

*[Option 1: Nomination form required prior to the election, with nominators]*

1. Eligible individuals must declare their willingness to run for the elected position of trustee by completing a nomination form and submitting it to the Returning Officer.
2. The nomination form must be signed by # nominators *[typically two to five]*.
3. Nominations close ## days prior to the election *[best practice is to close nominations with enough time to publish the list of candidates in the AGM/election notice, typically 14 days notice. If mail ballot voting is an option, provide a minimum of 30 days between the close of nomination and the election]*.

*[Option 2: Written nomination required prior to the election]*

1. Potential candidates must submit, to the Returning Officer, in writing (email or hardcopy) a declaration of their willingness to run for the elected position of trustee.
2. # nominators *[typically two to five]* are required to support the nomination.
3. Nominations will close ## days prior to the election *[best practice is to close nominations with enough time to publish the list of candidates in the AGM/election notice. If mail ballot voting is an option provide a minimum of 30 days between the close of nomination and the AGM]*.

*[Option 3: Nominations permitted from the floor]*

1. # nominators *[typically two to five]* are required to support the nomination.

2. Nominations from the floor can be made \_\_\_\_\_ [select one: in writing, by show of hands, verbally].

### **NOTICES**

1. Notice of an AGM and/or election will be posted at least ## days in advance of the election, [see letters patent for the specific requirements, typically 14 days].
2. Notice will be posted in the public posting place and on/in \_\_\_\_\_ [see letters patent for the specific requirements. Consider giving additional notice for example, the improvement district website, a local newspaper, a community newsletter, email distribution list, or a notation on mailed invoice].

### **VOTERS LIST [Optional]**

*(Recommended during the COVID-19 pandemic)*

1. A list of eligible electors based on the assessment role.
2. If an individual confirms their name and address on the list, they are not required to show ID.

### **MAIL BALLOT VOTING [Optional]**

*(Recommended during the COVID-19 Pandemic)*

#### **WHO MAY VOTE BY MAIL BALLOT**

1. All eligible electors may request to vote by mail.

#### **TIME LIMITS FOR MAIL BALLOT VOTING**

1. Mail ballots may be requested by an eligible elector ## days [for example, 30 days] before the close of general voting.
2. A mail ballot must be received by the Returning Officer before the close of general voting in order to be counted.
3. It is the responsibility of the elector to ensure the mail ballot is received by the Returning Officer by the close of general voting.

#### **APPLICATION PROCEDURES FOR MAIL BALLOT**

Eligible electors wishing to vote by mail ballot must apply by providing their name and mailing address to the Returning Officer. The mail ballot can be picked up from the improvement district office or mailed to the person requesting the package. If the application is received close to the deadline to return mail ballot packages, the elector may have to pay for courier.

#### **PROCEDURES FOR MAIL BALLOT VOTING**

To vote using a mail ballot, the elector must mark the ballot in accordance with the instructions contained in the mail ballot package provided by the Returning Officer. After marking the ballot, the elector must:

1. Place the ballot in the secrecy envelope provided, and seal the secrecy envelope;
2. Place the secrecy envelope in the certification envelope, and complete and sign the certification printed on such envelope, and then seal the certification envelope;
3. Place the certification envelope in the return envelope, and seal the return envelope; and,
4. Mail, or deliver, the mail ballot package and its contents to the Returning Officer at the location specified so that the mail ballot is received no later than the day of the election.

### MAIL BALLOT ACCEPTANCE OR REJECTION

1. Upon receipt of the return envelope and its contents, the Returning Officer must record the date of receipt and will then open the return envelope and remove and examine the signed certification on the certification envelope and determine if the package is to be accepted or rejected.
2. If satisfied as to the:
  - a) identity and entitlement to vote of the elector whose ballot is enclosed; and
  - b) completeness of the signed certification, the Returning Officer will mark the return envelope as "accepted" and open the certification envelope, remove the secrecy envelope and place it in the ballot box.
3. At the close of general voting, the ballot box will be opened under the supervision of the Returning Officer, and in the presence of at least one (1) other person and any scrutineers present.
4. Rejected secrecy envelopes and their contents will remain unopened and be subject to the retention and destruction of election materials.

### ELECTION PROCEDURES FOR VOTING

1. Poll Clerk (or Returning Officer) checks the name and address of individual on the voters list (if voters list is used).
2. If the individual is listed on the voters list – the Poll Clerk:
  - a) asks the elector to make an oral\* declaration:  
DECLARING they meet the eligibility criteria:
    - *I am a Canadian citizen;*
    - *I am 18 years of age or older;*
    - *I have resided in British Columbia for at least six months immediately preceding voting day;*
    - *I am a registered owner of real property in \_\_\_\_\_ (insert improvement district name) immediately preceding voting day or the authorized agent or legal representative;*
    - *I am not disqualified under section 29 of the Election Act or any other enactment from voting in this election;*
    - *I have not previously voted in this election.*
  - b) initials beside the elector's information on the voters list confirming that an oral declaration was given;
  - c) provides the elector with a ballot; and,
  - d) reminds the elector they have an opportunity to mark, with an X, one to # choices, depending on the number of trustee vacancies there are to fill.
3. If the individual is not on the voters list, the Poll Clerk asks for identification that confirms the individual's identity and residential address and therefore their eligibility to vote;
4. If the individual does not have identification, the Poll Clerk:
  - a) asks the individual to fill out and sign the Property Owner Elector Solemn Declaration as to their identity and property ownership or the authorized agent or legal representative;
  - b) asks the individual to give an oral declaration;
  - c) initials beside the elector's information confirming that an oral declaration was given;
  - d) provides the elector with a ballot;
  - e) reminds the elector they have an opportunity to mark, with an X, one to # choices, depending on the number of trustee vacancies there are to fill.
5. If the individual presents themselves as an agent of a board or corporation or authorized agent or legal representative, the individual must also present formal documentation supporting that they have been assigned authority as agent for that board or corporation's interest or legal

representative in property owned within the \_\_\_\_\_ (insert improvement district name) jurisdiction. Only one agent per board or corporation will be permitted to vote. The Poll Clerk:

- a) asks the individual to fill out and sign the Property Owner Elector Solemn Declaration as to their identity and property ownership, attaching a copy of the board or corporation's authorization as agent or legal representative documentation;
  - b) asks the individual to give an oral declaration;
  - c) initials beside the elector's information on the voters list confirming that an oral declaration was given;
  - d) provides the elector with a ballot; and,
  - e) reminds the elector they have an opportunity to mark, with an X, one to # choices, depending on the number of trustee vacancies there are to fill.
6. The elector then marks their ballot and deposits the folded ballot into the ballot box.

*\*Note: During the COVID-19 pandemic it is recommended that an oral declaration be made instead of the elector signing the voting list, to reduce multiple people from handling the voters list.*

### **BALLOT COUNT:**

1. Ensure only the Returning Officer, Poll Clerk and candidates or appointed scrutineers are present at the count:
  - a) a candidate or their scrutineer (not both) may observe the ballot count proceedings to ensure a transparent and consistent process is followed and that any potentially spoiled ballots are ruled on by the Returning Office in a fair and consistent manner.
2. Determine the number of eligible electors that voted;
3. Open the sealed ballot box;
4. The Returning Officer will count the ballots using tally sheets:
  - a) a ballot will be counted when it clearly identifies not more than one to three choices with an X;
  - b) a tick mark will be accepted if the intent of the elector is clearly indicated; and,
  - c) any writing, drawings or distinguishable markings will spoil the ballot and the ballot will not be counted towards the total votes.
5. Record the total ballots cast, the ballots counted, and the ballots rejected/spoiled;
6. Declaration of voting results by the Returning Officer:
  - a) The candidate(s) with the greatest number of votes cast will be elected to the vacant trustee positions; and,
  - b) If there is a vacancy for different length terms, the candidate with the greatest number of votes cast will hold office for the longest term (generally a three-year term). The candidate with the second greatest number of votes cast holds office for the next longest term.

### **ELECTION CHALLENGE**

1. A person who is qualified to vote at an improvement district election and who voted or applied to vote in the election may appeal to the Supreme Court against the order of the Returning Officer accepting or rejecting a vote or ballot or the result of the election.
2. The appeal must be made in writing within two weeks after the election.

### **RETENTION AND DESTRUCTION OF ELECTION DOCUMENTS**

1. Until the of the end of the appeal period (two weeks after the election) the Returning Officer:
  - a) must keep the sealed ballot packages in their custody;

- b) is responsible for retaining the nomination documents for the election; and,
  - c) is responsible for retaining the remainder of the election materials.
2. The following materials must be destroyed as soon as practicable within 30 days after the appeal period expires:
- a) the ballots used in the election;
  - b) any copies of the list of electors used for the purposes of voting proceedings;
  - c) the voting books used in the election; and,
  - d) any solemn declarations and any written statements or declarations in relation to voting proceedings.