



Administrative Report

Office of the Director, Legislative and Community Services/Clerk

To: Warden MacDonald and Members of Essex County Council

From: Mary Birch
Director, Legislative and Community Services/Clerk

Date: Wednesday, December 21, 2022

Subject: Amendment to Procedures for Voting

Report #: 2022-1221-LCS-R26-MB

Purpose

To seek approval of County Council to suspend Section 12.22 of the Procedure By-law in favour of treating all votes as recorded votes when using electronic voting software, with the exception of procedural votes, pending a formal amendment to the voting procedures of Procedural By-law number 2022-31.

Background

The County of Essex has deployed the use of eScribe Meeting Management software for the purpose of managing the administration of County Council meetings. As part of this tool, County Council has been provided with access to the eScribe Professional App, which, in addition to providing access to the agenda and other documentation, includes other tools, such as electronic voting during the meeting proceedings. As part of this tool, County Council has been provided with access to the eScribe Professional App, which, in addition to providing access to the agenda and other documentation, includes other tool, such as electronic voting during the meeting proceedings.

Discussion

The voting module within eScribe has been successfully deployed, however it has been observed that the voting, as set up per the current Procedure By-

law, does not perform a 'Recorded Vote' unless it has been explicitly requested to do so.

The concern is that it could be perceived as a lack of transparency, when moving from the expected 'show of hands' vote to the current electronic method and 'vote result display', as the public will not be able to see how members are voting.

To improve the transparency of the electronic voting procedure, it is being proposed that, votes that are not 'Procedural Motions' will be considered 'Recorded Votes' and within the eScribe software, changes will be made so that the manner in which each individual member of Council voted, will be displayed with the vote results.

There is no change to the method and manner of voting by members of Council, the process is the same for both the standard and recorded votes. The difference is to the manner that the result is displayed.

The existing County Procedure By-law 2022-31, outlines the prescribed manner with which recorded voting will take place and be documented for County Council meetings.

These procedures are outlined in Part 12.22 as follows:

12.22 Recorded Votes

- 12.22.1** Recording of Votes - Requests of individual Council members to be recorded in favour of, or opposition to, a motion shall be granted.
- 12.22.2** A Recorded Vote may be requested immediately before or immediately after the taking of the vote.
- 12.22.3** After a Recorded Vote has been called and the motion is finally put by the County Warden or Presiding Officer, no member shall speak to the motion, nor shall any other motion be made, until after the result of the vote has been declared. The decision of the County Warden or Presiding Officer as to whether the question has been finally put shall be conclusive.
- 12.22.4** Members, having been previously summoned, shall immediately take their places when a Recorded Vote is called for.
- 12.22.5** Upon a Recorded Vote of the Council, the names of those who vote for and those who vote against the

motion shall be entered upon the minutes, as required by law.

12.22.6 In the case of a question being decided on a Recorded Vote, any abstention shall be recorded as a vote in the negative.

12.22.7 Should the technology be available, electronic voting through meeting management software shall be permitted, in which case, there shall be a record of all votes taken in that manner.

12.23 The Presiding Officer (except where disqualified to vote by reason of interest or otherwise) may vote, and if a recorded vote is requested, shall vote with the other members on all motions.

As discussed, procedural motions that will not require recorded votes are as follows:

1. Motion to move into, or out of a Closed Meeting
2. Motion to Adjourn.

It is the intention of Administration to have a complete review of the County of Essex Procedure By-law conducted during 2023. A thorough review of the sections related to Parliamentary Procedure, Meeting Proceedings and Rules of Conduct of Debate will be undertaken at that time.

Until that comprehensive review of the Procedure By-law is undertaken, rather than formally amending Section 12.22, Administration is recommending that County Council adopt a resolution to waive the provisions of Section 12.22 in favour of having all but procedural votes be treated as requested recorded votes.

Financial Implications

There are no financial implications resulting from this administrative and procedural change.

Consultations

There were no outside consultations conducted during the drafting of this report.

Recommendation

That Essex County Council suspend the Recorded Voting Procedures as stipulated in Section 12.22, in favour of treating all votes as recorded votes when using electronic voting software, with the exception of procedural votes, pending a formal amendment to the voting procedures of Procedural By-law number 2022-31.

Approvals

Respectfully Submitted,

Mary Birch

Mary Birch, Director, Legislative and Community Services/Clerk

Concurred With,

Mike Galloway

Mike Galloway, MBA, CMO, Chief Administrative Officer

Appendix Number	Title
N/A	N/A