



# Staff Report

## Administration

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**Report To:** Committee of the Whole  
**Meeting Date:** February 4, 2019  
**Report Number:** FAF.19.014  
**Subject:** Dominion Voting Systems Corporation – Negotiation of Election Services Fee following Service Disruption on Election Day, October 22, 2018  
**Prepared by:** Corrina Giles, Town Clerk

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### A. Recommendations

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THAT Council receive Staff Report FAF.19.014, entitled “Dominion Voting Systems Corporation - Negotiation of Election Services Fee following Service Disruption on Election Day, October 22, 2018”;

AND THAT Council provide direction to staff regarding the discount of the services portion of the Internet and Telephone Voting Fee offered by Dominion Voting Systems for the 2018 Municipal and School Board Election.

### B. Overview

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The purpose of this staff report is to provide an update regarding the amount owing to Dominion Voting Systems Corporation (“Dominion”), following the issues experienced on Election Day, October 22, 2018, resulting in an emergency being declared, and the extension of voting to 8:00 pm on October 23, 2018.

### C. Background

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Following the 2018 Municipal and School Board Election, the Town of The Blue Mountains (“Town”) participated in a “Working Group” consisting of approximately 37 other Ontario municipalities and representatives of Dominion to convey municipalities’ collective concerns regarding Dominion’s system delay and technical issues experienced on Election Day (October 22, 2018), that resulted in an emergency being declared and voting extended one additional day to October 23, 2018. The Working Group actively sought compensation for the disruption in services.

The Dominion Voting Statement regarding Internet Voting Service Slowdown Affecting Ontario Municipalities dated October 22, 2018 and the Dominion FAQ: Internet Voting Service Disruption Impacting Ontario Municipalities dated October 23, 2018 are provided as Attachment 1 and Attachment 2 respectively for reference. Dominion has confirmed that at no time was the integrity of the system at risk of compromise, or insecure.

## **D. Analysis**

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The Working Group primarily consisted of municipal staff representation from municipalities with a range of populations and included the Town of Innisfil, Municipality of Brockton and City of Greater Sudbury. These municipal representatives met with Dominion staff and negotiated a 20% discount of the services portion of the Internet and Telephone Voting fee that will be offered to each municipality. This discount was applied to the number of electors as of the close of voting on October 23, 2018 (12,066 electors).

The specific details of the contract with Dominion are confidential and not included in the report. Staff have calculated the Town's additional costs for overtime in response to the emergency being declared, and have determined that the fee reduction offered by Dominion covers the Town's additional overtime costs paid. However, the fee reduction does not cover the overtime hours that were incurred by Senior Staff (those that are not eligible for overtime pay) for the extra time expended on the extra day (October 23), as well as participation in conference calls with the Working Group after the election. Staff confirm that a fee reduction of 35% of Dominion's fee would be required to cover the overtime paid by the Town, and the overtime hours expended by Senior Staff.

Staff are seeking Council direction, as to whether the fee reduction offered by Dominion should be accepted.

It is Staff's opinion that alternative voting methods continue to be the most appropriate method of voting for The Blue Mountains Municipal and School Board Elections, and confirm that a staff report will be provided to Council in the future to allow Council to consider and select the method of voting for the 2022 election.

## **E. The Blue Mountains Strategic Plan**

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Goal #4: Promote a Culture of Organizational & Operational Excellence  
Objective #4 To Be a Financially Responsible Organization  
Objective #5 Constantly Identify Opportunities to Improve Efficiencies and Effectiveness

## **F. Environmental Impacts**

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N/A

## **G. Financial Impact**

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The Town's additional costs paid for extending the election period for one additional day will be covered if Dominion's offer of a fee reduction is accepted.

## **H. In consultation with**

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Shawn Everitt, Interim CAO

Ruth Prince, Director of Finance & IT

Jennifer Moreau, Director of Human Resources

## **I. Public Engagement**

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The topic of this Staff Report has not been subject to a Public Meeting and/or a Public Information Centre as neither a Public Meeting nor a Public Information Centre are required. However, any comments regarding this report should be submitted to Corrina Giles, Town Clerk [townclerk@thebluemountains.ca](mailto:townclerk@thebluemountains.ca).

## **J. Attached**

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1. Dominion Voting Statement Regarding Internet Voting Service Slowdown Affecting Ontario Municipalities, dated October 22, 2018
2. Dominion FAQ: Internet Voting Service Disruption Impacting Ontario Municipalities, dated October 23, 2018

Respectfully Submitted,

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Corrina Giles  
Town Clerk

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Shawn Everitt  
Interim Chief Administrative Officer

For more information, please contact:  
Corrina Giles, Town Clerk  
[townclerk@thebluemountains.ca](mailto:townclerk@thebluemountains.ca)  
519-599-3131 extension 232



For Immediate Release  
October 22, 2018

## Dominion Voting Statement Regarding Internet Voting Service Slowdown Affecting Ontario Municipalities

**(TORONTO, ON)** - Dominion Voting Systems has issued the following statement regarding today's Internet Voting Service slowdown affecting Ontario Municipal election customers:

Just after 6:00 PM ET this evening, voters in approximately 51 Ontario Municipalities using Dominion's Internet Voting (IV) portal experienced slow traffic into the system. This load issue was documented, reviewed and determined to be the result of a Toronto-based Internet Colocation provider placing an unauthorized limit on incoming voting traffic that was roughly 1/10th of the system's designated bandwidth. Our company was unaware of this issue until our municipal customers and their voters reached out to us for assistance, or to share complaints.

Once we became aware of the problem, Dominion was able to quickly identify the source of the issue and work with the provider to resolve all issues with the system service by 7:30 PM ET.

Unfortunately, the 90-minute slowdown and resulting bandwidth issue caused a varying number of voters to experience slow response times and system time-outs.

Given this issue was no fault of the voters who attempted to cast ballots during this time, some municipalities are extending voting hours for this election. Voters who were affected by this issue should check with their election office for more information on options that are available.

Dominion regrets the challenges that our system load issue posed for both election officials and voters alike in today's elections. We appreciate the public's patience in resolving this matter. We want to assure Ontario voters that we will work to ensure this problem does not occur in future elections. It is important to note that at no time was the integrity of the system at risk of compromise, or in any way insecure.

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### **About Dominion Voting Systems:**

Dominion Voting Systems is a leading provider of hardware and software election tabulation solutions in the U.S. and Canada. More information: [www.dominionvoting.com](http://www.dominionvoting.com).

### **Media Contact:**

Kay Stimson, Vice President of Government Affairs  
[media@dominionvoting.com](mailto:media@dominionvoting.com)  
1-866-654-VOTE (8683) ext. 9293



October 23, 2018

## FAQ: Internet Voting Service Disruption Impacting Ontario Municipalities

### **Q: What happened to Internet Voting service for Ontario Municipal customers on Election Day?**

Just after 6:00 PM on Election Day (22 October 2018), Dominion became aware that voters in 49\* municipalities who were using our Internet Voting portal were experiencing slow service and system time-outs (some townships report issues that began around 5:35 PM ET). These issues were determined to be the result of a load issue caused by a limit placed on incoming voting traffic to the system at the hosting Internet Service Provider. Once alerted to the issue, the company was able to work with the provider to restore full system service by 7:30 PM ET. However, given that many voters attempting to vote during this period could not access the system, election officials extended voting hours.

### **Q: Were any votes successfully cast during this period?**

Yes. Several thousand votes were cast during the disruption period, although we can verify that many more voters were not able to access the system during this time. Allowing all affected voters a further opportunity to cast a ballot served as the primary motivation for those municipalities that extended their voting hours.

### **Q: Is the integrity of the vote in question due to this event?**

No. At no time were any security-related issues detected or reported, nor was the system itself at risk. We are able to clearly identify the reason for the service slowdown and we have been in regular contact with our third-party DDoS and firewall security provider for our system. All Ontario customer municipalities have followed proper procedure in conducting their election and results will be accurately tallied and reported.

### **Q: Was any part of the audit capability of the system affected?**

No. Municipalities have full audit capabilities on every part of the ballots cast and the corresponding audit record for each transaction.

### **Q: What is being done to verify this issue not repeat during the extension of voting hours?**

Dominion has been in regular contact with our Internet Service Provider to ensure that the bandwidth limit that caused the issue does not reoccur. Dominion, along with Municipal IT staff, have made efforts to test the system and we will remain in regular contact to monitor system Internet traffic up to the close of polls.

### **Q: What will Dominion do to ensure this issue will not happen again?**

Regardless of what went wrong, Dominion Voting remains accountable for the service disruption that occurred and we apologize for taking 90 minutes to resolve the issue, which is unacceptable by our own company standards. We are committed to conducting a more thorough post-election review, with any necessary changes to address potential problems from happening in future elections.

*\*Approximate number of 51 revised based on company review and confirmation*

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Kay Stimson, Vice President of Government Affairs

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