

Report CCR-CS-20-15

To: Chair Pringle and Members of the Corporate Services Committee
From: Heather Morrison
Meeting Date: June 23, 2015
Subject: **Weighted Voting**
Status: Direction provided by Committee per Resolution CS71-15; Also see Resolution CS72-15; Endorsed by County Council July 7, 2015 per Resolution CC98-15;

Recommendation(s)

For direction from the Committee

Background

Grey County is in receipt of a resolution from the Town of the Blue Mountains requesting “THAT the Town of the Blue Mountains request that the method of voting currently utilized at the County of Grey being by weighted vote by the number of municipal electors be reconsidered by Grey County Council, to a system by way of weighted vote by municipal property assessment value”. The correspondence is attached to this report for your information. Staff thought it prudent to provide the Committee with some history of the weighted voting in Grey County for consideration.

The County of Grey Act, 1993

In 1993, *The County of Grey Act* was passed by the Ontario Legislature. Section 2 of the *Act* states that “Despite section 26, 27 and 28 of the Municipal Act, membership on the council and the votes of the members are as follows: 1) If a local municipality has less than 5,000 municipal electors, the reeve only is a member of the council and shall have one vote for every 1,000 municipal electors or part thereof. 2) If a local municipality has 5,000 or more municipal electors, the reeve and deputy reeve are members of the council who together shall have one vote for every 1,000 municipal electors or part thereof, which votes shall be equally divided between them, except if there is an odd number that reeve shall have the extra vote.” It should be noted that weighted votes are only at the County Council level and only when a recorded vote is requested by a member of council.

The County of Grey Act, 1993 was enacted after then Member of Provincial Parliament Bill Murdoch sponsored a private members bill, Bill Pr48, An Act respecting the County

of Grey. Representations were made to the legislature by Warden Howard Greig, Chief Administrative Officer, Norm Gamble and Reeve of Keppel Township, Milt Bellamy. A primary reason for requesting the legislation was the concern that the number of electors was growing which would cause the council to increase in size from its membership of 37. The County of Grey Act was successful in reducing the size of council from 37 to 28 members effective December 1, 1994. There was also a request to go to a weighted voting system that would allow municipalities to have a vote for every 1,000 electors or part thereof. It is likely that the weighted voting system was requested because of the disparity in sizes of municipalities at the time. The County of Grey Act, 1993 received Royal Assent November 30, 1993 and came into force and effect December 1, 1994.

History of the Review of Weighted Voting

In 2008, a governance review was undertaken as part of a strategic planning exercise by Grey County Council. The topic of examining the county's governance was ranked as a "B" and assigned to the Warden and Clerk/Director of Council Services to develop a report. A Committee was convened to review several governance related topics, one of which was the review of the recorded voting system.

After a thorough review by the Committee, Report WC-CC-02-09 was presented by Warden Eccles to County Council to provide recommendations concerning the governance structure in the County of Grey. One of the recommendations contained in that report stated "THAT the following governance policies remain in their current form: number of county councillors, method of election of councillors and the warden and the recorded voting system used in Council."

After surveys were completed to several counties, and the pros and cons of the current system reviewed, the Committee deemed that revising the weighted recorded voting system was not warranted at that time. The report states "While it can be argued that a municipality that pays a larger share of the levy might have fewer votes than a municipality that contributes less, it is more democratic as it recognizes each elector's right to vote. Each elector contributes equally towards the County's levy when one considers that each dollar of assessment is taxed at exactly the same amount."

A Governance Task Force was again established in October of 2011 with one of the items for consideration being the weighted recorded voting system. At the Task Force's meeting of August 15, 2012, a resolution was passed stating "THAT Grey County Council support the current recorded vote structure at one vote per 1,000 electors or part thereof." This resolution was endorsed by County Council September 4, 2012.

When reviewing the weighted voting system, consideration to ensure a democratic process is maintained is a key component in this process.

What The Municipal Act, 2001 Says

Section 218 (3) of The *Municipal Act, 2001*, as amended states that “without limiting sections 9, 10 and 11 (powers of a natural person, broad authorities –single tier municipalities and broad authorities lower-tier municipalities and upper-tier municipalities respectively) those sections authorize an upper-tier municipality to change the number of votes given to any member but each member shall have at least one vote.”

Section 219 (2) states that changes made related to Section 218 are not valid unless a triple majority is received. A triple majority means that a majority of County Council has to agree as well as a majority of local municipalities that represent the majority of electors. Section 219 (3) states that a by-law under Section 218 does not come into force until the day the new council is organized at a) the first regular election following the passing of the by-law or b) if the by-law is passed in the year of a regular election before voting day, the second regular election following the passing of the by-law. Simply put if changes to the weighted voting system were to take place, the changes would not come into effect until the first meeting after the next municipal election in 2018.

What Are Others Doing?

A survey was sent out to member of the Western Ontario Warden’s Caucus (WOWC) and Eastern Ontario Warden’s Caucus (EOWC) requesting the following information:

- Number of members on council
- Criteria to become a member of County Council
- Is there a weighted vote and if so how is it calculated?

Of the responses received from upper tier municipalities, 11 have a weighted vote (one for financial matters only) while seven (7) do not have a weighted vote. Of the responses that do have a weighted vote all but two use a method based on number of electors varying per county from one vote per 1,000 electors up to one per 3,500 electors to all members having at least three votes with others having additional votes for more than 5,000 electors and an additional vote for every 2,000 municipal electors over 5,000. The other two use population in their weighted votes. No respondents use assessment value as a method of weighted voting.

The composition of upper tier councils varies across the province with several having mayors only, several having mayors and deputy mayors and some a combination of directly and indirectly elected members. The number of council members varies from seven to 32 members.

Financial / Staffing / Legal / Information Technology Considerations

Under *The Municipal Act, 2001* as amended, a triple majority plus a public meeting is required before a by-law can be passed to change the method of voting with notice of the public meeting being given at least 21 days prior to the public meeting. As well, as per Section 219 (3) of *The Municipal Act, 2001* as amended, any changes made to the weighted voting system would not come into effect until the first meeting of council after the next municipal election in 2018.

Any additional staffing time required can be absorbed into the current approved operating budget.

There are no IT considerations related to this report.

Link to Strategic Goals / Priorities

Not applicable.

Respectfully submitted by,

Heather Morrison
Deputy Clerk/Records Manger

Director Sign Off: *Sharon Vokes*



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May 11, 2015

Moved by: Gail Ardiel Seconded by: Michael Martin

THAT the Town of The Blue Mountains Council request that the method of voting currently utilized at the County of Grey being by weighted vote by the number of municipal electors be reconsidered by Grey County Council, to a system by way of weighted vote by municipal property assessment value:

AND THAT this motion be circulated to all member municipalities for consideration and to the County of Grey for inclusion on a future County Council Agenda. **CARRIED.**

CERTIFIED TO BE A TRUE COPY


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Krista Royal, Deputy Clerk

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