

# A NARRATIVE REPORT ON 2014 NCN ELECTION



**September 16, 2014**

## INTRODUCTION

In compliance with the NCN ELECTION LAW 1998-1, this is the Electoral Team's Written Report on the NCN 2014 Elections that consists of the following; Election Proceedings; Election Personnel; Nomination Procedures; Polling Places; Polling Procedures; Recommendations and concluded the Electoral Team's view on the Election.

## ELECTION PROCEEDINGS

On July 2, 2014, the Nisichawayasihk Cree Nation Chief and Council passed a Band Council Resolution issuing an Election Order for the Chief and Council 2014 - 2018 Term of Office. (Band Council Resolution, Exhibit 1)

The Electoral Officer was in receipt on the Band Council Resolution late afternoon on July 2, 2014; on the evening of July 2, 2014 the Electoral Officer prepared the Election Order. The Electoral Officer posted the Election Order on July 3, 2014 @ 1:00 pm in the following locations:

- i. Nisichawayasihk Cree Nation Government Office
- ii. Nisichawayasihk Cree Nation Trust Office
- iii. Family & Community Wellness Centre, NCN
- iv. NCN V.L.T.'s
- v. Fanny Hartie Medical Centre, NCN
- vi. Gilbert McDonald Arena, NCN
- vii. NCN Store
- viii. Otohwin Gas, NCN
- ix. Family Foods Store, Thompson, MB
- x. NCN Website, ncn Cree.com
- xi. ATEC

The Election Order was publicized in the following media;

- The 2014 Election Order was uploaded on the NCN Cree Website; ncn Cree.com homepage on July 3, 2014; receipt of the upload from Q-Power Communications was at 10:55 am.

- Placements were made of the 2014 Election Order Advertisement - **Round 1** in the Winnipeg Sun, and Winnipeg Free Press for Friday, July 4, 10 & 17, 2014 (Advertisement, Exhibit 2)
- Placements were made of the 2014 Election Order Advertisement - **Round 1** in the Grassroots Newspaper for Wednesday, July 9 & July 23, 2014.
- Placements were made of the 2014 Election Order Advertisement - **Round 1** in the Nickel Belt News on July 11 & July 18, 2014
- Radio Advertisement Spots on NCI Radio - **Round 1** started on July 10, advertisement ran five (5) times daily from 6:00 am to 6:00 pm up until July 24, 2014.
- Radio Advertisement Spots on the Local NCN Achimowin 98.1 FM Radio, **Round 1** started on July 4, ran four (4) times daily from 9:30 am - 9:30 pm up until July 29, 2014.

The Election Order contain the important dates and deadlines as per the NCN Election Law 1998-E1, polling locations, call for nominations, candidate qualification, eligibility to vote, and who to contact, etc. (Election Order, Exhibit 3)

### KEEPING NCN CITIZENS INFORMED

To keep the NCN Citizens informed of important dates and deadlines pertained in the Election Order newspaper placements and radio spots were made with the following:

- Placements were made of the Announcement of 2014 Election for Chief and Council - **Round 2** in the Winnipeg Sun, and Winnipeg Free Press for Friday, July 24, 2014 (Advertisement, Exhibit 4)
- Placements were made of the Announcement of 2014 Election for Chief and Council - **Round 2** in the Nickel Belt News on Friday, July 25, 2014
- Radio Advertisement Spots on NCI Radio Announcement of the 2014 Election for Chief and Council - **Round 2** started on July 25, advertisement ran five (5) times daily from 6:00 am to 6:00 pm up until July 29, 2014.
- Radio Advertisement Spots on the Local NCN Achimowin 98.1 FM Radio Announcement of the 2014 Election for Chief and Council, **Round 1** continued to run from July 4, ran four times daily from 9:30 am - 9:30 pm up until July 29, 2014.

- Radio Advertisement Spots on the Local NCN Achimowin 98.1 FM Radio Announcement of the 2014 Election Procedures on Campaigning , ran from August 11, ran four times daily from 9:30 am - 9:30 pm up until August 20, 2014. (Advertisement, Exhibit 5)
- Placements were made of the Announcement of the 2014 Election for Chief and Council - **Round 3** in the Winnipeg Sun, and Winnipeg Free Press on August 12, 2014 (Advertisement, Exhibit 6)
- Placements were made of the Announcement of the 2014 Election for Chief and Council - **Round 3** in the Grassroots Newspaper for Wednesday, August 13, 2014.
- Placements were made of the Announcement of the 2014 Election for Chief and Council - **Round 3** in the Nickel Belt News on Friday, August 15, 2014
- Radio Advertisement Spots on NCI Radio Announcement of the 2014 Election for Chief and Council - **Round 3** started on August 7, advertisement ran five (5) times daily from 6:00 am to 6:00 pm up until August 12, 2014.
- Placements were made of the Announcement of the 2014 Election for Chief and Council - **Round 4** in the Winnipeg Sun, and Winnipeg Free Press on August 21, 2014 (Advertisement, Exhibit 7)
- Radio Advertisement Spots on NCI Radio of the Announcement of 2014 Election for Chief and Council - **Round 4** started on August 13, advertisement ran five (5) 5 times daily from 6:00 am to 6:00 pm up until August 21, 2014.

## ELECTION PERSONNEL

The NCN Election team had contracted an Election Consultant, Louise Chernetz, whose main duties were as follows:

- Reviewed the amended NCN Election Law 1998-E1 and the 2010 Poll Officials Manual & Poll Book and make changes to reflect the amended Election Law.
- Prepared guidelines for the newly created positions Central Poll Clerk & Master List Clerk and updated the guidelines for the Independent Observer and Security Officer.
- Provided "Train the Trainer" sessions for the Election Team.
- Recruited and trained Independent Observers.

- Attended both Advance & Regular Polls in Winnipeg Polling Station to assist with the procedural questions during the day and assisted the Returning Officer with the counting and closing procedures on Election Day.

The Election Team had also contracted three (3) Independent Observers; Mike James for Advance Poll in NCN on Advance Poll and half time at the Winnipeg Poll on Election Day. Margo James was the Independent Observer in Winnipeg on Advance Poll and half time on Election Day. Richard Koreen was the Independent Observer in NCN on Election Day. The main role of the Independent Observer was to observe the election process and to provide a written report to the NCN Chief Executive Officer, Theresa Yetman, copies to NCN Chief and Council and to Electoral Officer, Joyce Yetman within two weeks of the voting process. (Election Consultant & Independent Observers Reports, Exhibits 8, 9, 10, 11, 12)

The Election Team also retained legal counsel from Campbell Gunn Inness Law firm, Crystal Antila and Danny Gunn. Crystal Antila assisted the Election Team with the private interviews with candidates and signed all the Release of Information, Statutory Declarations and Acknowledgement of Criminal Record Check forms. She was present at the Nomination Meeting to provide legal advice when required. Danny Gunn was available to provide legal advice to the election team and was also available via telephone/cell on Advance Poll and Election Day to assist the Legal Team with questions on the election proceedings.

In addition to Personnel, there were two (2) Data Analysis' hired to develop the spreadsheets, set up the computers and input all the data for the counting of the ballots. A Technician was also available on site to assist the Data Analysis with any technical difficulties that arose. They had a system set up to display the results of the count in the Gilbert McDonald Arena for the general public. In order to encourage community involvement different events took place in the arena while the public waited for the counting of the ballots. The NCN Achimowin Radio was set up at the GMA Arena to be available to broadcast live the Voting Results as they came in for those people that couldn't make it to the Arena.

We hired fifteen (15) Returning Officer and fifteen (15) Poll Clerks totaling thirty (30) polling officials, however, on Election Day the Returning Officer scheduled to work indicated that she was unable to make it to the Thompson Polling Station, at which time

the Deputy Electoral Officer had to assume the position of a Returning Officer as a replacement at that point in time was unreasonable. Additional staff consisted of twelve (12) security guards, three (3) interpreters, two (2) Technical Support, two (2) Data Analyst, two (2) Scrutineers (Leaf Rapids Polling Station); and two (2) new positions consisting of one (1) Master List Clerk and one (2) Central Poll Supervisors, with a total of 51 hired for the 2014 NCN Chief & Council Election. All election officials that worked in the 2014 NCN Election were required to sign an Appointment & Oath; these oaths were placed on file and are available when required.

To fill all Election positions the Electoral Officers worked in collaboration with the HR Specialist by reviewing the list of people that worked in the 2013 NCN Election Code Amendments and the 2010 & 2006 Chief & Council Elections, as they had the expertise in working in a polling station. It was mandatory for all the Returning Officers and Poll Clerks, to attend the training sessions provided by the Election Consultant and Election Officials.

The Election Officials were supplied with white t-shirts with NCN's Logo on the front; the security officers were provided with black t-shirts with "SECURITY" inscribed on the back, everyone was provided with a name tag, this clearly identified that they were part of Election Team and was obvious to the voters. (Listing of Personnel & Locations, Exhibit 13)

## **NOMINATION PROCEEDINGS**

### **CALL FOR NOMINATIONS**

The call for nominations commenced at 9:00 am on Thursday, July 10, 2014 and the deadline for receipt of nominations was fixed as 1:00 pm on Thursday, July 24, 2014.

A Radio Advertisement was announced on the Local NCN Achimowin 98.1 FM Radio on the Availability of Nomination Papers for the 2014 Election for Chief and Council, which started on July 10, 2014 ran four (4) times daily from 9:30 am - 9:30 pm up until July 24, 2014. (Advertisement, Exhibit 14)

When interested NCN Citizens picked up their nomination papers Form 5 for Chief and Form 6 for Councillor, he/she was given a copy of the NCN Election Law.

## NOMINATION PAPER SUBMISSIONS

A total of three (3) NCN Citizens submitted nomination papers for Chief, while thirty (30) persons submitted same for Councillor Positions. We collected a non-refundable fee of \$50.00 per nomination which totaled the amount of \$1,650.00; these funds were forwarded along with receipts to the Nisichawayasihk Cree Nation Finance Department. (Receipt from NCN Finance Department, Exhibit 15)

Of the thirty (33) candidates for Chief & Councillors, thirteen (13) of the candidates complied with Section 12 of the NCN Election Law and were qualified to run in the election. Ten (10) candidates had submitted their Vulnerable Sector Check indicating that they are either a **Possible Match** (based on the name and birth date provided to RCMP there is a possible match to a criminal record), **Possible Match/Fingerprint Comparison** (based on the name and birth date provided to RCMP there is a possible match to a criminal record and were required to submit fingerprints to the RCMP National Repository of Criminal Records), and or **Match to Other Police Service Records** (there are records held by a police service that are relevant to screening).

As RCMP Vulnerable Sector Checks did not capture what we were looking for in accordance to subsection 12 (1) (c) of the NCN Election Law, and the Mandatory Interim Injunction made by the courts on July 23, 2014, we requested for further documentation to convince the Election team that the potential candidates have not been convicted of an indictable offense within the last eight years.

On July 29, 2014, we had scheduled private interviews with ten (10) of the Potential candidates to meet with Joyce Yetman, Electoral Officer, Jacqueline Hunter, Deputy Electoral Officer, RCMP Sargent Auger and Crystal Anitla, Legal Counsel. This meeting was held at the NCN Trust Office Boardroom. It was an opportunity for the candidates to prove to the Election Team that they were qualified to run in the election.

The meeting commenced with the Electoral Officer or Deputy Electoral Officer explaining to the candidate the reasons why they were called for an interview, the next step was the candidate authorizing consent by signing the "Release of Confidential Information" form. This form confirmed that the potential candidate had not been convicted of an indictable offense within the past eight years. It was strictly at the discretion of the candidate to sign the release form. Once the form was signed Sergeant Auger checked the potential candidates file and confirmed that the information that the candidate provided in the release form was true. When the Electoral Officer or Deputy Electoral Officer was a relative or had a close relationship with the candidate they removed themselves from the meeting.



The candidates proceeded with swearing or affirming by signing the Statutory Declaration Criminal Record Check (Form 4) and Acknowledgement of Criminal Record Check (Form 5 or 5A). All ten (10) candidates qualified to run for office.

### **NOMINATION MEETING**

The Nomination Meeting was originally scheduled for July 29, 2014; however due to a scheduled funeral on July 29, 2014 and out of respect to the bereaved family day (common practice in NCN), the Nomination Meeting was rescheduled to July 30, 2014. The Nomination Meeting took place in Nelson House at the United Church @ 10:00 am.

To inform the NCN Citizenship on the change of dates for the Nomination Meeting a Radio Advertisement was announced on July 28, 2014 on the Local NCN Achimowin 98.1 FM and ran four (4) times daily from 9:30 am - 9:30 pm up until July 30, 2014. (Advertisement, Exhibit 16)

A total number of 170 NCN Citizens including all candidates for Chief and Councillor were present at the Nomination Meeting. The Electoral Officer announced orally and in writing the names of the persons qualified to run in the election. A power point presentation of each candidate was displayed for the people present at the meeting. Each candidate was allowed to speak for no more than ten (10) minutes; a time was displayed to act as a guide for all to see. The Electoral Officer asked each candidate if they accepted their nomination, all 33 candidates confirmed accepted the nomination and they then proceed to telling their reasons for are seeking office. (Form 9, Exhibit 17)

The Nomination Meeting was also broadcasted live on the local radio and recorded for those NCN citizens that could not make it to the meeting. The Nomination Meeting was adjourned @ 4:45 pm. Due to the technical difficulties the Radio Station was having during the meeting with the live feed, the recording of Nomination Meeting was broadcasted on the Local Radio a couple of times July 31, 2014.

### **VOTERS LIST**

The Voters List was prepared by Electoral Officer, deputy electoral officer and one summer student employee. The Voter List contained the names of all NCN members who were 18 years or over on Election Day, their address and treaty number. The first voters list was posted on July 25, 2014 in more than five (5) public locations in NCN, a revised voters list was posted on August 7, 2014 in more than five (5) public locations and posted on the NCN Website on August 8, 2014.



The Electoral Officer received numerous requests from candidates and candidates campaign managers requesting for information about who voted in Advance Poll on Tuesday, August 12, 2014. The Electoral Officer decided to exercise her discretion under the NCN Election Law and provided the Advance Poll Voters List to the candidates after seeking advice from her counsel. The Electoral Officer used the processes followed during Federal and Provincial Election campaigns as a guideline. The Electoral Officer provided the Advance Poll Voters List subject to those candidates who agreed to sign a declaration affirming that they abide by the restrictions set out in the declaration. This process was taken to assure that the integrity of the ruling was maintained and there was no violation of the NCN Election Law. (Notice to Candidates - Exhibit 18; Declaration - Exhibit 19)

### **POLLING PLACES**

As in the preceding Council Election, the Election Team determined that they would require eight (8) polling stations, in the following locations;

#### NCN

Poll 1 - Bayroad Area

Poll 2 - New Area, Hart's Point, Moores Bay

Poll 3 - Westwood, Hillside, School Area, Dog Pt, Michelle Pt, Wasasihk, Medicine Lodge

Poll 4 - R.C. Point, Little R.C. Point, Metis Settlement

Poll 8 - Travelling Poll for elders, infirm or disabled.

#### THOMPSON

Poll 5 - Thompson, Wabowden and surrounding areas

#### WINNIPEG

Poll 6 - Winnipeg, Brandon, Within MB

#### LEAF RAPIDS

Poll 7 - Leaf Rapids, Lynn Lake, South Indian Lake

On July 24, 2014, the Election Team put out a public notice to NCN Citizens in the Winnipeg Sun, Winnipeg Free Press, and Nickel Belt News indicating all the Important Dates & Deadlines of the 2014 Elections including the locations of polling stations and voting times.

During the fourth (4<sup>th</sup>) round of advertisements via newspaper and radio, it was vastly emphasized in the advertisement that travelling polls will be available only in Nelson House, Thompson and Winnipeg for NCN Citizens physically unable to attend a polling station, but

the voters had to register in advance with the Electoral Officer to be added to the travelling poll list.

We did not have any NCN Citizen register for the travelling poll for Thompson and Winnipeg so we did not provide a travelling poll in those locations; we had 41 elders, infirmed and disabled NCN Citizens on the Nelson House Travelling Poll, with an additional eight (8) that were added to the list on Election Day. On the Travelling Poll Voters List, 31 voted with the Travelling Poll and 5 elders chose to go to the polling station to vote.

## POLLING PROCEDURES

### BALLOT SAFEGUARDS

To ensure an accountable and transparent election the Election Team had safeguards on the ballots. The ballots were completed with the following specifications and security features to deter reproduction, tampering or duplication of the ballots and to minimize tampering during the election process.

- The Ballots Colour included metallic gold and silver ink were used to make ballots more difficult to replicate;
- Ballots were printed on uncoated, bond card sheets. This allowed for easy writing/marketing with a pen or marker;
- Back side of ballots were "blacked out" to prevent visible marking through the paper at the polls;
- Specialized printed design features and colour inks included a patterned background (to reduce/prevent photocopy reproduction or scanning);
- Year (2014) is printed in metallic ink on each ballot to ensure ballots can only be used during this election;
- Exactly 124 ballot booklets with 25 ballots in each were produced. Total 3,100 ballots for Chief and 3,100 for Councillors;
- Each ballot book contained sequentially numbered ballots (from 0001 to 3,100) to allow for tracking and recording of ballots distributed during the election (ensuring only eligible voting members were able to receive a ballot);
- All ballots were stored and secured in sealed boxes (by the print supplier) prior to delivery and signed for upon receipt by a verified election official.
- All boxes were clearly marked with the number of ballots in each, the range of ballot numbers in each and whether it was Chief or Councillors ballots;
- Chief Ballots were a different size and colour from the Councillor ballots to prevent any mix up at the polls:
  - o Chief Ballot, 8.5X11, 3100 copies

- o Councillor Ballots 11X17, 3100 copies

These ballots were designed to make it very difficult to reproduce or replicate without knowledge of the offset printing process, inks, and the special security features and paper stock used. Measures were strictly adhered to, to ensure the printing process and delivery of the ballots was performed as securely as possible, given the requirements of the NCN Election process.

The Ballots were counted three (3) times to verify that the amount of the ballots that were ordered from the Electoral Officer; they were counted by the printers Q-Power Communications once they were printed and ready for delivery on August 7, 2014; Electoral & Deputy Electoral Officer counted the ballots again on August 11, 2014 to verify that there were 3100 Chief & Councillor Ballots in the sealed box and then there were counted again once they were given to the Returning Officers at each polling station.

### **SECURITY OF BALLOTS**

On August 8, 2014 the ballots were delivered by Q-Power Communications to the CEO, Theresa Yetman at NCN's Sub-office at 428 Portage Avenue, Winnipeg MB. The CEO signed a document stating that she was in receipt of the ballots from Q-Power Communications. The CEO had to open up one of the ballot boxes for Chief & once ballot box for Councillor as she had to leave ballots with the Election Consultant to be used on Advance Poll & Election Day, again the Election Consultant signed a receipt of ballots document stating that she received a certain number of ballots with the sequence numbers on the ballots, this process maintain the proper monitoring and security of the ballots. The Ballot boxes that contained the ballots was resealed.

The ballots remained in CEO's possession until the Electoral Officer Joyce Yetman picked them on August 10, 2014 in Thompson, MB. The ballots remained in the Electoral Officer possession until Monday, August 11, 2014; the ballots were taken to the NCN Trust Office where they remain until Advance Poll Day; security was hired on August 11, 2014 to safeguard the ballots at the NCN Trust Office from 12:00 midnight until 8:30 am on August 12, 2014, the day of Advance Poll.

In the afternoon on August 11, 2014, the Electoral Officer & Deputy Electoral Officer counted the ballots to verify that all the ballots were accounted for; they then assigned ballots in numerical sequence to individual polls for Advance Poll day and Election Day.

The Election Day Ballots were sealed in boxes, and were transported by Electoral Officer and Security to NCN RCMP Detachment and were stored there for safe keeping.

The Advance Poll Ballots for NCN polls were sealed in a box and were ready for opening of the Poll the next day. Thompson ballots were sealed in a box and were picked up by the Deputy Electoral Officer at 7:30 am on August 12, 2014 and were transported to Thompson Polling Station. Leaf Rapids ballots were also sealed in a box and was picked up by security on August 12, 2014 and delivered to Leaf Rapids polling station. (Distribution of Ballots, Exhibit 20)

Once the ballots were handed over to the Returning Officers in each polling station the Returning Officers counted their ballots and filled out the Verification of Ballots Received form. On the form the Returning Officer has to identify their poll number, location of poll, number of ballot books received and numbering sequence of the ballots; the Returning Officer then signs off on the form hands it over to the Electoral Officer and she witnesses the Returning Officers signature. In the Polling Stations in Leaf Rapids, the Poll Clerk and Security signed the form, in Thompson the Deputy Electoral Officer signed the form and in Winnipeg the Election Consultant signed off on the form.

## VOTING DAYS

Advance Polls were held on August 12, 2014 and Election Day Polls were held on August 21, 2014. All election officials met at their designated polling station by 8:30 am. All polling stations were provided with cameras to record all election proceedings. Prior to the opening of the polls, the returning officers opened the ballot boxes to present to those present and recorded on camera so that they confirm that the ballot boxes are empty. The ballot boxes were then sealed and placed on the table. In the NCN and Thompson Polling station we started the day with an opening prayer and then proceeded to opening the polls at 9:00 am. The Polls were closed at 8:00 pm.

After the closing of the Advance Poll of each polling station, the ballot boxes were sealed and signed by the Returning Officers, Poll Clerks Electoral Officer, in the absence of the Electoral Officer; they were signed by the Deputy Electoral Officer or the Election Consultant. The in NCN Ballot Boxes were transported by Corporal Pinsent and two security officers to the NCN RCMP Detachment for safekeeping until Election Day. After the ballot boxes were taken by the RCMP to the Detachment, the Election Officials were paid and went on their way; the Electoral Officer, Independent Observer, Master List Clerk and Central Poll Clerk remained in the Polling Station to clean and pack up, it was noticed then that the unused ballots that were sealed in a box were overlooked and had not been given to the RCMP. The Electoral Officer along with the Central Poll Clerk delivered the unused ballots to the RCMP Detachment for safe keeping. The ballot boxes from Leaf Rapids were signed sealed and delivered to the NCN RCMP Detachment by a security officer; the Thompson Ballot Boxes were signed, sealed and delivered to NCN

RCMP Detachment by the Deputy Electoral Officer and the Winnipeg Ballot Boxes were signed, sealed and delivered to the East St. Paul RCMP Detachment for safekeeping.

After the close of the Advance Day Polls, the Electoral Officer forwarded an advertisement to the Local NCN Achimowin 98.1 FM Radio Station, to inform the NCN Citizenship on the safe guards in place for the Ballot Boxes. The advertisement was announced at approximately 9:30 pm and was announced twice that evening. The ad ran four times daily from 9:30 am - 9:30 pm up until August 15, 2014. (Advertisement, Exhibit 21)

The Electoral Officer and the Deputy Electoral Officer picked up the Advanced Poll boxes and the Election Day Ballots for Leaf Rapids and Thompson Polls from the NCN RCMP Detachment on August 20, 2014 the day before Election Day. These ballot boxes remained under the care of the security guard at the NCN Trust office until the day of the Election. The Leaf Rapids ballots were picked up by the security guard approximately 6:30 a.m. Election Day for transport to Leaf Rapids along with one metal ballot box. The Thompson ballots were picked up by the Deputy Electoral Officer approximately 7:15 a.m. on Election Day for transport to the Thompson Polling station along with one metal ballot box. It was necessary to pick up the out of town ballots the day before Elections in order to ensure that all needed material was prepared and ready to go early in the morning on Election Day. The metal boxes were taken to each polling station to ensure that all used and unused ballots were under lock and key after the close of Elections.

On Election Day, two (2) RCMP Officers delivered the Advanced Poll Ballot boxes to the NCN Polling Station located at the Gilbert McDonald Arena around 7:40 p.m. 20 minutes before the close of the polls. The Electoral Officer signed the RCMP's note book acknowledging receipt of the ballot boxes.

The Advance Poll Election Officials slowly started trickling in the polling station around 7:30 pm; all Election Officials from Advance Poll were ready to count their ballots at 8:00 pm, except for one Returning Officer, who is also a Volunteer Fighter, whom at that time was fighting to save a house fire. The Central Poll Supervisor assumed the Volunteer Fire Fighters duties until the Returning Officer (VFF) reported to the Polling Station.

The Security Guard I locked the doors at all polling stations at exactly 8:00 pm., NCN still had a few voters in the polling station those voters were allowed to complete their vote prior to closing the polls for the particular locations.. Ballots were tabulated between 8:00 pm to 2:30 am.

It should be noted that the night before Election Day we had a severe thunder & lighting rain storm, lightning struck one of the main transmitters at Wuskwatim Tower which

caused no internet connection in NCN. This presented communication issues from polling stations to the central poll and surely slowed down the counting process. The Election Team had high hopes of completing the counting of the ballots by at least 11:00 pm; however, due to technical and communication difficulties we were faced with our predicted time was unsuccessful.

Once the Returning Officers and Poll Clerks in each polling station balance their Close of Poll Balance sheet, the sheet was forwarded to the Data Analyst to input in the spreadsheet the formulas on the spreadsheet indicated whether or not the Close of Poll Balance sheet were balanced, once this step was completed they poll officials proceeded to the next step of counting the ballots and completing the Statement of the Vote; once this step was completed the Statement of the Vote was submitted to the Data Analysts and they inputted into the spreadsheet as well; the next step was to follow the Close of Poll Check List, seal up all the used, unused ballots, supplies, poll book, etc. in the metal ballot box, seal, lock and signed off by the Returning Officer, Poll Clerk, Scrutineer, and Electoral Officer, in the absence of the Electoral Officer, the Deputy Officer, Central Poll Clerk or Election Consultant signed off on the seals.

There was a concern brought forward in regard to the Polling Officials opening the doors to go out for a smoke break after the close of the polls. The polling officials had been in the polling station for 18 hours straight (8:30 a.m. to 2:30 a.m.), under the circumstances it was not unreasonable to allow them to go outside to take a smoke break. The security guard accompanied the polling officials outside the polling station and that no one came in or out of polling station except for polling officials that took the smoke break.

All NCN Ballot boxes were placed in the custody of the Electoral Officer and two Security Officers, who transported them to the ATEC Centre, where they remain, locked up. ATEC has 24/7 security on the premises. The metal ballot boxes from Leaf Rapids was transported by the security officer; the metal ballot box from Thompson was transported by the Deputy Electoral Officer and she also picked up the metal ballot box in Winnipeg, all ballot boxes are sealed and were delivered to the ATEC Centre, where they remain locked up. The empty metal box was delivered to Winnipeg by the Returning Officer to be used for transport of the used ballots at the end of Election Day. This metal ballot box remained with the Election Consultant until the Deputy Officer picked it up and transported it to NCN ATEC Centre.

## **SCRUTINEERS**

Each polling station had scrutineers to observe and report to their prospective candidates. The Electoral Officer hired two scrutineers for the Leaf Rapids polling station as candidates did not provide any in this location. The Scrutineers had their own tally sheet



to keep track of the ballot counts for both Chief and Council, each Scrutineer verified their numbers with the Poll Clerks this measure is in place to ensure accuracy of the count.

## **BALLOT BOXES**

In our first report we provided to the Chief & Council, candidates that ran in the election and made available to all NCN Citizens we reported on the rationale behind using cardboard boxes instead of the metal boxes. However, we feel it is necessary to reiterate our reasons why and add to this written report as well. (Initial Election Report, Exhibit 22)

A concern was brought forward to the Electoral Officer regarding the use of cardboard ballot boxes as opposed to the metal boxes used in previous elections. In the past elections, the metal boxes were used for both Chief and Council Ballots. When completing the count in previous years, the process was slow as the Electoral officers had to separate the Chief and Councillors Ballots first prior to doing the count. In order to speed the count of the ballots the Electoral Team decided to use one ballot box for Chief and one ballot box for Councillor. This required 30 boxes and NCN only owned ten (10) metal boxes. As a result, cardboard boxes were used in place of the metal boxes.

Another concern raised was the six (6) metal ballot boxes brought to the Polling station on Election Day. These metal boxes were to be used to store the ballots from both the advanced and regular Election Day poll after the count, as the cardboard boxes had been opened for the counting of the ballots. Two of the metal boxes had locked padlock on them and the key could not be located so they had to be cut open with a grinder. These metal boxes were used to safely store all the ballots after the count under lock and key. Those ballots along with all unused ballots for each poll are inside those locked metal boxes and available for any potential review.

## **OFFICIAL VOTING RESULTS**

Official Vote Results were announced after the counting of the ballots by Electoral Officer at the Gilbert McDonald Arena, it was also broadcasted live on the local radio station at the same time. The NCN website and posted in various locations in NCN by mid afternoon of August 26, 2014.

A total of 1,625 eligible votes were casted; 1,171 in Nelson House, 214 in Thompson, 59 in Leaf Rapids, Lynn Lake South Indian Lake and 180 Winnipeg. This total includes results of advance poll held on August 12, 2014 and Election Day held on August 21, 2014. The



overall eligible voters turnout was 54% of NCN's 3,013 band membership who voted; with a 78% voter turnout on reserve (News Release, Exhibit 23)

In accordance to subsection 20 (1), (5),(6); the Electoral Officer kept the Trust Office open on August 28, 2014, until 11:59 pm.

A request for recount of the ballots was received on August 27, 2014. A letter was forwarded to the Councillor candidate acknowledging receipt of the letter. The request for a recount was withdrawn at 11:44 p.m. on August 28, 2014 (Exhibit 24 & 25) at which time the majority of the election candidates were immediately notified via text or telephone call.

An appeal was received at the NCN Trust Office on August 28, 2014; a letter was forward to the appellants from the Election Team acknowledging the letter 9Letter, Exhibit 26). The appeal letter was also forwarded to the Appeal Committee via scanned email, this appeal remains in place.

### **ELECTION PROCEDURE RECOMMENDATIONS**

This Election Team required extra time and energy than previous elections for Chief and Council. The dynamics of this election was different in that this was the first time that candidates who had criminal records were allowed to run for office. Frequent questions and concerns were bought forward in relation to the Election process and the Election Law. The NCN Election Law is in need of a significant revision.

### **RECOMMENDATIONS**

- There are requirements in the election Law that are bounded by timelines. The Election Laws does not specify whether the days are calendar days or business days, this need to be clarified.
- Training of additional Election Officials for on call purposes
- The locking of the polling station should allow the polling officials an opportunity to take a break.

- The Closing of The Poll form needs to be redone in order to ensure less confusion and to ensure efficiency of the counting process.
- Hire an additional Data Analyst to help with the out of town polling stations in order to eliminate the waiting period, or allow the Returning Officers the authorization to continue with the count of Councilors once the Closing of the Poll is balanced for Chief.
- A procedure should be in place regarding the placement of campaign material, to ensure a cleaner election. All Candidates should show respect to the other candidates, there should be no over lapping of campaign material over another candidate. The campaign material should also be more professional in nature rather than just painted plywood.
- Campaign material should not be tampered with or removed from its posted location unless this is done by the candidate herself.
- All campaign material should be removed once the election is over.

**CONCLUSION**

The 2014 Chief & Council Election process was a challenging one it required a great deal of time, effort, dedication, and commitment from the Election Team. It was an immense and unforgettable experience.

The Election Team did their very best to ensure that there was fairness, impartiality, transparency and remained in compliance with the Election Law.

We greatly express our thanks to Chief & Council for this opportunity to run the 2014 NCN Election. Ekosani!

Respectfully Submitted;

Sept 16, 2014

*Arroyo Hunter*

Date

*Joyce Yetman*  
 Joyce Yetman, Electoral Officer  
Sept 16 /14

Jacqueline Hunter, Deputy EO