

# VOTE CUYAHOGA COUNTY BOARD OF ELECTIONS

Board Meeting  
9/13/2021

**Attending:**

Jeff Hastings, Chairman  
Inajo Davis Chappell, Board Member  
Lisa M. Stickan, Board Member  
Anthony W. Perlatti, Director  
Tony Kaloger, Deputy Director

Mark R. Musson, Assistant Prosecutor, Cuyahoga County  
Mary Bejjani, Clerk to the Board  
Linda Walker, Clerk to the Board

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The Cuyahoga County Board of Elections Meeting began at 9:28 a.m. Hereinafter referred to as the CCBOE/Board.

Chairman Hastings noted that Board Members Davis Chappell and Stickan were in attendance in person. Board Member Wondolowski was excused from today's meeting.

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Chairman Hastings moved to excuse Board Member Wondolowski's absence. Board Member Davis Chappell seconded. The motion passed unanimously.

**Agenda Item 1: Approval of the minutes from the August 16, 2021, and August 23, 2021, Board Meetings.**

Chairman Hastings moved to approve the minutes from the August 16, 2021, Board Meeting. Board Member Stickan seconded. Board Member Davis Chappell abstained. Chairman Hastings and Board Member Stickan approved the minutes. Chairman Hastings moved to approve the minutes from the August 23, 2021, Board Meeting. Board Member Stickan seconded. The motion passed unanimously.

**Agenda Item 2: Acknowledgment of Secretary of State Advisory and Directives: Advisory 2021-03: S.B. 80 and Am. Sub. H.B. 110 (134<sup>th</sup> General Assembly); Directive 2021-18: Ballots for November 2, 2021, General Election; Directive 2021-19: General Voter Records Maintenance Program.**

Director Perlatti commented concerning the Directive 2021-19: General Voter Record Maintenance Program. The directive has Boards of Elections mailing out notices on September 20<sup>th</sup>. The CCBOE has received a 10 day extension from the Secretary of State. Due to the September 14<sup>th</sup> election the extension to September 30<sup>th</sup> will give the CCBOE time to complete voter history and process provisional information.

Chairman Hastings moved to acknowledge the Secretary of State Advisory and Directives: Advisory 2021-03: S.B. 80 and Am. Sub. H.B. 110 (134<sup>th</sup> General Assembly); Directive 2021-18: Ballots for

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<sup>1</sup> Narrative that is underlined in the CCBOE minutes relates to a motion that was acted on by the Board.

November 2, 2021, General Election; Directive 2021-19: General Voter Records Maintenance Program. Board Member Davis Chappell seconded. The motion passed unanimously.

**Agenda Item 3: Certification of the Post-Election Audit from the August 3, 2021, Special Congressional Primary Election.**

Brian Cleary, Ballot Department Manager, presented information from the Board packet concerning the post-election audit for the August 3, 2021, Congressional Primary Election.

Chairman Hastings moved to certify the Post-Election Audit from the August 3, 2021, Special Congressional Primary Election. Board Member Davis Chappell seconded. The motion passed unanimously.

**Agenda Item 4: Protest hearing filed by Richmond Heights Mayor David Roche against the candidacy of Alex Harper for Richmond Heights Councilperson at Large in the November 2, 2021, General Election.**

*A transcript of the proceedings from this hearing is available for review by contacting Mary Bejjani, CCBOE Clerk to the Board at 216-443-6430/mbejjani@cuyahogacounty.us.*

Chairman Hastings moved to uphold the protest filed by Mayor David Roche against the candidacy of Alex Harper for Richmond Heights Councilperson at Large in the November 2, 2021, General Election. Board Member Davis Chappell seconded. The motion passed unanimously.

**Agenda Item 5: Certification of remaining charter amendments for the November 2, 2021, General Election**

Chairman Hastings moved to certify the remaining charter amendments for the November 2, 2021, General Election. Board Member Davis Chappell seconded. The motion passed unanimously.

**Agenda Item 6: Certification of Candidates and Write-in Candidates for the November 2, 2021, General Election**

Chairman Hastings moved to certify the Candidates and Write-in Candidates for the November 2, 2021, General Election. Board Member Davis Chappell seconded. The motion passed unanimously.

**Agenda Item 7: Withdrawals of Candidates and Issues from the September 14, 2021, Primary Election and the November 2, 2021, General Election.**

Chairman Hastings moved to acknowledge Withdrawals of Candidates and Issues from the September 14, 2021, Primary Election and the November 2, 2021, General Election. Board Member Davis Chappell seconded. The motion passed unanimously.

**Agenda Item 8: Acknowledgement of Cleveland Heights Ordinance 115-2021 which provides for a special election to be held on November 2, 2021, to fill an unexpired term on Council.**

Chairman Hastings moved to acknowledge the Cleveland Heights Ordinance 115-2021 which provides for a special election to be held on November 2, 2021, to fill an unexpired term on Council. Board Member Davis Chappell seconded. The motion passed unanimously.

**Agenda Item 9: Preliminary authorization for the allocation of voting booths for November 2, 2021, General Election. Allocation quantities are based on Social Distancing and room size per polling location. A total of 4,592 voting booths will be allocated + 838 DS200 precinct scanners + 157 ADA AutoMark voting units and 1,128 Electronic Poll books.**

Chairman Hastings moved to acknowledge the preliminary authorization for the allocation of voting booths for November 2, 2021, General Election. Allocation quantities are based on Social Distancing and room size per polling location. A total of 4,592 voting booths will be allocated + 838 DS200 precinct scanners + 157 ADA AutoMark voting units and 1,128 Electronic Poll books. Board Member Davis Chappell seconded. The motion passed unanimously.

**Agenda Item 10: Approval to send the Voter Information Guide to all active voters for the November 2, 2021, General Election.**

Chairman Hastings moved to approve to send the Voter Information Guide to all active voters for the November 2, 2021, General Election. Board Member Davis Chappell seconded. The motion passed unanimously.

**Agenda Item 11: Approval of vouchers**

Chairman Hastings moved to approve the vouchers. Board Member Davis Chappell seconded. The motion passed unanimously.

**Agenda Item 12: Personnel Agenda**

Chairman Hastings moved to approve the personnel agenda. Board Member Davis Chappell seconded. The motion passed unanimously.

## **NEW BUSINESS**

### **CCBOE Website Update**

Director Perlatti provided an update of the CCBOE website update. The CCBOE is working with the County Information Systems (IS) department to implement the new website. Testing and proofing on the user interface with mobile phones are ongoing. The date of Tuesday, September 15, 2021, has been agreed upon between the CCBOE and County IS to determine if the website will go "live" before November or delay the implementation until after the November Election. If the current issues are resolved by September 14th, the CCBOE will go "live" on September 27, 2021. Board Member Davis Chappell asked if there were many issues to be resolved by the September 15th deadline. Director Perlatti stated no, according to the CCBOE IS employees, the issues could be resolved within the timeframe. Chairman Hastings asked if the new site goes "live" and there are issues, could the old site be brought back up again. Director Perlatti stated yes. Chairman Hastings asked if the SOS office is aware the new website will be compliant with the SOS cyber security requirements and regulations. Director Perlatti said yes, and the updated website will meet all the links required by the SOS. Board Member Davis Chappell stated she is looking forward to a more user-friendly site.

**Update on investigation regarding altered circulator statements for Landry M. Simmons, Jr.**

Deputy Director Kaloger provided an update on the investigation regarding the altered circulator statements for Landry M. Simmons, Jr. The CCBOE staff interviewed individuals involved with the Landry Simmons petitions, including the circulators and quality assurance. The Landry campaign paid the circulators based on the number of Cleveland resident's signatures were received. The campaign's quality assurance team would cross-off any non-residents of Cleveland and change the circulator statement on the petitions with the adjusted number. There were also instances on the circulator statements where the space for the number of signatures was left blank, but an altered number was written in and initialed. The changes to the circulator statements invalidated many of the part-petitions. Chairman Hastings stated that it appears the motivation for the changes was to save money. Deputy Director Kaloger agreed and stated that the campaign should have tracked the valid signature information separately and not altered the petitions. When these 14-part petitions were changed or completed incorrectly; it caused those part petitions not to be counted. Chairman Hastings asked if the campaign submitted these altered petitions and Deputy Director Kaloger stated yes. Because of these invalid petitions the CCBOE determined the candidate did not have enough valid signatures, which caused Landry Simmons, Jr. to withdraw his name from the ballot. Chairman Hastings stated that based on the foregoing investigation, he is not requesting this matter be referred to the Cuyahoga County Prosecutor's office. Board Member Davis Chappell noted the investigation was thorough, and the campaign staff was cooperative in the investigation. It is evident that the campaign did not understand what they were doing but was not acting with improper motivation, intent, or purpose. In addition, Mr. Simmons withdrew his name from the ballot. Board Member Davis Chappell is not in favor of referring the matter to the Prosecutor's office. Board Member Stickan stated the investigation was thorough, and it is not necessary for any further hearing on the matter. Chairman Hastings stated the CCBOE Board considers the matter closed.

**September 14, 2021, Primary Election Update**

Director Perlatti stated voter participation is exceeding expectations. Based on the absentee numbers from early in-person and vote-by-mail, the turn-out could be in the ballpark of 20 percent. Through Sunday, September 12, 2021, the CCBOE had just under 3,000 early-in-person voters, and today is the last day for voting in-person at the CCBOE. The request for ballot application deadline was noon on Saturday, September 11. The CCBOE has processed 21,303 vote-by-mail applications. The CCBOE has received over 15,000 mail-in ballots, a 72% return. The recruitment of precinct election officials continues to be a challenge, but the CCBOE has enough workers for Election Day. There are over 1,500 individuals trained, and the call-offs have been minimal. The average worker per precinct is 3.5 people, along with a pool of stand-by workers. Election support is working with Berman's Moving to complete the delivery of voting equipment today. The Cuyahoga County Command Center is being used as the call center staffed with a representative from the power company, Sherriff's office, and Public Works. The number of staff for election night at the warehouse is comparable to the August Special Election. The CCBOE is prepared and ready for Election Day. Chairman Hastings asked how many precincts were involved in the Election. Director Perlatti stated 442 precincts.

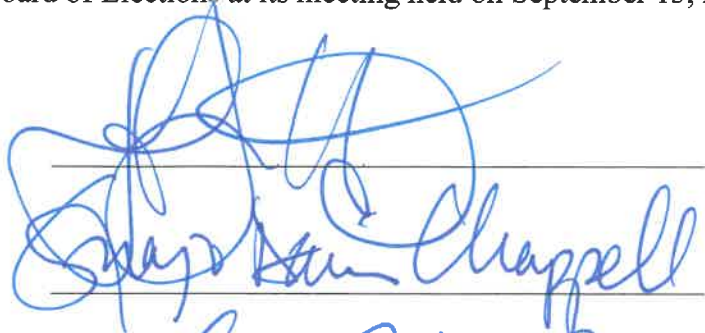
**PUBLIC COMMENT**

Ms. Peg Gallagher and Judge C. Ellen Connally provided public comment on Kenneth L. Johnson's eligibility to run for City of Cleveland Council, Ward 4.

Chairman Hastings moved to recess the meeting at 10:30 a.m. Board Member Davis Chappell seconded. The motion passed unanimously.

Certification: I have reviewed the above minutes and certify that they are an accurate summary of the actions taken by the Cuyahoga County Board of Elections at its meeting held on September 13, 2021.

Jeff Hastings, Chairman



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Inajo Davis Chappell, Board Member



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Lisa M. Stickan, Board Member



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David J. Wondolowski, Board Member



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Anthony Perlatti, Director



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