

VOTE CUYAHOGA COUNTY BOARD OF ELECTIONS

**Board Meeting
10/18/2021**

Attending:

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

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

The Cuyahoga County Board of Elections Meeting began at 9:34 a.m. Hereinafter referred to as the CCBOE/Board.

Chairman Hastings noted that all Board Members were in attendance.

Agenda Item 1: Approval of the minutes from the October 1, 2021, Board Meeting

Chairman Hastings moved to approve the minutes from the October 1, 2021, Board Meeting. Board Member Wondolowski seconded. The motion passed unanimously.

Agenda Item 2: Acknowledgment of Secretary of State Memorandum and Directive: Memorandum 2021-03: Responsibilities of Sheriffs and Chiefs of Police in the 2021 General Election (NOTICE: Pursuant to R.C. 149.433, this document is not subject to disclosure as a public record), and Directive 2021-20; Unofficial and Official Canvasses of the November 2, 2021, General Election

Chairman Hastings moved to acknowledge the Secretary of State Memorandum and Directive: Memorandum 2021-03: Responsibilities of Sheriffs and Chiefs of Police in the 2021 General Election (NOTICE: Pursuant to R.C. 149.433, this document is not subject to disclosure as a public record), and Directive 2021-20; Unofficial and Official Canvasses of the November 2, 2021, General Election. Board Member Wondolowski seconded. The motion passed unanimously.

Agenda Item 3: Acknowledgment of deaths in, resignations from, and appointments to elected office

Chairman Hastings moved to acknowledge the deaths in, resignations from, and appointments to elected office. Board Member Wondolowski seconded. The motion passed unanimously.

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

Agenda Item 4: Acknowledgment of withdrawal of candidate from the November 2, 2021, General Election

Chairman Hastings moved to acknowledge the withdrawal of a candidate from the November 2, 2021, General Election. Board Member Wondolowski seconded. The motion passed unanimously.

Agenda Item 5: Authorization to pay: 295 Voting Location Managers x \$200 = \$59,000; 320 Voting Location Deputies x \$200 = \$64,000; 3,178 Precinct Election Officials x \$172.10 = \$546,933.80; 295 Sanitation Officials x \$200 = \$59,000; 150 Election Substitute Officials x \$100 = \$15,000 for the November 2, 2021, General Election

Chairman Hastings moved to approve the authorization to pay: 295 Voting Location Managers x \$200 = \$59,000; 320 Voting Location Deputies x \$200 = \$64,000; 3,178 Precinct Election Officials x \$172.10 = \$546,933.80; 295 Sanitation Officials x \$200 = \$59,000; 150 Election Substitute Officials x \$100 = \$15,000 for the November 2, 2021, General Election. Board Member Wondolowski seconded. The motion passed unanimously.

Agenda Item 6: Authorization to process payment in the amount not-to-exceed \$29,250.00 for 101 private voting locations being used for the November 2, 2021, General Election

Chairman Hastings moved to authorize to process payment in the amount not-to-exceed \$29,250.00 for 101 private voting locations being used for the November 2, 2021, General Election. Board Member Wondolowski seconded. The motion passed unanimously.

Agenda Item 7: Final authorization for the allocation of voting booths for the November 2, 2021, General Election. Allocation quantities are based on Social Distancing and room size per polling location. A total of 4,613 voting booths will be allocated + 836 DS200 precinct scanners + 295 ADA AutoMark voting units and 1,131 Electronic Poll books.

Chairman Hastings moved to acknowledge the final authorization of the allocation of voting booths for the November 2, 2021, General Election. Allocation quantities are based on Social Distancing and room size per polling location. A total of 4,613 voting booths will be allocated + 836 DS200 precinct scanners + 295 ADA AutoMark voting units and 1,131 Electronic Poll books. Board Member Wondolowski seconded. The motion passed unanimously.

Agenda Item 8: Approval of Purchase Award Recommended to Marketing Communication Resource, Inc. (MCR) in the amount of \$38,146.05 to Print and Deliver Voter Assistance Table Guides, Alphabetic Backup Paper Poll Books, Poll Location Voter Lists, Precinct Voter Lists, and associated Programming Charges for the November 2, 2021, General Election

Chairman Hastings moved to authorize the approval of the purchase award recommended to Marketing Communication Resource, Inc. (MCR) in the amount of \$38,146.05 to Print and Deliver Voter Assistance Table Guides, Alphabetic Backup Paper Poll Books, Poll Location Voter Lists, Precinct Voter Lists, and associated Programming Charges for the November 2, 2021, General Election. Board Member Wondolowski seconded. The motion passed unanimously.

Agenda Item 9: Approval of Vouchers

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

Agenda Item 10: Challenge of right to vote filed by Ryan Routh against Mordechai Rennert

A transcript of the proceedings from this challenge of the right to vote is available for review by contacting Mary Bejjani, CCBOE Clerk to the Board, at [216-443-6430](tel:216-443-6430) / mbejjani@cuyahogacounty.gov.

Board Member Wondolowski made a motion to uphold the protest. Board Member Davis Chappell seconded the motion. Chairman Hastings and Board Member Stickan opposed the motion. The motion resulted in a 2-2 tie vote. The matter will be referred to the Ohio Secretary of State.

NEW BUSINESS

Update on November 2, 2021, General Election

Deputy Director Kaloger stated the staff is preparing for the November 2, 2021, General Election. Early in-person voting has currently processed 1,200 voters. The voting hours this week will be from 8:00 a.m. to 5:00 p.m. Next week, the hours will be expanded and include weekend voting. The CCBOE has currently processed approximately 67,500 vote-by-mail applications. The CCBOE will require 3,800 election day workers. To date, we have hired 3,100 or 82% of the needed goal. Recruitment efforts include working with the major political parties. Community Outreach is working with communities with new polling locations, and the CCBOE is notifying affected voters by mail with the voter information guide. Starting today, the Election Support Department will begin delivering supplies to the 295 polling locations. The anticipated voter turnout is 30% for the November 2, 2021, General Election.

Maple Heights Council District 6 Recall Election

Director Perlatti stated that on Tuesday, October 12, 2021, the residents in Maple Heights, Ward 6, submitted to the CCBOE petitions to recall sitting council member Richard Trojanski, 116 valid signatures are required, and 117 signatures were valid. There was one part petition in which the circulator statement indicated 24 signatures on the petitions when there were 25 signatures listed. In matters such as this, SOS Advisory 2021-05 controls. In State ex rel. Ferrara v. Trumbull County Board of Elections, the Ohio Supreme Court ruled that if there is no indicia of fraud, should a minor mathematic mistake occur, the part petition should be included. The CCBOE staff reviewed the petition, and there were no unordinary changes to the petition which would cause further investigation. The CCBOE staff then consulted with Cuyahoga County Assistant Prosecutor Musson and SOS legal counsel regarding this matter and the guidance is that the foregoing Ohio Supreme Court ruling supersedes the Election Official manual. The SOS office will modify the Election Official Manual after the November 2021 election cycle. With the foregoing guidance staff determined the part petition to be valid, meeting the minimum number of signatures. Accordingly, CCBOE staff certified the numbers to the Maple Heights Clerk of City Council for consideration by city council. The Maple Heights Clerk will also serve notice to Council Member Trojanski, allowing him five days to resign. If the council member does not resign within five days, the Maple Heights City Council will set a date for the recall election. The Maple Heights City Council has a meeting on Wednesday, October 20, 2021, and will address the Recall Election. Per Maple Heights Charter, the election must be held within 30-40 days of the service of the notice of certification of the petitions. If Maple Heights City Council schedules a recall election on November 23, 2021, the election would be within

the parameters of the Maple Heights Charter. Per the Maple Heights Charter, not only does it require the question of whether an office holder be recalled, the ballot will set forth the names of replacement candidates. Once the Recall Election is established, 25 days before the election, there will be a filing deadline for candidates who want to appear on the ballot to finish out the remainder of the term of this council seat. The sitting council person is not eligible to put their name forward. Potentially there will be a Tuesday, November 23, 2021, Recall Election, with an October 29, 2021, candidate filing deadline. If that is the case, the CCBOE will need to schedule a board meeting to certify the recall issue and candidates to the ballot, likely on Monday, November 1, 2021. The Ballot Department will begin creating the Maple Heights ballot, on Wednesday, November 3, 2021. The ballot will take approximately one week to be created, proofed, and have the voting equipment tested to release the ballots. There are two precincts involved in the recall election. Director Perlatti stated because of the size of the election; the recall election will be staffed by CCBOE staff. Chairman Hastings asked if the Recall Election date of November 23, 2021, was established with input from the City of Maple Heights. Director Perlatti stated yes. Tuesday, November 23rd works best for the CCBOE and avoids overlap for early in-person voting and absentee voting. The later date also gives candidates more time to submit petitions.

PUBLIC COMMENT

There was no public comment.


At 10:42 a.m. Chairman Hastings motioned to go into executive session for the purpose of discussing matters related to litigation. Board Member Davis Chappell seconded, and a roll call vote was taken, and each Board Member voted in the affirmative. The motion passed unanimously.

At 11:07 a.m., after returning from the executive session, Chairman Hastings motioned to come out of the executive session. Board Member Wondolowski seconded, and a roll call was taken, and each Board Member voted in the affirmative.

Chairman Hastings moved to recess the meeting at 11:08 a.m. Board Member Wondolowski 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 October 18, 2021.

Jeff Hastings, Chairman



Inajo Davis Chappell, Board Member

Lisa M. Stickan, Board Member



David J. Wondolowski, Board Member



Anthony Perlatti, Director

