

# VOTE CUYAHOGA COUNTY BOARD OF ELECTIONS

**Board Meeting  
3/7/2022**

**Attending:**

Jeff Hastings, Chairman  
Inajo Davis Chappell, Board Member  
Lisa M. Stickan, Board Member  
David Wondolowski, 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 9:30 a.m. Hereinafter referred to as the CCBOE/Board.

Chairman Hastings noted that all Board Members were in attendance.

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**Agenda Item 1: Approval of the minutes from the February 14, 2022, Board Meeting**

Chairman Hastings moved to approve the minutes from the February 14, 2022, Board Meeting. Board Member Wondolowski seconded. The motion passed unanimously.

**Agenda Item 2: Acknowledgment of Secretary of State Directives: Directive 2022-23; Data Collection, Notice, and Cancellation Procedures for Completion of 2018 National Change of Address (“NCOA”) and Supplemental Process; Directive 2022-24; Statewide Candidates for the May 3, 2022, Primary Election; Directive 2022-25; Ballots and Candidates for May 3, 2022, Primary Election for Offices Not Impacted by Redistricting; Directive 2022-26; State House and Senate District Maps and House Bill (“H.B.” 93); Directive 2022-27; U.S. House of Representatives (“U.S. House”) District Maps and House Bill (“H.B.” 93)**

Chairman Hastings moved to acknowledge the Secretary of State Directives: Directive 2022-23; Data Collection, Notice, and Cancellation Procedures for Completion of 2018 National Change of Address (“NCOA”) and Supplemental Process; Directive 2022-24; Statewide Candidates for the May 3, 2022, Primary Election; Directive 2022-25; Ballots and Candidates for May 3, 2022, Primary Election for Offices Not Impacted by Redistricting; Directive 2022-26; State House and Senate District Maps and House Bill (“H.B.” 93); Directive 2022-27; U.S. House of Representatives (“U.S. House”) District Maps and House Bill (“H.B.” 93) Board Member Wondolowski seconded. The motion passed unanimously.

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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.

### **Agenda Item 3: CCBOE Signature Stamp Policy**

Chairman Hastings moved to approve the CCBOE Signature Stamp Policy. Board Member Wondolowski seconded. The motion passed unanimously.

### **Agenda Item 4: Acknowledgment of resignations from, appointments to, and death in elected office**

Chairman Hastings moved to acknowledge the resignations from, appointments to, and death in elected office as provided in the meeting materials. Board Member Wondolowski seconded. The motion passed unanimously.

### **Agenda Item 5: Acknowledgment of withdrawal of candidates from the May 3, 2022, Primary Election**

Chairman Hastings moved to acknowledge the withdrawal of candidates from the May 3, 2022, Primary Election as provided in the meeting materials. Board Member Wondolowski seconded. The motion passed unanimously.

### **Agenda Item 6: Review of candidate petitions**

Brent Lawler, Candidate and Petition Services Manager, presented a list of Petitions for Board Review from the board packet of candidates not to certify for the May 3, 2022, Primary Election.

Chairman Hastings moved not to certify the candidate petitions listed for reasons set forth in the meeting materials. Board Member Wondolowski seconded. The motion passed unanimously.

### **Agenda Item 7: Certification of Democratic Central Committee write-in candidates and remaining issues for the May 3, 2022, Primary Election**

As provided in the meeting materials, Chairman Hastings moved to certify Democratic Central Committee write-in candidates and the remaining issues for the May 3, 2022, Primary Election. Board Member Wondolowski seconded. The motion passed unanimously.

### **Agenda Item 8: Approval to appoint not less than two precinct election officials for each precinct pursuant to ORC §3501.22 for the May 3, 2022, Primary Election**

Chairman Hastings moved to approve to appoint not less than two precinct election officials for each precinct pursuant to ORC §3501.22 for the May 3, 2022, Primary Election. Board Member Wondolowski seconded. The motion passed unanimously.

### **Agenda Item 9: Approval to send the Voter Information Guide to all active voters in Cuyahoga County for the May 3, 2022, Primary Election**

Kendra Zusy, Fiscal Services Manager, presented information from the board packet regarding the approval to send the Voter Information Guide to all active voters in Cuyahoga County for the May 3, 2022, Primary Election. Director Perlatti stated with an approval today of the Voter Information Guide; the vendor would be able to purchase paper at current prices. The mail services would occur when the CCBOE is ready to send the Voter Information Guide for the 2022 Gubernatorial Primary

Election. Board Member Davis Chappell clarified that the CCBOE will still maintain the contract price, and the CCBOE will have the flexibility to change the text and content at the same contract price. Ms. Zusy said yes, and the vendor will hold the pricing for 90 days.

Chairman Hastings moved to approve to send the Voter Information Guide to all active voters in Cuyahoga County for the May 3, 2022, Primary Election. Board Member Wondolowski seconded. The motion passed unanimously.

#### **Agenda Item 10: Approval of the vouchers**

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

#### **Agenda Item 11: Midwest Direct supply chain increase correspondence**

Board Member Hastings moved not to provide further assistance to Midwest Direct because the CCBOE is prohibited by law. Board Member Wondolowski seconded. The motion passed unanimously.

#### **Agenda Item 12: Approval of the personnel agenda**

Chairman Hastings moved to approve the personnel agenda provided in the board package. Board Member Wondolowski seconded. The motion passed unanimously.

### **NEW BUSINESS**

Peter James, Election and Compliance Administrator, presented information in the board packet regarding updating the key changes and policies added to the Election Official Manual.

Director Perlatti provided updates on the May 3, 2022, Primary Election. Poll worker training started on March 4, 2022. The online training link was sent to 825 workers, and 71 individuals have signed up for in-person classes over the last weekend. During the week of March 7, 2022, 281 individuals signed up for classes. The CCBOE is receiving a positive response regarding the poll worker pay increase. There are polling location changes for the upcoming election. Currently, the CCBOE has moved 17 polling locations, that will impact 46 precincts, seven municipalities, and 45,000 voters. There are still polling locations that need to be finalized. One location in Euclid is changing due to renovation. The Rocket Mortgage Field House may need to change depending on if the Cavs are in the playoffs. Also, an alternate location needs to be finalized for St. Anthony of Padua due to the recent fire at the school. If the Primary Election date is moved, the CCBOE will need to work with the polling locations to determine if any conflicts exist. Board Member Wondolowski asked if the Primary Election is moved would the CCBOE be tied into the rental cost for May 3, 2022. Director Perlatti stated, per a clause in the CCBOE agreement with the polling locations, changes can be made with a 24-hour notice. A new contract would then be sent to the polling locations with a new date.

Board Member Davis Chappell asked when voters impacted by the voting location changes would be notified. Director Perlatti stated the CCBOE is informing voters now with the letter stating the voting location has changed for the 2022 Primary Election. Board Member Davis Chappell asked if

the letter would indicate the location changes are beyond the CCBOE's control. Deputy Director Kaloger stated CCBOE phone staff are prepared to update voters as to why a location was changed. Director Perlatti explained the notification letter gives the CCBOE more flexibility to provide more detailed information to the voter than the 4 x 6 postcards previously used.

Director Perlatti stated the CCBOE had not received legal descriptions from the Ohio Secretary of State (SOS) regarding the U.S. Congressional contests, and The Ohio Supreme Court has not made a decision on the redistricting maps. The SOS did receive notice from the Department of Defense that the Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA) waiver was denied, which is due to begin on March 18, 2022. Director Perlatti described many factors and processes that need to be accomplished to hold a successful election. The current scenario exceeds the challenges of the 2020 Primary Election.

There are numerous obstacles beyond the CCBOE's control that impact the ability to hold a successful election, including ballot proofing, review of ballot samples, printing of final Vote-by-Mail and In-House ballots, logic accuracy testing for equipment, and entering vote by mail applications into the system until the election is set. Numerous processes are contingent upon the occurrence of one another. The CCBOE is planning an Election based on what is known. The Ohio Supreme Court stated there is a 4:00 p.m. deadline on Tuesday, March 8, 2022, for the Commission to provide statements on the current maps, but that does not guarantee there will be a decision made.

Chairman Hastings stated he appreciated the summary of the steps, how everything is related to each other, and how these changes can create redoing work. Chairman Hastings asked what the drop-dead date was. Director Perlatti stated the ideal date to have court approved maps and legal descriptions was Friday, March 4, 2022. Chairman Hastings stated this issue is not unique to Cuyahoga County, every Board of Elections in the State is experiencing the same issue. Director Perlatti said yes and also the issue is compounded in larger counties. In Cuyahoga County there are 11 House Districts, four Senate districts and two U.S. Congressional districts. Other counties in the same position include Franklin, Summit, Lorain, and Lake counties.

Board Member Davis Chappell stated the Ohio Association of Election Officials has issued statements to encourage the date of the Primary be changed. Although this is a partisan primary, it is not a partisan issue, it is an election official administration issue and to reiterate what the Director is saying, the agency is at a crossroads to successfully execute and administer a Primary Election on May 2, 2022. The CCBOE is working hard to navigate the uncertainties related to redistricting along with the litigation that is in process. The CCBOE is following the Secretary of State Directives to do all things required for May 3, 2022, and appreciates the direction received and understands that the SOS is challenged as well. Despite the best efforts of staff, it appears that the CCBOE does not have all that is needed to be ready for the May 3, 2022, Primary Election. The CCBOE is unable to prepare the ballots, which are fundamental to the election process. With the inability to prepare the ballots and the denial of the waiver while awaiting direction from the Chief Election Officer. The CCBOE staff gives 150% to prepare for every large and small election. Conducting an Election is a process that requires sufficient time for each necessary task that has to be accomplished. The Board knows the CCBOE staff has been working feverishly to try to accomplish all of these processes for May 3, 2022, as instructed. The CCBOE is at a turning point and does not have what is needed to prepare the basic ballot. The answer is not to have two primary elections, as it would be an extraordinary burden on agencies. The issue is not only about money but having the human resources to assemble the election. There is also concern about potential voter

confusion. If both large counties and some smaller counties are also experiencing so many uncertainties, at this point, there is a need for somebody to be thoughtful and proactive and move the current election day out. The CCBOE is at a standstill to effectively administer the type of election that the CCBOE is used to doing. It is a cause for concern. The CCBOE is at a crucial point, those involved and all the stakeholders in making the decisions need to move the election out far enough that gives the CCBOE the ability to do what needs to be done to conduct the election. Furthermore, Board Member Davis Chappell expressed she would like to have a May 3, 2022, Primary Election, but she is not confident it can be done. The CCBOE needs to level-set expectations for the voters and all the stakeholders that there can potentially be problems if this does not get sorted out quickly. Board Member Davis Chappell stated the Board is duty-bound to go on record.

Chairman Hastings recommended the Board write a letter to the State Legislators and encourage the date be changed for the Primary Election. He will draft a letter on behalf of all the Board and send it to the President of the Senate and the Speaker of the House.

Chairman Hastings asked if the Board needed to meet again. Director Perlatti stated in the current Directive, March 14, 2022, is the certification deadline for candidates to the General Assembly, State Central, and U.S. Congressional. The Board will need to meet again on Monday, March 14, 2022, at 9:30 a.m. for the certification of candidates.

#### **PUBLIC COMMENT**

There was no public comment.

Chairman Hastings moved to adjourn the meeting at 10:35 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 March 7, 2022.

Jeff Hastings, Chairman




Inajo Davis Chappell, Board Member



Lisa M. Stickan, Board Member



David J. Wondolowski, Board Member



Anthony Perlatti, Director

