

VOTE CUYAHOGA COUNTY BOARD OF ELECTIONS

Board Meeting
4/6/2022

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

The Cuyahoga County Board of Elections Meeting began at 9:31 a.m. Hereinafter referred to as the CCBOE/Board.

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

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 March 7, 2022, and March 14, 2022, Board Meetings

Chairman Hastings moved to approve the minutes from the March 7, 2022, and March 14, 2022, Board Meetings. Board Member Davis Chappell seconded. The motion passed unanimously.

Agenda Item 2: Acknowledgment of Secretary of State Directives and Memorandum: Directive 2022-30; League of Women Voters of Ohio et al. v. Ohio Redistricting Commission and Additional Instructions and Letter from Secretary to the General Assembly; Directive 2022-31; Revised Form of Ballot for the May 3, 2022, Primary Election; Directive 2022-32; May 3, 2022 Primary Election Instructions; Memorandum 2022-01; Responsibilities of Sheriffs and Chiefs of Police in the 2022 Primary Election (confidential - not for disclosure)

Board Member Davis Chappell stated for the record that the Board is required to act on Directive 2022-31, which will be acknowledged in Agenda Item 4. Chairman Hastings moved to acknowledge the Secretary of State Directive: 2022-30; League of Women Voters of Ohio et al. v. Ohio Redistricting Commission and Additional Instructions and Letter from Secretary to the General Assembly; Directive 2022-31; Revised Form of Ballot for the May 3, 2022, Primary Election; Directive 2022-32; May 3, 2022 Primary Election Instructions; Memorandum 2022-01; Responsibilities of Sheriffs and Chiefs of Police in the 2022

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

Primary Election (confidential - not for disclosure). Board Member Davis Chappell seconded. The motion passed unanimously.

Agenda Item 3: Acknowledgment of the Ballot Proofs for the May 3, 2022, Primary Election in accordance with the Ballot Proofing Policy approved by the Board at the March 12, 2021, Board Meeting.

Chairman Hastings moved to acknowledge the Ballot Proofs for the May 3, 2022, Primary Election in accordance with the Ballot Proofing Policy approved by the Board at the March 12, 2021, Board Meeting. Board Member Davis Chappell seconded. The motion passed unanimously.

Agenda Item 4: Acknowledgment of candidates' petitions for Ohio House, Ohio Senate, or State Central Committee were certified based on the Feb. 24, 2022, General Assembly district plan. Since this plan was ruled invalid, the Cuyahoga County Board of Election's (CCBOE) decision to certify or reject those candidates' petitions for the May 3, 2022, Primary Election is null and void.

Per Directive 2022-31, Chairman Hastings moved to acknowledge the candidates' petitions for Ohio House, Ohio Senate, or State Central Committee were certified based on the Feb. 24, 2022, General Assembly district plan. Since this plan was ruled invalid by the Ohio Supreme Court, the Cuyahoga County Board of Election's (CCBOE) decision to certify or reject those candidates' petitions for the May 3, 2022, Primary Election is now null and void. Board Member Davis Chappell seconded. The motion passed unanimously.

Agenda Item 5: Acknowledgment of the 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 Davis Chappell seconded. The motion passed unanimously.

Agenda Item 6: Acknowledgment of death in, and appointments to elected office

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

Agenda Item 7: Authorization to pay: 288 Voting Location Managers x \$275 = \$79,200; 317 Voting Location Deputies x \$275 = \$87,175; 2,868 Precinct Election Officials x \$250 = \$717,000; 288 Sanitation Officials x \$200 = \$57,600; 150 Election Substitute Officials x \$100 = \$15,000 for the May 3, 2022, Primary Election

Chairman Hastings asked if sanitation officials were still required. Director Perlatti stated the sanitation official is no longer required, and the position has been modified for 2022. In addition to sanitizing the voting areas, training is in place to qualify the positions as precinct election officials. The training is not as in-depth, but the duties include operating the DS200 scanners and being a greeter.

Chairman Hastings moved to approve the authorization to pay: 288 Voting Location Managers x \$275 = \$79,200; 317 Voting Location Deputies x \$275 = \$87,175; 2,868 Precinct Election Officials x \$250 = \$717,000; 288 Sanitation Officials x \$200 = \$57,600; 150 Election Substitute Officials x \$100 = \$15,000

for the May 3, 2022, Primary Election. Board Member Davis Chappell seconded. The motion passed unanimously.

Agenda Item 8: Authorization to process payment in the amount not-to-exceed \$46,700 for 91 private voting locations, five (5) CMHA locations, and one (1) private zone station being used for the May 3, 2022, Primary Election

Chairman Hastings moved to authorize to process payment in the amount not-to-exceed \$46,700 for 91 private voting locations, five (5) CMHA locations, and one (1) private zone station being used for the May 3, 2022, Primary Election. Board Member Davis Chappell seconded. The motion passed unanimously.

Agenda Item 9: Final authorization for the allocation of voting booths for the May 3, 2022, Primary Election. Allocation quantities are based on social distancing and room size per polling location. A total of 4,554 voting booths will be allocated + 819 DS200 precinct scanners + 288 ADA AutoMark voting units and 796 Electronic Poll books

Chairman Hastings asked if social distancing is still in place. Director Perlatti stated current social distancing for the May 3, 2022, Primary Election is related to the spacing between voting booths and tables. The social distancing does not affect the number of Electronic Poll books or DS 200 scanners per location.

Chairman Hastings moved to acknowledge the final authorization of the allocation of voting booths for the May 3, 2022, Primary Election. Allocation quantities are based on social distancing and room size per polling location. A total of 4,554 voting booths will be allocated + 819 DS200 precinct scanners + 288 ADA AutoMark voting units and 796 Electronic Poll books. Board Member Davis Chappell seconded. The motion passed unanimously.

Agenda Item 10: Approval to extend the Delivery and Return of Voting Equipment to Voting Locations Contract with Midfitz, Inc. dba Berman Moving & Storage. Extending the contract from November 3, 2022, through December 31, 2022, in the amount not-to-exceed \$49,335.00.

Director Perlatti stated at the February 14, 2022, Board meeting an initial extension was executed for the Berman's contract incorporating the May 2022 Primary Election through November 2, 2022. By mutual agreement, the contract will now be extended from November 3, 2022, through the end of 2022, at the current pricing. The second Primary Election for legislative offices will be covered under the initial contract extension. The cost will be based on tiered pricing depending on how many polling locations are involved in the election.

Chairman Hastings moved to approve to extend the Delivery and Return of Voting Equipment to Voting Locations Contract with Midfitz, Inc. dba Berman Moving & Storage. Extending the contract from November 3, 2022, through December 31, 2022, in the amount not-to-exceed \$49,335.00. Board Member Davis Chappell seconded. The motion passed unanimously.

Agenda Item 11: Recommendation adopting a Federal Grant Award Equipment Policy for the purpose of tracking equipment through federal award funding

Chairman Hastings asked the reason for the Federal Grant Award Equipment Policy and how much money does the CCBOE receives federally other than what was obtained from the non-profit in 2020. Kendra Zusy, Fiscal Services Manager, stated the amount of federal dollars received in 2020 was \$1,032,587.00.

Director Perlatti stated the CCBOE tracked all the federal grant dollars spent and provided documentation to the Secretary of State (SOS). As a result of the State audit, the SOS sent a boilerplate federal grant award equipment policy to multiple Boards of Elections for adoption. Assistant Prosecutor Musson has reviewed the policy and provided comments which were incorporated into the CCBOE Federal Grant Award Equipment Policy. Chairman Hastings inquired what was purchased with the Cares Act funds the CCBOE received. Director Perlatti stated that those funds were used for non-tangible items and qualified items, including computers, two used DS850 scanners, and a folding and inserting machine. Chairman Hastings stated should the CCBOE receive Federal funds in the future, there is now a policy on how those Federal dollars may be spent.

Chairman Hastings moved to recommend adopting a Federal Grant Award Equipment Policy for the purpose of tracking equipment through federal award funding. Board Member Davis Chappell seconded. The motion passed unanimously.

Walk-on agenda item: Early In-Person Alternate Plan for the May 3, 2022, Primary Election

Director Perlatti provided a summary of a walk-on agenda item regarding the alternate plan for Early In-Person voting for the May 3, 2022, Primary Election. Director Perlatti stated on March 23, 2022, the CCBOE received the SOS Directive that finalized the form of the ballot for the May 3, 2022, Primary Election. This is approximately a month later than the CCBOE generally creates the ballot. The CCBOE staff has worked seven days a week and extended hours to make up for the lost time. The staff has done excellent work and has not skipped a process or cut corners to execute every step required to create accurate ballots. The ballot has been 100% proofed and is accurate. Approval to print the ballots was sent to Midwest Direct on Monday, April 4, 2022. Further, the CCBOE performs a test deck of pre-voted ballots which are run through the equipment and the results are uploaded from the scanners into the tabulation system. CCBOE staff then compares the tabulation results versus the expected results to ensure the results are accurate. The test deck is performed on the central scanners, the same equipment used for Vote-by-Mail, the Early In-Person equipment, and the backup machines.

The opening of Early In-Person voting started at 8:00 a.m. on Tuesday, April 5, 2022, and a printed ballot was not yet available. For each Early In-Person voter, a PDF ballot was produced, and instructions were provided to each voter. When the voter completes the ballot, it is collected in an ID envelope, and the ballot is dropped in the ballot box. Once the printed ballots are received bi-partisan teams of Ballot Department employees will follow the Ballot Remake Policy to transfer the votes from the PDF ballots to an actual ballot that will be scanned through the DS850 machine. The process is similar to what occurs with UOVACA ballots which are emailed out in electronic format. The CCBOE shared the policy with the SOS last week, and the SOS agreed with the procedure.

On April 5, 2022, the CCBOE received the "Issues Only" ballots from the printer. The CCBOE should receive all the Democratic and Republican Ballots by Thursday afternoon. By Friday, April 8, 2022, all ballots will have been received and shelved and the "regular process" of Early In-Person voting commenced. Chairman Hastings asked when the remaking of the PDF ballots would take place. Director Perlatti stated the remakes would be done by the Ballot Department the week of April 11, 2022. All the documentation will be kept and properly processed by bipartisan teams of employees. Board Member Davis Chappell asked if the remade PDF ballots would be secured. Director Perlatti stated yes, and the CCBOE is transparent about the process and publicizing the information. Board Member Davis Chappell stated the plan was excellent thinking, creative, and great problem-solving. Chairman Hastings requested the Board be updated daily on the number of Early In-Person voters. Director Perlatti stated the Board Members will be updated, and the SOS is also receiving daily updates.

Chairman Hastings moved to adopt the Early In-Person Alternate Plan for the May 3, 2022, Primary Election. Board Member Davis Chappell seconded. The motion passed unanimously.

Walk-on agenda item: Approval of the personnel agenda

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

NEW BUSINESS

Director Perlatti provided general updates for the CCBOE.

The CCBOE Employee Policy and Procedures manual continues to be revised by Human Resources. Currently, chapter six is progressing and will be shared with the employee committee. The final version of the handbook will be approximately eight chapters. Once completed, the employee handbook will be shared with the Prosecutors Office, and the Board Members prior to its adoption.

The selection of new voting equipment will need to be made this year. The CCBOE subcommittee, which includes Board Members Davis Chappell and Stickan, will be meeting to determine the steps towards making decisions on a vendor. Board Member Davis Chappell requested a recap and update on the vendors. Director Perlatti stated Peter James, Election and Compliance Administrator, would put together a refresher document. The CCBOE will also schedule meetings with the vendors to provide updates since the last State certification process that took place in December 2021.

Director Perlatti provided an update on the May 3, 2022, Primary Election. On Monday, April 5, 2022, there were 52 voters. Due to the PDF version of the ballot, seven individuals opted not to vote and the voters will come back when “actual ballots” are available. The requests for vote by mail (“VBM”) ballot applications are much lower than expected. The CCBOE has 6,500 ballot applications processed; four years ago, at this time, about 40,000 VBM ballot requests were received. The CCBOE will continue to encourage voting through the news and social media. The VBM ballots will begin mailing on Friday, April 9, 2022.

The CCBOE is reaching its goals for poll worker recruitment, currently at 85% recruited and about 65% trained. Any additional assistance to bring in more Republicans to work the polls is greatly appreciated. The additional incentives to complete the training early has provided positive results. The Ballot Department is now conducting Logic and Accuracy Testing on the equipment, which involves running test decks through the equipment to ensure the equipment’s accuracy. The Ballot Department has also finished testing the AutoMark equipment and will begin testing Election Day Scanners. The Ballot Department continues to work extended hours and through the weekends to make up days caused by the statewide election litigation. Berman’s moving will be picking up the equipment from the CCBOE in approximately ten days to begin delivery to the polling locations. The Election Support Department will likely be working the weekend, pre-packing supplies for the polling locations. The CCBOE staff is confident everything will be ready on time, but it will take working additional hours.

Board Member Davis Chappell asked if there was enough staff or if any additional staff was necessary. Director Perlatti stated that temporary staff is being utilized. It is currently a struggle to fill the needed positions, even with the recent hourly wage increase of \$15.00 per hour for temporary employees.

There is not a pool of applicants applying for temporary work. Resources are being shifted within the agency to complete projects based on immediate needs.

Certain challenges have required workarounds, including the current paper supply shortages. Print projects affected include precinct voter lists and backup paper poll books. Alternatives are being considered for unbid projects which include using the County print shop, CCBOE staff will then complete the assembly of the print projects. Midwest Direct, the vendor for printing CCBOE ballots, is looking ahead to the 2022 August Primary and November General Elections to have the paper needed for the elections. Board Member Davis Chappell stated Midwest has been doing a great job as a vendor during this challenging period.

On behalf of the Board Members, Chairman Hastings acknowledged and thanked the leadership being displayed the many employees of the CCBOE during this challenging time.

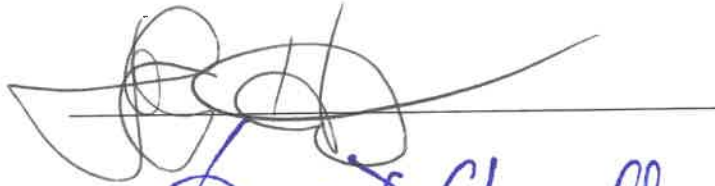
PUBLIC COMMENT

Mr. Michael Seals, resident of Ward 7 requested a map of the Congressional Districts.

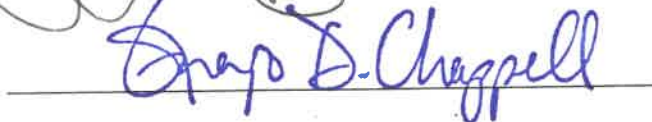
Chairman Hastings moved to adjourn the meeting at 10:07 a.m. Board Member Davis Chappell seconded. The motion passed unanimously.

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 April 6, 2022.

Jeff Hastings, Chairman

A handwritten signature in black ink, appearing to be "Jeff Hastings", written over a horizontal line.

Inajo Davis Chappell, Board Member

A handwritten signature in blue ink, "Inajo Davis Chappell", written over a horizontal line.

Lisa M. Stickan, Board Member

A handwritten signature in blue ink, "Lisa M. Stickan", written over a horizontal line.

David J. Wondolowski, Board Member

A handwritten signature in black ink, "David J. Wondolowski", written over a horizontal line.

Anthony Perlatti, Director

A handwritten signature in black ink, "Anthony Perlatti", written over a horizontal line.