

# VOTE CUYAHOGA COUNTY BOARD OF ELECTIONS

Board Meeting  
8/15/2022

**Attending:**

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

Mary Bejjani, Clerk to the Board  
Skip White, Clerk to the Board

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The Cuyahoga County Board of Elections Meeting began at 9:31 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 July 13, 2022, Board Meeting**

Chairman Hastings moved to approve the minutes from the July 13, 2022, Board Meeting. Board Member Davis Chappell seconded. The motion passed unanimously.

**Agenda Item 2: Acknowledgment of Secretary of State Directives and Advisory: Directive 2022-41: Preparation for the Statewide Mailings of Absentee Ballot Applications for the November 8, 2022, General Election; Directive 2022-42: Designation of Districts for State Board of Education; Advisory 2022-03: House Bill 377 and Changes to Election Worker Exclusion from PERS**

Chairman Hastings moved to acknowledge the Secretary of State Directives and Advisory: Directive 2022-41: Preparation for the Statewide Mailings of Absentee Ballot Applications for the November 8, 2022, General Election; Directive 2022-42: Designation of Districts for State Board of Education; Advisory 2022-03: House Bill 377 and Changes to Election Worker Exclusion from PERS. Board Member Davis Chappell seconded. The motion passed unanimously.

**Agenda Item 3: Lois and Robert Ellzey voting investigation update**

Deputy Director Kaloger presented a summary from the board meeting materials regarding the investigation of voting irregularities of Louis and Robert Ellzey. The CCBOE Director and Deputy Director recommended forwarding the investigation results to the Cuyahoga County Prosecutor's Office and notifying the Secretary of State's Elections Council of the incident and corresponding referral.

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

Chairman Hastings moved to refer the matter of the investigation of voting irregularities to the Cuyahoga County Prosecutors Office. Board Member Davis Chappell seconded the motion. The motion passed unanimously.

**Agenda Item 4: Determination of the validity of provisional ballots and authorization to count provisional ballots from the August 2, 2022, Primary Election**

Betty Edwards, Registration Department Manager, presented the Provisional Report to the Board as provided in the meeting materials.

Chairman Hastings moved to approve the determination of the validity of provisional ballots and authorization to count provisional ballots from the August 2, 2022, Primary Election. Board Member Davis Chappell seconded the motion. The motion passed unanimously.

**Agenda Item 5: Preliminary approval of the ballot order for the November 8, 2022, General Election**

Chairman Hastings moved to approve the preliminary ballot order for the November 8, 2022, General Election. Board Member Davis Chappell seconded the motion. The motion passed unanimously.

**Agenda Item 6: Acknowledgment of resignations from elected office**

Chairman Hastings moved to acknowledge the resignations from elected office as provided in the meeting materials. Board Member Davis Chappell seconded the motion. The motion passed unanimously.

**Agenda Item 7: Acknowledgment of candidate and issues withdrawals**

Chairman Hastings moved to acknowledge the candidate and issues withdrawals as provided in the meeting materials. Board Member Davis Chappell seconded the motion. The motion passed unanimously.

**Agenda Item 8: Certification of candidates and issues for the November 8, 2022, General Election**

**Prior to the certification of candidates**

Brent Lawler, Candidate and Petition Service Manager, stated that staff determined that there were three petitions to be heard by the Board.

James A. Williams filed a part-petition for Cleveland Heights Council UET 12/31/2023. The number of valid signatures required was 232, and 234 signatures were filed, one signature was valid, and the petition was short 231 signatures. The candidate was notified by email and voice mail that his petitions were insufficient, encouraged him to withdraw the petitions, and advised him of the time and place of the August 15, 2022, Board Meeting. The CCBOE will investigate to determine why 137 of the signatures were "Not Genuine" and 65 signatures were "Not Registered at the address stated on the petition" and report the findings and recommendations to the Board. The candidate does not have the qualifying minimum valid signatures and should not be certified for the November 8, 2022, General Election.

Chairman Hastings moved to not certify the petitions for James A. Williams Cleveland Heights Council UET 12/31/2023. Board Member Davis Chappell seconded the motion. The motion passed unanimously.

Platform Brewery filed a four part-petition for a Local Liquor Option for Cleveland Ward 14, Precinct 1. The petition required 50 valid signatures and 82 signatures were filed, of which 42 were valid. The petitioner was notified, advised the petition was insufficient and encouraged to withdraw the petition. Platform Brewery was also advised of the August 15, 2022, Board Meeting. CCBOE staff recommends due to the petition not having the qualifying minimum valid signatures, it should not be certified for the November 8, 2022, General Election.

Chairman Hastings moved not to certify the petition Platform Brewery for Local Liquor Option: Cleveland Ward 14, Precinct 1. Board Member Davis Chappell seconded the motion. The motion passed unanimously.

Mr. Lawler presented information from the Board Materials regarding Local Liquor Option; Broadview Heights Ward 01, Precinct B – Broadview Brewing Company. The staff is recommending the petition be rejected due to the petition missing required language.

*A transcript of this hearing can be obtained by contacting Mary Bejjani, CCBOE Clerk to the Board at [216-443-6430/mbejjani@cuyahogacounty.gov](mailto:216-443-6430/mbejjani@cuyahogacounty.gov).*

Board Member Davis Chappell made a motion not to certify the petition for Local Liquor Option: Broadview Heights Ward 01, Precinct B – Broadview Brewing Company. Board Member Stickan seconded the motion. The motion passed unanimously.

Chairman Hastings moved to certify the candidates for the November 8, 2022, General Election as provided in the meeting materials. Board Member Davis Chappell seconded the motion. The motion passed unanimously.

Chairman Hastings moved to certify the issues for the November 8, 2022, General Election as provided in the meeting materials. Board Member Davis Chappell seconded the motion. The motion passed unanimously.

**Agenda Item 9: Approval to appoint not less than two precinct election officials for each precinct pursuant to ORC §3501.22 for the November 8, 2022, General 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 November 8, 2022, General Election. Board Member Davis Chappell seconded the motion. The motion passed unanimously.

**Agenda Item 10: Preliminary authorization for the allocation of voting booths for the November 8, 2022, General 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 moved to acknowledge the preliminary authorization for the allocation of voting booths for the November 8, 2022, General 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. The motion passed unanimously.

**Agenda Item 11: Approval to Amend current contract with CLERAC, Inc. dba Enterprise Rent-A-Car, to rent various cargo vans and minivans to conduct elections for the period April 1, 2021, through May 5, 2023, to add the unplanned August 2, 2022, Special Primary Election van rentals for the additional amount of \$29,254.50 for a total amended contract amount not-to-exceed \$227,650.50**

Board Member Davis Chappell asked if the amended contracts the Board is being asked to approve due to unplanned additional costs of the August 2, 2022, Primary Election would be considered competitively advantaged. Assistant Prosecutor Musson stated when the CCBOE originally bid as requirement contracts with undefined quantities. The contracts stated a “not to exceed” amount to certify and have a set amount of funds to allocate the contract. Today's amended contracts are to revise the “not to exceed amount.” The CCBOE is in good standing from the competitive bid standpoint.

Chairman Hastings moved to approve to amend the current contract with CLERAC, Inc. dba Enterprise Rent-A-Car, to rent various cargo vans and minivans to conduct elections for the period April 1, 2021, through May 5, 2023, to add the unplanned August 2, 2022, Special Primary Election van rentals for the additional amount of \$29,254.50 for a total amended contract amount not-to-exceed \$227,650.50. Board Member Davis Chappell seconded the motion. The motion passed unanimously.

**Agenda Item 12: Approval to amend current contract with Midfitz, Inc. dba Berman Moving and Storage, for the delivery and return of voting equipment for all elections occurring from May 16, 2021, through December 31, 2022, to add the unplanned August 2, 2022, Special Primary Election for the additional amount of \$49,945.50 for a total amended contract amount not-to-exceed \$150,744.00**

Chairman Hastings moved to approve to amend current contract with Midfitz, Inc. dba Berman Moving and Storage, for the delivery and return of voting equipment for all elections occurring from May 16, 2021, through December 31, 2022, to add the unplanned August 2, 2022, Special Primary Election for the additional amount of \$49,945.50 for a total amended contract amount not-to-exceed \$150,744.00. Board Member Davis Chappell seconded the motion. The motion passed unanimously.

**Agenda Item 13: Approval of vouchers**

Chairman Hastings moved to approve the vouchers set forth in the board materials. Board Member Davis Chappell seconded the motion. The motion passed unanimously.

**Agenda Item 14: Approval of the personnel agenda**

The Board Members recognized Ms. Kendra Zusy with a resolution for her retirement from the CCBOE. Mr. Henry Curtis, Statewide Minority Affairs Coordinator for the Secretary of State Frank LaRose also presented a commendation to Ms. Zusy on her retirement.

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

## **NEW BUSINESS**

Director Perlatti shared the CCBOE Petition Protocol procedures with the Board Members.

Director Perlatti stated petitioners filed petitions for Berea Recall Ward 01 Councilperson. The City of Berea Clerk was notified the petition had sufficient signatures. Per the Berea Charter, the recalled Councilperson was notified and given five days to resign from the city council. Should the individual not resign, the matter will be heard at the Berea City Council meeting, and an Election Day will be set. The CCBOE has recommended the Berea Ward 01 Recall Election be scheduled for September 13, 2022. The Berea City Clerk will notify the CCBOE on August 16, 2022, of the Election date, and the CCBOE Board will acknowledge the election date on August 22, 2022. Berea Ward 01 consists of two precincts and two polling locations. Midwest Direct will print the ballots, and the CCBOE will mail the ballots.

Petitions were circulated in the City of East Cleveland to recall Mayor King. There were sufficient signatures for a recall election. Per the City of East Cleveland Charter, notice to resign was served to Mayor King. Should Mayor King not resign, the election for the recall of Mayor King would be on the November 8, 2022, ballot.

The Board Members recognized Elia Burgos, Community Outreach Coordinator, for the award from the Young Latino Network Noche De Guayabera! / Democracy Builder Award.

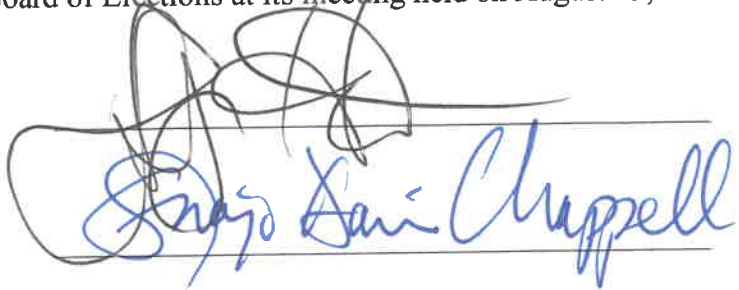
## **PUBLIC COMMENT**

There was no public comment

Chairman Hastings moved to recess the meeting at 10:48 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 August 15, 2022.

Jeff Hastings, Chairman

A handwritten signature in blue ink, appearing to read "Inajo Davis Chappell", written over a horizontal line. Above the signature is a large, stylized scribble in black ink.

Inajo Davis Chappell, Board Member

Terence M. McCafferty, Board Member

A handwritten signature in blue ink, appearing to read "Terence M. McCafferty", written over a horizontal line.

Lisa M. Stickan, Board Member

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

Anthony Perlatti, Director

A handwritten signature in blue ink, appearing to read "Anthony Perlatti", written over a horizontal line.