

VOTE CUYAHOGA COUNTY BOARD OF ELECTIONS

Board Meeting
9/1/2022

Attending:

Jeff Hastings, Chairman
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

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 Stickan and McCafferty were in attendance. Board Member Davis Chappell was excused from today's meeting.

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

Agenda Item 1: Certification of the automatic recount from the August 2, 2022, Primary Election for the State Central Committee District 24 Democrat Man

Brian Cleary, Ballot Department Manager, presented information from the board packet regarding the certification of the automatic recount from the August 2, 2022, Primary Election for State Central Committee District 24 Democrat Man.

Chairman Hastings moved to certify the automatic recount from the August 2, 2022, Primary Election for the State Central Committee District 24 Democrat Man. Board Member McCafferty seconded. The motion passed unanimously.

Agenda Item 2: Certification of the East Cleveland Member of Council Ward 03 Recall election issue and establishing said recall election at the November 8, 2022, General Election

Director Perlatti stated pursuant to the City of East Cleveland's Charter, petitions were circulated for the recall of Ernest Smith, Ward 03 Councilperson. The CCBOE validated the petition signatures and determined there were sufficient valid signatures. The petitions were then returned to the Clerk of the City of East Cleveland. Per the East Cleveland Charter, the City sent a five-day resignation notification to the Member of Council Ward 03. The City did not receive a resignation. Therefore, based on the Charter, the recall issue should be certified to add to the November 8, 2022, General Election.

Chairman Hastings opened the floor to the public for comments regarding the matter.

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

Angela Y. Davis, Kristopher Johnson, Councilman Ernest L Smith, and Donna Walker-Brown spoke against the recall election being approved to the ballot. Councilman Ernest L Smith submitted to the Board four signed statements regarding the validity of petition signatures and additional documentation.

Chairman Hastings asked Brent Lawler, Candidate and Petition Services Manager, to review the results of the CCBOE petition certification. Mr. Lawler stated when the CCBOE receives petitions, the petition is entered into a petition module, and the Registration Department verifies each signature. When a signature is reviewed, specific coding either approves or invalidates the signature. If a registered voter signs two petitions, the first signature is counted, and the second signature is a duplicate signature and not counted. In this case, there were two signers with duplicate signature lines.

Chairman Hastings stated that the CCBOE reviews the signatures to make sure people who sign the petitions are registered voters; if the signer is not registered, the signature does not count. The City of East Cleveland Charter permits a recall petition to be validated by the CCBOE. In this matter, there were 243 total signatures, of which 168 were valid and 75 signatures were not valid.

Director Perlatti stated once a petition is verified, the Director signs a Petition Certification Form, and the Candidate and Petition Services Department contacts the City Clerk to pick up the certification of the petition form and petitions. Chairman Hastings stated the East Cleveland Charter dictates the process, and the CCBOE's job is administrative. That is the CCBOE verifies the validity of the signatures and thereby determines if the petitions have sufficient signatures. The Director then notifies the City's Clerk of Council. If there are sufficient valid signatures, the City's Clerk of Council, per the Charter, then issues the notice to the recall candidate, indicating the number of mandated days for the candidate to resign. When a candidate does not resign, the City orders the CCBOE to fix the day for holding the recall election. Chairman Hastings stated in accordance with the State of Ohio's Constitution, the CCBOE does not have the authority not to certify the recall issue.

Board Member Stickan asked how many total signatures were required. Mr. Lawler stated that 154 signatures were required for the petition to be valid. Board Member Stickan stated Mr. Smith submitted four signature statements, and if those statements would be considered, there were still enough valid signatures to validate the recall petition.

Director Perlatti stated petitioners who want to circulate a petition for an issue in the City of East Cleveland go to the City to obtain the petitions, which the City Clerk of Council creates. The petition does state what it is for. The signers of a petition should be aware of what they are signing regardless of what the circulator says. Board Member Stickan clarified the purpose of the petition is stated on each petition page. Director Perlatti stated yes.

Chairman Hastings stated if Mr. Smith wants to pursue allegations of fraud on the petitions, the CCBOE will investigate the matter. Mr. Smith should meet with Deputy Director Kaloger to initiate an investigation. Deputy Director Kaloger and CCBOE staff will investigate the allegations of fraud and report back to the Board. However, what is clear is that even if the four statement signatures were withdrawn from the petition, there remain enough signatures to certify this matter. Board Member Stickan stated that certifying the signatures is not a discretionary matter for the Board regarding whether Mr. Smith is a good councilman. The East Cleveland Charter dictates the recall process.

Chairman Hastings moved to certify the East Cleveland Member of Council Ward 03 Recall election issue and established said recall election at the November 8, 2022, General Election. Board Member McCafferty seconded. The motion passed unanimously.

Agenda Item 3: Certification of Write-In Candidates for the November 8, 2022, General Election

Chairman Hastings moved to certify the Write-In Candidates for the November 8, 2022, General Election as provided in the board materials. Board Member McCafferty seconded. The motion passed unanimously.

Agenda Item 4: Approval of voucher

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

Agenda Item 5: Approval of the personnel agenda

Chairman Hastings moved to approve the personnel agenda set forth in the board materials. Board Member McCafferty seconded the motion. The motion passed unanimously.

Walk-on Agenda Item: Acknowledgment of Secretary of State Directive 2022-43: Ballots and Statewide Candidates for November 8, 2022 General Election

Chairman Hastings moved to acknowledge the Secretary of State Directive 2022-43: Ballots and Statewide Candidates for the November 8, 2022, General Election. Board Member McCafferty seconded the motion. The motion passed unanimously.

NEW BUSINESS

Director Perlatti stated the CCBOE is preparing for the September 13, 2022, Berea Ward 01 Recall Election. The CCBOE has received no in-person voters and five vote-by-mail applications.

For the November 8, 2022, General Election, the Ballot Department is beginning to lay out the ballot and start the proofing process. The Election Officials Department has sent the first notification to poll workers interested in working for the November General Election. The response has been positive, with over fifty percent stating they are willing to work. The response to the new Refer-A-Friend program for poll workers has been positive, with seventy people expressing interest.

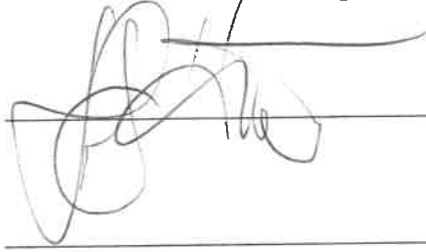
PUBLIC COMMENT

Mr. Dontez Taylor provided public comment to the Board.

Chairman Hastings moved to adjourn the meeting at 10:08 a.m. Board Member McCafferty 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 1, 2022.

Jeff Hastings, Chairman



Inajo Davis Chappell, Board Member

Terence M. McCafferty, Board Member



Lisa M. Stickan, Board Member



Anthony Perlatti, Director

