

VOTE CUYAHOGA COUNTY BOARD OF ELECTIONS

Board Meeting
11/29/2022

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

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.

Agenda Item 1: Certification of the official results of the November 8, 2022, General Election

Brian Cleary, Ballot Department Manager, presented information from the Board Packet regarding the certification of the official results from the November 8, 2022, General Election.

There will be an automatic recount for the contest for the Cuyahoga County Court of Common Pleas (FTC 1/12/2023). The automatic recount is scheduled for Monday, December 5, 2022, at 9:30 a.m. The Post-Election Audit will be replaced with an automatic recount per the Secretary of State guidelines. When there is a County-wide recount, the recount takes the place of a post-election audit.

Chairman Hastings stated the Board has the matter of the South Euclid Municipal Court race. The matter has been discussed publicly, and there will be more discussion on this matter this morning. Therefore, the matter of certifying the South Euclid Municipal Court race will be handled separately from the certification of the other election results.

- **Authorization to approve the remake of the optical scan ballots from the November 8, 2022, General Election**
Chairman Hastings moved to authorize to approve the remake of the optical scan ballots from the November 8, 2022, General Election. Board Member Davis Chappell seconded. The motion passed unanimously.
- **Authorization to approve absentee ballots from the November 8, 2022, General Election**
Chairman Hastings moved to authorize approval of absentee ballots from the November 8, 2022, General Election. Board Member Davis Chappell seconded. The motion passed unanimously.

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

- **Authorization to approve provisional ballots from the November 8, 2022, General Election**
Chairman Hastings moved to authorize approval of provisional ballots from the November 8, 2022, General Election. Board Member Davis Chappell seconded. The motion passed unanimously.
- **Acknowledgment of the pre & post-test results of the vote tabulation system from the November 8, 2022, General Election**
Chairman Hastings moved to acknowledge the pre & post-test results of the vote tabulation system from the November 8, 2022, General Election. Board Member Davis Chappell seconded. The motion passed unanimously.
- **Acknowledgment of Official District Wide Results of the November 8, 2022, General Election for Cuyahoga, Holmes, Medina, and Wayne Counties**
Chairman Hastings moved to acknowledge the Official District Wide Results of the November 8, 2022, General Election for Cuyahoga, Holmes, Medina, and Wayne Counties. Board Member Davis Chappell seconded. The motion passed unanimously.

Chairman Hastings moved, with the exception of the South Euclid Municipal Court race, to authorize and approve the certification of the official results of the November 8, 2022, General Election. Board Member Davis Chappell seconded. The motion passed unanimously.

Chairman Hastings stated Assistant Prosecutor Musson provided the Board with a legal opinion on Friday, November 25, 2022, concerning the matter of the South Euclid Municipal Court race. Chairman Hastings stated this matter came to the Board's attention on November 3, 2022, when Judge Hagan spoke to the Board five days before the November 8, 2022, General Election. Judge Hagan initially contacted Chairman Hastings by email on November 1, 2022, and Judge Hagan's email was forwarded to all the Board Members. The notification was received seventy-seven days after the certification of candidates and five days before the Election, asserting that an election for South Euclid Municipal Court Judge should not be held in 2022 but in 2023. Mr. Timothy Sterkel ran unopposed for judge, South Euclid Municipal Court and received an official count of 4,107 votes.

The Board then discussed whether to certify the election results for the South Euclid Municipal Court race.

Board Member Davis Chappell made a motion to release the November 25, 2022, legal opinion from Assistant Prosecutor Musson. Chairman Hastings seconded. The motion passed unanimously.

Chairman Hastings moved to certify the South Euclid Municipal Court Election. Board Member Davis Chappell seconded. The motion passed unanimously.

The transcript of the proceedings regarding the South Euclid Municipal Court race can be obtained by contacting Mary Bejjani, CCBOE Clerk to the Board, at 216-443-6430/mbejjani@cuyahogacounty.gov.

Agenda Item 2: Acknowledgment of the date, time, and place of the post-election audit for the November 8, 2022, General Election

Brian Cleary, Ballot Department Manager, indicated per the Secretary of State guidelines, the post-election audit will be replaced with the County-wide recount for the Cuyahoga County Court of Common Pleas (FTC 1/12/2023) contest from the November 8, 2022, General Election. The recount is scheduled for Monday, December 5, 2022, at 9:30 a.m. Both candidates will be advised of the recount

by certified letter stating the date and time. There will be a hand count of five percent of the race. The five percent will be scanned, and if it matches the hand count, the 95% balance of the ballots are then scanned. The recount process will take approximately three weeks to complete. Board Member Davis Chappell asked what the approximate cost of the recount is. Mr. Cleary stated the cost would be part of the certification recount summary.

Chairman Hastings moved to acknowledge the County-wide recount for November 8, 2022, General Election will begin on Monday, December 5, 2022, at 9:30 a.m. at the CCBOE Ballot Tabulation Center. Board Member Davis Chappell seconded. The motion passed unanimously.

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

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

Agenda Item 4: Approval of voucher

Shaunquitta Walker, Fiscal Services Manager, stated that the TEC Communications voucher is a renewal of call center software support. Director Perlatti said TEC Communications is the County telephone provider. In 2020 the County phone system changed to a virtual cloud. The CCBOE was part of the County system and required additional enhancements to service voters. The annual renewal provides the CCBOE with 100 licenses. Chairman Hastings asked if the public could access certain information 24/7 with the phone system. Director Perlatti said yes, the phone system allows the CCBOE to have different functionalities to contact the Registration, Election Officials, and other Departments. Board Member Davis Chappell asked if there was an agreement the CCBOE entered into with TEC Communications and whether that agreement had been reviewed for providing the service. Ms. Walker stated the agreement is with Cuyahoga County, and the CCBOE is a subset of the County Agreement. Board Member Davis Chappell asked if the agreement had been reviewed. Director Perlatti stated the Cuyahoga County IT Department reviewed the agreement. Board Member Davis Chappell asked if the CCBOE is only authorizing the expenditure for a phone system that is needed and used. Director Perlatti stated yes.

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

Agenda Item 5: Approval of the personnel agenda

Chairman Hastings moved to approve the personnel agenda set forth on the docket, which calls for a six-point forty-four percent (6.44%) market rate salary adjustment for all non-bargaining and unclassified employees. Board Member Stickan seconded.

Board Member Davis Chappell asked if the salary increase applies to Board Members, as the Board should not be voting on an increase that affects the Members. Director Perlatti said no, the Board Member's salaries are not included in the increase. As stated in a specific section of the Ohio Revised Code, Board Members' salaries are based on the county population.

Chairman Hastings asked if the County is giving the CCBOE the funds for the raise and does the increase raise the salary bands. Director Perlatti stated yes, the County is making an additional

appropriation. As part of the legislation indicates, the Office of Budget and Management was directed to fund the impacted agencies. The funds have already been appropriated into the budget. The County Human Resources Department, the Personnel Review Commission, and the Archer Group engaged in the process of reviewing the County's salary ranges. A determination was made that the entire salary range should be increased by 6.44% for non-bargaining and unclassified employees. All employees, regardless of where they fall in the range, should also be increased by 6.44%. The County has a different salary schedule from the CCBOE. Board Member Davis Chappell asked if the bands do not change; only the amounts within the bands change. The classifications the Archer study put in place do not change, just the amounts. Director Perlatti stated yes. Chairman Hastings asked what the gross amount of the increase for the CCBOE. Director Perlatti stated the increase is approximately \$315,000. Chairman Hastings asked if the County would recognize the increased payroll for next year's budget. Director Perlatti said the increase will be sustained in 2023 and beyond. The motion passed unanimously.

New Business

PUBLIC COMMENT

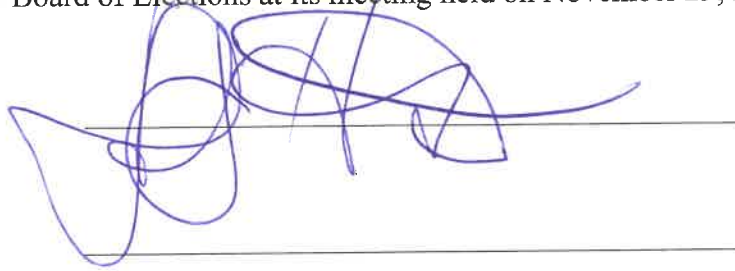
Charles Drake provided public comment regarding compensation for Rovers

EXECUTIVE SESSION

Chairman Hastings moved to adjourn the meeting at 10:29 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 November 29, 2022.

Jeff Hastings, Chairman



Inajo Davis Chappell, Board Member

Terence M. McCafferty, Board Member



Lisa M. Stickan, Board Member



Anthony Perlatti, Director

