

VOTE CUYAHOGA COUNTY BOARD OF ELECTIONS

Board Meeting
9/29/2022

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 9:30 a.m. Hereinafter referred to as the CCBOE/Board.

Chairman Hastings noted that all Board Members McCafferty and Stickan 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 McCafferty seconded. The motion passed unanimously.

Agenda Item 1: Approval of the minutes from the August 22, 2022, September 1, 2022, and September 12, 2022, Board Meetings

Chairman Hastings moved to approve the minutes from the August 22, 2022, September 1, 2022, and September 12, 2022, Board Meetings. Board Member McCafferty seconded. The motion passed unanimously.

Agenda Item 2: Acknowledgment of Secretary of State Directives and Advisory: Directive 2022-44: Revised Form of Ballot and Statewide Candidates for November 8, 2022, General Election; Directive 2022-45: Secure Absentee Ballot Receptacles, Bipartisan Collection of Absentee Ballots, Election Security, and Observers; Advisory 2022-04; House Bill 140 and Changes to Tax Levy Law

Chairman Hastings moved to acknowledge the Secretary of State Directives and Advisory: Directive 2022-44: Revised Form of Ballot and Statewide Candidates for November 8, 2022, General Election; Directive 2022-45: Secure Absentee Ballot Receptacles, Bipartisan Collection of Absentee Ballots, Election Security, and Observers; Advisory 2022-04; House Bill 140 and Changes to Tax Levy Law. Board Member McCafferty seconded. The motion passed unanimously.

Agenda Item 3: Determination of the validity of provisional ballots and authorization to count provisional ballots from the September 13, 2022, Berea Ward 01 Recall Election

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

Betty Edwards, Registration Department Manager, presented the September 13, 2022, Recall Election 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 September 13, 2022, Berea Ward 01 Recall Election. Board Member McCafferty seconded. The motion passed unanimously.

Agenda Item 4: Acknowledgment of death in, resignation from, and appointments to elected office

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

Agenda Item 5: Acknowledgment of the PEO Performance Report from the September 13, 2022, Berea Ward 01 Recall Election

Chairman Hastings moved to acknowledge the PEO Performance Report from the September 13, 2022, Berea Ward 01 Recall Election. Board Member McCafferty seconded. The motion passed unanimously.

Agenda Item 6: Certification of the official results of the September 13, 2022, Berea Ward 01 Recall Election

Brian Cleary, Ballot Department Manager, presented information from the Board Packet concerning the certification of the official results from the September 13, 2022, Berea Ward 01 Recall Election.

- **Authorization to approve the remake of the optical scan ballots from the September 13, 2022, Berea Ward 01 Recall Election**

Chairman Hastings moved to authorize to approve the remake of the optical scan ballots from the September 13, 2022, Berea Ward 01 Recall Election. Board Member McCafferty seconded. The motion passed unanimously.

- **Authorization to approve absentee ballots from the September 13, 2022, Berea Ward 01 Recall Election**

Chairman Hastings moved to authorize approval of absentee ballots from the September 13, 2022, Berea Ward 01 Recall Election. Board Member McCafferty seconded. The motion passed unanimously.

- **Authorization to approve provisional ballots from the September 13, 2022, Berea Ward 01 Recall Election**

Chairman Hastings moved to authorize approval of the provisional ballots from the September 13, 2022, Berea Ward 01 Recall Election. Board Member McCafferty seconded. The motion passed unanimously.

- **Acknowledgment of the pre & post-test results of the vote tabulation system from the September 13, 2022, Berea Ward 01 Recall Election**

Chairman Hastings moved to acknowledge the pre & post-test results of the vote tabulation system from the September 13, 2022, Berea Ward 01 Recall Election. Board Member McCafferty seconded. The motion passed unanimously.

Chairman Hastings moved to certify the official results of the September 13, 2022, Berea Ward 01 Recall Election. Board Member McCafferty seconded the motion. The motion passed unanimously.

Agenda Item 7: Acknowledgment of the Ballot Proofs for the November 8, 2022, General 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 November 8, 2022, General Election in accordance with the Ballot Proofing Policy approved by the Board at the March 12, 2021, Board Meeting. Board Member Stickan seconded. The motion passed unanimously.

Agenda Item 8: Approval of the Fiscal Resolution Process

Director Perlatti stated the County's recently installed Fiscal INFO computer system requires that the CCBOE provide proof of Board approval of a contract or its approval to pay an invoice. Currently the CCBOE provides this approval via the approved Board Minutes. Staff is requesting approval of a Fiscal Resolution Process ('Resolution') that will insure the CCBOE's timeliness in purchasing. The Resolution will enable a timelier approval process via the acknowledgement (via the signed Resolution) of the Board's vote and approval on the meeting day that it occurred. If the process is approved the Resolution will be referenced and attached to the Board Minutes for that meeting. Shaunquitta Walker, Fiscal Services Manager, stated that by adopting the Resolution the process of procuring the CCBOE voting equipment, ancillary items and all, other purchases and contracts, will be expedited and assure purchases made by the CCBOE are done in compliance with the County's purchasing deadlines. Assistant Prosecutor Musson has reviewed the Resolution and approved the final version.

Chairman Hastings moved to approve the Fiscal Resolution Process. Board Member McCafferty seconded. The motion passed unanimously.

Agenda Item 9: Approval to purchase election night driver services from Willo Security, Incorporated for the November 8, 2022, General Election in an amount not to exceed \$28,340.00

Chairman Hastings moved to approve the purchase of election night driver services from Willo Security, Incorporated for the November 8, 2022, General Election in an amount not to exceed \$28,340.00. Board Member McCafferty seconded. The motion passed unanimously.

Agenda Item 10: Approval of voucher

Board Member Stickan moved to approve the voucher as provided in the meeting materials. Board Member McCafferty seconded. The motion passed unanimously.

Agenda Item 11: Approval of the personnel agenda

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

NEW BUSINESS

Update as to East Cleveland Councilman Ernest Smith's comments about the circulation of recall petitions made at the 9/1/2022 CCBOE Meeting

Deputy Director Kaloger conducted an investigation regarding the circulation of the recall petitions for East Cleveland Councilman Ernest Smith. Deputy Director Kaloger presented a summary from the Board Packet relating to the petition signers for the recall petition. Mr. Kaloger interviewed Ernest Smith, who visited several petition signers to ask how Mr. Smith had fallen short as a council member and what could be improved. Three of the signers stated they were told the petition was to recall Mayor King, not Councilman Smith. A fourth signer stated they were told the petition was to keep Ernest Smith in office. Councilman Smith had affidavits prepared and signed by the four individuals, which he presented at the September 1, 2022, Board Meeting. Deputy Director also interviewed Twon Billings, who circulated the petitions. Mr. Billings stated that each petition page clearly shows the petition is to recall Councilman Ernest Smith, and Mr. Billings did not misrepresent the purpose of the petition.

The recall petition required 154 valid signatures, and 168 valid signatures were collected. Based on the information learned from the investigation, Director Perlatti and Deputy Director Kaloger did not deem it necessary to have the four individuals testify before the Board. Signing a recall petition can be uneasy. Then to be questioned by the councilman can be uncomfortable. According to Mr. Smith, the signers did not admit to signing the petition until they were presented a copy of the petition, which then changed their position to being "tricked" into signing. Deputy Director stated no additional petition signers had come forward with similar statements. The CCBOE staff has concluded there was likely a misunderstanding among the involved parties, consider the matter adequately investigated, and recommended the investigation be closed.

Chairman Hastings stated he appreciated Deputy Director Kaloger's efforts in investigating the comments made by Mr. Smith at the 9/1/2022 public meeting.

Chairman Hastings moved to acknowledge the Ernest Smith East Cleveland, Ward 3 Recall Petition Summary Report and acknowledge the recommendation to close the investigation. Board Member McCafferty seconded. The motion passed unanimously.

Pinnacle Award in Web Design

Peter James, Elections and Compliance Administrator stated the CCBOE received the 2022 Pinnacle Award for excellence in government web design from the National Association of Government Web Professionals. The award recognizes the best city, county, federal, state, or NGO microsites and custom websites. Entries are judged on content, design, performance, flexibility, organization, accessibility standards, and interactivity. The award was nominated by Jeremy Williams, Cuyahoga County Information Technology Manager of Technical Services.

The CCBOE made significant improvements to the website this year, including enhancements to mobile access. The CCBOE site is now easier to navigate due to less clutter focusing on audience needs, and a modern design. Accessibility to the website was also improved, including accessibility for those with visual impairments. The contributors to the website design included a partnership with County IT. including Elliot Hoffman, User Experience Designer and the CCBOE web site design committee including Mary Hannah Boyer, the lead project manager, Robin Roy, Peter James, Cory Milne, Becky Brake, Hasani Wheat, Jessica King, and Elia Burgos.

Chairman Hastings stated the news of the CCBOE being honored with the prestigious Pinnacle Award for Web Design should be shared with the Ohio Secretary of State (SOS), Ohio Association of Election Officials, County Media, and Media outlets.

Election Update

Director Perlatti stated that poll worker recruitment is doing well. The CCBOE has a sufficient number of individuals to work the polls, of which over 90% have already been trained. The Election Officials Department will continue to hire and train individuals to ensure a sufficient pool for staffing changes and stand-by workers.

The CCBOE has received 105,000 Vote-by-Mail (VBM) ballot application requests, and the projections are to receive approximately 160,000 during the election cycle. All VBM ballot applications have been processed and proofed. The SOS should send out the second round of VBM ballot applications next week. The SOS mailing will include newly registered voters and exclude voters who have already submitted a VBM ballot application. The CCBOE Vote Information Guide will also be mailed out to all households with registered voters this week. The CCBOE Track-my-Ballot application is up to date and available on the website.

The Ballot Department is currently conducting approval to print testing, also known as Logic and Accuracy testing, on the ballot equipment. The print testing is done using pre-voted ballots where the outcome is known and then processed through the central count scanners that tally the VBM ballots, the DS200s used at the polling locations, and for early-in-person voting. Once the testing is completed, Midwest Direct is notified ballot printing can begin.

The close of registration is Tuesday, October 11, 2022. The CCBOE has received an increase in voter registration cards. Deputy Director Kaloger is working with the Registration Department to timely process and proof all the incoming voter registration cards. A portion of the registration cards are attributed to Black Fork Group who is conducting a statewide voter registration drive and periodically delivers anywhere from 3,000 to 5,000 registration cards to the CCBOE.

Early in-person voting begins on October 12, 2022, which is also the same day that VBM ballots can be mailed to voters who have already submitted a VBM ballot application. Starting on October 12, 2022, the employees who park in the Hughes parking lot will be relocated to off-site parking. The Hughes Parking lot and an additional off-site lot will be available for only voter parking. During the first two weeks of voting, the rear door will be the voter entrance, and the Euclid Ave entrance will be used closer to the election. A tent will be installed on the Euclid front sidewalk two weeks before Election Day.

Deputy Director Kaloger and the Fiscal Department met with the County Sherriff's office to review security protocols. Beginning on October 12, 2022, the telescope and security camera will monitor the rear parking lot and Ballot Drop Box.

Before every election, the CCBOE conducts a pre-test of voting equipment that is open to the public to see how the ballot equipment works. The next public test will be on Friday, October 7, 2022, at 9:30 a.m. The CCBOE is promoting the pretest through media outlets for the public to attend. The CCBOE wants to demonstrate what processes are conducted to ensure voter confidence and election integrity. The public test will allow individuals an opportunity to observe and ask questions regarding ballot testing and other operations, including VBM and other processes.

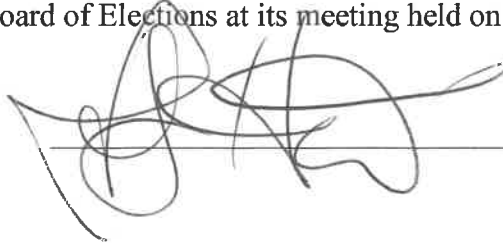
PUBLIC COMMENT

There was no public comment

Chairman Hastings moved to adjourn the meeting at 10:42 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 29, 2022.

Jeff Hastings, Chairman

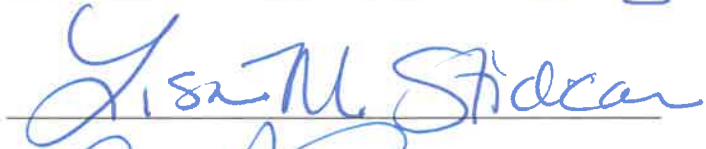


Inajo Davis Chappell, Board Member

Terence M. McCafferty, Board Member



Lisa M. Stickan, Board Member



Anthony Perlatti, Director