

VOTE CUYAHOGA COUNTY BOARD OF ELECTIONS

Board Meeting
4/5/2023

Attending:

Henry F Curtis, IV, 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 Curtis noted that all Board Members were in attendance.

Agenda Item 1: Approval of the minutes from the March 6, 2023, Board Meeting

Chairman Curtis moved to approve the minutes from the March 6, 2023, Board Meeting. Board Member Davis Chappell seconded. The motion passed unanimously.

Agenda Item 2: Acknowledgment of Secretary of State Directive and Memorandum: Directive 2023-06: May 2, 2023 Primary/Special Election Canvass Instructions and H.B. 458 Clarifications; Memorandum 2023-01: Responsibilities of Sheriffs and Police in the May 2, 2023 Election (confidential – not for disclosure)

Chairman Curtis moved to acknowledge the Secretary of State Directive and Memorandum: Directive 2023-06: May 2, 2023 Primary/Special Election Canvass Instructions and H.B. 458 Clarifications; Memorandum 2023-01: Responsibilities of Sheriffs and Police in the May 2, 2023 Election (confidential – not for disclosure). Board Member Davis Chappell seconded. The motion passed unanimously.

Agenda Item 3: Acknowledgment of municipal ward boundaries and corresponding precinct boundaries for Euclid

Based on Decennial U.S. Census, the Ohio Revised Code (ORC) requires municipalities to review their population data and rebalance the city wards.

Director Perlatti stated that Euclid has lost seven precincts. John Eddy, CCBOE GIS Technician, went through the mapping process, which indicated Euclid has a lower population per precinct than other Cuyahoga County suburban communities. Board Member Davis Chappell asked if that was due to

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

population loss or what was driving the change. Director Perlatti stated part of the explanation is due to a lawsuit that affected the layout of the City and the school district, and no changes were permitted. The restrictions from the lawsuit are no longer in effect, and the adjustments are now being accounted for. Director Perlatti has discussed the changes with the Mayor of Euclid. The Mayor discussed the changes with the Euclid City Council meeting, and there were no questions or actions needed from Council. If the Board approves the changes today, CCBOE staff will begin with data entry and proofing. By April 14, 2023, the changes should be available on the CCBOE website.

Board Member Davis Chappell stated, with the increased number of voters per precinct, what does the CCBOE do to prepare the voters and poll workers for the changes. Director Perlatti stated the CCBOE goal is to have 1,150 voters per precinct, which Euclid's precincts remain under the goal. The November 7, 2023, General Election is the next election for Euclid. The CCBOE will have enough time to work with the City and send notifications to voters.

Board Member Davis Chappell asked how many more communities have ward and precinct boundary changes to review and did is the City of Cleveland also due. Director Perlatti stated Cleveland had not started the process, and they needed to due to the size of the municipality. Cleveland does have the potential to lose two wards. Board Member Davis Chappell asked if the CCBOE should be proactive and reach out to Cleveland to encourage them, and would the CCBOE experience any hardship by waiting to receive the information. The CCBOE has had initial conversations with the City of Cleveland staff. Cleveland does hire an outside firm due to the size of the city. Technically, the ward and precinct changes need to be done by the 2025 election year, which is the next time municipal offices appear on the ballot. Other municipalities include North Olmsted, Westlake, Bedford, and Broadview Heights. North Olmsted should be ready for acknowledgment of ward and precinct changes at the April 28, 2023, Board meeting.

Chairman Curtis moved to acknowledge the municipal ward boundaries and corresponding precinct boundaries for Euclid. Board Member Davis Chappell seconded. The motion passed unanimously.

Agenda Item 4: CCBOE Appointments to Elected Office Policy

Director Perlatti stated the ORC requires the CCBOE to issue a certificate of appointment to the elected office when there is a vacancy in an office. It is not a vacancy that is filled when an election is held, whether it is an appointment by a political party or a vacancy filled by a city council, depending if it is a charter or non-charter municipality. When the appointing authority provides the CCBOE with an appointment notice, the city will give the CCBOE an Oath of Office, which can be emailed or hand delivered, along with additional information. The CCBOE then has an administrative duty to issue a certificate. The CCBOE is not authorizing or picking the appointee. The process has worked well for many years. Recently, there has been confusion from a municipality that is unsure or not in agreement about who the council members are. The CCBOE recently received an Oath of Office, and the CCBOE acknowledged the appointment to find afterward that it was not the right person. The CCBOE Appointment to Elected Office Policy puts in place more structure. In addition, the Board is asking for more structure and more information before the CCBOE acknowledges the correct individual. Therefore, this Policy was created to obtain more information from municipalities.

The CCBOE worked with Assistant County Prosecutor Musson and the Ohio Secretary of State's office. The Secretary of State's office stated the CCBOE does have the discretion to create a policy. The CCBOE created a simple form that will be provided to all law directors, clerks of council, and school boards when providing an appointment. In addition to the Oath of Office, other information should include the section of the Charter, which states who has the authority to appoint, the date of the

meeting and meeting minutes reflecting the appointment or the agenda reflecting the appointment appeared, and gathering more information from the entities. To facilitate the process, the CCBOE created an internal form, which cannot be mandated, but the CCBOE policy states the information needs to be provided. The CCBOE Appointments to Elected Office Policy is similar to when the CCBOE created a Campaign Finance Policy for committees to provide bank statements.

Board Member Davis Chappell asked if the Policy was broad enough for filling vacancies or appointments to elected office, but will it also apply to recalls or some of the East Cleveland situations or anything else to be put on the ballot that should be included and broad enough to cover every instance. Director Perlatti stated in the cases where there is a recall, the CCBOE conducted the election and knows there is a bona fide vacancy resulting from a recall. Board Member Davis Chappell stated this form would then be broad enough to cover the other issues or exclude some situations where the CCBOE would need a certification.

Director Perlatti noted an example where some charters include in the recall provisions a two-part question. Where the first question is should the person be recalled and state a filing deadline where candidates and then vote on that also. Then the second question is only valid if the person is recalled, and if they are not, it is moot. In that scenario, the CCBOE would actually issue a Certificate of Election. That is different from what East Cleveland was as an example. There are many Charters that do not have the name appear. Assistant Prosecutor Musson stated the Policy does not cover non-elected appointments, for example, a potential Clerk. If someone were representing themselves to be the clerk and certifying documents, it would typically be a petition, and in that case, there would be a Board hearing where the facts would be presented.

Board Member Davis Chappell suggested the form include the certification language “I am authorized to certify and do hereby certify that the foregoing is true and accurate.” Part of the issue was the CCBOE was not sure who was authorized to submit the information or even to fill out the certification. The form should also include in the signature line “authorized appointing authority or representative.” The CCBOE will then know who is authorized to certify.

Board Member Stickan stated when vacancies occur, and municipalities will now know what information the CCBOE needs. The Policy and form will help streamline the process.

Chairman Curtis moved to approve the CCBOE Appointments to Elected Office Policy with Board Member Davis Chappell’s friendly amendment. Board Member Davis Chappell seconded. The motion passed unanimously.

Agenda Item 5: Acknowledgment of the Ballot Proofs for the May 2, 2023, Primary Election in accordance with the Ballot Proofing Policy approved by the Board at the March 12, 2021, Board Meeting

Chairman Curtis moved to acknowledge the Ballot Proofs for the May 2, 2023, 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 6: Final approval of the ballot order for the May 2, 2023, Primary Election

Chairman Curtis moved to approve the final ballot order for the May 2, 2023, Primary Election. Board Member Davis Chappell seconded. The motion passed unanimously.

Agenda Item 7: Acknowledgment of candidate withdrawals

Chairman Curtis moved to acknowledge the candidate withdrawals, as set forth in the board materials. Board Member Davis Chappell seconded. The motion passed unanimously.

Agenda Item 8: Acknowledgment of deaths in, resignations from, and appointments to elected office

Chairman Curtis moved to acknowledge the deaths in, resignations from, and appointments to elected office, as set forth in the board materials. Board Member Davis Chappell seconded. The motion passed unanimously.

Agenda Item 9: Certification of Berea Municipal Court Judge nominated without Primary Election to the November 7, 2023, General Election (primaries eliminated per ORC 3513.02)

Director Perlatti stated that when the Board acknowledged Christopher Greene's withdrawal from the Berea Municipal Court Judge contest, it canceled the Primary Election for that contest. Therefore, only one person is moving forward to the November 7, 2023, General Election. The municipalities have been notified of the change in their election schedule.

Chairman Curtis moved to certify the Berea Municipal Court Judge nominated without Primary Election to the November 7, 2023, General Election (primaries eliminated per ORC 3513.02), as set forth in the board materials. Board Member Davis Chappell seconded. The motion passed unanimously.

Agenda Item 10: Authorization to pay: 65 Voting Location Managers x \$275 = \$17,875; 73 Voting Location Deputies x \$275 = \$20,075; 727 Precinct Election Officials x \$250 = \$181,750; 30 Election Substitute Officials x \$100 = \$3,000 for the May 2, 2023, Primary Election

Chairman Curtis moved to Authorization to pay: 65 Voting Location Managers x \$275 = \$17,875; 73 Voting Location Deputies x \$275 = \$20,075; 727 Precinct Election Officials x \$250 = \$181,750; 30 Election Substitute Officials x \$100 = \$3,000, a grand total of \$222,700.00 for the May 2, 2023, Primary Election. Board Member Davis Chappell seconded. The motion passed unanimously.

Agenda Item 11: Authorization to process payment in the amount not-to-exceed \$5,500.00 for eleven (11) private voting locations being used for the May 2, 2023, Primary Election

Chairman Curtis moved to authorize to process payment in the amount not-to-exceed \$5,500.00 for eleven (11) private voting locations being used for the May 2, 2023, Primary Election. Board Member Davis Chappell seconded. The motion passed unanimously.

Agenda Item 12: Final authorization for the allocation of voting booths for the May 2, 2023, Primary Election. Allocation quantities are based on one voting booth for every 175 registered voters per polling location. A total of 1,315 voting booths will be allocated + 154 DS200 precinct scanners + 65 ADA AutoMark voting units and 228 Electronic Poll Books

Chairman Curtis moved to authorize the final allocation of voting booths for the May 2, 2023, Primary Election. Allocation quantities are based on one voting booth for every 175 registered voters per polling location. A total of 1,315 voting booths will be allocated + 154 DS200 precinct scanners + 65 ADA AutoMark voting units and 228 Electronic Poll Books.

Agenda Item 13: Approval of the personnel agenda

Chairman Curtis moved to approve the personnel agenda, as set forth in the board materials. Board Member Davis Chappell seconded. The motion passed unanimously.

NEW BUSINESS

East Cleveland Update

Director Perlatti stated the CCBOE did have one case in front of the Ohio Supreme Court, defended by Assistant Prosecutor (AP) Musson. Petitioners filed a case to compel East Cleveland Council to appoint a Clerk. Eric Brewer was then appointed by the President of the Council, which made the lawsuit moot and dismissed.

There was another case before the Court of Appeals that Willa Hemmons brought against the CCBOE, compelling the CCBOE to conduct an Election. AP Musson has recently provided an update that the judge denied the case. Board Member Davis Chappell stated the language was very clear, and the CCBOE was vindicated by the court. There was very specific language saying the CCBOE did not have a duty to conduct an election. East Cleveland did not follow its Charter and did not appoint a Clerk. The Board relayed to East Cleveland that the City can not come to the CCBOE to resolve its issues if they have not followed its Charter and that language went into the court's decision. AP Musson stated the court did pay attention to the briefing and the transcripts, saw what was going on, and succinctly said: "The East Cleveland Charter requires the Clerk of Council to certify the sufficiency of the recall petitions and issue certificates of petition sufficiency to the Board of Elections. The Clerk of Council did not perform those functions. Willa Hemmons was not the Clerk of Council and could not perform them. The Board of Elections did not abuse its discretion to decline to schedule a recall election because the required procedure was not fulfilled." The decision was a clear vindication of what the Board decided.

Board Member Davis Chappell stated the court decision is a public record and is a court order. She thanked AP Musson for his hard work. AP Musson spent a lot of back and forth, a lot of lawsuits filed, and a lot of responses and briefings required, and AP Musson has done a nice job.

Director Perlatti stated there is another case to which the CCBOE is not a party. The Court of Appeals case is regarding Nathaniel Martin bringing a claim against Lateek Shabazz and Mark McClain against Anton Billings. Director Perlatti stated they could not agree on who the Council Members are. The CCBOE has received an Oath of Office from East Cleveland for Anton Billings stating he is a council member and the CCBOE should issue a certificate of appointment. The CCBOE is working with legal counsel, and right now, the CCBOE is holding on to it because the CCBOE does not see a vacancy in the office, and since it's before the court, the CCBOE will let the court define who the council members are, and then the CCBOE can go ahead and certify. The CCBOE is not a party to the lawsuit but has an Oath submitted that the CCBOE does not see a vacancy. Board Member Davis Chappell stated she is glad the CCBOE now requires more than just an Oath of Office.

Director Perlatti stated that the now East Cleveland Clerk of Council, Eric Brewer, has gone through the three sets of recall petitions that Willa Hemmons initially brought forward. Clerk Brewer has said that all three of the petitions are insufficient. The petitions had a combination of insufficient valid signatures to meet the definition of the East Cleveland Charter of twenty-five percent (25%). The City is unsure if it is twenty-five percent (25%) of just people in that jurisdiction or the whole City. East Cleveland will need to figure that out.

Board Member Davis Chappell stated the Board had cases before where is twenty-five (25%) is the percentage of the last group that voted depending on the charter language. Board Member McCafferty stated that was in the mayor's race. AP Musson said they published the wrong version online that the legal publishing service used. They used an amended provisional charter that was not voted on, so there was an ordinance that referred it to the voters, but it did not make it to the ballot for technical reasons. So it is twenty-five (25%) of the voters, but there is some discrepancy on whether it is Citywide or the ward voting.

Board Member Davis Chappell asked if the CCBOE is entitled to rely on the law directors or the Clerk's interpretation of the Charter. AP Musson stated yes, generally on its face. However, if something comes to the CCBOE's attention that undermines the law director's opinion, the CCBOE can question the opinion. The CCBOE is not obligated to blindly follow the law director but it is their Charter. The city's law director is a good source, but if there is reason to question the CCBOE is able to.

Director Perlatti stated as of now the East Cleveland Clerk says that there is not sufficiency for the CCBOE to conduct a Recall Election. There is a potential the petitioners could bring a suit against the Clerk. The CCBOE would likely not be part of the suit, but the issue of a Recall Election may still be ongoing.

Capital Projects

Director Perlatti provided an update on the elevators in the Halle Building. The landlord brought in a different elevator company to review the elevators. The new company replaced the Hughes Building elevators a few years ago. The latest company stated the mid-size elevator could be repaired without a complete replacement. The landlord approved the repairs, which is now being worked on, which include electrical and other repairs to make the elevator functional. Board Member Davis Chappell asked if the repairs are long-term. Director Perlatti stated yes, the repairs are long-term. Technicians are currently on-site working on repairs. Board Member Davis Chappell asked if the elevator would be working for the May Primary. Director Perlatti stated he did not know. The CCBOE will be receiving weekly updates from Public Works.

The larger elevator currently has bids with Public Works and the landlord. They have one proposal, which is currently about \$300,000, to modernize the big freight elevator keeping the current doors that need to be manually lifted. The other bid is \$600,000 to have the doors replaced. The landlord will contact the City of Cleveland department for elevator inspections to see if the elevator is modernized and if there are specific codes that may be grandfathered in now. There is a time difference to complete the repairs of approximately three and a half months. Without replacing the doors, the repairs will take about eight months; if the doors are replaced, it will take about one year. Director Perlatti has inquired if all the doors need to be replaced simultaneously or if some replacements can be done later. If the smaller elevator can be repaired in time, it would negate the need to get a construction elevator mounted outside the building.

Board Member Davis Chappell asked if the CCBOE anticipates any operational issues to running the Election and if there is a deadline to determine if an outside construction elevator will be necessary. Director Perlatti stated for the May Primary Election, and he is comfortable. It may take a little longer, but not for a county-wide election. If the middle elevator is not operational, the CCBOE will have to pursue the outside construction elevator, which is a big project, including obtaining numerous permits. The CCBOE has not established a deadline date yet, and continue to monitor the status.

New Building

Director Perlatti stated on March 29, 2023, the County released a Request for Proposal to receive bids on a new location. A pre-bid conference will take place at the Halle building on April 17, 2023. Bidders will have the ability to come and see how the CCBOE works. CCBOE staff will be with Public Works to answer potential bidders' questions. The bidders will also be able to visit the Hughes Building, which is a standard-type office building, except for the first floor. The CCBOE has received inquiries, and they have been directed to Public Works.

Voter Education Update

Mike West, Manager of Community Outreach, presented information on voter education. The CCBOE is off to a good start. Outreach staff has hosted the Voter Education Library Series. In March, the campaign included 29 voter education events over 14 days for a total of 112 hours visiting 14 library branches. Branch locations were chosen based on the proximity of locations for the May 2, 2023, Primary Election. Electronic media and community partners publicized the events, including the League of Women Voters, the County, and Library systems, which reaches over 250,000 people. Whether people attended the events or not, the word is reaching people. The Director held an informational Zoom meeting with local voting stakeholders, and around 30 people participated in the meeting. The Director wants to make sure everyone was sharing the same information. In the coming week, another meeting will convene to update CCBOE with the partners to receive feedback on what is being relayed in the field. Board Member Davis Chappell asked who the partners were that the CCBOE would be working with for the debriefing. Mr. West stated partners include Mobilize the Vote, Cleveland Votes, and the League of Women Voters.

The CCBOE will continue posting various messages on social media platforms to keep people engaged and informed. The CCBOE plans to have new messages about every other day. The Director will also host his popular Election Updates via Facebook Live on the next few Wednesdays. The final election update will be on Tuesday, April 27, 2023, which is the deadline for Vote-by-Mail ballot applications. The Director and Deputy Director will also contact the County Republican and Democratic parties to expand voter education. The thought is to conduct Zoom meetings aimed at the political party offices, who can then pass the information on to their members.

The Outreach Department is receiving requests for presentations at Ward Clubs, and senior facilities. It is good to know that organizations can reach out to the CCBOE, and staff will go out and speak to their groups. Chairman Curtis stated it is vital for the public to understand that the best information they will receive is from the CCBOE because there is a lot of misinformation and disinformation. It is affirming to the Board that the public is contacting the CCBOE to get the information.

Board Member Davis Chappell stated the CCBOE is updating the voters on House Bill (HB) 458 and all the photo ID changes. She asked if the CCBOE had updated poll worker training and if poll workers received the updates. Director Perlatti stated yes, and what the CCBOE has done updates to the May 2023 Primary Election training. Poll Worker training technically is good for a three-year window. The CCBOE conducts training on an annual basis. There is generally the option of completing the training either online or in person. For 2023, the CCBOE is not offering training online, all poll workers are being trained in person, and it is in large part due to HB 458 and the law changes.

Looking at the data, approximately 97% of voters use photo identification at the polls. That still leaves three percent (3%) of voters with no identification. Looking back at November 2022, that totals about 7,500 people who did not bring photo identification. They used a utility bill or bank statement to vote.

The CCBOE wants to facilitate to process of those individuals so they understand that there are law changes. At a minimum, they can vote a provisional ballot which then they can come down to the CCBOE post-election to get the ballot cured. The provisional process itself is quite different, which now requires photo identification, which it did not before. This hands-on physical training with the workers is in place. The first training was conducted at the CCBOE by Marlene Robinson Statler, Poll Worker Department Assistant Manager, and feedback was then provided by those training to see what kind of questions arose so changes could be made to additional training.

Director Perlatti stated he was disappointed that on Tuesday, April 4, 2023, all the media was invited to the CCBOE for a press conference. Director Perlatti was to speak at the opening of the election and photo identification, and only one camera came. Director Perlatti stated the media likes the FaceBook live sessions because it is easier and more convenient. They do record it and use snippets. Photo identification will be a part of each of the upcoming FaceBook sessions. Also included will be the close of the vote-by-mail ballot application deadline and no longer Early-in-Person is voting on the Monday before Election Day. Deputy Director Kaloger stated the media did cover the library outreach sessions the CCBOE hosted. Board Member Davis Chappell said the CCBOE does continue to let the media know they are needed to inform the voters of Cuyahoga County.

May 2, 2023 Election Update

Deputy Director Kaloger stated the May 2, 2023, Primary Election has 226 precincts, which is over one-quarter of the County. The Election will include four candidate races and twenty-two issues which consist of 17 municipal issues, four school levies, and one library issue. Historically, a twenty percent turnout is anticipated. The close of voter registration was on Monday, April 3, 2023, and the CCBOE was open until 9:00 p.m. and received approximately 150 registration cards; most were from Employment and Family Services. On Tuesday, April 4, 2023, Election Support began going out to libraries and other agencies to pick up on-time voter registration cards. Those cards were considered on time because they were time-stamped and processed accordingly.

The Election Officials Department continues to hire Precinct Election Officials (PEOs). It is at nearly 100% of the goal, including 34 Cuyahoga County workers participating in the County Poll Worker Program. There are also several attorneys who will receive continuing education credits. About 89% of the PEOs have already been trained and will continue to hire and train enough workers to ensure enough workers, including polling location managers and deputies, ride-a-longs, and stand-by workers on Election Day. In-person training will continue until April 22, 2023, and after that, a Zoom refresher will be available for poll workers.

Early-in-Person (EIP) voting started on April 4, 2023, and there were eight voters on the first day. Voting hours for EIP through April 24, 2023, is 8:00 a.m. to 5:00 p.m., and will then be expanded from 7:30 a.m. to 7:30 p.m., with the exception of Tuesday, April 25, 2023, the CCBOE will be open until 8:30 p.m. to allow voters to bring in their vote-by-application for the deadline. On Saturday, April 29, 2023, voting will be from 8:00 a.m. until 4:00 p.m. The final day for Early-In-Person voting will be Sunday, April 30, 2023, from 1:00 p.m. until 5:00 p.m.

The Absentee Department sent out 2,077 vote-by-mail (VBM) ballots on April 4, 2023, and continues to process VBM ballot applications. The Ballot Department has completed the testing of all the voting equipment. On Friday, April 7, 2023, ballots will be quality assured and then prepared for delivery.

Election Support continues to pack the equipment and supplies for the polling locations. Berman's Moving and Storage is scheduled to start the first pick-up on Monday, April 17, 2023. The CCBOE

has 16 voting location changes, and impacted voters were mailed a specific letter informing them of the change. Additionally, the Voter Information Guide will highlight the polling location. Community Outreach continues to work with Mayors of impacted municipalities to get the message out to voters. The CCBOE is on schedule.

Board Member Davis Chappell asked how the CCBOE will notify provisional voters of the four-day cure period. Director Perlatti stated when a person votes provisionally, they are provided with a paper where they can contact the CCBOE to see the status of the ballot and the hours the voter can come and cure the provisional ballot. Election Day is May 2, 2023, and on Wednesday, May 3, 2023, the CCBOE starts looking at the provisionals and by Thursday or Friday, the CCBOE has gotten through the initial preparations, which is already the third day. Typically, the CCBOE would still be working with the provisionals. Chairman Curtis asked if a provisional voter comes in the day after the Election, would the CCBOE be able to cure the provisional. Director Perlatti stated the CCBOE could cure the ballot by looking up the city, ward, and precinct, retrieving the ballot, and remedying it.

For the May 2, 2023, Primary Election, a high volume of provisionals is not anticipated. The poll workers have an essential role in reviewing the envelope for photo identification. The poll worker will then give SOS Form 12-H to the voter, which informs the voter to come to the CCBOE to present proper identification.

Deputy Director Kaloger stated when there is a deficiency in the VBM information, the voters are informed on a rolling basis before Election Day. Director Perlatti stated another SOS Form 11-S mailed out to the voter saying the absentee envelope was not processable and advises the voter how to cure the information. For example, if the voter needs to provide identification, they can write it on the form and send it back to the CCBOE.

Board Member Davis Chappell asked what a voter is required to provide when voting absentee. Director Perlatti stated printed name, address, date of birth, and identification which can be the last four digits of the social security number or the driver's license number, or a photocopy of the front and back of the license. There is a change to the deadline for the VBM applications and a deadline on what the CCBOE can process on the back end. There are fewer changes to the VBM process on the front end than in-person voting. Board Member McCafferty asked if there was a track-my-ballot for VBM ballots. Director Perlatti stated yes. On the CCBOE, the VBM track-my-ballot reflects when the ballot application is received, when a ballot is mailed, and when the CCBOE receives and processes the ballot.

Board Member Davis Chappell states the interaction that occurs at the voter assistance table (VAT) is critical. Board Member McCafferty said the assistance at the table is even more critical in this particular issue. When working with voters, many will not take the information cards which provide the track-my-ballot information, where to call for questions and important dates. He stated there is a lot of information on the cards, and voters need to take it. During training, there needs to be an emphasis on giving the cards to the voters and ensuring the provisional envelope is completed correctly.

Director Perlatti stated the changes to HB 458 required the CCBOE to reprint some of the documents used during an Election. Unfortunately, that was an unfunded mandate. The CCBOE destroyed 70,000 provisional envelopes that could not be used, and the CCBOE had to produce new envelopes. The new provisional envelopes have been printed on white paper with yellow highlights over the required fields. The changes in the design should make it more apparent to the voter and poll worker what must be completed. The new design will not be available for May but will be available in the Fall. The

CCBOE has printed 10,000 envelopes for the May 2, 2023, Primary Election. The agency has also destroyed 150,000 voter registration cards and is printing new ones.

Board Member Davis Chappell stated the Board wants the poll workers to do their best, as they always do. The messaging to the voters should also be proactive to double-check completing their information. Director Perlatti stated the CCBOE tries to make it as easy and informative as possible, and the voters have a responsibility too. Board Member Davis Chappell said that the shortened time period to four days could make it more challenging for the voter. Board Member Stickan stated the messaging should include teaching voter awareness to generate an interest in tracking their ballot and following along the time frames. Director Perlatti said only a small percentage of provisional voters need to come to the CCBOE to cure their ballot. Emphasis to the voter to take the 12-H Form home and go through it would be helpful.

Board Member McCafferty stated the experience at the VAT would be different now with the voters lacking identification. That situation would previously not send voters to the VAT. Director Perlatti said every Election is important. However, the May Primary involves one-quarter of the County. The CCBOE will learn some lessons through the May Primary Election that was not anticipated and then enhance information for the September and November elections.

PUBLIC COMMENT

There was no public comment

EXECUTIVE SESSION

There was no executive session

Chairman Curtis moved to recess the meeting at 10:39 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 5, 2023.

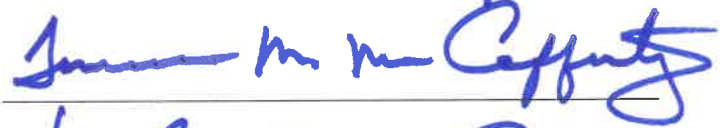
Henry F Curtis, IV, Chairman

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Inajo Davis Chappell, Board Member

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Anthony Perlatti, Director

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