

**Henry F Curtis, IV, Chairman**

**Anthony W. Perlatti, Director**

**Inajo Davis Chappell, Board Member**

**Anthony Kaloger, Deputy Director**

**Terence M. McCafferty, Board Member**

**Lisa M. Stickan, Board Member**

**MEETING AGENDA**

**June 8, 2023**

**9:30 a.m.**

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**THE PLEDGE OF ALLEGIANCE**

**ADMINISTRATIVE**

1. Approval of the minutes from the May 10, 2023, Board Meeting, and acknowledge an edit to the May 23, 2023, Agenda approving the April 28, 2023, minutes, not April 18, 2023.
2. Acknowledgment of Secretary of State Directives
  - a) Directive 2023-08: Form of the Ballot and Other Requirements for the August 8, 2023, Special Election
  - b) Directive 2023-09: 2023 General Voter Records Maintenance Program
  - c) Directive 2023-10: Updated Instructions on Data Collection and Cancellation Procedures for Completion of 2019 National Change of Address (“NCOA”) Process
3. Acknowledgment of municipal ward boundaries and corresponding precinct boundaries for Bedford
4. Acknowledgment of the disposal of 365 ES&S AutoMark Ballot Marking devices, and 1,125 ES&S DS200 Optical Scanners
5. Acknowledgment of the Agreement of Permanent Transfer via Donation of Voting Equipment to Franklin and Lorain counties

**BALLOT**

6. Certification of the Amended Official Results of the May 2, 2023, Primary Election
7. Certification of the post-election audit results from the May 2, 2023, Primary Election for Brooklyn Zoning Amendment GB Zoning (Issue 10)
8. Preliminary approval of the ballot order for the September 12, 2023, Primary Election

**CANDIDATE AND PETITION SERVICES**

9. Acknowledgment of candidate withdrawals
10. Acknowledgment of appointment to elected office
11. Acknowledgment of Early In-Person Voting PEO Performance Report from the May 2, 2023, Primary Election

**ELECTION OFFICIALS**

12. Acknowledgment of the PEO Performance Report for the May 2, 2023, Primary Election

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Video of this meeting can be viewed at <https://www.youtube.com/CuyahogaCountyBOE>

<sup>1</sup>Please email [mbejjani@cuyahogacounty.gov](mailto:mbejjani@cuyahogacounty.gov) or [dwhite1@cuyahogacounty.gov](mailto:dwhite1@cuyahogacounty.gov) with your name and the nature of your comment so we can fully assist you.

## **ELECTION SUPPORT**

13. Preliminary authorization for the allocation of voting booths for the September 12, 2023, Primary Election. Allocation quantities are based on one voting booth for every 175 registered voters per polling location. A total of 2,608 voting booths will be allocated + 318 ClearCast Go scanners + 159 ADA ClearAccess voting units and 318 Electronic Poll Books

## **FISCAL SERVICES**

14. Approval of contracts and resolutions
  - a) Midwest Direct - Ballot Printing
  - b) Tenex Software Solutions - Election Night Reporting
15. Approval of vouchers and resolutions
  - a) Tenex Software Solutions - Electronic Pollbooks Maintenance and Licensing
  - b) Ohio Desk
  - c) Angstrom Graphics - Voter Information Guide
  - d) Weekley's Mailing Services - Vote-by-Mail Applications
  - e) Clear Ballot Group, Inc - Service Days

## **HUMAN RESOURCES**

16. Approval of the personnel agenda

## **NEW BUSINESS**

- August Update

## **PUBLIC COMMENT<sup>1</sup>**

## **EXECUTIVE SESSION**

Discussion of personnel issues (to consider the appointment, employment, dismissal, discipline, promotion, demotion, or compensation of a public employee or official) and disputes involving the public body that are the subject of pending or imminent court action.

# VOTE CUYAHOGA COUNTY BOARD OF ELECTIONS

## 2023 Board Meeting Schedule

### June 2023

**Thursday, June 8<sup>th</sup> @ 9:30AM**

Audit/Recount Certification Meeting of the May 2, 2023 Primary Election

Certification of remaining issues and charter amendments for the August 8, 2023 Special Election

**Wednesday, June 21<sup>st</sup> @ 9:30AM**

Certification of candidates and issues for the September 12, 2023 Primary Election  
Certification of independent candidates for the November 7, 2023 General Election

### July 2023

**Monday, July 17<sup>th</sup> @ 9:30AM**

Certification of write-ins for September 12, 2023 Primary Election  
Certification of remaining issues for September 12, 2023 Primary Election

### August 2023

**Monday, August 7<sup>th</sup> @ 9:30AM**

Meeting for the August 8, 2023 Special Election

**Tuesday, August 8<sup>th</sup>**

August 8, 2023 Special Election

**Wednesday, August 16<sup>th</sup> @9:30AM**

Provisional verification for the August 8, 2023 Special Election

**Monday, August 21<sup>st</sup> @ 9:30AM**

Certification of candidates and issues for the November 7, 2023 General Election

**Tuesday, August 29<sup>th</sup> @ 9:30AM**

Certification of the August 8, 2023 Special Election

### September 2023

**Monday, September 11<sup>th</sup> @ 9:30AM**

Audit/Recount Certification of the August 8, 2023 Special Election  
Certification of remaining candidates for the November 7, 2023 General Election  
Certification of remaining issues and charter amendments for the November 7, 2023 General Election  
Certification of write-in candidates for the November 7, 2023 General Election

**Tuesday, September 12<sup>th</sup>**

September 12, 2023 Primary Election

**Wednesday, September 20<sup>th</sup> @9:30AM**

Provisional verification for the September 12, 2023 Primary Election

**Wednesday, September 27<sup>th</sup> @ 9:30AM**

Certification of the September 12, 2023 Primary Election

## October 2023

**Wednesday, October 18<sup>th</sup> @ 9:30AM**      October Board Meeting

## November 2023

**Friday, November 3<sup>rd</sup> @ 9:30AM**      Meeting for the November 7, 2023 General Election

**Tuesday, November 7<sup>th</sup>**      November 7, 2023 General Election

**Monday, November 20<sup>th</sup> @ 9:30AM**      Provisional Verification for the November 7, 2023 General Election

**Tuesday, November 28<sup>th</sup> @ 9:30AM**      Certification of the November 7, 2023 General Election

## December 2023

**Monday, December 18<sup>th</sup> @ 9:30AM**      Audit Certification of the November 7, 2023 General Election  
Certification of candidates and issues for the March 5, 2024 Primary Election

## January 2024

**Monday, January 8<sup>th</sup> @ 9:30AM**      Certification of remaining issues and charter amendments for the March 5, 2024  
Primary Election  
Certification of write-in candidates for the March 5, 2024 Primary Election

# Agenda Item

#1

# VOTE CUYAHOGA COUNTY BOARD OF ELECTIONS

Board Meeting  
5/10/2023

**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

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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.

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**Agenda Item 1: Determination of the validity of provisional ballots and authorization to count provisional ballots from the May 2, 2023, Primary Election**

Brad Boyda, Registration Department Supervisor, presented the May 2, 2023, Primary Election Provisional Report to the Board as provided in the meeting materials.

Board Member Davis Chappell asked about the distinction between missing and proper identification in the report, and asked if there were any issues with proper identification among the statistics? Director Perlatti stated that the statistics in the report table are the official document that shows why provisionals are rejected, which corresponds with the reporting done for the Secretary of State (SOS). Missing identification is a person who did not show identification. The new photo identification requirement affected two individuals reflected in the report as missing identification. The chart portion of the report is supplemental and shows why people voted provisionally. Board Member Davis Chappell stated there could be numerous scenarios where there are provisional votes. The concern is tracking, at least initially, to see how the photo identification law is impacting voting. The CCBOE should know how many people were compliant or not compliant with the photo identification law. The language should be consistent to avoid confusion if there is no difference between missing and proper identification on the report. Director Perlatti stated of the 134 provisional ballots, 132 had photo identification, and two provisionals did not have photo identification.

Director Perlatti stated the May 2, 2023, Primary Election was a good start due to its size to see what can be anticipated. The CCBOE plans to discuss with the SOS hypothetical situations to get clarity for upcoming elections. The CCBOE may reach out to the neighboring counties to see their experiences and where there are overlaps and common themes to address with the SOS.

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

Board Member McCafferty asked if any voter came to the CCBOE post-election with their identification. Mr. Boyda stated no voters came to the CCBOE during the cure period.

Chairman Curtis moved to approve the determination of the validity of provisional ballots and authorization to count provisional ballots from the May 2, 2023, Primary Election. Board Member Davis Chappell seconded. The motion passed unanimously.

**Agenda Item 2: Challenge of voter residency filed by Eric Brewer against Brandon King**

**Agenda Item 3: Challenge of voter residency filed by Eric Brewer against Stephanie Marie McCarroll-King**

**Agenda Item 4: Challenge of voter residency filed by Eric Brewer against Norma King**

**Agenda Item 5: Challenge of voter residency filed by Eric Brewer against Cecil King, Jr.**

**Agenda Item 6: Challenge of voter residency filed by Eric Brewer against Norman King**

Chairman Curtis stated the Board had received voter challenges file by Eric Brewer against Brandon King, Stephanie Marie McCarroll-King, Norma King, Cecil King, Jr., and Norman King. Additionally, the Board has received a Motion to Dismiss the voter challenges filed by Attorney James Alexander, Jr., representing the respondents Brandon King, Norma King, Cecil King, Jr., and Norman King. Mr. Alexander addressed the Board remotely regarding the Motion to Dismiss. Then, Mr. Eric Brewer addressed the Board regarding his filing to challenge the voters' residency of Brandon King, Stephanie Marie McCarroll-King, Norma King, Cecil King, Jr., and Norman King, and the Motion to Dismiss the voter challenges.

Assistant Prosecutor Musson stated the Motion to Dismiss is based on the timing deadlines in Statute 3503.24, which says the challenges to voter registrations must be filed no later than the 30<sup>th</sup> day before the day of the election. The Statute does not qualify what election it is referring to. Mr. Musson said Mr. Alexander's Motion is based on the understanding that it would be the last election; in that case, a voter challenge would never be timely. The Statute is referencing the perspective upcoming election. Additionally, Mr. Musson stated there is no election within 30 days in which these voters would be eligible to vote. Mr. Musson said the Motion to Dismiss does not have any merit.

Board Member Davis Chappell asked Counsel if the Board has a duty to investigate the challenges and any voter irregularity? She asked if the Board has an overarching duty to investigate these matters? Mr. Musson stated that is correct, the Board has the duty to investigate the qualifications of voter's residency, not necessarily in a hearing, but generally, there is the ability to investigate. Board Member Davis Chappell said the Board could call for a hearing. Mr. Musson said yes if the administration called for a hearing.

Board Member Davis Chappell said there is a duty for the Board to investigate the challenges, and the Board acts in a quasi-judicial capacity for these hearings. In terms of fundamental fairness, courts grant motions to continue because of the potential due process issue. Board Member Davis Chappell acknowledged Mr. Brewer's argument that there was the same short time frame for the respondent and challenger. These voter challenges have raised significant issues, with a lot of evidence submitted in connection with the challenges, and as a Board Member, she would want to consider them carefully. She further stated she would want the respondents fully represented to respond to the significant



challenges that Mr. Brewer has raised. The charges and evidence are significant, and to avoid any due process issues, the Board should allow to continue the hearings and deny the motion to dismiss. Board Member Davis Chappell would be in favor of not granting the motion to dismiss and discuss a motion to continue for all parties to know in advance that the hearing will be continued and a deadline with all documents would have to be submitted. The Board can then move forward with a full hearing.

Chairman Curtis moved to deny the Motion to Dismiss. Board Member Davis Chappell seconded. The motion passed unanimously.

The Board received a Motion to Continue the voter challenges filed by Attorney Alexander, representing the respondents Brandon King, Norma King, Cecil King, Jr., and Norman King. Mr. Alexander addressed the Board regarding the Motion to Continue. Chairman Curtis asked if the attorneys representing Stephanie Marie McCarroll-King would like to speak to the request for a continuance. Jason Kasunick, co-counsel with Attorney Starke, agreed with the Motion to Continue. Chairman Curtis asked Mr. Brewer if there was a response relative to the request for a continuance. Mr. Brewer had no response to the Motion to Continue.

Board Member Davis Chappell stated given there is no harm and no prejudice to anyone by continuing the hearings. Based on no objections from Mr. Brewer and the arguments of Counsel indicating they need more time to fully and fairly represent their clients. Board Member Davis Chappell moved to grant a continuance of the hearings to the Board Meeting on May 23, 2023, at 9:30 a.m. She asked to set a firm deadline for the submission of any and all documents. Board Member Stickan seconded. Chairman Curtis made a friendly amendment to a firm filing deadline of 4:00 p.m. on May 16, 2023. There would be no further continuances and no further submittals from the Challenger. Any legal briefs in response must be submitted one week in advance, which is May 16, 2023, at 4:00 p.m. There will be no reply briefs allowed. Mr. Musson asked if Mr. Alexander agrees to the date on record. Mr. Alexander understood the date. Mr. Musson also asked Mr. Kasunick if he understood the dates, and he agreed yes. The motion passed unanimously.

Director Perlatti asked to clarify the question to be answered. Chairman Curtis stated the question that will be answered specifically on May 23, 2023, is "Whether the voters who are being challenged are residents of the address and precinct where they offer to vote." Board Member Davis Chappell requested the guidelines be stated in the CCBOE hearing notifications.

*A transcript of the discussions can be obtained by contacting Mary Bejjani, CCBOE Clerk to the Board at 216-443-6430/mbejjani@cuyahogacounty.gov.*

#### **Agenda Item 7: Acknowledgment of resignation from and appointments to elected office**

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

#### **Agenda Item 8: Approval of voucher and resolutions**

Shaunquitta Walker, Fiscal Services Manager, presented the vouchers and resolutions summary from the board materials.

Director Perlatti stated that Resolution R2023-5-10-8-1 is for Clear Ballot election equipment and were not part of the negotiations with Clear Ballot and did not qualify under Table A items for State funding,



but County Counsel had pre-funded for the CCBOE. The resolution is for additional on-site support from technicians, additional backup thumb drives, backup servers, etc. The pricing is set on Table B, which is State term pricing that State dollars do not qualify.

Ms. Walker stated that Resolution R2023-5-10-8-2 is for Opex Model 72 and is part of the ballot system setup identified as Table C, Ancillary IT items previously approved for purchase at the September 12, 2022, Board meeting. The Board approved the funds; for transparency, this equipment is part of the expended funds.

Director Perlatti stated that the CCBOE Ballot Department has nine Opex machines that help with the Vote-by-Mail process. Currently, there is no Opex machine in the Hughes Building. With House Bill 458, there are new reporting requirements for the drop box and walk-in ballots. The equipment opens the envelopes and provides a count, which will allow the CCBOE to report the new reporting requirements daily to the SOS. Without the equipment, the counts will be done by hand, which is not the most efficient use of time and resources.

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

#### **Agenda Item 9: 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.

#### **Walk-on Agenda Item: Acknowledgment of ward and precinct boundary modifications for Broadview Heights**

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 there have been ward and precinct boundary adjustments for municipalities this year, and this acknowledgment is for Broadview Heights. The CCBOE reconfigures the precincts to match up with the new ward boundaries. The CCBOE created and shared the document with the Broadview Heights Clerk of Council, Mayor, and City Council. The Clerk notified the CCBOE that the City Council had reviewed it and had no questions. With Board acknowledgment today, it allows the CCBOE to complete the boundaries, as Broadview Heights is a municipality that has an election in September. The number of precincts stayed the same in the City. However, with the updates, Ward 3 had four precincts, which will now go down to three. Ward 2 previously had three precincts, which will now go up to four precincts. The changes allow for balance in precinct numbers and a reasonable distance from the 1,400 upper limits of precinct size. Broadview Heights is a municipality split into two school districts: the Brecksville-Broadview Heights and the North Royalton school districts. That is why Wards 3 and 4 have smaller precincts; one precinct is in one school district, and the other precinct goes with the other. Board Member McCafferty asked if the changes would be in effect if there were to be an August Special Election. Director Perlatti stated yes; the changes would be ready in time.

Chairman Curtis moved to acknowledge the ward and precinct boundary modifications for Broadview Heights. Board Member Davis Chappell seconded. The motion passed unanimously.

## **NEW BUSINESS**

Director Perlatti stated the poll worker payroll for the May 2, 2023, Primary Election should have the payroll file to the County Fiscal office by Friday, May 10, 2023. Board Member Davis Chappell asked when poll workers would be paid? Director Perlatti stated checks would hopefully go into the mail the week of May 15, 2023.

## **PUBLIC COMMENT**

There was no public comment.

## **EXECUTIVE SESSION**

There was no executive session.

Chairman Curtis moved to recess the meeting at 10:21 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 May 10, 2023.

Henry F Curtis, IV, Chairman



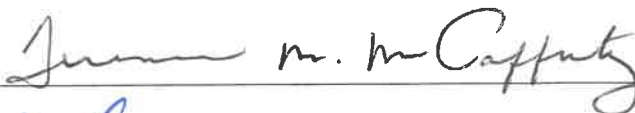
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Inajo Davis Chappell, Board Member



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Terence M. McCafferty, Board Member



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Lisa M. Stickan, Board Member



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Anthony Perlatti, Director



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# Agenda Item

#2

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RELEASED: May 30, 2023

## SUMMARY

- *Directive 2023-08* provides the certified forms of the official ballot to be used in the August 8, 2023 Special Election, as well as the schedule for Early In-Person voting.
- The CCBOE must ensure its tabulation and voter registration systems correspond and the SWVRD is updated with any precinct or polling location changes.
- The exact ballot language for the statewide issue was included in an attachment to this *Directive* and is the only issue that will appear on the August 8<sup>th</sup> ballot.
- The CCBOE must ensure the following deadlines are met relative to absentee ballots:
  - Absentee ballots are provided to the SOS by **Thursday, June 22**;
  - Sample ballots on the CCBOE website are updated by **Friday, June 23**; and
  - The remote ballot marking system is updated and ready for use by **Friday, June 23**.
- The voter registration deadline is **Monday, July 10**. Voter registrations received or postmarked by **July 10** must be processed for the August 8, 2023 Special Election.
- The Early In-Person voting hours are the exact same as they were for the May 2, 2023 Primary Election.
- The CCBOE must mail a notice to registered voters in the precinct(s) of polling locations that are changed for the August 8, 2023 Special Election.
- While training is not required of poll workers who worked the May 2, 2023 Primary Election, the CCBOE will train all poll workers for the August 8, 2023 Special Election, as it is the first election with the new Clear Ballot voting equipment.

## INSTRUCTIONS

### **I. VERIFYING OF PRECINCT CODES**

The CCCBOE must ensure the SOS's precinct codes are accurate in its tabulation and voter registration systems and the precinct names correspond between the two. The CCBOE must also upload to the statewide voter registration database (SWVRD) any changes to precincts or polling locations.

### **II. OFFICIAL QUESTIONS AND ISSUES BALLOT**

The Official Questions and Issues Ballot must be used to present voters with the statewide issue. This *Directive* included an attached ballot form, which contains the exact ballot language to use for the statewide issue. No other issues will appear on the ballot.

### **III. ABSENTEE BALLOTS**

The CCBOE must have absentee ballots printed and ready for use by **Friday, June 23** for UOCAVA voters, and by **Tuesday, July 11** for regular, non-UOCAVA absentee voters. The CCBOE may not

outsource the printing and mailing of absentee ballots to vendors or any other third party without prior written authorization from the Director of Elections. The deadline to request outsourcing of absentee ballots is **Friday, June 9, 2023**. ([The CCBOE requested and received authorization on Tuesday, May 30](#)).

To ensure the highest standards of election security and integrity, the CCBOE must comply with all previously enacted requirements related to outsourcing outlined in Chapter 7 of the Election Official Manual. Additionally, the CCBOE must ensure:

- Absentee ballots are provided to the SOS by **Thursday, June 22**;
- Sample ballots on the CCBOE website are updated by **Friday, June 23**; and
- The remote ballot marking system is updated and ready for use by **Friday, June 23**.

#### **IV. VOTER REGISTRATION DEADLINE**

The voter registration deadline is **Monday, July 10**. Voter registrations received or postmarked by **July 10** must be processed and the voter registration record updated for the August 8, 2023 Special Election. Voter registration forms returned by mail to the SOS or the CCBOE that do not bear a postmark, or a legible postmark are valid for the August 8, 2023 Special Election if received by July 14, 2023.

#### **V. EARLY VOTING SCHEDULE**

##### ***Weeks One, Two, and Three of Voting (July 11 – July 28, 2023)***

- 8:00 a.m. to 5:00 p.m. on each weekday (Monday through Friday)

##### ***Week Four of Voting (July 31 – August 6, 2023)***

- 7:30 a.m. to 7:30 p.m. (Monday)
- 7:30 a.m. to 8:30 p.m. (Tuesday)
- 7:30 a.m. to 7:30 p.m. (Wednesday through Friday)
- 8:00 a.m. to 4:00 p.m. (Saturday)
- 1:00 p.m. to 5:00 p.m. (Sunday)

Absentee ballot applications are due by the close of business on the 7<sup>th</sup> day before Election Day (i.e., 8:30 p.m. on Tuesday, August 1).

#### **VI. POLLING LOCATIONS**

The CCBOE must mail a notice to registered voters in the precinct(s) of polling locations that are changed for the August 8, 2023 Special Election and do all the following:

1. Issue a press release to local media;
2. Post a notice in a clear and conspicuous place at the previous polling location that redirects voters to the new polling location;
3. Update the polling location on the CCBOE website;
4. Update the CCBOE's voter registration system with the new polling location;



5. Provide the updated precinct and polling location packet to the SOS immediately;
6. Update the election management system; and
7. Update the electronic pollbooks.

**VII. PRECINCT ELECTION OFFICIALS**

If a poll worker did not receive training prior to the May 2, 2023 Primary Election, they must receive instruction on the changes to election administration from H.B. 458. If a multi-precinct voting location uses electronic pollbooks, the board may reduce the number of precinct election officials from four per precinct to two, so long as the board approves the reduction by the affirmative vote of at least three of its members. (The CCBOE will train all poll workers, regardless of whether they worked the May 2, 2023 Primary Election or not, on the new Clear Ballot voting equipment).



## **DIRECTIVE 2023-08**

May 30, 2023

To: All County Boards of Elections  
Board Members, Directors, and Deputy Directors

Re: Form of the Ballot and Other Requirements for the August 8, 2023 Special Election

### **SUMMARY**

This Directive provides the certified form of the official ballot to be used in the August 8, 2023 Special Election, as well as the schedule for early, in-person voting. Please note that this Directive must be used alongside [Chapter 5 of the Election Official Manual](#) when preparing ballots for this election. [Chapter 5](#) provides specific instructions on the following relevant subjects:

- Ballot format;
- Voter instructions;
- Ballot stubs;
- Questions and issues ballot;
- Ballot proofs;
- Bid requirements;
- Ballot quantities;
- Logic and accuracy testing; and
- Public test.

### **INSTRUCTIONS**

#### **I. VERIFICATION OF PRECINCT CODES**

The board must ensure that the Secretary of State's precinct codes (three alphabet letters) are accurate in the tabulation system and the county's voter registration system; and the precinct names correspond between the two systems. Note: It is also critical that a board of elections upload to the statewide voter registration database (SWVRD) any changes made to the precinct and polling location information in the county's voter registration system. The board will receive a report of precinct names and codes in June to review for accuracy.

#### **II. OFFICIAL QUESTIONS AND ISSUES BALLOT**

The Official Questions and Issues Ballot must be used for all voting systems to present voters with the statewide issue. The attached ballot form contains the exact ballot language to use for the statewide issue. No other issues will appear on the ballot. Additional instructions on headings, ballot language, and percentage of votes can be found in [Chapter 5](#) of the Election Official Manual.

### III. ABSENTEE BALLOTS<sup>1</sup>

As a reminder, boards must follow the instructions for proofing the ballot outlined in [Chapter 5](#) of the Election Official Manual. All board members, but especially those who are new to the ballot-proofing process, should read over these provisions to ensure they are familiar with the process.

Each board of elections must have absentee ballots printed and ready for use by Friday, **June 23, 2023** (46 days before the August 8, 2023 Special Election) for Uniformed and Overseas Citizens Absentee Voting Act (“UOCAVA”) voters, and by Tuesday, **July 11, 2023** for regular, non-UOCAVA absentee voters.

As provided in [Chapter 7](#) of the Election Official Manual, boards may not outsource the printing and mailing of absentee ballots to vendors or any other third party without prior written authorization from the Director of Elections. The deadline to request outsourcing of absentee ballots is Friday, **June 9, 2023** (60 days before the election).<sup>2</sup>

Keep in mind that this is the first election in which boards may outsource the printing and mailing of absentee ballots to out-of-state vendors. In order to ensure the highest standards of election security and integrity, boards must comply with all previously enacted requirements related to outsourcing outlined in [Chapter 7](#) of the Election Official Manual. Additional rules and requirements related to ballot printing and mailing will be provided later this year for future elections.

Additionally, each board must ensure all of the following:

- The ballot file provided to a ballot printing vendor is thoroughly reviewed and approved before producing any ballots for use by voters;
- Any absentee ballot that is printed and mailed by a vendor is properly proofed and tested according to the instructions in [Chapter 7](#) of the Election Official Manual;
- The absentee ballots are provided to the Secretary of State’s Office by Thursday, **June 22, 2023** (at least 47 days before the election) via SharePoint;
- The sample ballot on the board’s website is updated by Friday, **June 23, 2023** (at least 46 days before the election);<sup>3</sup> and
- The remote ballot marking system is updated and ready for use by Friday, **June 23, 2023**.

### IV. VOTER REGISTRATION DEADLINE

The voter registration deadline for the August 8, 2023 Special Election is Monday, **July 10, 2023**. As this is a statewide election, boards must be open until 9:00 p.m. for the purposes of voter registration. Voter registrations received or postmarked by July 10, 2023 must be processed and the voter registration record updated for the August 8, 2023 Special Election. Voter registration forms returned by mail to the Secretary of State’s Office or the board of elections that do not bear a postmark or a legible postmark are valid for the August 8, 2023 Special Election if received by July 14, 2023.<sup>4</sup>

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<sup>1</sup> [R.C. 3509.01](#) and [R.C. 3511.04](#).

<sup>2</sup> See [Advisory 2023-01](#).

<sup>3</sup> [R.C. 3511.04\(B\)](#).

<sup>4</sup> [R.C. 3503.19](#).

## **V. EARLY VOTING SCHEDULE**

Boards must be open for early in-person voting in the August 8, 2023 Special Election as follows:

### ***Weeks One, Two, and Three of Voting (July 11 – July 28, 2023)***

- 8:00 a.m. to 5:00 p.m. on each weekday (Monday through Friday)

### ***Week Four of Voting (July 31 – August 6, 2023)***

- 7:30 a.m. to 7:30 p.m. (Monday)
- 7:30 a.m. to 8:30 p.m. (Tuesday)
- 7:30 a.m. to 7:30 p.m. (Wednesday through Friday)
- 8:00 a.m. to 4:00 p.m. (Saturday)
- 1:00 p.m. to 5:00 p.m. (Sunday)

Absentee ballot applications are due by close of business on the seventh day before Election Day (i.e., 8:30 p.m. on Tuesday, August 1, 2023).

## **VI. POLLING LOCATIONS**

Boards of elections must contact all polling locations to ensure availability for the August 8, 2023 Special Election. Any board that changes polling locations for the August 8, 2023 Special Election must mail notice to registered voters in the precinct(s) and do all of the following:

1. Issue a press release to local media containing information regarding the new polling location;
2. Post a notice in a clear and conspicuous place at the previous polling location that redirects voters to the new polling location;
3. Update the polling location on the board of elections' website;
4. Update the board of elections' voter registration system with the new polling location;
5. Provide the updated precinct and polling location packet to the Secretary of State's Office immediately. Once the packet is sent, email the updated list to [SWVRD@OhioSOS.gov](mailto:SWVRD@OhioSOS.gov);
6. Update the board of elections' election management system, if possible; and
7. Update the board of elections' electronic pollbook, if possible.

## **VII. PRECINCT ELECTION OFFICIALS**

Each new precinct election official must be trained in-person on the county's voting equipment before participating in the person's first election as a precinct election official, and programs of instruction must be scheduled within 60 days before the election (Friday, June 9, 2023). If a precinct election official did not receive training prior to the May 2, 2023 Primary/Special Election, they must receive instruction on the changes to election administration from H.B. 458, including the photo identification requirements, the Affidavit of Religious Objection ([Form 12-O](#)), and changes to the provisional voting process, including the changes to the Provisional Ballot Affirmation ([Form 12-B](#)).

In any election, a board of elections, by a vote of at least three members of the board, may opt to have a single voting location serve more than one precinct. If a multi-precinct voting location uses electronic pollbooks, the board may reduce the number of precinct election officials from four per precinct to two, so long as the board approves the reduction by the affirmative vote of at least three of

its members.<sup>5</sup>

If you have any questions regarding this Directive, please contact the Secretary of State's elections counsel at (614) 728-8789.

Yours in service,



Frank LaRose  
Ohio Secretary of State

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<sup>5</sup> [R.C. 3501.22\(A\)\(2\)](#).

# OFFICIAL QUESTIONS AND ISSUES BALLOT

A	B	C
_____ County	Special Election	August 8, 2023
<p><b>Instructions to Voter</b></p> <ul style="list-style-type: none"> <li>• <b>To vote:</b> completely darken the oval (●) to the left of your choice.</li> <li>• Do not mark the ballot for more choices than allowed. Vote either "Yes" or "No."</li> <li>• If you mark the ballot for more choices than permitted, that question will not be counted.</li> <li>• <b>Before casting your ballot, if you make a mistake or want to change your vote:</b> return your ballot to an election official and get a new ballot. You may ask for a new ballot up to two times.</li> </ul>	<p><b>Issue 1</b></p> <p><b>Proposed Constitutional Amendment</b></p> <p><b>Elevating the Standards to Qualify for and to Pass any Constitutional Amendment</b></p> <p><b>Proposed by Joint Resolution of the General Assembly</b></p> <p><b>To amend Sections 1b, 1e, and 1g of Article II and Sections 1 and 3 of Article XVI of the Constitution of the State of Ohio</b></p> <p><b>A majority yes vote is necessary for the amendment to pass.</b></p> <p>The proposed amendment would:</p> <ul style="list-style-type: none"> <li>• Require that any proposed amendment to the Constitution of the State of Ohio receive the approval of at least 60 percent of eligible voters voting on the proposed amendment.</li> <li>• Require that any initiative petition filed on or after January 1, 2024 with the Secretary of State proposing to amend the Constitution of the State of Ohio be signed by at least five percent of the eligible voters of each county in the state.</li> <li>• Specify that additional signatures may not be added to an initiative petition filed with the Secretary of State on or after January 1, 2024 proposing to amend the Constitution of the State of Ohio.</li> </ul> <p>If passed, the amendment shall be effective immediately.</p> <p><b>SHALL THE AMENDMENT BE APPROVED?</b></p> <p><input type="radio"/> Yes</p> <p><input type="radio"/> No</p>	<p>Page 1 of 1</p>
A    001 _____ TWP A	B    0001:1	C    001

This **SAMPLE** ballot provides the **CORRECT** ballot format and ballot language for the statewide issue that must appear on the August 2023 Special Election ballot.

b)



RELEASED: June 5, 2023

## SUMMARY

- *Directive 2023-09* provides instructions for the National Change of Address (NCOA) and Supplemental Process components of the 2023 General Voter Records Maintenance Program.
- This program proactively contacts voters who likely moved and provides them the opportunity to update their voter registration.
- The program also seeks to identify those who may no longer be qualified electors under the law and provide proper legal notice their voter registration will be cancelled if they do not engage in any voter-initiated activity.
- The General Voter Records Maintenance Program is a requirement of the National Voter Registration Act (NVRA) of 1993. There are two parts of Ohio’s implementation of this program:
  1. **NCOA Process** – Triggered when a voter record appears in the US postal service NCOA database, indicating the voter likely moved since records were last compared.
  2. **Supplemental Process** – Triggered by voter inactivity during a fixed period, generally two years. The process begins after two years of voter inactivity and the voter has an additional four years for a total of six years of no voter activity before their registration is cancelled.
- Voter registrations will not be cancelled pursuant to the 2023 NCOA or Supplemental Process until four years after a confirmation notice is sent.
- A registration will be cancelled only if the voter fails to respond to a notice or engage in any other voter-initiated activity during a period of four consecutive years, including two general federal elections.
- A voter placed in “active-confirmation” status under this program must appear in the pollbook and should **not** be flagged to cast a provisional ballot (unless flagged for some other reason). The same holds true if a voter placed in “active-confirmation” status requests an absentee ballot. If the voter meets all the requirements to be issued a regular ballot, they will then be issued one.
- No voter registration may be cancelled because of the general voter records maintenance program during the 90 days immediately preceding any federal primary or general election.

## BACKGROUND

The general voter records maintenance program is a requirement of the National Voter Registration Act of 1993 (NVRA), commonly referred to as the “motor voter law.” Ohio law requires election officials to conduct the state’s general voter records maintenance program every year. There are two parts of Ohio’s implementation of the general voter records maintenance program:

1. **The NCOA Process**, which is triggered when a voter record appears in the United States Postal Service (USPS) NCOA database, indicating the voter associated with that record likely moved since the records

were last compared, and may need to update their voter registration with the current voting residence address.

2. **The Supplemental Process**, which is triggered by a voter's inactivity during a fixed period, generally two years. This process seeks to identify electors whose lack of voter-initiated activity indicates they may have moved, even though their names did not appear as a part of the NCOA process. Generally, the process *begins* after two years of voter inactivity and the voter has an additional four years for a *total of six years of no voter activity* before their registration is cancelled.

Voter registrations will not be cancelled pursuant to the 2023 NCOA or Supplemental Process until four years after a confirmation notice is sent.

## **INSTRUCTIONS**

The CCBOE must complete the NCOA Process prior to identifying records that are a part of the Supplemental Process.

### **I. PREPARATION STEPS FOR THE 2023 GENERAL VOTER RECORDS MAINTENANCE PROGRAM**

Before beginning the NCOA or Supplemental process, the CCBOE must do the following:

1. Complete the entry of all voter registration applications, including any information from provisional ballot envelopes cast in the May 2, 2023 Primary Election.
2. Update all voter registration records to account for voter-initiated activity.
3. Retrieve and review the "Automatic Confirmation of Address Safeguard" file from the BOE Portal and update any record in "active-confirmation" status to "active-active" status.

### **II. DATA COLLECTION AND REVIEW OF RECORDS - PRIOR TO MAILING THE CONFIRMATION NOTICES**

#### **Step 1**

The CCBOE will access its 2023 In-County and Out-of-County NCOA data file through the BOE Portal.

#### **Step 2**

For voters in the *In-County* NCOA File, change the voter's registration address to the address in the NCOA file and either place or keep the voters in "active-active" status.

#### **Step 3**

For voters in the Out-of-County NCOA file, place the voters in "active-confirmation" status.

#### **Step 4**

Before sending any confirmation notices, the CCBOE must compile a data file containing the list of voters to be identified through the Supplemental Process and provide this list to the SOS. [\(The CCBOE must submit this file by June 16, 2023\)](#)

### **III. MAINTENANCE NOTICES UNDER THE 2023 GENERAL VOTER RECORDS MAINTENANCE PROGRAM**

The CCBOE must create a proofing process and carefully review the underlying data (e.g., name, address, etc.) and its proper placement on the confirmation notices mailed to voters identified in the 2023 General Voter Records Maintenance Program.

The CCBOE must mail all confirmation notices no later than **July 7, 2023** using the prescribed forms in this *Directive* and include a postage-paid return envelope with the notification form.

**A. Mailing In-County and Out-of-County NCOA Confirmation Notices**

Confirmation notices are always mailed to the address that appears on the 2023 NCOA list for the voter.

**B. Mailing the Supplemental Confirmation Notices**

Once the board has received permission to mail supplemental confirmation notices, the CCBOE must send the confirmation notice by forwardable mail to the voter's current address.

**IV. DATA COLLECTION AND REVIEW – AFTER MAILING THE CONFIRMATION NOTICES**

The CCBOE must submit a "confirmation notice file" to the SOS. It must generate this file the day the confirmation notices are mailed. [The CCBOE must send a spreadsheet containing the voter records that received a confirmation notice on July 14, 2023.](#)

**V. RESPONSES TO THE CONFIRMATION NOTICE MAILING**

An elector may respond to the confirmation notice online or by returning the notice to confirm or update their voter registration address.

**A. Change of Address within the County**

If the elector provides a new residential address within the county, the CCBOE must update the elector's registration record with the new address.

**B. Change of Address to Another Ohio County**

If the elector provides a new residential address in another Ohio county, that voter's registration is transferred to the new county.

**C. Change of Address to Another State**

If an elector completes and returns the confirmation notice and provides a new residential address in a different state, the CCBOE must cancel the elector's registration.

**D. Confirmation of Current Address**

If the elector confirms they reside at the same address on file with the CCBOE, the CCBOE must indicate on the elector's registration record the date that confirmation was received and note the address on file is correct.

**E. Confirmation Notice NOT Returned**

*1. In-County NCOA Process*

If the elector fails to return the confirmation notice and otherwise fails to engage in any voter-initiated activity, the elector must continue to be listed as "active-active" in the voter registration database.

## 2. *Out-of-County NCOA and Supplemental Processes*

If the elector fails to return the confirmation notice and otherwise fails to engage in any voter-initiated activity, the elector must continue to be listed as “active-confirmation” in the voter registration database.

### F. **Handling “No Forwarding Address” Returns**

Confirmation notices must be sent by forwardable mail.

## VI. **PROSPECTIVE NATURE OF THE 2023 GENERAL VOTER RECORDS MAINTENANCE PROGRAM**

The elector’s voter status must be changed from “active-confirmation” to “active-active,” and the elector must *not* be cancelled pursuant to the 2023 NCOA and Supplemental Process if any of the following apply:

- The elector responds to the 2023 confirmation notice.
- The elector updates their voter registration or engages in voter-initiated activity.
- The elector appears on the county’s “Automatic Confirmation of Address Safeguard” list.

All other electors contacted pursuant to the 2023 NCOA and Supplemental Process must be cancelled by one of the following dates, whichever is later:

- Not later than 120 days after the date of the second federal general election (November 3, 2026) in which the elector fails to vote; or
- Not later than 120 days after the expiration of the four-year period that begins on the date the confirmation notice is mailed pursuant to this Directive; but
- **No voter registration may be cancelled because of the general voter records maintenance program during the 90 days immediately preceding any federal primary or general election.**

## VII. **MAINTAINING RECORDS FOR PUBLIC INSPECTION AND COPYING**

The CCBOE must maintain and make available for public inspection all records concerning the 2023 General Voter Records Maintenance Program, including the names and addresses of all registered electors sent confirmation notices and whether the elector responded to the confirmation notice. It must maintain all records described in this paragraph for a period of five years.

## VIII. **“ACTIVE-CONFIRMATION” STATUS AND VOTING**

A voter placed in “active-confirmation” status under the general voter records maintenance program must appear in the poll list should *not* be flagged to cast a provisional ballot (unless flagged for some other reason).

If a voter placed in “active-confirmation” status appears at the voter’s assigned polling place to vote, states to the poll workers that the voter resides at the same address printed in the poll list, provides valid identification for voting purposes, and is not required to cast a provisional ballot for any other reason, the voter must be permitted to cast a regular ballot.

Likewise, if a voter placed in “active-confirmation” status applies for an absentee ballot, provides the same address on the application at which the voter is registered to vote, and the application is in all other respects complete and valid, the CCBOE must issue the absentee ballot to the voter (whether by mail or in person).

**IX. POSTAL INFORMATION**

The CCBOE must consult with their local Postmaster or regional business mail analyst regarding the use of nonprofit permit postage rates for the mailing of outbound confirmation notices and business reply mail permits for the return of completed confirmation notices from electors.



## **DIRECTIVE 2023-09**

June 5, 2023

To: All County Boards of Elections  
Board Members, Directors, and Deputy Directors

Re: 2023 General Voter Records Maintenance Program

### **SUMMARY**

Maintaining accurate voter registration lists is critical to ensuring elections are secure. This Directive provides instructions to boards of elections for the National Change of Address (“NCOA”) and Supplemental Process components of the 2023 General Voter Records Maintenance Program.

This uniform and nondiscriminatory program is designed to ensure that accurate and current voter registration rolls are maintained. Voters who likely moved are proactively contacted and given the opportunity to update their voter registration. The process also seeks to identify those who may no longer be qualified electors under the law and provide proper legal notice that their voter registration will be cancelled if they do not engage in any voter-initiated activity.

### **BACKGROUND**

The general voter records maintenance program is a requirement of the National Voter Registration Act of 1993 (“NVRA”),<sup>1</sup> commonly referred to as the “motor voter law.” The purposes of the NVRA are to increase the number of voter registrations for eligible citizens, to enhance the participation of eligible citizens in the voter process, to protect the integrity of the electoral process, and to ensure that accurate and current voter registration rolls are maintained.<sup>2</sup>

Additionally, state law requires local election officials to conduct the state’s general voter records maintenance program every year.<sup>3</sup> There are two parts of Ohio’s implementation of the general voter records maintenance program:

1. **The NCOA Process**, which is triggered when a voter record appears in the United States Postal Service (“USPS”) NCOA database, indicating that the voter associated with that record likely moved since the records were last compared, and may need to update their voter registration with the current voting residence address. Under state law, the Secretary of State matches voter records in the Statewide Voter Registration Database against the NCOA database to compile the data for the NCOA process.<sup>4</sup>
2. **The Supplemental Process**, which is triggered by a voter’s inactivity during a fixed period of time, generally two years. This process seeks to identify electors whose lack of

<sup>1</sup> [52 U.S.C.A. §20507.](#)

<sup>2</sup> [52 U.S.C.A. §20507\(b\).](#)

<sup>3</sup> [R.C. 3503.21\(D\).](#)

<sup>4</sup> [R.C. 3503.21.](#)



voter-initiated activity indicates they may have moved, even though their names did not appear as a part of the NCOA process. County boards of elections use voter activity in their local voter registration system to compile the data for the supplemental process. Generally, the process *begins* after two years of voter inactivity and the voter has an additional four years for a *total of six years of no voter activity* before their registration is cancelled.

Voter registrations will not be cancelled pursuant to the 2023 NCOA or Supplemental Process until four years after a confirmation notice is sent. A registration will be cancelled only if the voter fails to respond to the notice or engage in any other voter-initiated activity during a period of four consecutive years, including two federal general elections.

## **INSTRUCTIONS**

The following sections outline steps each board must take in preparation for the 2023 General Voter Records Maintenance Program. **Boards must complete the NCOA Process prior to identifying records that are a part of the Supplemental Process.**

### **I. PREPARATION STEPS FOR THE 2023 GENERAL VOTER RECORDS MAINTENANCE PROGRAM**

Before beginning the NCOA or Supplemental process, each board of elections must do the following:

1. Complete the local data entry of all voter registration applications, including any information from provisional ballot envelopes cast in the May 2, 2023 Primary/Special Election.
2. Update all voter registration records to account for voter-initiated activity, as necessary. Voter-initiated activity includes voting, submitting a valid absentee ballot application, registering to vote, updating or confirming an address with a board of elections or the BMV, or signing a candidate or issue petition that is verified by a board of elections.<sup>5</sup>
3. Retrieve and review the “Automatic Confirmation of Address Safeguard” file from the Board of Elections Portal (“BOE Portal”) and update any record in “active-confirmation” status to “active-active” status.<sup>6</sup>

### **II. DATA COLLECTION AND REVIEW OF RECORDS - PRIOR TO MAILING THE CONFIRMATION NOTICES**

#### **Step 1: Accessing In-County and Out-of-County Data**

Boards of elections will access their 2023 In-County and Out-of-County NCOA data file through the BOE Portal. An email will be sent once files are available.

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<sup>5</sup> See [Chapter 4](#), Section 4.01 of the Election Official Manual.

<sup>6</sup> See [Chapter 4](#), Section 4.01 of the Election Official Manual.



## **Step 2: In-County NCOA Voters**

For voters on the In-County NCOA list, update the voter's registration address to the address in the NCOA file and either place or keep the voters in "active-active" status. **Do not send confirmation notices to the impacted NCOA voters at this time.**

Boards must ensure all the following steps are complete:

- Prior to sending the confirmation notice, the voter's address is changed to the address reported on the 2023 In-County NCOA list;<sup>9</sup>
- The [Secretary of State Form 10-S-In County NCOA](#) form contains the voting location assigned for that voter's new address and provides the identification requirements specified in state law;<sup>7</sup> and
- The elector is in "active-active" status.

If the address provided on the In-County NCOA list already matches the voter's address in the voter registration system and the voter is in "active-active" status, the board does not need to send a notice to the voter. If the address provided on the In-County NCOA list is not within the county, the board must follow the Out-of-County NCOA instructions, below, and send the voter a [Secretary of State Form 10-S-Out of County NCOA](#) form.

## **Step 3: Out-of-County NCOA Voters**

For voters on the Out-of-County NCOA list, place the voters in "active-confirmation" status. Perform the necessary updates to the records identified but **do not send confirmation notices to the impacted NCOA voters at this time.**

An elector who appears on the 2023 Out-of-County NCOA list may have appeared on previous NCOA lists. Under the 2023 Out-of-County NCOA Process, do not send a confirmation notice to an elector whom the board previously sent a notice unless the address on the 2023 Out-of-County NCOA list is new or different from the address that appeared on NCOA lists in previous years. If the board must send a new confirmation notice to a new/updated address, the four-year timeline will restart.<sup>8</sup>

Electors identified as part of the 2023 Out-of-County NCOA process must be placed in or remain in "active-confirmation" status in the board's voter registration system. Each board must ensure that the status of the voter is properly updated in the Statewide Voter Registration Database.

Boards must ensure these steps are complete:

- The board places the elector in "active-confirmation" status, and
- The board sends the confirmation notice by forwardable mail to the voter's address as it appears on the Out-of-County NCOA list.

## **Step 4: Supplemental Data File Creation**

Before sending any confirmation notices, each board of elections must compile a data file containing voters identified through the Supplemental Process and provide this list to the

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<sup>7</sup> [R.C. 3505.18](#).

<sup>8</sup> [52 U.S.C.A. §20507\(d\)](#) and [R.C. 3503.21\(B\)](#).

Secretary of State’s Office. **Do not place these voters into “active-confirmation” status in the county VR system prior to receiving emailed approval from the Secretary of State’s Office.**

Boards of elections must ensure voter records that will receive a confirmation notice under the Supplemental Process meet **all the following criteria:**

1. The voter record is in “active-active” status.
2. The voter’s registration date is before May 4, 2021.
3. The voter’s record does not contain voter-initiated activity on or after May 4, 2021. Voter-initiated activity includes voting, submitting a valid absentee ballot application, registering to vote, updating or confirming an address with a board of elections or the BMV, or signing a candidate or issue petition that is verified by a board of elections.<sup>9</sup>
4. The voter does not appear on the “Automatic Confirmation of Address Safeguard” list on the Board of Elections Portal.

To submit the list of voters identified through the Supplemental Process, all boards must submit a spreadsheet in the same format containing the following information:

- County Number
- County Name
- State Voter ID
- Confirmation Reason (Supplemental)
- Registration Date
- Last Voted Date
- First Name
- Last Name
- Address
- Address 2
- City
- State
- Zip Code
- Voter Status

The spreadsheet must be uploaded to the board’s SharePoint folder in a .csv format by **Friday, June 16, 2023.**

The Secretary of State’s Office will review the data. Once the file has passed the necessary data checks, each board will receive an email instructing them to proceed with the Supplemental Process and mail out the confirmation notices for voters identified in the NCOA or Supplemental Processes. **Boards must wait for the email from the Secretary of State’s Office before mailing any confirmation notices related to the NCOA or Supplemental Process.**

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<sup>9</sup> See [Chapter 4](#), Section 4.01 of the Election Official Manual.

### **III. MAILING NOTICES UNDER THE 2023 GENERAL VOTER RECORDS MAINTENANCE PROGRAM**

Whether printing confirmation notices in-house or with a vendor, each board of elections must create a proofing process and carefully review the data (e.g., name, address, etc.) and its proper placement on the notice. Each board must review [Chapter 2, page 47 of the Election Official Manual](#) to ensure outside print and mail vendor compliance.

All boards of elections must mail confirmation notices to electors identified through Ohio's 2023 General Voter Records Maintenance Program. There are three types of confirmation notices used in the NCOA and Supplemental Processes:

- [Secretary of State Form 10-S-Out of County NCOA](#) must be used for those records that are identified as part of the **Out-of-County NCOA Process**.
- [Secretary of State Form 10-S-In County NCOA](#) must be used for those records that are identified as part of the **In-County NCOA Process**.
- [Secretary of State Form 10-S-Supplemental](#) must be used for those records that are identified as part of the **Supplemental Process**.

Each board must mail all confirmation notices no later than **July 7, 2023** using the prescribed forms and include a postage-paid return envelope with the notification form.<sup>10</sup> Boards must use a business reply mail permit unless use of the permit is not cost effective. Boards must also record in their voter registration system the date the confirmation notice is mailed to an elector and, when applicable, the date the board receives a response to the confirmation mailing or the date the notice is returned undeliverable. **This record is critical to establishing the four-year anniversary date for each confirmation notice.**

#### **A. Mailing In-County and Out-of-County NCOA Confirmation Notices**

Confirmation notices are always mailed to the address that appears on the 2023 NCOA list for the voter. However, to prevent confusion, regardless of the address to which the notice is mailed, the front, pre-printed side of [Secretary of State Form 10-S-Out of County NCOA](#) and [Secretary of State Form 10-S-In County NCOA](#) must include *only* the address at which the elector is registered to vote. That is the address the voter is being asked to confirm.

- For [Secretary of State Form 10-S-Out of County NCOA](#) (Out-of-County NCOA Process), print the address that appears in the board's voter registration system for the elector.
- For [Secretary of State Form 10-S-In County NCOA](#) (In-County NCOA Process), print the address that appears in the in-county NCOA file for that elector since the board has updated the voter's registration address to the new address in the same county.

Print the address to which the notice must be mailed as provided by the NCOA list on the letter-side of the confirmation notice. In addition, place the board's name and return address at the top left corner of the letter-side.

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<sup>10</sup> [R.C. 3503.21\(D\)](#).

## **B. Mailing the Supplemental Confirmation Notices ([Secretary of State Form 10-S-Supplemental](#))**

Once the board has received confirmation that it may proceed, the board must:

- Place the elector in “active-confirmation” status.
- Send the confirmation notice by forwardable mail to the voter’s current address (as recorded on the board of elections voter registration record).

For [Secretary of State Form 10-S-Supplemental](#) (Supplemental Process), print the address that appears in the board’s voter registration system for the elector.

## **IV. DATA COLLECTION AND REVIEW – AFTER MAILING THE CONFIRMATION NOTICES**

Each board of elections must submit a “confirmation notice file” to the Secretary of State’s Office. Boards must generate this file the day that confirmation notices are mailed. The board of elections must upload the spreadsheet containing registration records that received each type of confirmation notice by **Friday, July 14, 2023**. Note that every record on the spreadsheet must have received a confirmation notice.

All boards must utilize the same spreadsheet format provided above. The spreadsheet must be uploaded to the board’s SharePoint folder in a .csv format. The Secretary of State’s Office will review the data for any issues that may exist and will perform outreach with a board of elections if such issue is detected. Each board will review any potential discrepancies and provide a summary of its findings.

## **V. RESPONSES TO THE CONFIRMATION NOTICE MAILING**

An elector may respond to the confirmation notice online or by returning the notice to confirm or update their voter registration address. Note that if the elector does not respond to the in-county confirmation notice, their status will remain “active-active.”

### **A. Change of Address within the County**

If the elector provides a new residential address within the county, the board of elections must update the elector’s registration record with the new address as of the date provided by the online voter registration system or the date of receipt of the mailed-in notice from the elector. The board must send the elector an acknowledgement notice ([Secretary of State Form 10-J](#)) informing the elector of the registration update and the location of their new polling place. The board must place or keep this elector as “active-active” in its voter registration database.

### **B. Change of Address to Another Ohio County**

If the elector provides a new residential address in another Ohio county using the online voter registration system, the board of elections in the elector’s new county must accept the elector into its voter registration system using the date provided by the online voter registration system as the elector’s registration date in that county.

The board of the new county must send the elector an acknowledgement notice ([Secretary of State Form 10-J](#)) informing them of the registration update and location of their new polling place. Update this elector as “active-active” in the board’s voter registration database.

A duplicate record will be created in the statewide voter registration database between the elector's new and former counties that must be promptly resolved following the normal business procedures established by the Secretary of State and the county boards of elections.

If the elector returns the confirmation return notice by mail and provides a new residential address in another Ohio county, the board of elections which originally mailed the confirmation notice must keep a copy of the completed confirmation return notice and mail the original to the board of elections for the elector's new county, so that the new board can enter the elector into its voter registration database as an active voter. Completed confirmation notices returned under this section must be forwarded to the appropriate board of elections at least every week.

After the board of elections for the new county has entered the record into its county voter registration database, a duplicate record will be created in the statewide voter registration database that must be promptly resolved following the normal business procedures established by the Secretary of State and the county boards of elections.

### **C. Change of Address to Another State**

If an elector completes and returns the confirmation notice and provides a new residential address in a different state, the board of elections that mailed the confirmation notice must cancel the elector's registration in that county and make a notation on the elector's registration record of the date the confirmation return notice was received and the date of cancellation.<sup>11</sup> The online voter registration system does not permit the user to provide a new permanent residential address outside the State of Ohio.

### **D. Confirmation of Current Address**

If the elector uses the online voter registration system or returns the confirmation return notice by mail confirming that the elector resides at the same address on file with the board of elections, the board must indicate on the elector's registration record the date that confirmation was received by the board and note that the address on file with the board of elections is correct. The board must place or keep this elector as "active-active" in its voter registration database.

### **E. Confirmation Notice NOT Returned**

#### ***1. In-County NCOA Process***

If the elector fails to return the confirmation notice and otherwise fails to engage in any voter-initiated activity, the elector must continue to be listed as "active-active" in the county's voter registration database.

#### ***2. Out-of-County NCOA and Supplemental Processes***

If the elector fails to return the confirmation notice and otherwise fails to engage in any voter-initiated activity, the elector must continue to be listed as "active-confirmation" in the county's voter registration database.

**Unless and until the elector's registration is cancelled as described below, or as otherwise permitted by law, the elector maintains all the rights of an otherwise qualified elector, subject to Ohio's laws governing provisional voting.**

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<sup>11</sup> [R.C. 3503.02](#) and [3503.21](#).



## F. Handling “No Forwarding Address” Returns

### 1. *In-County NCOA Process*

In-county confirmation notices must be sent by forwardable mail. If the USPS returns a [Secretary of State Form 10-S-In County NCOA](#) confirmation notice that is undeliverable, the board must issue a [Secretary of State Form 10-S-1](#) confirmation notice to the voter by forwardable mail.

### 2. *Out-of-County NCOA and Supplemental Process*

Confirmation notices must be sent by forwardable mail. However, the USPS sometimes will return to the board a confirmation notice that is undeliverable, because the USPS does not have a forwarding address for the elector. The board must record that fact in the comments section of that elector’s record and keep the undeliverable confirmation notice for four years.

## VI. PROSPECTIVE NATURE OF THE 2023 GENERAL VOTER RECORDS MAINTENANCE PROGRAM

The elector’s voter status must be changed from “active-confirmation” to “active-active,” and the elector must not be cancelled pursuant to the 2023 NCOA and Supplemental Process if any of the following apply:

- The elector responds to the 2023 confirmation notice (either via mail or online);
- The elector updates their voter registration or engages in voter-initiated activity. Voter-initiated activity includes voting, submitting a valid absentee ballot application, registering to vote, updating or confirming an address with a board of elections or the BMV, or signing a candidate or issue petition that is verified by a board of elections; or
- The elector appears on the county’s “Automatic Confirmation of Address Safeguard” list.

All other electors contacted pursuant to the 2023 NCOA and Supplemental Process must be cancelled by one of the following dates, whichever is later:

- Not later than 120 days after the date of the second federal general election (**November 3, 2026**) in which the elector fails to vote; or
- Not later than 120 days after the expiration of the four-year period that begins on the date the confirmation notice is mailed pursuant to this Directive; but
- **No voter registration may be cancelled as a result of the general voter records maintenance program during the 90 days immediately preceding any federal primary or general election.**<sup>12</sup>

## VII. MAINTAINING RECORDS FOR PUBLIC INSPECTION AND COPYING

The board of elections must maintain and make available for public inspection and copying at a reasonable cost all records concerning the implementation of programs and activities conducted for the purpose of ensuring the accuracy and currency of voter registration lists, including the names and addresses of all registered electors sent confirmation notices and whether or not the elector responded to the confirmation notice. The board must maintain all records

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<sup>12</sup> 52 U.S.C.A. §20507(c)(2)(A).

described in this paragraph for a period of five years.<sup>13</sup> Boards of elections must make the list (in electronic form) available to individuals requesting the data under Ohio’s public records laws.<sup>14</sup>

### **VIII. “ACTIVE-CONFIRMATION” STATUS AND VOTING**

As a reminder, a voter placed in “active-confirmation” status under the general voter records maintenance program must appear in the poll list at the polling place where the voter is registered to vote and should not be flagged to cast a provisional ballot (unless flagged for some other reason). If a voter placed in “active-confirmation” status appears at the voter’s assigned polling place to vote, states to the precinct election officials that the voter resides at the same address printed in the poll list, provides valid identification for voting purposes, and is not required to cast a provisional ballot for any other reason, the voter must be permitted to cast a regular ballot.<sup>15</sup> If a voter placed in “active-confirmation” status submits an application for an absentee ballot, provides the same address on the application at which the voter is registered to vote, and the application is in all other respects complete and valid, the board must issue the absentee ballot to the voter (whether by mail or in person).<sup>16</sup>

### **IX. POSTAL INFORMATION**

To reduce mailing costs and save taxpayer funds, boards of elections must consult with their local Postmaster or regional business mail analyst regarding the use of nonprofit permit postage rates for the mailing of outbound confirmation notices and business reply mail permits for the return of completed confirmation notices from electors. Both permitting methods have an application process, so boards should evaluate these options as quickly as possible. Boards must use a business reply mail permit unless the use of the permit is not cost effective. If a board requires assistance in applying for and setting up a mail permit, please contact your Election Mail Coordinator.

Yours in service,



Frank LaRose  
Ohio Secretary of State

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<sup>13</sup> 52 U.S.C.A. §20507(i); [R.C. 3503.26\(B\)](#); CBE-45A & CBE-46, [Secretary of State Retention Schedule](#).

<sup>14</sup> CBE-46, [Secretary of State Retention Schedule](#).

<sup>15</sup> [R.C. 3505.18\(B\)](#) and [R.C. 3505.181](#).

<sup>16</sup> [R.C. 3509.03](#).



c)

**RELEASED: June 6, 2023**

## **SUMMARY**

- *Directive 2023-10 rescinds and replaces* Section II of *Directive 2023-05* due to the August 8, 2023 Special Election. No records will be cancelled prior to the August 8, 2023 Special Election.
- *Directive 2023-05* required the CCBOE to send a registration readiness notice to each voter in active-confirmation status as a result of the 2019 NCOA Process. This process was completed when the CCBOE sent these notices on or before March 23, 2023.
- The remaining step is the cancellation of inactive voter registration records pursuant to the 2019 NCOA Process. This Directive outlines the steps and the updated timeline for these cancellations.
- All identified records must be cancelled by Sept. 27. However, counties conducting a special or charter election within 30 days of this date must contact the SOS and an alternative date will be set. This **could** apply to the CCBOE, but until the June 14<sup>th</sup> filing deadline for the September 12, 2023 Primary Election, we cannot say with certainty there will be a September election in Cuyahoga County.

## **INSTRUCTIONS**

### **I. CANCELLATIONS PURSUANT TO THE 2019 NCOA PROCESS**

The CCBOE is prohibited from cancelling any voter registration pursuant to the 2019 NCOA Process prior to the August 8, 2023 Special Election.

#### **A. PRE-CANCELLATION SPREADSHEET: 2019 NCOA PROCESS**

Before completing any cancellations pursuant to the 2019 NCOA Process, the CCBOE must submit a “pre-cancellation file” to the SOS. Prior to providing the pre-cancellation file, the CCBOE must process all outstanding voter registration transactions and timely resolve duplicate registrations. To meet the goal of resolving all duplicate registrations prior to providing the pre-cancellation spreadsheet, each board must complete the following steps:

1. Submit all voter history for the August 8, 2023 Special Election by **Sept. 12**.
2. Process all voter registration transactions received by the close of business on **Sept. 12**.
3. Resolve all outstanding duplicate registrations by the close of business on **Sept. 14**.

By **4 p.m. on Sept. 15**, the CCBOE must upload the spreadsheet containing the records of registrations that are pending cancellation pursuant to the 2019 NCOA Process. The CCBOE is prohibited from cancelling any registration that appears on a “Do Not Cancel” list from the SOS.

#### **B. CANCELLATION SPREADSHEET: 2019 NCOA PROCESS RECORDS**

Once the SOS reviews the list of voter registration records pending cancellation, the CCBOE will receive an email instructing it on how to proceed with cancelling the registrations. Prior to cancelling any records, the CCBOE must update voter-initiated activity for any voter who signed a

petition that was verified by the board or had any other type of voter-initiated activity. All identified records must be cancelled on **Sept. 27**.

If a board of elections is holding a special or charter election within 30 days of that date, the board must notify the SOS as soon as that is known, so an alternative date can be set. (This could apply to the CCBOE, but until the June 14th filing deadline for the September 12, 2023 Primary Election, we cannot say with certainty there will be a September election in Cuyahoga County).

By **12:00 noon on Sept. 28**, the CCBOE must upload a spreadsheet containing the registrations that received the registration readiness notice and were cancelled.

## **II. MAINTAINING RECORDS OF CANCELLATION**

The CCBOE must work with its voter registration vendor to ensure that its voter registration system maintains and can produce a list of voter registrations cancelled pursuant to this Directive. The CCBOE must record all the following in its county's voter registration system:

- The date that it mailed a registration readiness notice to an elector;
- If the elector responds to the notice, the date on which the elector responded; and
- If the elector does not respond to the notice, the date the registration was cancelled.



## **DIRECTIVE 2023-10**

June 6, 2023

To: All County Boards of Elections  
Board Members, Directors, and Deputy Directors

Re: Updated Instructions on Data Collection and Cancellation Procedures for Completion of 2019 National Change of Address (“NCOA”) Process

### **BACKGROUND**

The purpose of this Directive is to replace previously issued instructions in [Directive 2023-05](#) due to the August 8, 2023 Special Election. Section II of [Directive 2023-05](#) is no longer in effect and is replaced by the updated instructions provided below.

[Directive 2023-05](#) required the boards of elections to send a registration readiness notice ([Secretary of State Form 255-A-3 – Updated 2/24/2023](#)) to each registration that is in active-confirmation status as a result of the 2019 NCOA Process. This process was completed when the boards sent notices on or before March 23, 2023. The remaining step is the cancellation of inactive voter registration records pursuant to the 2019 NCOA Process.

### **INSTRUCTIONS**

#### **I. CANCELLATIONS PURSUANT TO THE 2019 NCOA PROCESS**

**Boards of elections are prohibited from cancelling any voter registration pursuant to the 2019 NCOA Process prior to the August 8, 2023 Special Election.** The following instructions are for the period after the August 8, 2023 Special Election, preceding any cancellation.

##### **A. PRE-CANCELLATION SPREADSHEET: 2019 NCOA PROCESS RECORDS**

Before completing any cancellations pursuant to the 2019 NCOA Process, all boards must submit a “pre-cancellation file” to the Secretary of State’s Office. Prior to providing the pre-cancellation file, boards must process all outstanding voter registration transactions and timely resolve duplicate registrations. To meet the goal of resolving all duplicate registrations prior to providing the pre-cancellation spreadsheet, each board must complete the following steps:

1. Submit all voter history for the August 8, 2023 Special Election by **Tuesday, September 12, 2023**. The board must ensure all voter-initiated activity dates are updated.
2. Receive from all designated agencies and process all voter registration transactions received by the close of business on **Tuesday, September 12, 2023**.<sup>1</sup>

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<sup>1</sup> [R.C. 3503.10](#)

3. Resolve all outstanding duplicate registrations by the close of business on **Thursday, September 14, 2023**.

**By 4:00 p.m. on Friday, September 15, 2023**, each board must upload the spreadsheet containing the records of registrations that are pending cancellation pursuant to the 2019 NCOA Process:

The pre-cancellation file format is the same as for the registration readiness file and must be uploaded to the board's SharePoint folder in a .csv format. Each record provided in the spreadsheet must meet the following data conditions:

- The record is in active-confirmation status as a result of the 2019 NCOA Process.
- The record appears on the 2019 Out-of-County NCOA list.
- The record's registration date is before February 27, 2019.
- The record does not contain voter history on or after May 7, 2019.
- The record does not contain any voter-initiated activity between the date the confirmation notice was mailed and the date the data is compiled for the pre-cancellation list. Voter-initiated activity includes voting, submitting a valid absentee ballot application, registering to vote, updating, or confirming an address with a board of elections or the BMV, or signing a candidate or issue petition that is verified by a board of elections.<sup>2</sup>
- The record appears on the registration readiness notice spreadsheet.

Boards are prohibited from cancelling any registration that appears on a "Do Not Cancel" list from the Secretary of State's Office.

#### **B. CANCELLATION SPREADSHEET: 2019 NCOA PROCESS RECORDS**

Once the Secretary of State's Office reviews the list of voter registration records pending cancellation, each board will receive an email instructing the board to proceed with cancelling the registrations. The boards must not cancel any registration until receipt of that email. Prior to cancelling any records, boards must update voter-initiated activity for any voter who signed a petition that was verified by the board or had any other type of voter-initiated activity. All identified records must be cancelled by **Wednesday, September 27, 2023**.

If a board of elections is holding a special or charter election within 30 days of that date, the board must notify the Secretary of State's Office as soon as that is known, so that an alternative date can be set.

Boards of elections must not cancel any registration pursuant to the 2019 NCOA Process to which any of the following apply:

1. The registration appears on the "Do Not Cancel" list;
2. The registration is impacted by a voter registration vendor's error known to the board;

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<sup>2</sup> See Election Official Manual, [Chapter 4, Section 4.01](#).

3. The board is missing voter history in their county voter registration database from any election between May 7, 2019 Primary/Special Election through the August 8, 2023 Special Election; or
4. The registration appears on the Secretary of State’s Statewide Voter Registration Database (“SWVRD”) in “active” status.

By 12:00 noon on Thursday, September 28, 2023, each board must upload the spreadsheet containing the registrations that received the registration readiness notice and were cancelled. The cancellation file format is the same as described above for the registration readiness file and pre-cancellation file. The cancellation file must be uploaded to the board’s SharePoint folder in a .csv format.

## II. MAINTAINING RECORDS OF CANCELLATION

Each board must work with its voter registration vendor to ensure that its county voter registration system maintains and can produce a list of voter registrations cancelled pursuant to this Directive. Boards must record all of the following in their county’s voter registration system:

- The date that it mailed a registration readiness notice ([Secretary of State Form 255-A-3 – Updated 2/24/2023](#)) to an elector;
- If the elector responds to the notice, the date on which the elector responded; and
- If the elector does not respond to the notice, the date the registration was cancelled.

Boards of elections must maintain and make available for public inspection and copying at a reasonable cost all records concerning the implementation of programs and activities conducted for the purpose of ensuring the accuracy and currency of registration lists, including the names and addresses of all registered electors sent confirmation notices and whether the elector responded to the confirmation notice.<sup>3</sup>

If you have any questions regarding this Directive, please contact the Secretary of State’s Office at (614) 728-8789.

Yours in service,



Frank LaRose  
Ohio Secretary of State

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<sup>3</sup> [52 U.S.C.A. §20507\(i\)](#); [R.C. 3503.26\(B\)](#); CBE-44 & CBE-46, [Secretary of State Retention Schedule](#).



# Agenda Item

#3

## Ward and Precinct Boundary Modifications for Bedford

### Overview

Following a decennial census, all cities (municipalities with a population of 5,000 or more) must review their ward boundaries and adjust, if necessary, to maintain population balance among the wards. Cities are to follow the conditions of [O.R.C. 731.06](#) unless their charter contains provisions that differ from the Ohio Revised Code.

Each city council passes legislation to adjust ward boundaries, and this legislation (along with legal descriptions and a map) is sent to the CCBOE by the Clerk of Council.

### Role of the CCBOE

The Board will acknowledge the ward boundary modifications as the CCBOE does not have a role in creating ward boundaries. Moving a ward boundary, however, automatically impacts the precinct structure within the impacted ward. Per [O.R.C. 3501.18](#), boards of elections are responsible for defining precinct boundaries. The key criteria when determining a precinct boundary are:

- Precincts cannot exceed 1,400 registered voters.
  - The CCBOE has an internal goal of trying to keep precincts to about 1,150 registered voters to allow for population shifts.
- Precincts do **not** cross over ward boundaries.
- Precincts are grouped together by census blocks.
  - The CCBOE attempts to define precinct boundaries in a manner to minimize the creation of a split precinct.

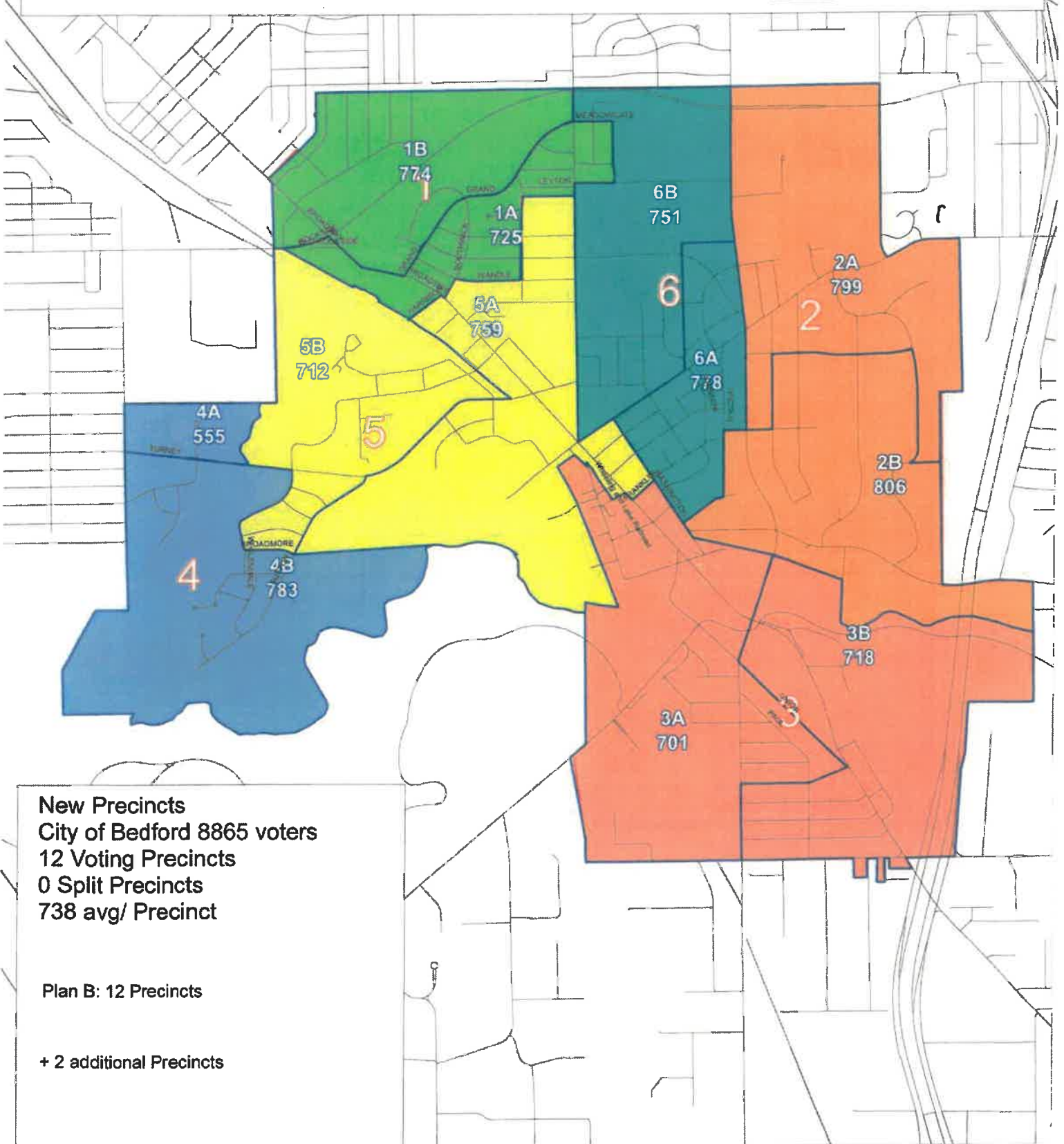


## Bedford

- The following **changes** from the Current (Old) to Proposed (New) precinct boundaries for Bedford include:
  - Precincts – *Increase* from 10 to 12 precincts (1 additional precinct in Wards 5 and 6)
  - Average voters per precinct – *Decrease* from 887 to 738
- Voters impacted by ward/precinct changes – **2,831 of 8,865 (32%)**
- Key points for each ward:
  - Ward 1
    - Precinct 1A now has slightly more voters, but a significant change in its boundaries, as it now encompasses a portion of Ward 5A, while it has both taken on and given away portions to 1B, and part has moved to the new Ward 6B.
    - Precinct 1B is larger, taking on a significant portion of 1A, while a small portion was added to the new 1A and the new Ward 6.
  - Ward 2
    - Precinct 2A is slightly larger, encompassing a part of 2B.
    - Precinct 2B is larger, taking on a portion of Ward 3B.
  - Ward 3
    - Precinct 3A is slightly smaller, with a portion becoming part of 3B.
    - Precinct 3B is smaller, with a portion moving to Ward 2B, while incorporating a small portion of 3A.
  - Ward 4
    - Precinct 4A is significantly smaller, with a large portion becoming part of the new Ward 5B.
    - Precinct 4B is also significantly smaller, with a large portion becoming part of the new Ward 5B.
  - Ward 5
    - Precinct 5A is significantly smaller, with a large portion moving to Ward 1A.
    - **Precinct 5B is new, encompassing portions of the old Ward 4A and 4B boundaries.**
  - Ward 6
    - Precinct 6A is significantly smaller, with a large portion becoming the new 6B.
    - **Precinct 6B is new, encompassing portions of the old 6A and portions of Ward 1A and 1B.**

Cuyahoga County Board of Elections

New Bedford Ward Boundaries: Ordinance 10,030-22  
As Incorporated into Cuyahoga County GIS  
With Current Precincts



New Precincts  
City of Bedford 8865 voters  
12 Voting Precincts  
0 Split Precincts  
738 avg/ Precinct

Plan B: 12 Precincts

+ 2 additional Precincts

# Agenda Item

#4

# Voting Equipment Purchased with HAVA Funds Disposal Form

The Ohio Secretary of State's Office has adopted a policy on transfer or disposal of voting equipment purchased with Help America Vote Act (HAVA) funds. This form is to be used for the proper **disposal** of voting equipment.


The Cuyahoga county County Board of Elections has voting equipment that is no longer in working condition due to age, malfunction, or damage and will therefore dispose of the equipment in accordance with the aforementioned policy listed below as of this 8<sup>th</sup> day of June, 2023  
month, year

**Please list the quantity of equipment, a brief description of the equipment and the estimated value of the equipment being transferred.**

Quantity	Item Description	Estimated Value
365	Election Systems and Software (ES&S) AutoMARK ballot marking devices	\$0.00
1125	Election Systems and Software (ES&S) DS200 optical scanner	\$0.00

**If you need more space, please attach a list of items, quantity and their estimated value.**

The Board of Elections shall maintain accurate records of all equipment disposed of in the event of relevant audits, claims, litigation, negotiations or other proceedings regarding the disposal of voting equipment originally purchased with Help America Vote Act (HAVA) funding.

  
Board of Elections Director's Signature

6-08-23  
Date (MM/DD/YYYY)

  
Board of Elections Chair's Signature

06/08/2023  
Date (MM/DD/YYYY)

**SOS USE ONLY**

The Secretary of State's office has approved the **disposal** of the above list of voting equipment.

Director of Elections' Signature of Approval

Date (MM/DD/YYYY)

# Agenda Item

#5

# Agreement of Permanent Transfer via Donation of Voting Equipment Purchased with HAVA Funds

The Ohio Secretary of State’s Office has adopted a policy on transfer or disposal of voting equipment purchased with Help America Vote Act (HAVA) funds. This form is to be used for the **permanent** transfer via donation of voting equipment from one county board of elections to another county board of elections within the State of Ohio. Please note that under the Secretary of State’s policy, voting equipment purchased in whole or in part with HAVA funds may be permanently transferred **only** to another county board of elections within the State of Ohio and may not be permanently transferred to any other agency, body, entity, or individual.

Please list the quantity of equipment, a brief description of the equipment and the estimated value of the equipment being transferred.		
Quantity	Item Description	Estimated Value
50	Election Systems and Software (ES&S) DS200 optical scanner	\$0.00
2	Election Systems and Software (ES&S) DS850 high-speed scanner	\$0.00
If you need more space, please attach a list of items, quantity and their estimated value.		

This agreement is made and entered into on this 8th day of June, 2023 between the Cuyahoga transferring county County Board of Elections and Franklin accepting county County Board of

Elections regarding the **permanent** transfer via donation of voting equipment paid for with Help America Vote Act (HAVA) funds. In accordance with the Secretary of State's policy on transfer or disposal of voting equipment purchased with Help America Vote Act (HAVA) funds, it is agreed that the items listed above shall be **permanently** transferred to the Franklin restate accepting county County Board of Elections, which shall acquire all ownership of and legal title to those items. The transferring Board of Elections and the accepting Board of Elections shall maintain accurate records of all transferred voting equipment in the event of relevant audits, claims, litigation, negotiations or other the **permanently** transferred voting equipment originally purchased with HAVA funding.

**Transferring County Board of Elections Signatures:**

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Board of Elections Director

2/8/2023

Date (MM/DD/YYYY)



Board of Elections Chair

2/8/2023

Date (MM/DD/YYYY)

**Accepting County Board of Elections Signatures:**

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Board of Elections Director

Date (MM/DD/YYYY)

Board of Elections Chair

Date (MM/DD/YYYY)

-----**SQS USE ONLY**-----

The Secretary of State's office has approved the above list of voting equipment to be **permanently** transferred via donation.

Director of Elections' Signature of Approval

Date (MM/DD/YYYY)



# Agreement of Permanent Transfer via Donation of Voting Equipment Purchased with HAVA Funds

The Ohio Secretary of State's Office has adopted a policy on transfer or disposal of voting equipment purchased with Help America Vote Act (HAVA) funds. This form is to be used for the **permanent** transfer via donation of voting equipment from one county board of elections to another county board of elections within the State of Ohio. Please note that under the Secretary of State's policy, voting equipment purchased in whole or in part with HAVA funds may be permanently transferred **only** to another county board of elections within the State of Ohio and may not be permanently transferred to any other agency, body, entity, or individual.

Please list the quantity of equipment, a brief description of the equipment and the estimated value of the equipment being transferred.		
Quantity	Item Description	Estimated Value
25	Election Systems and Software (ES&S) DS200 optical scanner	\$0.00
1	Election Systems and Software (ES&S) DS850 high-speed scanner	\$0.00

**If you need more space, please attach a list of items, quantity and their estimated value.**

This agreement is made and entered into on this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_ between the  
month year  
 Cuyahoga \_\_\_\_\_ County Board of Elections and Lorain \_\_\_\_\_ County Board of  
transferring county accepting county

Elections regarding the **permanent** transfer via donation of voting equipment paid for with Help America Vote Act (HAVA) funds. In accordance with the Secretary of State's policy on transfer or disposal of voting equipment purchased with Help America Vote Act (HAVA) funds, it is agreed that the items listed above shall be **permanently** transferred to the Lorain  
restate accepting county  
 County Board of Elections, which shall acquire all ownership of and legal title to those items. The transferring Board of Elections and the accepting Board of Elections shall maintain accurate records of all transferred voting equipment in the event of relevant audits, claims, litigation, negotiations or other the **permanently** transferred voting equipment originally purchased with HAVA funding.



**Transferring County Board of Elections Signatures:**

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Board of Elections Director

2/8/2023

Date (MM/DD/YYYY)



Board of Elections Chair

2/8/2023

Date (MM/DD/YYYY)

**Accepting County Board of Elections Signatures:**

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Board of Elections Director

Date (MM/DD/YYYY)

Board of Elections Chair

Date (MM/DD/YYYY)

**SOS USE ONLY**

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The Secretary of State's office has approved the above list of voting equipment to be **permanently** transferred via donation.

Director of Elections' Signature of Approval

Date (MM/DD/YYYY)

# Agenda Item

#6

# May 2, 2023 Primary Election Official Amended Canvass Certification Data

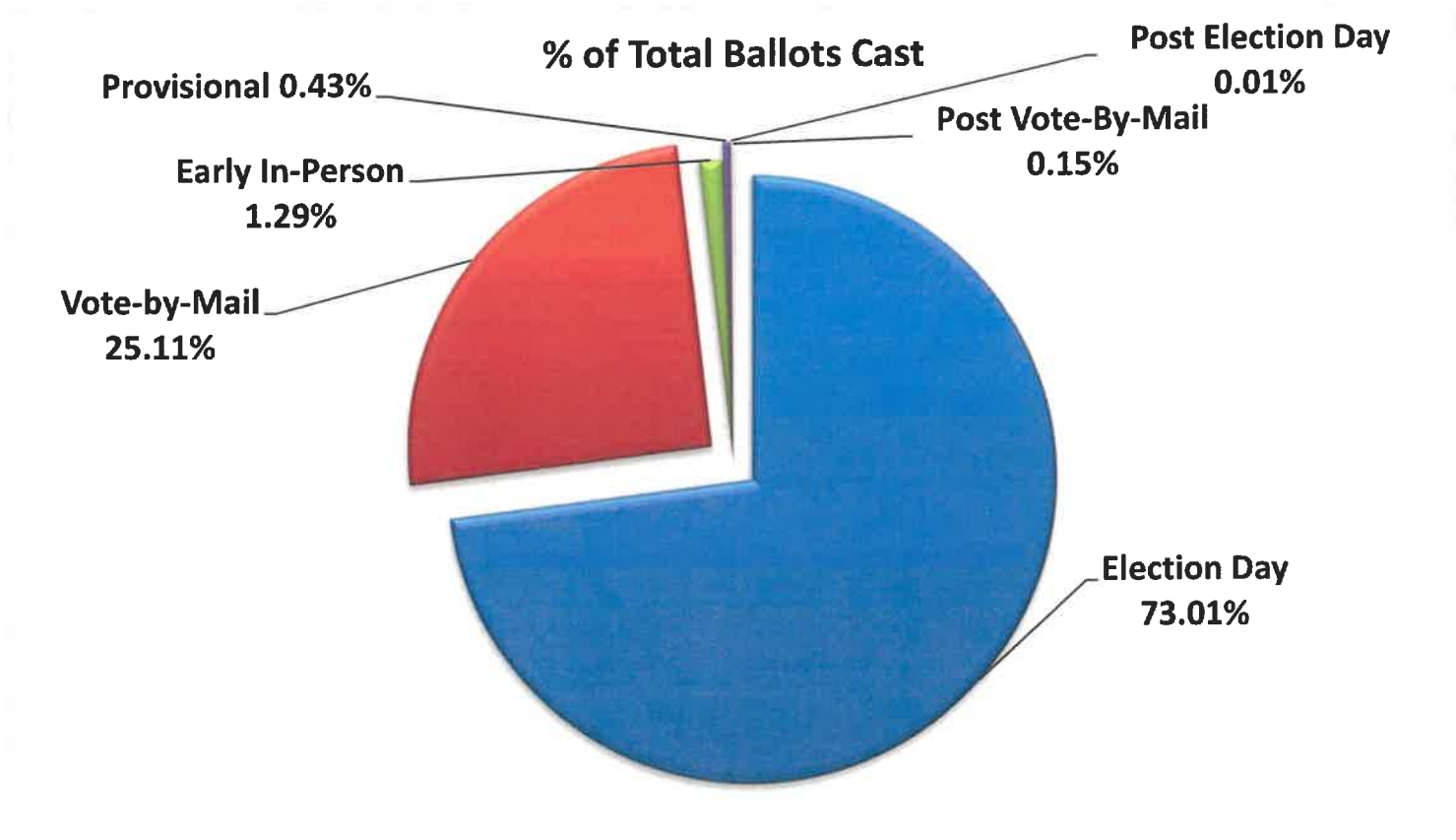
## FINAL RESULTS

Official Election Results for the May 2, 2023 Primary Election are attached to the Election Summary Report.

## SUMMARY OF OFFICIAL CANVASS

There were a total of 27,546 ballots tabulated for the May 2, 2023 Primary Election. Below is a breakdown of the ballots counted by category and a percentage of the total vote by category.

Category	Ballots Cast	% of Total Ballots Cast
<i>Election Day</i>	20,367	73.01%
<i>Vote-by-Mail</i>	7,006	25.11%
<i>Early In-Person</i>	359	1.29%
<i>Provisional</i>	121	0.43 %
<i>Post Election Day</i>	2	0.01%
<i>Post Vote-By-Mail</i>	41	0.15%
<b>Total</b>	<b>27,896</b>	



## VOTE-BY-MAIL/EARLY IN-PERSON SUMMARY

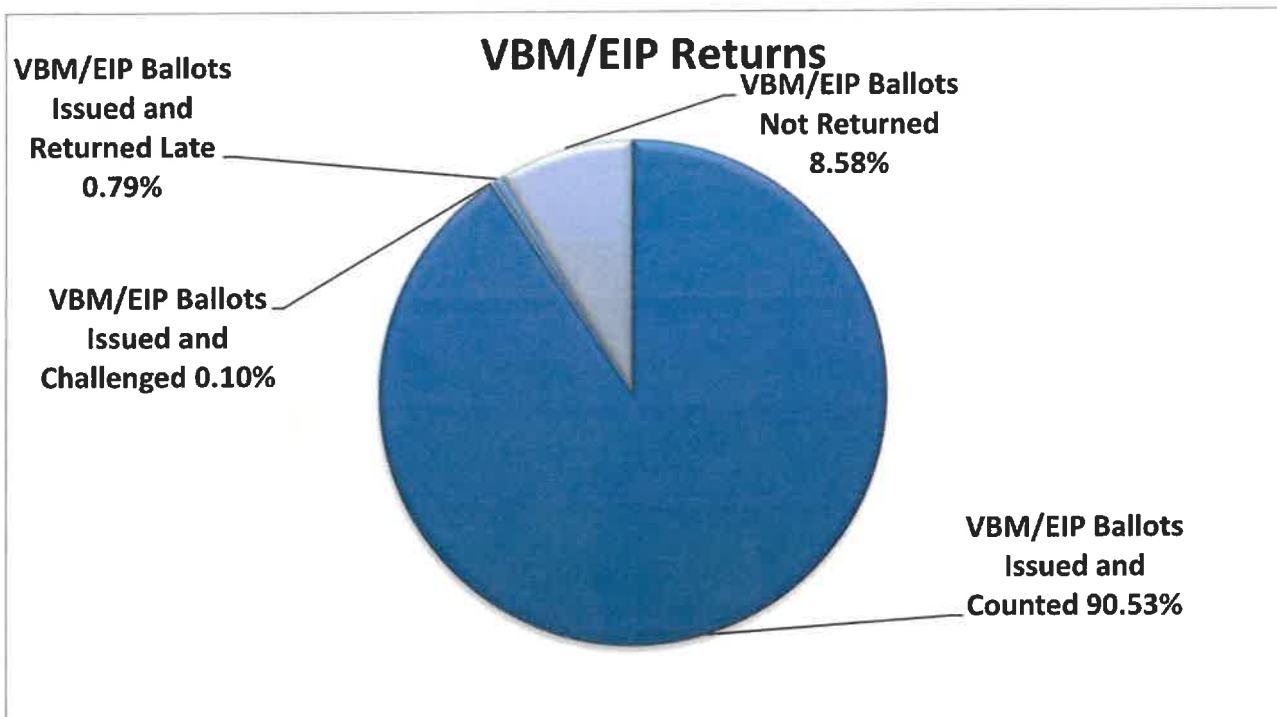
A total of 8,181 ballots were issued during Vote-by-Mail and Early In-Person voting. Of those ballots, 7,406 (90.53%) were returned and counted by the Ballot Department. There were 73 challenged or late VBM/EIP ballots, resulting in a 0.98%\* Challenge Rate for this election.

\*The Challenge Rate is 0.11% when voters who returned their ballot late are excluded.

VBM/EIP Data	Vote by Mail	Early In-Person	Military and Overseas	Total
Issued	7,819	359	3	<b>8,181</b>
Returned and Counted	7,044	359	3	<b>7,406</b>
Challenged	8	0	0	<b>8</b>
Returned Late	65	0	0	<b>65</b>
Not Returned	702	0	0	<b>702</b>

VBM/EIP Data - Challenge Rate	
Overall Return Rate	91.42%
Challenge Rate (Total)	0.98%
Challenge Rate (Late Removed)	0.11%

VBM/EIP Ballots Challenged	Number of Challenged Ballots	% of Total Challenged VBM
ID Invalid	3	37.5%
ID Envelope Not Returned	3	37.5%
Signature Not Provided	1	12.5%
ID Not Provided	1	12.5%
<b>Total</b>	<b>8</b>	

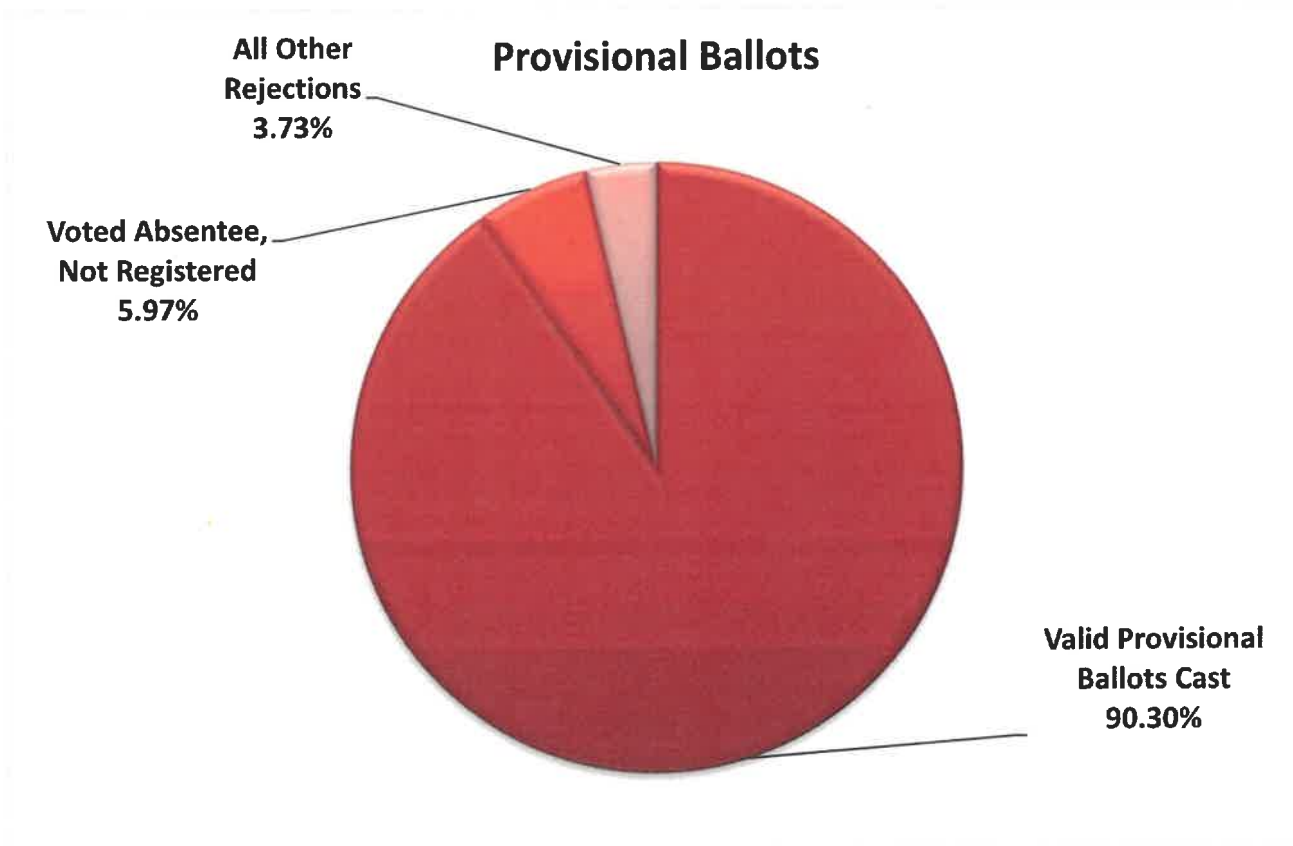


## PROVISIONAL VOTING SUMMARY

A total of 134 Provisional Ballots were cast during the May 2, 2023 Primary Election. Of those ballots, 121 (90.3%) were valid and tabulated by the Ballot Department. There were 13 invalid Provisional Ballots, resulting in a 9.7%\* rejection rate for this election.

\*The Provisional Rejection Rate is 3.73% when provisional voters who have already cast a VBM Ballot or are Not Registered are excluded.

Provisional Data		
Total Provisional Ballots Cast	134	
Valid Provisional Ballots	121	90.30%
Wrong Precinct, Correct Location of Valid Provisionals	1	0.83%
Rejected Provisional Ballots	13	9.70%
Rejection Category	Rejected	% of Total Rejections
Not Registered	7	53.85%
Missing/Invalid Identification	2	15.38%
Missing Address	1	7.69%
Missing Date of Birth	1	7.69%
Voted Absentee- Challenge	1	7.69%
Wrong Precinct Wrong Location	1	7.69%





## BALLOT REMAKES

During the election, 10 ballot sheets were processed in accordance with the CCBOE Remake Policy (approved by the Board on May 17, 2013). The overall remake rate for this election was 0.136%. Excluding UOCAVA & Voted For Ineligible Contest, the remake rate for this election was 0.068%.

(\*) indicate categories in which no sheets are to be remade, rather the original ballot sheet is tabulated.

Reason for Remake	Number of Remakes	% of Total Remakes
1 - Ballot folded, torn or mutilated.	3	30.00%
2 - Ballot contains indeterminate marks not made by the voter.	-	0.00%
3 - UOCAVA Ballot that cannot be accurately read by automatic tabulating equipment.	3	30.00%
4 - Ballot contains votes for ineligible contest(s).	2	20.00%
5 - Inadvertent mark made by the voter, resulting in the scanner detecting an over vote or an indeterminate mark.	-	0.00%
6 - Voter marked entire ballot contrary to the instruction listed at the beginning of the ballot.	-	0.00%
*7 - Voter marked part of the ballot according to the ballot marking instructions contained on the ballot, and part of the ballot contrary to the instructions.	-	0.00%
*8 - Over vote, voter marked the ballot more than the permissible number of times for a particular contest, and there is no indication of contrary intent.	-	0.00%
9 - Voter marked the ballot more than the permissible number of times for a particular contest, however, the voter also made an indication of contrary intent and the voter's choice can be determined.	2	20.00%
*10 - Voter filled in the oval next to a candidate for an office and also cast a write-in vote for a different candidate for the same office by filling in the oval of, and the writing in of, the name of a write-in candidate.	-	0.00%
11 - Voter filled in the oval next to a candidate for an office and also cast a write-in vote for the same candidate for the same office by filling in the oval of, and the writing in of, the name of a write-in candidate.	-	0.00%
<b>Total</b>	<b>10</b>	<b>100.00%</b>

Category	Remakes Removed	Remake Rate
Regular VBM & Provisional Ballot Scanning	5	0.068%
UOCAVA & Voted For Ineligible Contest	5	0.068%
<b>Total</b>	<b>10</b>	<b>0.136%</b>

## OVER VOTES

There was a total of 9 over votes recorded, resulting in a 0.032% over vote rate for the election.

## VOTER HISTORY / BALLOT RECONCILIATION

Two hundred and twenty-six (226) precincts were involved in this election. Voter History is complete.

Ballot Reconciliation is ongoing.

## RECOUNTS

There were no automatic recounts for this election.

The requested recount deadline was Tuesday, May 30, 2023 at 4:00 PM. No requested recounts were filed.

## AUDIT

The post-election audit was conducted beginning Wednesday, May 31, 2023 at 9:00 AM. The results matched the Official Canvass.

The audit was conducted using the batch-based risk-limiting audit method.

Summary  
 Run Date:05/25/23  
 RUN TIME:08:15 AM

May 2, 2023  
 Primary Election  
 Cuyahoga County, Ohio  
 STATISTICS

Official Results - Amende

VOTES PERCENT

PRECINCTS COUNTED (OF 226)	226	100.00
REGISTERED VOTERS - TOTAL	218,610	
BALLOTS CAST - TOTAL	27,896	
BALLOTS CAST - Democratic	4,207	15.08
BALLOTS CAST - Nonpartisan	23,689	84.92
BALLOTS CAST - BLANK	31	.11
VOTER TURNOUT - TOTAL		12.76
VOTER TURNOUT - BLANK		.01

\*\*\*\*\* (Democratic) \*\*\*\*\*

Parma Council Ward 01  
 (VOTE FOR) 1

(WITH 6 OF 6 PRECINCTS COUNTED)

Daniel P. McCarthy	85	18.89
CANDIDATE WITHDRAWN		
Monica Wilson	313	69.56
Over Votes	0	
Under Votes	19	

Bedford Muni Court Judge FTC 1/1/2024  
 (VOTE FOR) 1

(WITH 71 OF 71 PRECINCTS COUNTED)

Nick Papa	2,548	69.11
Robert N. Pelunis	1,139	30.89
Over Votes	0	
Under Votes	51	

\*\*\*\*\* (Nonpartisan) \*\*\*\*\*

Berea Council Ward 01  
 (VOTE FOR) 1

(WITH 2 OF 2 PRECINCTS COUNTED)

Leon R. Dozier Sr.	113	50.45
Jonathan Montag	60	26.79
Vance Redding	51	22.77
Over Votes	1	
Under Votes	0	

Oakwood Village Council At Large  
 (VOTE FOR) 2

(WITH 5 OF 5 PRECINCTS COUNTED)

Elaine Y. Gaither	134	22.71
Andrea Lowe	97	16.44
Erica L. Nikolic	153	25.93
Johnnie A. Warren	161	27.29
Al Wilson	45	7.63
Over Votes	2	
Under Votes	158	

1 Beachwood CSD Bond Issue  
 (VOTE FOR) 1

(WITH 10 OF 10 PRECINCTS COUNTED)

For the Bond Issue	1,315	62.23
Against the Bond Issue	798	37.77
Over Votes	0	
Under Votes	2	

2 Garfield Heights CSD Bond Issue and Tax Levy  
 (VOTE FOR) 1

(WITH 17 OF 17 PRECINCTS COUNTED)



For the Bond Issue and Levy . . . . .	248	21.70
Against the Bond Issue and Levy . . . . .	895	78.30
Over Votes . . . . .	0	
Under Votes . . . . .	2	

3 Independence LSD Tax Levy (Renewal and Increase)  
(VOTE FOR) 1

(WITH 5 OF 5 PRECINCTS COUNTED)

For the Tax Levy . . . . .	809	41.92
Against the Tax Levy. . . . .	1,121	58.08
Over Votes . . . . .	1	
Under Votes . . . . .	0	

4 Parma CSD Bond Issue

(VOTE FOR) 1

(WITH 68 OF 68 PRECINCTS COUNTED)

For the Bond Issue . . . . .	6,771	46.50
Against the Bond Issue . . . . .	7,790	53.50
Over Votes . . . . .	1	
Under Votes . . . . .	11	

5 Westlake Porter Pub Lib Tax Levy (Renew & Inc)

(VOTE FOR) 1

(WITH 24 OF 24 PRECINCTS COUNTED)

For the Tax Levy . . . . .	1,989	76.24
Against the Tax Levy. . . . .	620	23.76
Over Votes . . . . .	0	
Under Votes . . . . .	1	

6 Broadview Heights 1-B Local Liquor Option Sunday

(VOTE FOR) 1

(WITH 1 OF 1 PRECINCTS COUNTED)

Yes . . . . .	49	80.33
No. . . . .	12	19.67
Over Votes . . . . .	0	
Under Votes . . . . .	0	

7 Brooklyn Zoning Amendment Public Facilities

(VOTE FOR) 1

(WITH 8 OF 8 PRECINCTS COUNTED)

Yes . . . . .	430	75.44
No. . . . .	140	24.56
Over Votes . . . . .	1	
Under Votes . . . . .	13	

8 Brooklyn Zoning Amendment General Industrial

(VOTE FOR) 1

(WITH 8 OF 8 PRECINCTS COUNTED)

Yes . . . . .	394	69.37
No. . . . .	174	30.63
Over Votes . . . . .	0	
Under Votes . . . . .	16	

9 Brooklyn Zoning Amendment Parks and Open Spaces

(VOTE FOR) 1

(WITH 8 OF 8 PRECINCTS COUNTED)

Yes . . . . .	402	71.40
No. . . . .	161	28.60
Over Votes . . . . .	0	
Under Votes . . . . .	21	

10 Brooklyn Zoning Amendment GB Zoning

(VOTE FOR) 1

(WITH 8 OF 8 PRECINCTS COUNTED)

Yes . . . . .	402	71.91
No. . . . .	157	28.09
Over Votes . . . . .	0	
Under Votes . . . . .	25	

11 Brooklyn Zoning Amendment Single Family Dwelling  
(VOTE FOR) 1  
(WITH 8 OF 8 PRECINCTS COUNTED)

Yes . . . . .	406	71.60
No. . . . .	161	28.40
Over Votes . . . . .	0	
Under Votes . . . . .	17	

12 Brooklyn Zoning Amendment Multi Family  
(VOTE FOR) 1  
(WITH 8 OF 8 PRECINCTS COUNTED)

Yes . . . . .	396	69.60
No. . . . .	173	30.40
Over Votes . . . . .	0	
Under Votes . . . . .	16	

13 Brooklyn Zoning Amendment Apt House  
(VOTE FOR) 1  
(WITH 8 OF 8 PRECINCTS COUNTED)

Yes . . . . .	384	68.57
No. . . . .	176	31.43
Over Votes . . . . .	0	
Under Votes . . . . .	25	

14 Brooklyn Zoning Amendment AH Zoning  
(VOTE FOR) 1  
(WITH 8 OF 8 PRECINCTS COUNTED)

Yes . . . . .	371	64.86
No. . . . .	201	35.14
Over Votes . . . . .	0	
Under Votes . . . . .	13	

15 Cleveland 14-I Local Liquor Option Sunday Sales  
(VOTE FOR) 1  
(WITH 1 OF 1 PRECINCTS COUNTED)

Yes . . . . .	12	80.00
No. . . . .	3	20.00
Over Votes . . . . .	0	
Under Votes . . . . .	0	

16 Maple Heights Proposed Charter Amendment  
(VOTE FOR) 1  
(WITH 16 OF 16 PRECINCTS COUNTED)

Yes . . . . .	158	22.80
No. . . . .	535	77.20
Over Votes . . . . .	0	
Under Votes . . . . .	0	

17 North Royalton 3-D Local Liquor Option Sunday Sales  
(VOTE FOR) 1  
(WITH 1 OF 1 PRECINCTS COUNTED)

Yes . . . . .	17	85.00
No. . . . .	3	15.00
Over Votes . . . . .	0	
Under Votes . . . . .	0	

18 Parma 9-D Local Liquor Option Sunday Sales  
(VOTE FOR) 1  
(WITH 1 OF 1 PRECINCTS COUNTED)

Yes . . . . .	220	86.61
No. . . . .	34	13.39
Over Votes . . . . .	0	
Under Votes . . . . .	3	

19 Rocky River 3-A Local Liquor Option Sunday Sales  
(VOTE FOR) 1  
(WITH 1 OF 1 PRECINCTS COUNTED)

Yes . . . . .	28	66.67
No. . . . .	14	33.33

Over Votes . . . . .	0	
Under Votes . . . . .	0	

20 Seven Hills Proposed Tax Levy (Renewal)

(VOTE FOR) 1

(WITH 8 OF 8 PRECINCTS COUNTED)

For the Tax Levy . . . . .	2,002	79.16
Against the Tax Levy. . . . .	527	20.84
Over Votes . . . . .	1	
Under Votes . . . . .	14	

21 South Euclid 4-A Local Liquor Option Sunday Sales

(VOTE FOR) 1

(WITH 1 OF 1 PRECINCTS COUNTED)

Yes . . . . .	51	82.26
No. . . . .	11	17.74
Over Votes . . . . .	0	
Under Votes . . . . .	0	

22 Warrensville Heights Proposed Tax Levy (Renewal)

(VOTE FOR) 1

(WITH 12 OF 12 PRECINCTS COUNTED)

For the Tax Levy . . . . .	566	77.64
Against the Tax Levy. . . . .	163	22.36
Over Votes . . . . .	0	
Under Votes . . . . .	4	

# Agenda Item

#7

# Post-Election Audit Summary

## May 2, 2023 Primary Election

### *10 Brooklyn Zoning Amendment GB Zoning*

There were 27,546 total ballots cast in the May 2, 2023 Primary Election. A hand count was conducted of 584 ballots cast in the audited contest. The accuracy rate for the post-election audit is 100%.

On May 31, 2023, we conducted one Risk-Limiting Post-Election Audit for the May 2, 2023 Primary Election. Audited race and batch details are provided below:

RACE	TOTAL BALLOTS CAST	UNIQUE BATCHES AUDITED	TOTAL BALLOTS AUDITED	NUMBER OF PRECINCTS IN CONTEST
<b>10 Brooklyn Zoning Amendment GB Zoning</b>	27,546	5	246	8
<b>Total</b>	<b>27,546</b>	<b>5</b>	<b>246</b>	<b>8</b>

Our Risk-Limiting Audits were based upon the Kaplan-Markov method as explained by Philip B. Stark and Mark Lindeman. Auditing best practices recommend we split up the total ballots cast by precinct into multiple batch types. We utilized six batch types each consisting of one single ballot type category: Vote-by-Mail, Election Day, Early In-Person, Provisional, Post Vote-by-Mail, and Post Election Day.

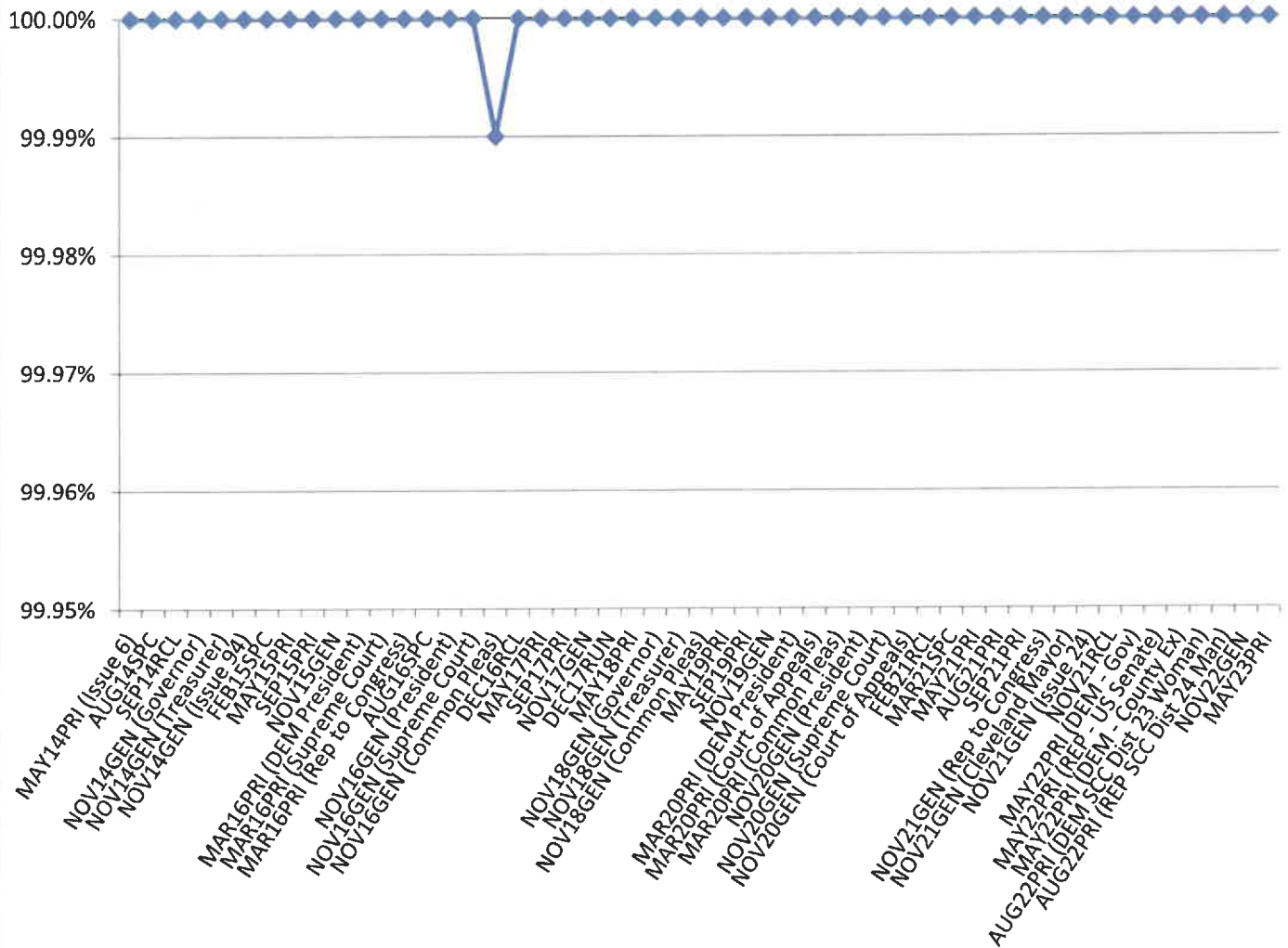
A master spreadsheet was created for each contest with statistical formulas to determine the number of batches that must be audited in order to reach a 90% confidence level. This confidence level means the audit has at least a 90% probability of leading to a full recount if the apparent outcome is incorrect.

We used a “Probability Proportional to Error Bound with Replacement” selection method. We assigned numbers ranging from 000 through 999 for each batch within each contest. Unique ranges of numbers were allocated to specific batches based upon their error bound - i.e. the greater the possibility of a miscount within a batch, the more numbers assigned, and the more likely it is to be selected. For example, if a single batch has a high probability of a miscount, multiple numbers would be assigned to that single batch, making the random selection of that batch more likely during the audit. Each of those individual numbers might be randomly selected and included in the overall batch audit requirement, but the single batch to which those numbers are assigned would need to be audited only once. To obtain the precinct batch number we rolled differently colored dice numbered 0 - 9, each one of the colored dice representing one digit of the batch number.

10 Brooklyn Zoning Amendment GB Zoning

PRECINCT NAME	NUMBER OF TIMES SELECTED	SELECTED BATCH TYPE	OFFICIAL BALLOTS CAST	AUDIT HAND COUNT	DIFFERENCE
BROOKLYN -00-C	1	Election Day	75	75	0
BROOKLYN -00-D	1	Election Day	49	49	0
BROOKLYN -00-E	2	Election Day	55	55	0
BROOKLYN -00-E	2	Vote-by-Mail	18	18	0
BROOKLYN -00-G	2	Election Day	49	49	0
<b>Total</b>	<b>8</b>		<b>246</b>	<b>246</b>	<b>0</b>

### Historical Post-Election Audit Accuracy Rate



# Agenda Item

#8



September 12, 2023 Primary Election

Initial Ballot Order

The following is the proposed ballot order for the September 12, 2023 Primary Election. The administration will continue to review and revise the order considering future filing deadlines and changes in voter registration. It will appear again before the Board at a future meeting.

The Cuyahoga County Board of Elections Election Day proposed ballot order is based upon 150% of active voters for the Democrat and Republican parties and 50% of active Nonpartisan active voters. Each precinct has a minimum order of 25 ballots.

The complete order can be found below.

name	portion	Election Day		
		DEM	REP	NON
BAY VILLAGE -01-A	01	218	173	538
BAY VILLAGE -01-B	01	204	117	592
BAY VILLAGE -01-C	01	219	159	554
BAY VILLAGE -02-A	01	231	168	536
BAY VILLAGE -02-B	01	235	117	591
BAY VILLAGE -02-C	01	243	159	583
BAY VILLAGE -03-A	01	203	181	547
BAY VILLAGE -03-B	01	219	164	570
BAY VILLAGE -03-C	01	243	168	532
BAY VILLAGE -04-A	01	184	198	459
BAY VILLAGE -04-B	01	212	223	592
BAY VILLAGE -04-C	01	264	208	565
BEDFORD HEIGHTS -01-A	01	168	26	321
BEDFORD HEIGHTS -01-A	02	25	25	25
BEDFORD HEIGHTS -01-B	01	254	25	305
BEDFORD HEIGHTS -01-C	01	119	25	572
BEDFORD HEIGHTS -02-A	01	211	25	428
BEDFORD HEIGHTS -02-A	02	25	25	25
BEDFORD HEIGHTS -02-B	01	199	25	397
BEDFORD HEIGHTS -03-A	01	196	25	471
BEDFORD HEIGHTS -03-B	01	484	25	514
BEDFORD HEIGHTS -04-A	01	334	25	360
BEDFORD HEIGHTS -04-B	01	180	33	280
BROADVIEW HEIGHTS -01-A	01	177	233	639
BROADVIEW HEIGHTS -01-B	01	160	199	755
BROADVIEW HEIGHTS -01-C	01	201	162	621

BROADVIEW HEIGHTS -02-A	01	163	222	506
BROADVIEW HEIGHTS -02-B	01	131	193	502
BROADVIEW HEIGHTS -02-C	01	172	229	544
BROADVIEW HEIGHTS -02-D	01	164	210	435
BROADVIEW HEIGHTS -03-A	01	169	166	786
BROADVIEW HEIGHTS -03-B	01	101	132	431
BROADVIEW HEIGHTS -03-C	01	194	244	697
BROADVIEW HEIGHTS -04-A	01	181	324	543
BROADVIEW HEIGHTS -04-B	01	46	25	288
BROADVIEW HEIGHTS -04-C	01	125	191	576
BROADVIEW HEIGHTS -04-D	01	206	313	492
BROOK PARK -01-A	01	128	91	533
BROOK PARK -01-B	01	158	133	629
BROOK PARK -01-C	01	108	88	588
BROOK PARK -02-A	01	129	111	545
BROOK PARK -02-B	01	130	126	682
BROOK PARK -02-C	01	134	132	524
BROOK PARK -03-A	01	150	99	675
BROOK PARK -03-A	02	25	25	25
BROOK PARK -03-B	01	124	120	588
BROOK PARK -03-C	01	123	102	598
BROOK PARK -04-A	01	128	132	616
BROOK PARK -04-B	01	161	103	592
BROOK PARK -04-C	01	150	116	617
CLEVELAND -11-A	01	71	25	416
CLEVELAND -11-B	01	149	25	487
CLEVELAND -11-C	01	106	30	524
CLEVELAND -11-D	01	40	25	373
CLEVELAND -11-E	01	91	37	488
CLEVELAND -11-F	01	124	39	605
CLEVELAND -11-G	01	106	46	545
CLEVELAND -11-H	01	110	54	482
CLEVELAND -11-I	01	70	25	514
CLEVELAND -11-J	01	102	38	499
CLEVELAND -11-K	01	77	25	471
CLEVELAND -11-L	01	86	25	408
CLEVELAND -11-M	01	116	25	374
CLEVELAND -11-N	01	78	25	259
CLEVELAND -11-O	01	78	31	584
CLEVELAND -11-P	01	149	45	626
GARFIELD HEIGHTS -01-A	01	285	34	677
GARFIELD HEIGHTS -01-B	01	248	25	437
GARFIELD HEIGHTS -01-C	01	173	25	376

GARFIELD HEIGHTS -02-A	01	159	52	662
GARFIELD HEIGHTS -02-B	01	195	58	654
GARFIELD HEIGHTS -03-A	01	190	64	712
GARFIELD HEIGHTS -03-A	02	25	25	25
GARFIELD HEIGHTS -03-B	01	166	41	652
GARFIELD HEIGHTS -04-A	01	102	56	436
GARFIELD HEIGHTS -04-B	01	133	51	543
GARFIELD HEIGHTS -04-C	01	166	52	488
GARFIELD HEIGHTS -05-A	01	175	58	575
GARFIELD HEIGHTS -05-B	01	149	44	410
GARFIELD HEIGHTS -05-C	01	215	81	438
GARFIELD HEIGHTS -06-A	01	172	53	522
GARFIELD HEIGHTS -06-B	01	190	62	504
GARFIELD HEIGHTS -06-C	01	155	51	532
GARFIELD HEIGHTS -07-A	01	148	63	527
GARFIELD HEIGHTS -07-B	01	220	61	435
GARFIELD HEIGHTS -07-C	01	178	81	481
LAKEWOOD -01-A	01	231	85	496
LAKEWOOD -01-B	01	262	95	444
LAKEWOOD -01-C	01	243	68	539
LAKEWOOD -01-D	01	236	47	543
LAKEWOOD -01-E	01	284	67	645
LAKEWOOD -01-F	01	147	45	536
LAKEWOOD -01-G	01	243	74	435
LAKEWOOD -01-H	01	350	199	580
LAKEWOOD -01-I	01	254	60	560
LAKEWOOD -02-A	01	289	91	514
LAKEWOOD -02-B	01	282	56	647
LAKEWOOD -02-C	01	287	82	505
LAKEWOOD -02-D	01	270	62	539
LAKEWOOD -02-E	01	322	80	611
LAKEWOOD -02-F	01	287	59	630
LAKEWOOD -02-G	01	214	60	487
LAKEWOOD -02-H	01	234	43	506
LAKEWOOD -02-I	01	223	57	515
LAKEWOOD -03-A	01	295	128	470
LAKEWOOD -03-B	01	241	74	490
LAKEWOOD -03-C	01	343	89	578
LAKEWOOD -03-D	01	274	66	614
LAKEWOOD -03-E	01	212	53	385
LAKEWOOD -03-F	01	272	77	449
LAKEWOOD -03-G	01	185	66	397
LAKEWOOD -03-H	01	216	57	524

LAKEWOOD -03-I	01	234	62	642
LAKEWOOD -04-A	01	248	103	438
LAKEWOOD -04-B	01	282	92	641
LAKEWOOD -04-C	01	117	25	471
LAKEWOOD -04-D	01	235	67	703
LAKEWOOD -04-E	01	139	29	524
LAKEWOOD -04-F	01	201	35	485
LAKEWOOD -04-G	01	99	25	512
LAKEWOOD -04-H	01	205	43	549
LAKEWOOD -04-I	01	186	46	569
LAKEWOOD -04-J	01	141	25	442
MAPLE HEIGHTS -01-A	01	317	40	545
MAPLE HEIGHTS -01-B	01	268	78	585
MAPLE HEIGHTS -02-A	01	287	38	589
MAPLE HEIGHTS -02-B	01	255	40	548
MAPLE HEIGHTS -03-A	01	192	35	688
MAPLE HEIGHTS -03-B	01	167	33	545
MAPLE HEIGHTS -04-A	01	162	25	466
MAPLE HEIGHTS -04-B	01	189	25	411
MAPLE HEIGHTS -04-C	01	158	25	362
MAPLE HEIGHTS -05-A	01	226	27	569
MAPLE HEIGHTS -05-B	01	151	25	533
MAPLE HEIGHTS -06-A	01	225	25	620
MAPLE HEIGHTS -06-B	01	217	25	602
MAPLE HEIGHTS -07-A	01	227	25	468
MAPLE HEIGHTS -07-B	01	173	25	406
MAPLE HEIGHTS -07-C	01	233	25	416
ROCKY RIVER -01-A	01	194	192	681
ROCKY RIVER -01-B	01	198	221	547
ROCKY RIVER -01-C	01	175	183	359
ROCKY RIVER -01-D	01	224	189	584
ROCKY RIVER -02-A	01	195	164	518
ROCKY RIVER -02-B	01	246	202	494
ROCKY RIVER -02-C	01	206	197	592
ROCKY RIVER -02-D	01	264	158	526
ROCKY RIVER -03-A	01	235	173	738
ROCKY RIVER -03-B	01	216	139	505
ROCKY RIVER -03-C	01	230	182	510
ROCKY RIVER -03-D	01	214	124	490
ROCKY RIVER -04-A	01	167	88	450
ROCKY RIVER -04-B	01	212	128	504
ROCKY RIVER -04-C	01	224	138	475
ROCKY RIVER -04-D	01	258	169	687

SEVEN HILLS -01-A	01	187	217	602
SEVEN HILLS -01-B	01	228	219	658
SEVEN HILLS -02-A	01	220	210	527
SEVEN HILLS -02-B	01	232	241	580
SEVEN HILLS -03-A	01	206	295	550
SEVEN HILLS -03-B	01	187	241	561
SEVEN HILLS -04-A	01	177	279	561
SEVEN HILLS -04-B	01	196	196	516
SOLON -01-A	01	268	106	466
SOLON -01-B	01	172	94	618
SOLON -01-C	01	135	84	431
SOLON -03-A	01	291	164	716
SOLON -03-B	01	218	156	710
SOLON -05-A	01	357	134	611
SOLON -05-B	01	330	156	590
SOLON -05-C	01	82	27	157
SOLON -07-A	01	227	161	676
SOLON -07-B	01	180	124	640

# Agenda Item

#9

**Candidate Withdrawal Acknowledgment**

**Candidate Withdrawn from the November 7, 2023 General Election**

<b><u>Office</u></b>	<b><u>Name</u></b>	<b><u>Party</u></b>
Lakewood Board of Education, Member	Ahmielleah D. Yeung	Nonpartisan
Warrensville Heights Board of Education, Member	Michele Elba	Nonpartisan



# VOTE CUYAHOGA COUNTY BOARD OF ELECTIONS

Date: May 31, 2023

I, Ahmielleah D. Yeung, withdraw my candidacy for

(check one):

- May 2, 2023 Primary Election
- September 12, 2023 Primary Election
- November 7, 2023 General Election
- Other: \_\_\_\_\_

Party (if applicable): \_\_\_\_\_

Office: School Board, Lakewood City Schools

Term date (if applicable): \_\_\_\_\_

Signature: 

Printed Name: Ahmielleah Yeung

Street Address: 1620 Victoria Ave

City / Zip Code: Lakewood OH 44107

Phone: 216-971-1676 / 216-223-8440

Email: electthemyeung@gmail.com

23 JUN 1 AM 10:15



**CUYAHOGA COUNTY  
BOARD OF ELECTIONS**

Date: 6-1-23

I, MICHELLE EBA, withdraw my candidacy for

(check one):

May 2, 2023 Primary Election

September 12, 2023 Primary Election

November 7, 2023 General Election

Other: \_\_\_\_\_

Party (if applicable): \_\_\_\_\_

Office: WARRONSVILLE HHS BS (1st yr)

Term date (if applicable): \_\_\_\_\_

Signature: 

Printed Name: MICHELLE EBA

Street Address: 23615 FRIED ST

City / Zip Code: WARRONSVILLE HHS 44128

Phone: 216 662-0833

Email: e\_ba\_mchelle@cahe.com

JUN 1 23 PM 1:57

# Agenda Item

#10



**Appointment to Elected Office**

1. David Mills, Highland Hills Village Council, Member of Council<sup>1</sup>

---

<sup>1</sup> Council Member Mills replaces Cynthia Beard, whose vacancy was acknowledged by the CCBOE at the 4-28-2023 Meeting. Term ends 12-31-2023; no special election is required.

# Certification to Fill Vacancy in Elected Office

05/16/2023

(MM/DD/YYYY)

Village of Highland Hills, Ohio

(City/Village/Township)

## To the Board of Elections of Cuyahoga County

The undersigned respectfully certifies that a vacancy in the office of Council Member, in the Village of Highland Hills has occurred on 04/03/2023  
(City/Village/Township/School) (MM/DD/YYYY)

due to the Resignation of Cynthia D. Beard  
(Death, Resignation, Etc.) (Print name of office holder)

The Council has appointed David Mills, to fill the vacancy  
(Council/Mayor/School Board etc.) (Print name of appointee)

under the authority of Highland Hills Charter Article II, Section 4  
(cite the ORC/Charter/Ordinance sections granting the appointing authority)

who is a qualified elector residing at 3700 Northfield Rd, Apt 267, Highland Hills, OH 44122,  
(State full street address, city, and zip code)

216-738-6263; biggdave@gmail.com; dmills@vhhohio.org  
(State phone number and email)

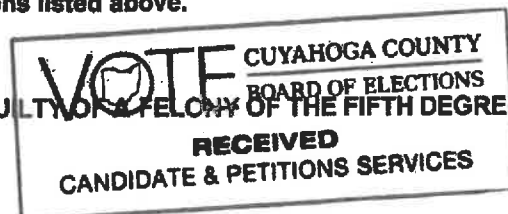
to hold the office and to perform the duties thereof until a successor is elected and qualified as provided by law.

Through my signature below, represent and warrant that I have full and complete authority to issue this certification and that the Cuyahoga County Board of Elections may rely upon the information disclosed herein. I further declare that the foregoing covenants of authority and the described appointment are valid, true and accurate based on my own personal knowledge.

*Maureen Wilson*, Clerk of Council 5/16  
(Title) (Date)  
\*\*Signed by appointing authority or authorized representative (i.e., Clerk of Council, School Treasurer, Mayor, etc.)

- Provide the Board of Elections with the Appointees executed Oath of Office
- If the appointment requires action at a public meeting, list the meeting date 04/12/2023 and provide a copy of the agenda or meeting minutes.
- Attach a copy of the ORC / Charter / Ordinance sections listed above.

WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A FELONY OF THE FIFTH DEGREE.



23 MAY 16 PM 2:59

**CHARTER**  
**VILLAGE OF HIGHLAND HILLS, OHIO**

EDITOR'S NOTE: The Highland Hills Charter was originally adopted on November 6, 1991. Dates appearing in parentheses following a section heading indicate that those provisions were subsequently added, amended or repealed on the date given.

**PREAMBLE**

**ARTICLE I. NAME, BOUNDARIES, AND POWERS**

**ARTICLE II. COUNCIL**

- Sec. 1. Powers, Number and Term. (11-3-15)
- Sec. 2. Organization. (11-2-10; 11-3-20)
- Sec. 3. Removal of Members. (11-3-20)
- Sec. 4. Vacancy.
- Sec. 5. Procedure. (11-7-00)
- Sec. 6. When Ordinances and Resolutions Take Effect.

**ARTICLE III. THE MAYOR**

- Sec. 1. Executive and Administrative Powers.
- Sec. 2. Term and Nature of Office.
- Sec. 3. Vacancy and Removal. (11-7-00)
- Sec. 4. General Powers and Duties. (11-3-15; 11-2-21)
- Sec. 5. Mayor's Veto. (11-2-04)

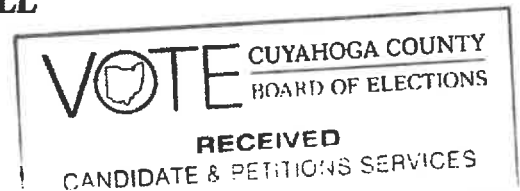
**ARTICLE IV. VILLAGE CLERK/TREASURER (REPEALED)**

**ARTICLE V. NOMINATIONS, ELECTION, AND QUALIFICATIONS**

- Sec. 1. Nominations and Elections.
- Sec. 2. Qualification of Officers. (11-2-10)

**ARTICLE VI. INITIATIVE, REFERENDUM AND RECALL**

- Sec. 1. Initiative Petition Process. (11-3-20)
- Sec. 2. Referendum.
- Sec. 3. Recall. (11-7-17)
- Sec. 4. Form of Petitions.



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**SECTION 4. VACANCY.**

Any vacancy in the Council, except as otherwise provided in this Charter, shall be filled by a majority vote of the remaining members of the Council. If such vacancy is not filled by Council within thirty (30) days after the vacancy has been declared by a vote of the Council, the Mayor shall fill it by appointment.

If the unexpired term is for more than one (1) year or if the next municipal election of officers will occur more than one (1) year after the vacancy, such office shall be filled by a vote of the people at an election for that purpose. Whenever possible, such election will be held on a date set aside for regular elections as defined by state law.

If the office of Council President shall become vacant, the President Pro Tem shall assume the office and the President Pro Tem's seat shall be declared vacant. Council shall elect another President Pro Tem for the remainder of the term.

**SECTION 5. PROCEDURE.**

All the legislative powers of the Municipality and all other powers as may be granted by this Charter, except as otherwise provided by the Constitution of the State of Ohio, together with all such powers as are now or may hereafter be granted by the Laws of Ohio to Boards of control, municipal taxing commissions, boards of health, or any other municipal commission, board or body now or hereafter created, shall be vested in the Council, except as otherwise provided in this Charter.

A majority of the members elected to the Council shall constitute a quorum for the transaction of business, but a lesser number may adjourn from time to time and compel the attendance of absent members. The Council shall establish the lesser number in its rules.

Ordinances shall require the affirmative vote of a majority of the Council. The amendment and repeal of any ordinance shall be by the same vote required for its passage. The Council shall keep a public journal of its proceedings.

Special meetings of Council may be called by the Mayor or by three (3) members of Council. All members of Council, the Mayor and the Clerk shall be notified at least twelve (12) hours in advance of the special meeting by written notice delivered to their respective official addresses. General notice shall be given to the public according to the rules of Council.

The Rules of Council, adopted by ordinance, shall specify the following:

- (a) The time and place of regular meetings, meeting at least once (1) in each of eleven calendar months;
- (b) The enforcement of attendance at its meetings and punishment for disorderly conduct at its meetings;
- (c) The form and method of enacting ordinances and resolutions; however, no ordinance or resolution, except general appropriation ordinances, shall contain more than one subject which shall be clearly stated in the title and no ordinance or resolution of a general or permanent nature granting a franchise, creating a right, involving the expenditure of money or levying of a tax (other than a resolution providing for an election on the question of issuing bonds or levying a tax) or for the purchase, lease, sale or transfer of property shall be passed unless it has been read in full or by title on three (3) different days, unless the requirement for such three (3) readings be dispensed with by the affirmative vote of two-thirds of the members of Council;

'23 MAY 16 PM2:59





# Village of Highland Hills

Village Council

Date: May 16 2023

I, Margaret M. Sikon, Clerk of Council of the Village of Highland Hills, Cuyahoga County, Ohio, do hereby certify that the attached Oath of Office of David Mills is a true and accurate copy of the executed original, which was signed and notarized on May 10, 2023.

Margaret M. Sikon

Margaret M. Sikon  
Clerk of Council  
Village of Highland Hills, Ohio



23 MAY 16 PM 2:59

**THE VILLAGE OF HIGHLAND HILLS, OHIO  
COUNCIL MEMBER**

**OATH OF OFFICE**

I, **DAVID MILLS**, do solemnly swear that I will support the Constitution of the United States of America, the Constitution and Laws of the State of Ohio, the Charter and Ordinances of the Village of Highland Hills, obey the rules, regulations and orders of Council of the Village of Highland Hills, Ohio, and will discharge the duties of the position of Councilperson to the best of my knowledge and ability, so help me God.

Date: May 8, 2023

  
\_\_\_\_\_  
**DAVID MILLS**

STATE OF OHIO            )  
                                  ) ss.  
COUNTY OF CUYAHOGA )

SWORN TO BEFORE ME, and subscribed in my presence this 10<sup>th</sup> Day of May, 2023.

  
\_\_\_\_\_  
**NOTARY PUBLIC**  
*My Commission has no expiration  
ORC 147.03*



'23 MAY 16 PM 2:59

**COUNCIL OF THE  
VILLAGE OF HIGHLAND HILLS**

**RESOLUTION NO. 2023-20**

For the May 10, 2023  
Council Meeting

Introduced by: Council President Cassandra Pride  
Supported by: Councilpersons Geavona Greene,  
Michael Goodwin and Derrick Williams

**A RESOLUTION CONFIRMING COUNCIL'S APPOINTMENT OF DAVID MILLS AS COUNCIL MEMBER TO FILL A VACANCY CREATED BY THE RESIGNATION OF CYNTHIA BEARD, AND DECLARING AN EMERGENCY.**

**WHEREAS**, Cynthia Beard was a duly elected councilperson for the Village of Highland Hills whose term will expire on December 31, 2023 and who resigned her position effective April 3, 2023, which was formally accepted by this Council on April 12, 2023, and

**WHEREAS**, Pursuant to the Village of Highland Hills Charter, Article II, Section 4, this Council has the first authority to fill a vacancy of one of its members, and

**WHEREAS**, Council advertised for applications to fill this vacancy and received several qualified applications and scheduled and held interviews of at least three qualified candidates, and

**WHEREAS**, Council has determined to appoint David Mills to fill this vacancy for the remainder of the unexpired term which ends on December 31, 2023, and

**WHEREAS**, Council desires to keep an accurate record of these various appointments.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE VILLAGE OF HIGHLAND HILLS, OHIO:**

**Section 1:** That Council hereby appoints David Mills to fill the vacancy on Council created by the resignation of former council person Cynthia Beard, said appointment being for the remainder of the unexpired term of office which ends on December 31, 2023.

**Section 2:** That said appointment shall be effective upon taking said oath of office.

**Section 3:** That the Clerk shall comply with the Cuyahoga County Board of Elections policy on appointments to fill vacancies of elected office and certify this appointment to the County Board of Elections within the seven (7) days of this appointment.

**Section 4:** Council finds and determines that all formal actions of this Council concerning and relating to the passage of this Resolution were adopted in an orderly meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action

Resolution No. 2023-20  
For May 10, 2023  
Council Meeting  
Page 2 of 2

were conducted in meetings open to the public and in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

**Section 5:** This Resolution is declared to be an emergency measure necessary to provide for the immediate preservation of the public peace, health, safety and welfare of the inhabitants of the Village of Highland Hills, and for the reason that it is necessary to make this immediate appointment for the orderly operation of the Village Council. It shall, therefore, take effect immediately upon passage.

Passed in Council this 10th day of May, 2023.

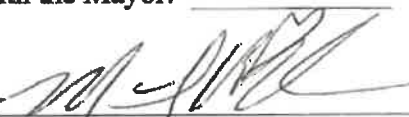
First Reading: ✓ Second Reading: \_\_\_\_\_ Third Reading: \_\_\_\_\_

Vote: Pride ✓ yea \_\_\_ nay Williams ✓ yea \_\_\_ nay  
Goodwin ✓ yea \_\_\_ nay Greene ✓ yea \_\_\_ nay

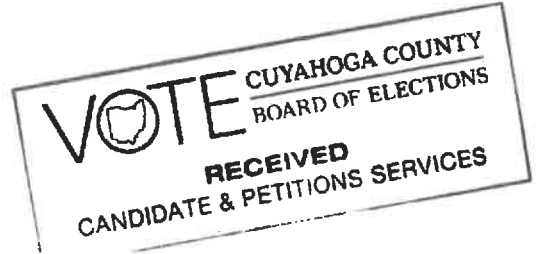
  
Cassandra Pride  
President of Council  
Date 5/10/23

Attest:   
Margaret Sikon, Clerk of Council  
Date 5/10/23

Filed with the Mayor: ✓ Date 5/12/23

Approved By:   
Michael L. Booker, Mayor  
Date 5/12/23

2023-20





# Village of Highland Hills

Village Council

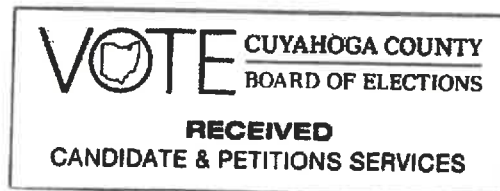
Date: May 16, 2023

I, Margaret M. Sikon, Clerk of Council of the Village of Highland Hills, Cuyahoga County, Ohio, do hereby certify that Resolution No. 2023-20 was duly and regularly passed by the Council of the Village of Highland Hills at a meeting held on May 10, 2023.

Margaret M. Sikon

Margaret M. Sikon  
Clerk of Council  
Village of Highland Hills, Ohio

'23 MAY 16 PM 2:59



# Agenda Item

#11

# May 2, 2023 Primary Election Early In-Person Election Officials Performance Report

## I. Opening and Closing EIP Voting Location

### A. Initial setup (First Day of Voting)

On the first day of Early In-Person voting (April 4<sup>th</sup>), two DS200 were turned on and made ready for voting for the election. A zero report was generated to show the machines had no ballots that were scanned and tabulated for the election. At least one full-time staff member was part of a bipartisan team responsible for performing this operation. The team then signed off on the Zero Report and stored it with the respective security logbook. One DS200 was closed, but left active to serve as a back-up scanner in the event of malfunction of the primary scanner.

During the fourth week of EIP voting we kept two DS200 scanners operational in the room and a third scanner was opened and closed daily but kept in the locked ballot room storage area so that it could be deployed immediately if needed.

### B. Daily Opening and Closing of Polling Places

Unlike DS200s used at the polling locations on Election Day, the DS200s used at the EIP voting location are “opened” (turned on) and “closed” (turned off) each day, but technically polling did not close until 7:30 Election Night. Each day the BOE was open for voting during EIP (April 4-30), we reviewed the DS200 Audit Log for the opening and closing times of each DS200 used. Security seals and total votes were checked for discrepancies from closing the night before. There were never any discrepancies.

The voting machine was opened and ready for voters fifteen minutes before the opening of voting each day. For closing times, we first ensured that no machine was shut down prior to the prescribed SOS time of close.

After the first two weeks of Early Voting the turnout was below expectations, so the agency decided to not bring in additional temporary staff for the last two weeks of voting and



remained with only the original four staff members, with full-time employees on call if needed. The weekend before the election saw an anticipated increase in voters and a few full-time staff members from CPS and Registration were present.

### **C. Signing the Oath by the EIPEOs**

Before Early In-Person voting began, a designee of the manager of CPS (Stephen Doell, Supervisor) administered the Oath to the four EIPEOs orally and they, in turn, signed a written copy of the Oath.

### **D. Final close of Polls (Election Day 7:30 p.m.)**

The final close of polls for the Early In-Person vote center was Sunday, April 30<sup>th</sup> at 5:00 p.m. All machines were put through the nightly shut down process and emptied of the ballots. The machines were then sent to the Ballot Department on Election Day by a bipartisan team. The machines were completely shut down by Ballot Department staff at 7:30 p.m. election night and the vote tally memory sticks were removed and uploaded by the Ballot Department.

## **II. Self-Reporting of Problems**

The EIPEOs are temporary employees hired to assist with the implementation of early voting and are directly supervised by full-time staff of the CCBOE at all times. In training, they are instructed to immediately inform the supervisors of any issues that arise. Therefore, after-the-fact reporting of incidents and ballot quantities by the temporary staff during Early In-Person Voting is not necessary.

## **III. Handling of Provisional Ballot**

The EIP voting staff issued Provisional ballots to two voters encountering Registration issues throughout the election cycle. No provisional ballots were issued on Election Day.

Note: these provisional voters presented proper photo identification and were not subject to the “ballot curing” process. Also, we did not encounter any voters unable to present proper photo identification as stipulated in the new HB 458 requirements.

## **IV. Reconciliation After Polls are Closed – Delivering Ballots to the Ballot Department**

### **A. Completing Reconciliation Duties**

The number of ballots issued cast at the CCBOE Early In-Person voting center was 359.

### **B. Delivering Ballots to the Ballot Department**

Because this election was smaller in scale to an all-county election it was agreed that just one delivery would be necessary. After closing the DS200 at the end of the EIP voting period the machine was emptied of ballots and sorted to precinct level. The ballots were delivered to the Ballot Department by Election Support staff along with the DS200s.

EIP Voting Performance Review Grading May 2023 Primary Election

First Name	Last Name	Dependability	Assisting Voters	Processing Provisional Voters (Election Day)	DS200 (Opening and Closing)	General Customer Service	Employee Collaboration	Rehire
		(Attendance and Punctuality)	(Quality and Efficiency)			(Professionalism)	(Team Player)	(Yes or No)
Linda	Gersdorf	6	7	7	8	7	7	Yes
Leslie	Grabert	6	7	8	8	8	7	Yes
Linda	Harrington	6	8	7	7	8	8	Yes
Patricia	Nelson	6	8	8	8	8	8	Yes

Grading Scale    1-2: Unsatisfactory    3-4: Needs Improvement    5-6: Meets Expectations    7-8: Area of Strength    9-10: Exceeds Expectations

# Agenda Item

#12

# Precinct Election Official Performance Summary

## May 2, 2023 Election

The standard guidance in conducting the PEO Performance Review requires processes and procedures to be evaluated as directed by the Secretary of State (SOS). The workers demonstrated overall knowledge and participated in an Election Day with few procedural errors. According to the criteria set by the Ohio Election Official Manual, as well as the feedback gathered from the Call Center, post-election surveys from workers and voters, and internal staff we met our benchmarks and accomplished our goals overall.

### WORKER STATISTICS

Number of Polling Locations	Minimum Number of PEOs Needed	Goal Number of PEOs	Number of PEOs Worked	% New Workers
65	452	1045	951	10.3%

Future Worker Appointments	
Promote	0
Relocate	3
Remove	0
On Watch	16
Demote	1

Training Statistics*	
In Person	1015
Online Review	90
Zoom	116
<b>Total # Trained</b>	<b>1015</b>

\*Individuals who trained and worked in the May 2, 2023 Election were required to attend in-person training, based on the changes to Ohio voting laws per H.B. 458. Election Officials were given the option for online review and/or to attend a Zoom meeting with BOE staff to review training materials before Election Day.

### CRITERIA FROM SECTION 17.05 OF THE ELECTION OFFICAL MANUAL

#### Opening and Closing of Polls

- Opening and closing on time:
  - All 65 locations opened and closed on time – 100%
- Printing, signing, and packing the zero tapes and summary reports:
  - 52 locations signed ALL tapes – 80%
  - 11 locations signed some but not all tapes – 17%
  - 2 locations did not sign ANY tapes – 3%
- Completing the Oath of Office:
  - 65 locations fully completed the Oath of Office – 100%
  - 0 locations did not fully complete the Oath of Office – 0%

- Correctly opening and closing all voting machines:
  - 60 locations correctly opened and closed all voting machines – 92%
  - 5 locations did not correctly open and close all voting machines – 8%

### Self-Reporting of Problems

- All 65 locations properly self-reported equipment problems and/or low ballot supply. (100%)

### Handling of Provisional Ballots

- Properly issuing Provisional Ballots to voters:
  - 62 locations had NO provisional ballots rejected due to PEO error – 95%
  - 3 locations had ONE OR MORE provisional ballots rejected due to PEO error – 5%

Provisional Ballot Rejection % due to PEO error	May 2019	May 2021	May 2023
No Printed Name	0	0	0
No Signature	0	0	0
Missing Date of Birth	1	1	1
No Ballot in Envelope	1	0	0
Missing Address	1	1	1
Wrong Precinct Wrong Location	3	0	1
<b>Total Number of Provisional Ballots Cast</b>	<b>209</b>	<b>219</b>	<b>134</b>

- Properly taping the correct EPB slip to each Provisional Envelope:
  - 60 locations correctly taped ALL EPB slips to each Provisional Envelope – 92%
  - 4 locations correctly taped 50% or more EPB slips to each Provisional Envelope – 6%
  - 1 location correctly taped fewer than 50% of EPB slips to each Provisional Envelope – 2%

### Reconciliation After Polls Close

- 64 locations completed the Ballot Accounting process. (98.5%)
- 1 location did not complete the Ballot Accounting process. (1.5%)

## HISTORICAL DATA COMPARISON

Performance Categories	May 2019	May 2021	May 2023
Overall Score	1.13	1.08	1.07
Properly signed all voting machine tapes	88.0%	50.0%	80.0%
Fully completed Oath of Office	62.0%	100.0%	100.0%
Correctly opened/closed all voting machines	100.0%	100.0%	92.0%
Followed device issue reporting procedure	100.0%	100.0%	100.0%
Followed low ballot reporting procedure	100.0%	100.0%	100.0%
Processed all Provisional Ballots correctly	93.0%	98.2%	95.0%
Taped all EPB slips to Provisional Envelopes	80.0%	96.5%	92.0%
Submitted Ballot Accounting	98.0%	96.5%	98.5%

## NEXT STEPS

- Updating training to incorporate new Voting Equipment.
- Continuing to focus on policies impacted by H.B. 458 in training.



# May 2, 2023 Election

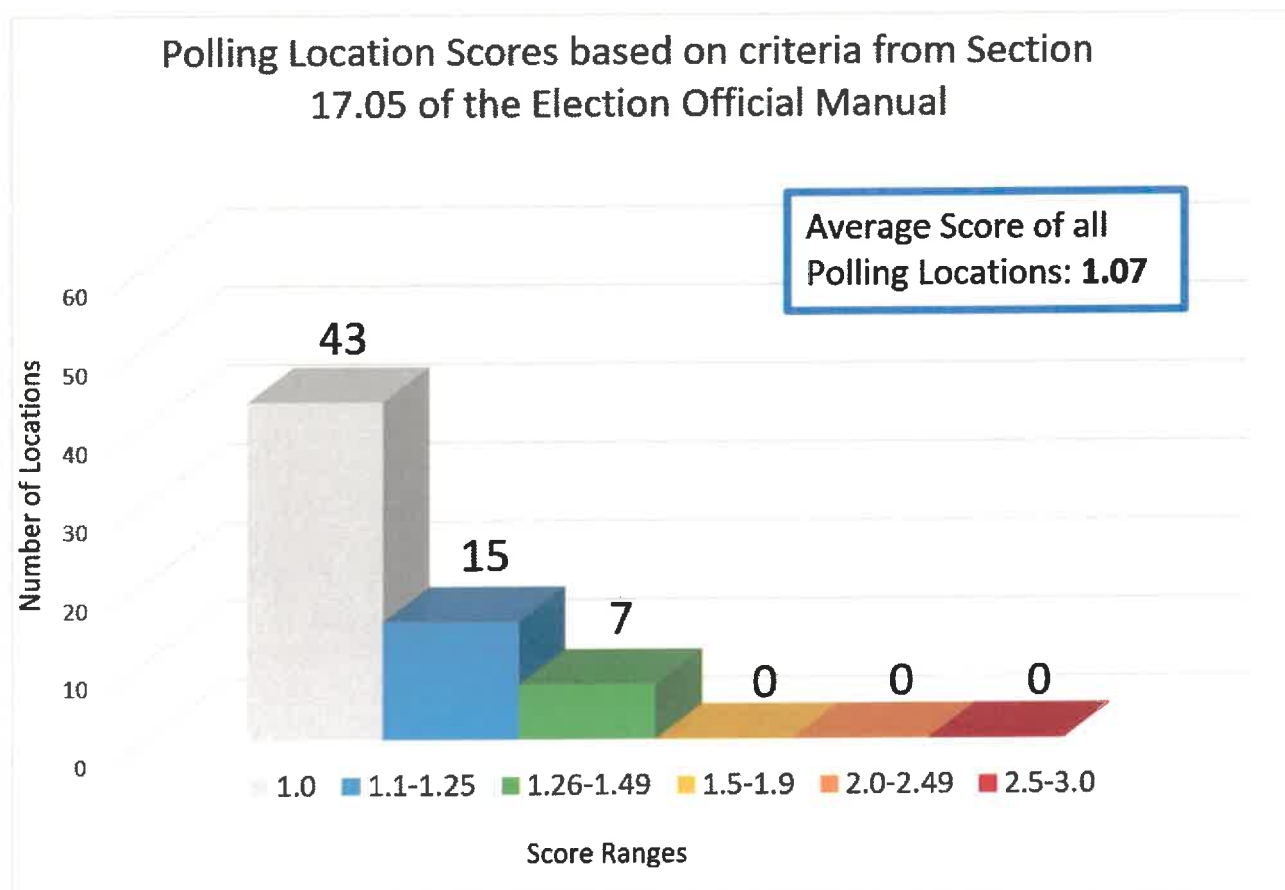
## Precinct Election Official Performance Report

### FULL RESULTS

The results in this report meet the standards of monitoring and assessing PEOs provided in Section 17.05 of the Election Official Manual. There was a total of **65 Polling Locations** in this election. The complete results of the PEO Performance Report from the May 2, 2023 Primary Election can be provided in a separate document if needed.

Polling Locations are graded on a scale from 1 to 3 in each category, 1 being the highest score and 3 being the lowest score. An average score is calculated to indicate the Polling Location’s overall performance.

### AVERAGE score of each polling location relative to the criteria from Section 17.05 of the Election Official Manual



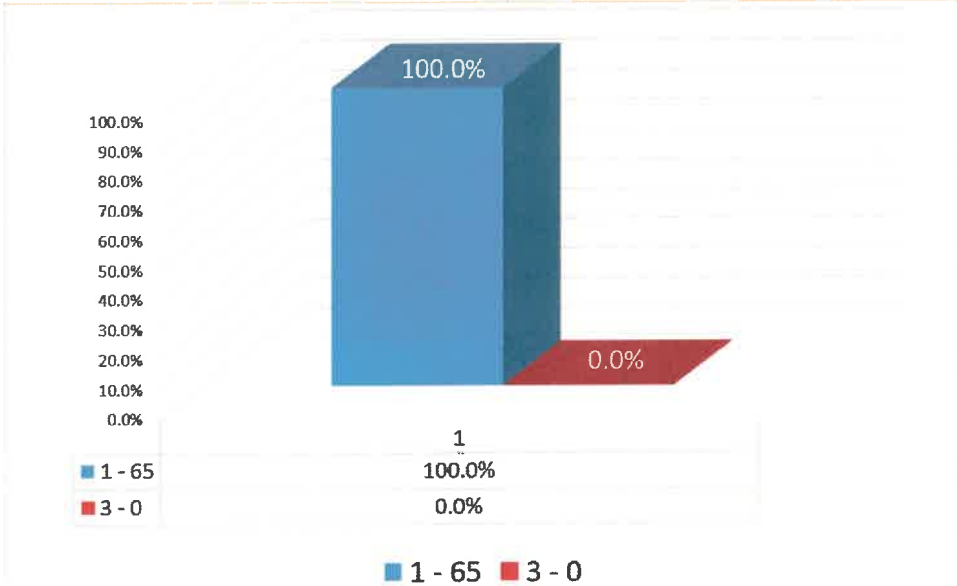
**Note:** The scores range from 1.0 to 3.0; 1.0 being a perfect score.

## A. OPENING AND CLOSING OF POLLING LOCATIONS

What follows is the performance of the PEOs against the criteria set forth by the Secretary of State for properly opening and closing a Polling Location.

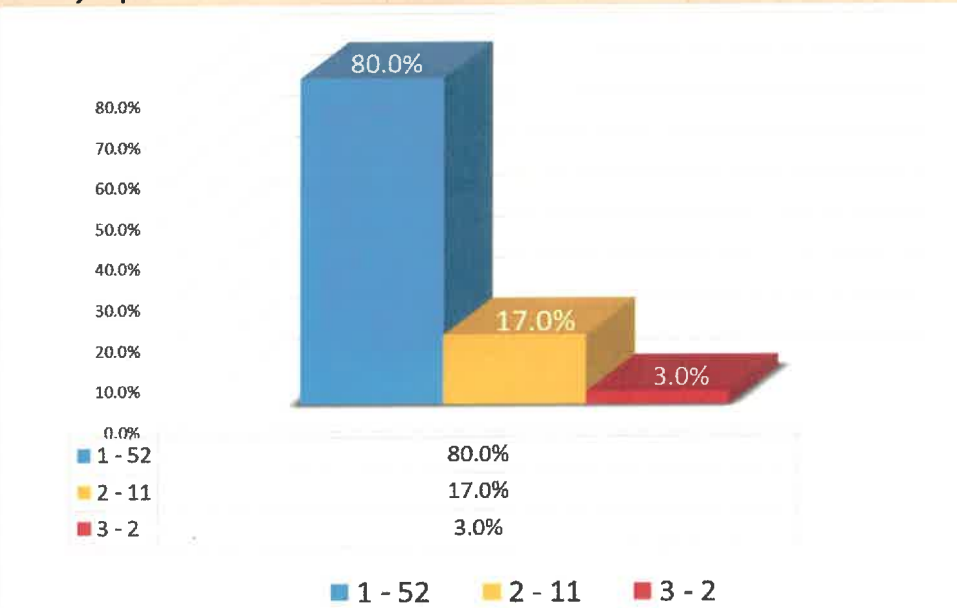
### 1. Did the Polling Location open and close on time?

Scoring	# of Polling Locations	% of Total Polling Locations
<b>1 - Location opened/closed on time</b>	65	100%
<b>3 - Location not opened/closed on time</b>	0	0%



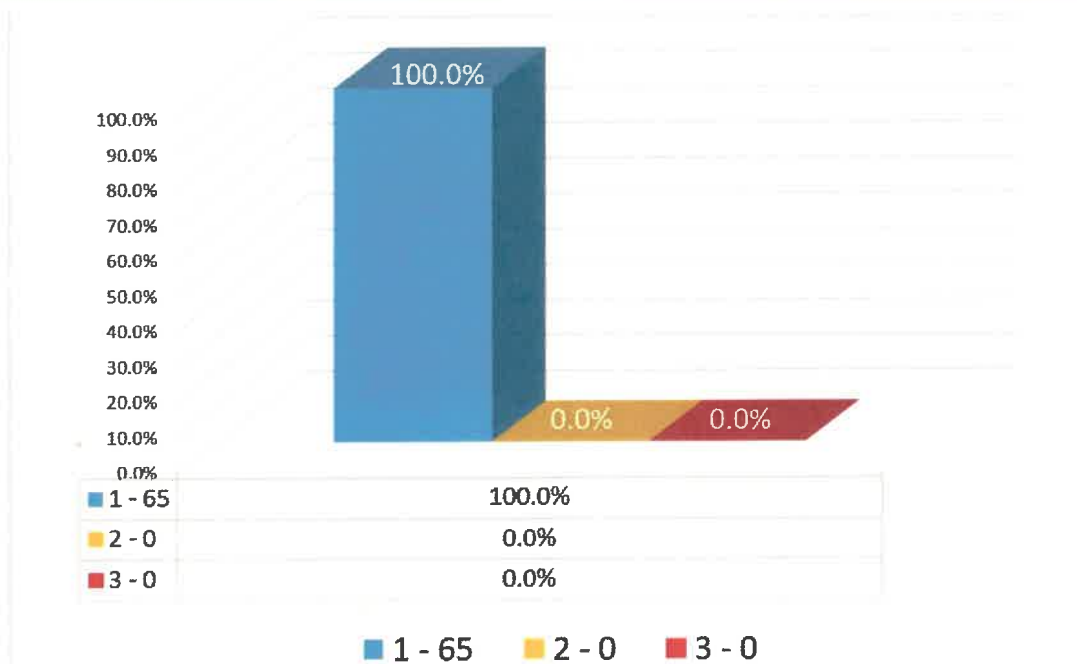
### 2. Did the PEOs print, sign, and pack the zero tape(s) and summary report(s)?

Scoring	# of Polling Locations	% of Total Polling Locations
<b>1 - Completed BOTH zero and summary tapes</b>	52	80%
<b>2 - Completed some but NOT ALL tapes</b>	11	17%
<b>3 - DID NOT complete any tapes</b>	2	3%



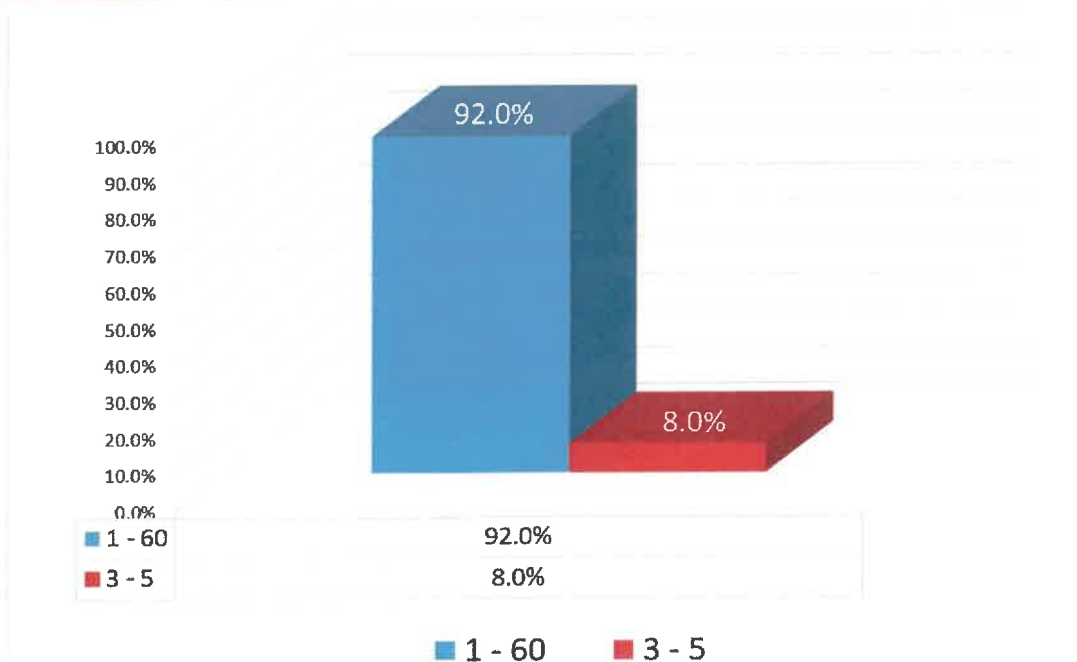
### 3. Did the PEOs sign the Oath of Office?

Scoring	# of Polling Locations	% of Total Polling Locations
<b>1 - Fully completed Oath of Office</b>	65	100%
<b>2 - Partially completed Oath of Office</b>	0	0%
<b>3 - Did not complete Oath of Office</b>	0	0%



### 4. Did the Polling Location correctly open/close all voting machines?

Scoring	# of Polling Locations	% of Total Polling Locations
<b>1 - All voting machines were correctly opened/closed</b>	60	92%
<b>3 - Not all voting machines were correctly opened/closed</b>	5	8%

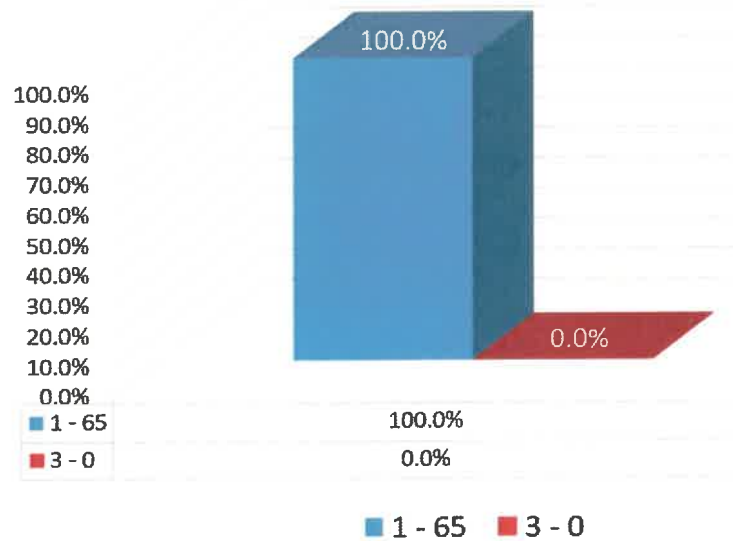


## B. SELF-REPORTING OF PROBLEMS

What follows is the performance of the PEOs against the criteria set forth by the Ohio Secretary of State for properly reporting any problems with the voting equipment or ballot supply on Election Day.

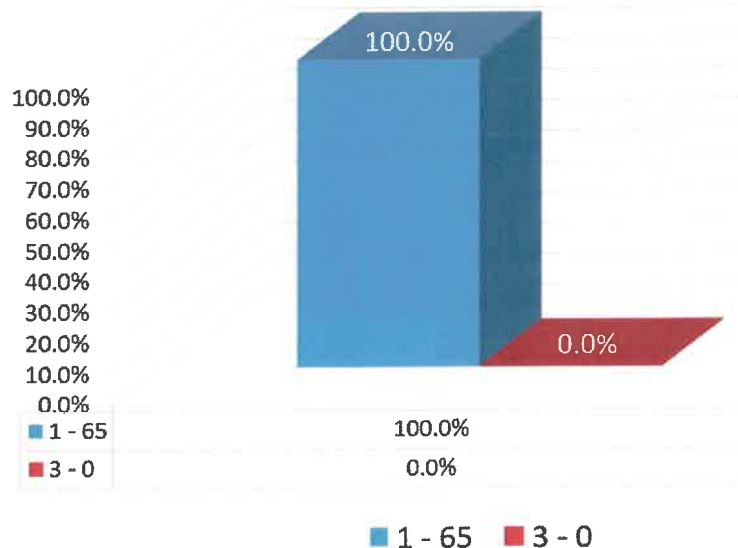
### 1. Did the PEOs follow required procedures for reporting any voting machine/device issues to the board?

Scoring	# of Polling Locations	% of Total Polling Locations
<b>1 - Followed procedures</b>	65	100%
<b>3 - DID NOT follow procedures</b>	0	0%



### 2. Did the PEOs follow required procedures for reporting if/when the ballot supply ran low to the board?

Scoring	# of Polling Locations	% of Total Polling Locations
<b>1 - Followed procedures</b>	65	100%
<b>3 - DID NOT follow procedures</b>	0	0%

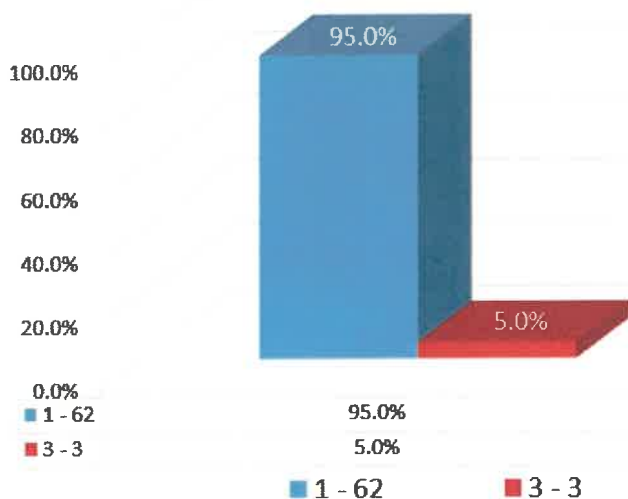


## C. HANDLING OF PROVISIONAL BALLOTS

What follows is the performance of the PEOs against the criteria set forth by the Secretary of State for properly handling Provisional ballots.

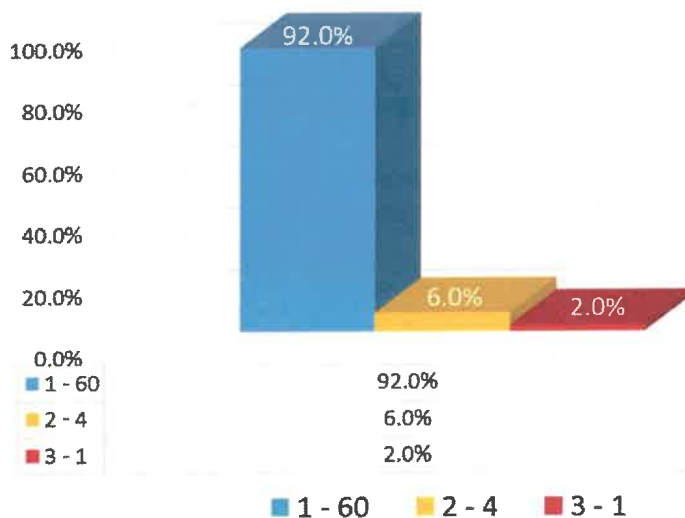
### 1. Did the PEOs properly issue Provisional ballots to voters, including directing Wrong-Polling Location voters to the correct Location?

Scoring	# of Polling Locations	% of Total Polling Locations
<b>1 - Had NO Provisional ballots rejected due to PEO error</b>	62	95%
<b>3 - Had ONE OR MORE Provisional ballots rejected due to PEO error</b>	3	5%



### 2. Did the PEOs properly tape the correct EPB slip to each Provisional Envelope?

Scoring	# of Polling Locations	% of Total Polling Locations
<b>1 - ALL EPB slips taped</b>	60	92%
<b>2 - 50% OR MORE EPB slips taped</b>	4	6%
<b>3 - FEWER than 50% of EPB slips taped</b>	1	2%

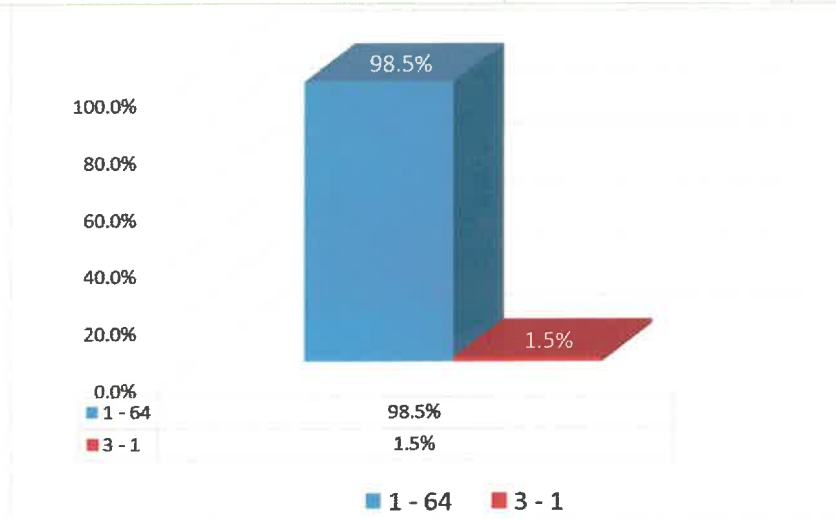


## D. RECONCILIATION AFTER POLLS ARE CLOSED

What follows is the performance of the PEOs against the criteria set forth by the Secretary of State for properly closing the polls.

### 1. Did the PEOs complete their reconciliation duties?

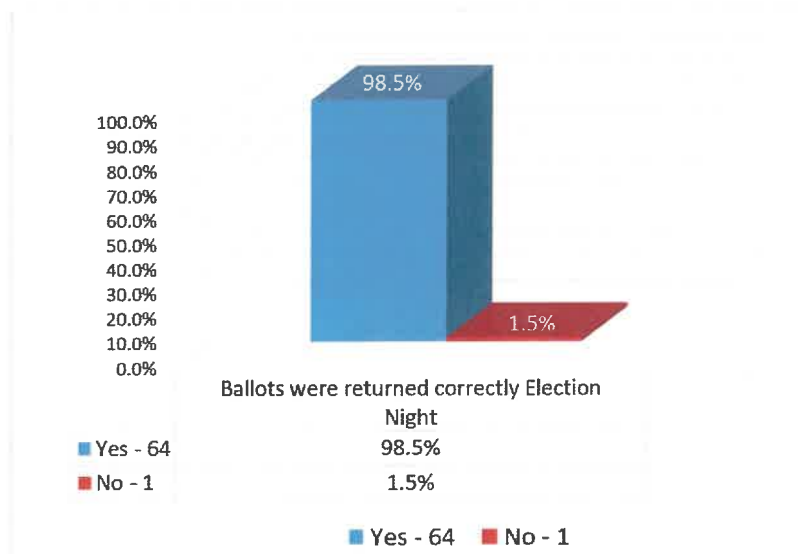
Scoring	# of Polling Locations	% of Total Polling Locations
<b>1 - Completed reconciliation duties (Ballot Accounting)</b>	64	98.5%
<b>3 - DID NOT complete reconciliation duties (Ballot Accounting)</b>	1	1.5%



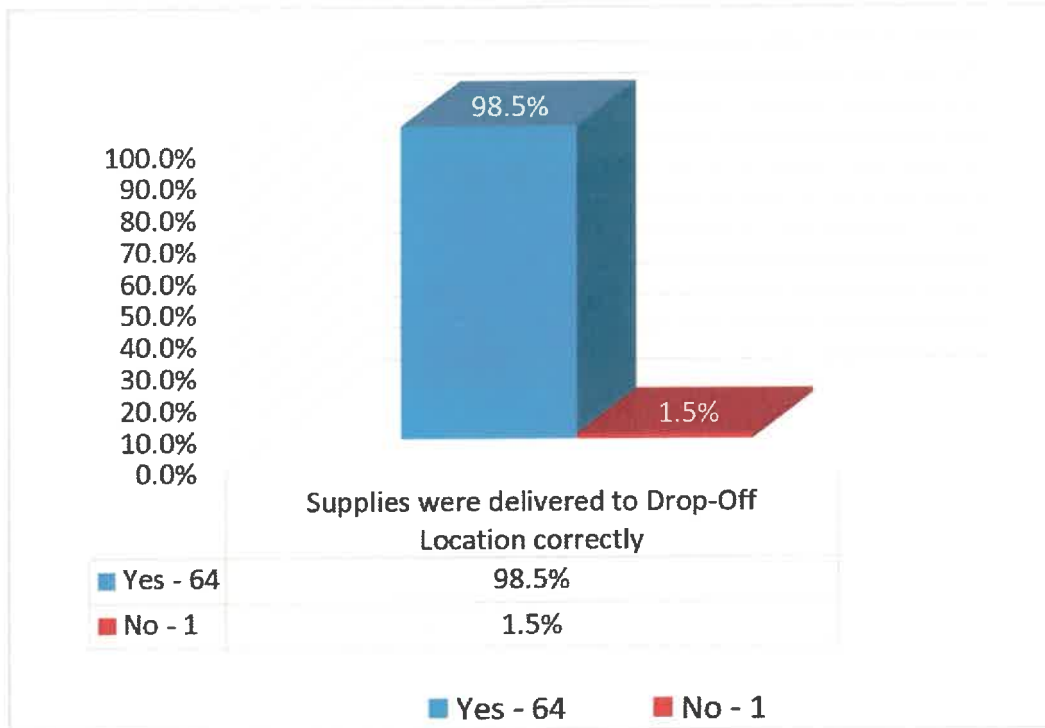
## POLLING LOCATION PERFORMANCE REVIEW “GRADE SHEET”

Each PEO is sent a “Grade Sheet” following the election that evaluates the performance of the Polling Location against the criteria from Section 17.05 of the Election Official Manual. In addition, we grade the Polling Locations on other criteria related to Election Day procedures. Below are the criteria that we grade Polling Locations on in addition to those listed in the Election Official Manual.

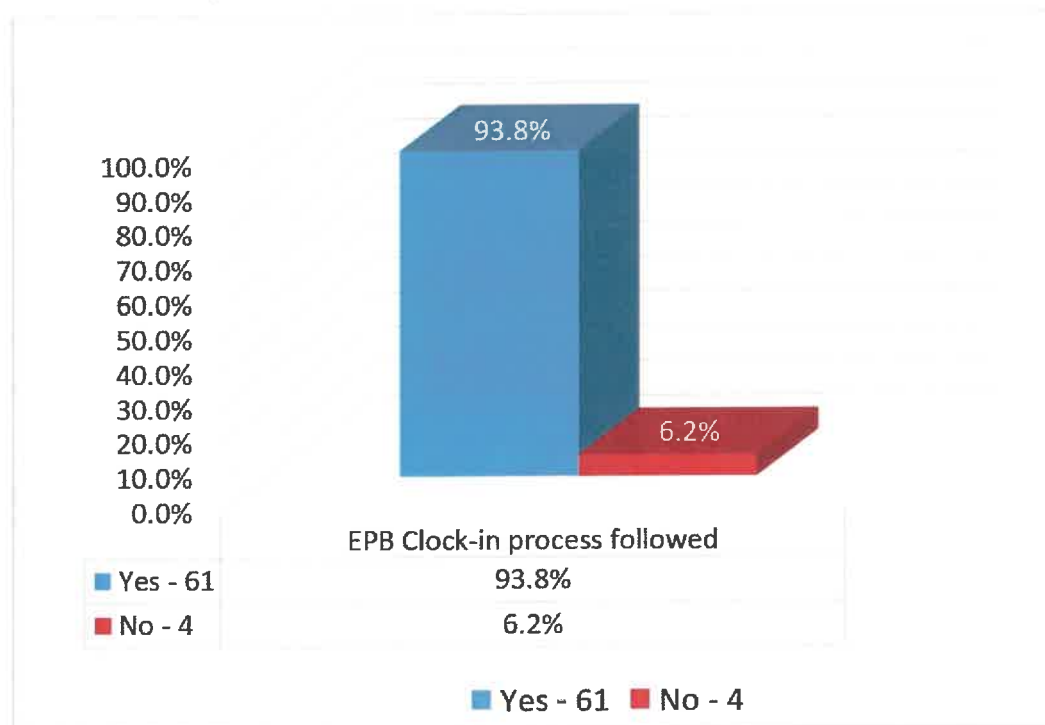
### Were ballots returned correctly on Election Night?



**Were supplies delivered to the Drop-Off Location correctly?**

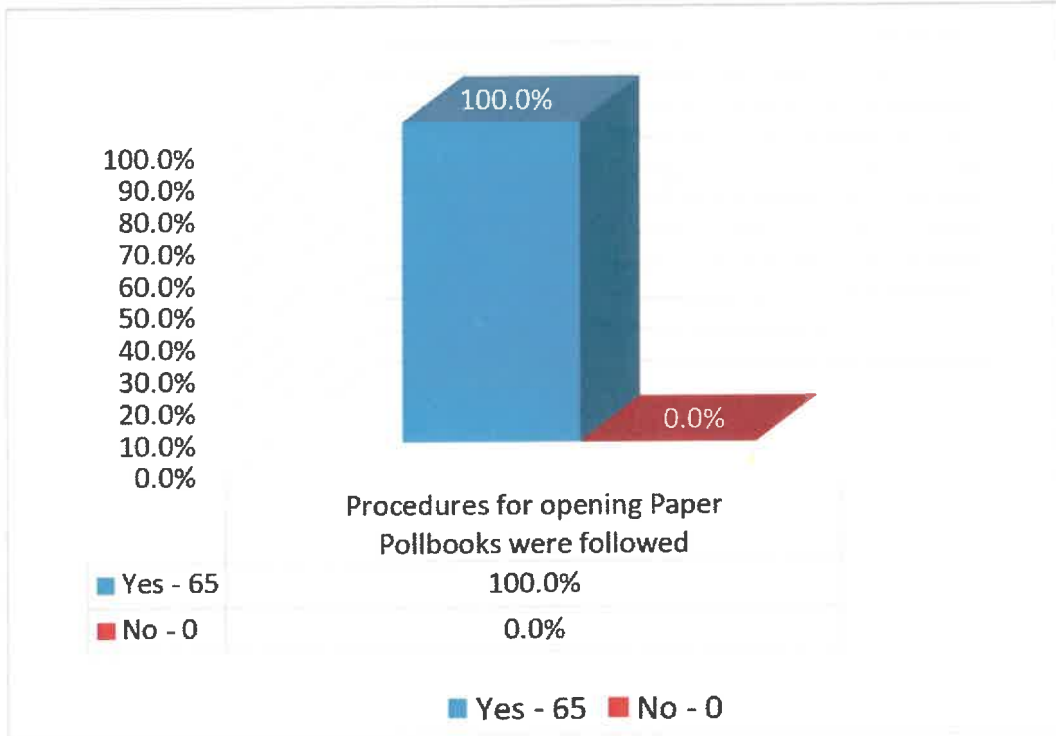


**Were the EPB Clock-in procedures followed correctly?**

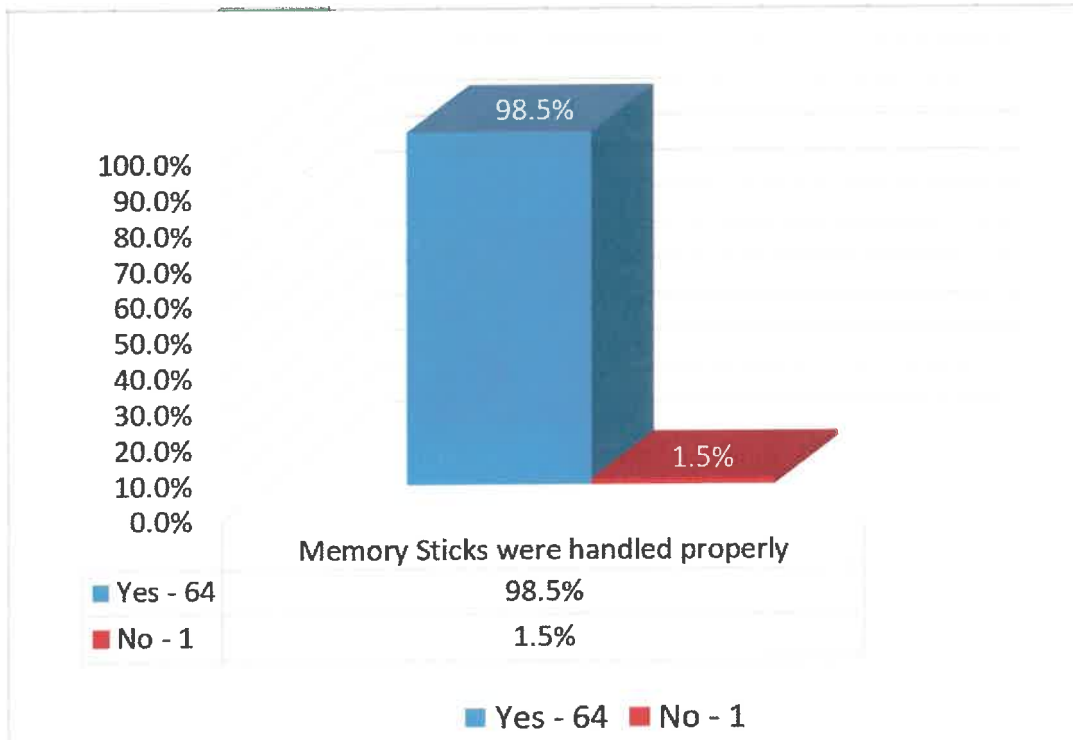




**Were procedures for opening Paper Pollbooks followed?**



**Were memory sticks handled properly?**



# Agenda Item

#13

## Agenda Item Request

**Requested By:** Victor Rush **Department:** Election Support

**Requested Action:**  Approval  
 Authorization  
 Other \_\_\_\_\_

**Type of Request**  RFP/contract  Certification  
 Travel/Training  Protest  
 Personnel  Other \_\_\_\_\_

Provisional Rejections  
 Absentee Rejection

**Specific description of request:**

Allocation of voting booths for the September 12, 2023, Municipal Primary Election. Allocation quantities are based on 1 voting booth for every 175 registered voters per polling location. A total of 2608 voting booths will be allocated + 318 ClearCast Go scanners + 159 ADA ClearAccess voting units and 318 Electronic Poll books.

**Estimated Expense:** \_\_\_\_\_

**Budgeted Item:** Yes \_\_\_\_\_ No \_\_\_\_\_

**Requestor Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Manager Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Deputy Director:** Anthony Fralyn **Date:** 6/5/2023

**Director Approved:** Yes  No \_\_\_\_\_

**Director's Signature:** [Signature] **Date:** 6.05.23

**\*Please enclose all associated documentation along with this request form to the Clerk of Board.\***

**Forward to the Clerk of the Board:** **Date:** 6/5/23

**Received by the Clerk of the Board:** **Date:** 6/5/23

# Agenda Item

#14

a)

**Resolution No. R2023-6-8-14-A**

WHEREAS, the Cuyahoga County Fiscal Office (CCFO) requires the Cuyahoga County Board of Elections (CCBOE) to provide multiple documents to the CCFO to facilitate the procurement and subsequent accounts payable functions associated with CCBOE contracts for goods and services from vendors. The Resolution is necessary for the CCBOE to continue to provide for the usual operational services critical to election administration.

RESOLVED, that the Cuyahoga County Board of Elections hereby authorizes the Director, on behalf of the Board, to undertake all actions necessary to procure and subsequently pay the items identified as the ballot printing contract for June 1, 2023 to May 31, 2025 in an amount not to exceed \$2,041,911.96 (Contract Attached).

RESOLVED, this Resolution shall take effect and be in force immediately upon receiving the affirmative vote of a quorum of members of the CCBOE. All formal actions of this Board relating to the adoption of this Resolution were adopted in an open meeting of the Board, open to the public, and in compliance with all legal requirements of the Ohio Revised Code.

FURTHER RESOLVED, the Director and Chair are authorized to authenticate this resolution upon adoption through their signatures thereon, and the Director is instructed to transmit copies of this resolution to those individuals deemed necessary to effectuate the intent of its adoption.

Board Meeting Date: June 8, 2023

Agenda Item: Fiscal Services

Vendor: Midwest Direct 14-A

Motion: (as presented on the agenda with any edits made during the meeting)

Motion made by: ----- Chairman CURTIS

Motion seconded by: ----- BOARD MEMBER DAVIS Chappell

Vote of the Board Members:

Henry F Curtis, IV, Chairman	<input checked="" type="checkbox"/> Yay	<input type="checkbox"/> Nay
Inajo Davis Chappell, Member	<input checked="" type="checkbox"/> Yay	<input type="checkbox"/> Nay
Lisa M. Stickan, Member	<input checked="" type="checkbox"/> Yay	<input type="checkbox"/> Nay
Terence McCafferty, Member	<input checked="" type="checkbox"/> Yay	<input type="checkbox"/> Nay

Resolution adopted at the Cuyahoga County Board of Elections meeting on 8th  
June 2023

Signature of Chairman Henry F Curtis, IV  
Signature of Director Chris W. P.

CONTRACT  
By and between the  
CUYAHOGA COUNTY BOARD OF ELECTIONS  
and  
MID-WEST PRESORT MAILING SERVICES, INC  
dba MIDWEST DIRECT

THIS CONTRACT (the "Contract") is made and entered into as of June 1, 2023, by and between the Cuyahoga County Board of Elections ("BOARD"), a body politic and a political subdivision of the State of Ohio organized and existing under Title 35 of the Ohio Revised Code (ORC), at 2925 Euclid Avenue, Cleveland, Ohio 44115, and Mid-West Presort Mailing Services, Inc. dba Midwest Direct, ("CONTRACTOR") having principal place of business at 2222 West 110th Street, Cleveland, Ohio 44102-3512. The BOARD and CONTRACTOR may hereafter be referred to singularly as a "Party", or jointly as "Parties".

WHEREAS, the BOARD has issued a request for bid ("RFB"), attached and incorporated as Exhibit A, in accordance with Ohio Revised Code 3501.13 for ballot printing, mailing and furnishing associated supplies and services for all elections occurring from June 1, 2023 through May 31, 2025; and

WHEREAS, the CONTRACTOR has submitted an official bid (the "Bid"), attached and incorporated as Exhibit B, for such RFB; and

WHEREAS, the BOARD has determined, by majority affirmative vote, that CONTRACTOR is the most qualified responsible responded to the RFB per Ohio Revised Code Section 3505.13.

NOW, THEREFORE, in consideration of mutual promises contained herein and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, CONTRACTOR and the BOARD agree as follows:

**I. Term; Amount**

- A. Initial Term: The initial term of this Contract shall commence **June 1, 2023 and continue through May 31, 2025**, unless earlier terminated or canceled (the "Initial Term"). Payments made by the BOARD to CONTRACTOR during this Initial Term shall not exceed two million, forty one thousand, nine hundred eleven dollars and ninety six cents **(\$2,041,911.96)**.
- B. Renewal Options. The contract may be renewed after the initial term by mutual agreement between the BOARD and the CONTRACTOR for any number of times and for an appropriate period of time at the option of the Parties.

**II. Scope of Services**

- A. Generally. By executing this Contract, the BOARD accepts and the CONTRACTOR agrees to be bound by the CONTRACTOR's Bid, incorporated herein as Exhibit B, and the BOARD's RFB, incorporated herein as Exhibit A with "CONTRACTOR" substituted for "Vendor" or "selected vendor," "BOARD" substituted for "CCBOE" and the subject to any deviations that may be contained in this Contract, which shall control over any conflicting provision in the RFB. Subject to the preceding sentence, Exhibit A and Exhibit B are incorporated as if fully rewritten herein whether or not physically attached to this Contract. In the event of any conflict between provisions contained in Exhibit A and



7. Termination for Convenience: The Board may terminate this Contract for its convenience after issuing at least 30 days' advanced written notice to CONTRACTOR. In such case, CONTRACTOR will be entitled to compensation for any supplies or products that CONTRACTOR has delivered, or services rendered before the termination. Such compensation will be the CONTRACTOR's exclusive remedy in the case of termination for convenience and will be available to the CONTRACTOR only after submitting a proper invoice for the services, products, or supplies, with the invoice reflecting the amount determined by the Board to be owing to CONTRACTOR. The CONTRACTOR shall provide all services and/or materials required by the contract and the specifications through the date of termination. Under no circumstances shall the CCBOE be responsible for any type of additional payment upon the termination of the contract. The CONTRACTOR, however, shall be paid for all services and/or materials provided through the date of termination.
  8. CONTRACTOR Responsibilities at Termination: Upon receipt of the notice of termination, CONTRACTOR will immediately cease all work related to the Contract, if applicable, and refuse any additional orders and take all steps necessary to minimize the costs the CONTRACTOR will incur related to this Contract.
- D. Contract Suspension: If CONTRACTOR fails to perform any one of its obligations under this Contract, it will be in default and the BOARD may suspend rather than terminate this Contract where the BOARD believes that doing so would better serve its interest. Moreover, the BOARD may suspend any for any reason services at its convenience, and thereupon the amount of compensation due to CONTRACTOR for work performed before the suspension will be determined in the same manner as provided in this section for termination for the BOARD's convenience. If the BOARD suspends for default, CONTRACTOR may be entitled to compensation for work performed before the suspension, less any damage to the BOARD resulting from the CONTRACTOR's breach of this Contract or other fault. The notice of suspension, whether with or without cause, will be effective immediately on CONTRACTOR's receipt of the notice.

### III. Contract Remedies

- A. Actual Damages: CONTRACTOR is liable to the BOARD for all actual and direct damages caused by CONTRACTOR's failure to secure, protect and return the property of the BOARD in substantially similar condition as when the property was tendered to the CONTRACTOR. The BOARD may buy substitute supplies or equipment, from a third party, for those that were in the custody of the CONTRACTOR. The BOARD may recover the costs associated with acquiring substitute supplies or equipment, less any expenses or costs saved by CONTRACTOR's default, from CONTRACTOR.
- B. Liquidated Damages: The parties acknowledge the impracticality and extreme difficulty of ascertaining the actual amount of damages the BOARD, its poll workers and the electors would sustain due to the CONTRACTOR's failure to timely perform its obligations. Accordingly, the parties agree that the BOARD is entitled to receive, and may deduct all or any part of the funds due to the CONTRACTOR as liquidated damages, and not as a penalty, 1% of the value of the services, products, or supplies that is the subject of the default, for every day that such default for delay is not cured by CONTRACTOR. Such liquidated damages are intended to represent estimated actual damages resulting from the CONTRACTOR's failure to timely perform, and are not intended as a penalty, and CONTRACTOR shall pay them to the BOARD without limiting the BOARD's right to terminate this agreement for default as provided elsewhere herein.

- C. Deduction of Damages from Contract Price: The BOARD may deduct all or any part of the damages, including liquidated damages, resulting from CONTRACTOR's default from any part of the price still due on the Contract, upon prior written notice to being issued to CONTRACTOR by the BOARD.
- D. Performance Bond: Pursuant to Ohio Revised Code Section 3505.13, CONTRACTOR shall maintain a performance bond with a surety company or companies licensed to do such business in the State of Ohio in the sum equal to not less than \$632,507.60 conditioned upon the faithful performance of the Contract and for the payment as damages by CONTRACTOR to the BOARD of any excess of cost which it may be obliged to pay for such work by reason of the failure of CONTRACTOR to complete the Contract.
- E. Insurance: The CONTRACTOR shall procure, maintain and pay premiums for the insurance coverage and limits of liability up to the full amount of coverages at least in the following amounts with respect to products, services, work and/or operations performed in connection with this Contract :
- a. **Workers Compensation Insurance**. The Contractor participate in the State of Ohio workers compensation program and make all necessary payments to furnish a Worker's Compensation Certificate and Certificate of Insurance evidencing the insurance coverages required herein are in full force and effect. Acceptance of a non-conforming certificate of insurance by the County shall not constitute a waiver of any rights of the parties under this Contract. For employees working outside of Ohio, the Contractor shall maintain Worker's Compensation Insurance as required by the various state and Federal laws as applicable including Employers' Liability coverage.
- b. **Commercial General Liability Insurance** with limits of liability not less than:
- \$1,000,000 each occurrence bodily injury & property damage;
  - \$1,000,000 personal & advertising injury;
  - \$2,000,000 general aggregate;
  - \$2,000,000 products/completed operations aggregate.
- Such insurance shall be written on an occurrence basis on the Insurance Services Office (ISO) form or its equivalent.
- c. **Business Automobile Liability Insurance** covering all owned, non-owned, hired, and leased vehicles. Such insurance shall provide a limit of not less than \$1,000,000 combined single limit (bodily injury & property damage) each accident. Such insurance shall be written on an occurrence basis on the Insurance Services Office (ISO) form or its equivalent.
- d. **Umbrella/Excess Liability Insurance** to provide additional insurance limits for commercial general liability and/or automobile liability, with limits of liability not less than:
- \$1,000,000 each occurrence
  - \$1,000,000 general aggregate
  - \$1,000,000 products/completed operations aggregate
- Such insurance shall be written on an occurrence basis and shall sit in excess of the limits and terms set forth in the preceding items 1.(b)-(c).
- e. The insurance policies of the Contractor required for this Contract, shall:

- i. Include the "Cuyahoga County Board of Elections, Ohio and its employees" as an Additional Insured. Cuyahoga County Board of Elections and its employees shall be named as Additional Insured and/or loss payee to the extent of the full amount of coverages as stated in all existing policies issued to the Contractor as of the effective date of this contract and at least in the amounts and coverages indicated above.
- ii. Contain a waiver of subrogation provision wherein the insurer(s) waives all rights of recovery against the Cuyahoga County Board of Elections.
- iii. Be primary and not in excess or contingent on any other basis.
- iv. Provide 30 days prior notice of cancellation, non-renewal, or material change.
- v. The Certificates of Insurance evidencing the required coverages and limits shall contain the following additional insured and waiver of subrogation language where applicable:
  - "Cuyahoga County Board of Elections and its employees are additional insureds; and,
  - "Waiver of subrogation in favor of the Cuyahoga County Board of Elections."
- vi. The insurance required for this Contract shall be provided by insurance carrier(s) licensed to transact business and write insurance in the state(s) where operations are performed and shall carry a minimum A.M. Best's rating of A-VII or above.
  - The terms of this Contract shall be controlling and shall not be limited by any insurance policy provision.
  - These insurance provisions shall not affect or limit the liability of the Contractor stated elsewhere in this Contract or as provided by law.
  - The Contractor shall require any and all of its subcontractors to procure, maintain, and pay premiums for the insurance coverages and limits of liability outlined above with respect to products, services, work and/or operations performed in connection with this Contract.
  - The County reserves the right to require insurance coverages in various amounts or to modify or waive insurance requirements on a case-by-case basis whenever it is determined to be in the best interest of the County.
  - If the Bid/Proposal/RFQ specifies the need for higher limits of liability for any applicable insurance provision, the Bid/Proposal/RFQ specifications shall govern.
  - Where coverages are made on a claims-made basis the claims-made retroactive date on the policy shall be prior to the commencement of professional activity related to this Contract.

**E. Indemnity.** The Contractor agrees and shall, to the fullest extent permitted by law, indemnify, hold harmless, and, at the option of the Prosecutor as decided in its sole discretion, defend or pay for the defense of the Prosecutor, Prosecutor members, and its officers, agents, representatives, and employees (the "Indemnified Parties") from and against any and all liability, claims, suits, causes of action, liens, demands, losses, damages, (including fines, penalties, incidental and consequential damages), settlements, judgments, costs, and expenses

(including reasonable attorneys' fees and any other costs of defense) of every kind, nature, or description arising out of or in connection with, caused by, resulting from, or occurring during the course of the performance of this Contract, whether directly or indirectly, where such liability is

- i. founded upon or grows out of, directly or indirectly, the acts, errors, omissions, undertakings, representations or warranties of the Contractor's, its officers, employees, agents, independent subcontractors or subcontractors (or subcontractors or independent subcontractors thereof), or any other person or party for which the Contractor is legally liable, and
- ii. is attributable in any manner and to any extent to bodily injury, personal injury, sickness, disease or death of any person, loss of revenue, delay, or the injury to or damage, destruction, or loss of use of property.

The indemnity obligations under the Contract shall survive its expiration or earlier termination. Should the Board elect to have the Contractor defend one or more of the Indemnified Parties, the Board shall have the right, but not the obligation, to associate in such defense, whether directly or through outside legal counsel, or both. Nothing herein shall require the Contractor to reimburse the Contractor for damages or liabilities solely caused by the negligent acts, errors or omissions of one or more of the Indemnified Parties. Between the Contractor and the Board, for purposes of fulfilling the Contractor's indemnity obligations hereunder, the Contractor waives any immunity derived from compliance with the Workers' Compensation Laws of the State of Ohio. The indemnity obligations of the Contractor shall not be limited by the types, terms, conditions, or limits of liability of any insurance purchased and maintained by the Contractor.

#### **IV. Payment Provisions**

- A. Invoicing: Within 30 days after each election, Vendor shall promptly submit one original invoice to the Board for the ballots and other deliverables actually rendered for such election. The ballots shall be listed in line-item detail by type. Other deliverables shall also be listed in line-item detail. All items shall be charged at the prices specified in Vendor's bid, attached as Exhibit B.
- B. Payments: Payments under this Contract shall be due on the 45th calendar day after the date of actual receipt of a proper invoice by the BOARD. The date of the warrant issued in payment will be considered the date payment is made. Interest shall not be paid on any payments issued after the due date.
- C. Tax Exempt: The BOARD is a tax-exempt political subdivision of the State of Ohio (Federal I.D. No. 34-6000817) and can provide necessary tax exemption forms upon CONTRACTOR's request.
- D. Economic Price Adjustment: In the event the condition described in Section III, Subsection E, Paragraph 3 of Exhibit A arises, the CONTRACTOR shall notify the BOARD no later than 30 days prior to the end of the current term. The parties shall confer and agree upon any adjustment prior to the commencement of the term when the pricing becomes applicable.

#### **V. General Terms and Conditions**

- A. Governing Law and Jurisdiction: This Contract shall be governed by, and shall be construed and enforced in accordance with, the laws of the State of Ohio. The Parties agree that the state and federal courts sitting in Ohio will have exclusive jurisdiction over any claim arising out of this Contract. Each Party consents to the exclusive jurisdiction of such courts and waives any right to object to such filing on venue, forum non-convenient, or similar grounds.

- B. Severability: If any provision of this Contract shall be unenforceable or invalid under an applicable law or be so held by an applicable court decision, the remaining provisions of the Contract shall remain in full force and effect. The unenforceable or invalid provision shall be changed and interpreted so as to best accomplish the objectives of such provision within the limits of applicable law or applicable court decision.
- C. Entire Agreement: This Contract and its Exhibits sets forth and constitutes the entire agreement and understanding of the Parties with respect to the subject matter hereof. This Contract supersedes any and all prior agreements, negotiations, correspondence, undertakings, promises, covenants, arrangements, communications, representations, and warranties, whether oral or written, of any Party to this Contract. Exhibit A and Exhibit B are incorporated as if fully rewritten herein whether or not physically attached to this Contract. The following order of precedence shall govern in any conflict that arises between this Contract and any materials incorporated by reference: (1) this Contract; (2) the RFB incorporated as Exhibit A; and (4) the Bid, incorporated as Exhibit B.
- D. Amendments: This Contract may be amended only in writing, approved by a majority of the BOARD Members of the BOARD, and executed by both Parties. No failure or delay by a party in exercising any right, power or remedy will operate as a waiver of that right, power or remedy, and no waiver will be effective unless it is in writing and signed by the waiving party. If a party waives any right, power or remedy, the waiver will not waive any successive or other right, power or remedy the party may have under the Contract. The payment of funds to the Contractor by the Prosecutor should in no way be interpreted as acceptance of the system or the waiver of performance requirements.
- E. Conflicts: The terms of this Contract shall control over any conflicting terms in any referenced agreement or document.
- F. Time: Time is of the essence as to all dates incorporated herein. A failure to perform by the dates and times specified herein, including any applicable cure periods, will be a material breach of the Contract.
- G. Strict Performance: The failure of the BOARD to insist upon strict performance of the terms, covenants, agreements and conditions contained in this Contract shall not constitute or be construed as a waiver or relinquishment of the BOARD's rights to thereafter enforce such term, covenants or condition, but the same shall continue in full force and effect.
- H. Assignment: CONTRACTOR shall not assign or subcontract any of its obligations or duties under this Contract without the prior consent of the BOARD.
- I. Independent Contractor: CONTRACTOR shall be and remain an independent contractor with respect to all services performed hereunder and agrees to and does hereby accept full and exclusive liability for payment of any and all contributions or taxes for social security, unemployment insurance, or old age retirement benefits, pensions, or annuities now or hereafter imposed under any local, state or federal law which are measured by the wages, salaries, or other remuneration paid to persons employed by the CONTRACTOR for work performed under the terms of the contract and further agrees to obey all lawful rules and regulations and to meet all lawful requirements which are now or hereafter may be issued or promulgated under said respective laws by and duly authorized state or federal officials.

- J. Limitation of Liability: There are no third party beneficiaries under this Contract, and in no event shall the BOARD be liable to CONTRACTOR or any third party for incidental or consequential damages of any kind, including, without limitation, punitive or economic damages or lost profits.
- K. Compliance with Laws: Each Party shall comply in all respects with all applicable legal requirements governing the duties, obligations, and business practices of that party and shall obtain any permits or licenses necessary for its operations. Neither Party shall take any action in violation of any applicable legal requirement that could result in liability being imposed on the other Party.
- L. Force Majeure: Neither Party shall be held responsible for any delay or failure in performance of any part of this Contract to the extent such delay or failure is caused by fire, flood, explosion, war, embargo, civil or military authority, act of God, or other similar causes beyond its control and without the fault or negligence of the delayed or non-performing party.
- M. Successors and Assigns: The Contractor shall not assign, transfer, convey or otherwise dispose of this Contract, or its right to execute it, or his right, title or interest in or to it or any part thereof, or assign, by power of attorney or otherwise, any of the monies due or to become due under this Contract without approval of the Board. This Contract shall be binding on and inure to the benefit of the Parties hereto and their respective heirs, legal or personal representatives, successors, and assigns.
- N. Notices. For any notice under the Contract to be effective, it must be made in writing and sent via email. The date of notice shall be the date such email is sent. The individuals who may send and receive notices on behalf of their respective Party are listed below and shall include their successors. The Parties shall provide updated contact information when necessary.

For the BOARD.

Anthony W. Perlatti, Director  
[aperlatti@cuyahogacounty.gov](mailto:aperlatti@cuyahogacounty.gov)  
Anthony N. Kaloger, Deputy Director  
[tkaloger@cuyahogacounty.gov](mailto:tkaloger@cuyahogacounty.gov)

For CONTRACTOR:

\_\_\_\_\_

- Q. Ownership. All products produced in response to the contract will be the sole property of the BOARD.
- R. Headings. The headings used in the contract are for convenience only and shall not affect the interpretation of any of the contract terms and conditions.

IN WITNESS WHEREOF, the BOARD and CONTRACTOR have each caused this Contract to be signed and delivered by its duly authorized representative.

**CONTRACTOR**

By: \_\_\_\_\_

Printed: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

**CUYAHOGA COUNTY  
BOARD OF ELECTIONS**

By: \_\_\_\_\_  
Anthony W. Perlatti, Director

Date: \_\_\_\_\_

The legal form and correctness of this Contract is hereby approved:

Office of the Prosecutor, Cuyahoga County, Ohio

By: \_\_\_\_\_  
Mark Musson, Assistant Prosecutor



b)

**Resolution No. R2023-6-8-14-B**

WHEREAS, the Cuyahoga County Fiscal Office (CCFO) requires the Cuyahoga County Board of Elections (CCBOE) to provide multiple documents to the CCFO to facilitate the procurement and subsequent accounts payable functions associated with CCBOE contracts for goods and services from vendors. The Resolution is necessary for the CCBOE to continue to provide for the usual operational services critical to election administration.

RESOLVED, that the Cuyahoga County Board of Elections hereby authorizes the Director, on behalf of the Board, to undertake all actions necessary to procure and subsequently pay the items identified as the extension of the Election Night Reporting contract for June 1, 2023 to May 31, 2024 in an amount not to exceed \$24,000 (Contract renewal Attached).

RESOLVED, this Resolution shall take effect and be in force immediately upon receiving the affirmative vote of a quorum of members of the CCBOE. All formal actions of this Board relating to the adoption of this Resolution were adopted in an open meeting of the Board, open to the public, and in compliance with all legal requirements of the Ohio Revised Code.

FURTHER RESOLVED, the Director and Chair are authorized to authenticate this resolution upon adoption through their signatures thereon, and the Director is instructed to transmit copies of this resolution to those individuals deemed necessary to effectuate the intent of its adoption.

Board Meeting Date: June 8, 2023

Agenda Item: Fiscal Services 14-B

Vendor: Tenex Software Solutions

Motion: (as presented on the agenda with any edits made during the meeting)

Motion made by: ----- CHAIRMAN CURTIS

Motion seconded by: ----- BOARD MEMBER DAVIS CHAPPELL

Vote of the Board Members:

Henry F Curtis, IV, Chairman	<input checked="" type="checkbox"/> Yay	<input type="checkbox"/> Nay
Inajo Davis Chappell, Member	<input checked="" type="checkbox"/> Yay	<input type="checkbox"/> Nay
Lisa M. Stickan, Member	<input checked="" type="checkbox"/> Yay	<input type="checkbox"/> Nay
Terence McCafferty, Member	<input checked="" type="checkbox"/> Yay	<input type="checkbox"/> Nay

Resolution adopted at the Cuyahoga County Board of Elections meeting on 8th,  
JUNE 2023

Signature of Chairman Henry F Curtis IV

Signature of Director [Signature]

# VOTE CUYAHOGA COUNTY BOARD OF ELECTIONS

Henry F Curtis, IV  
Chairman

Inajo Davis Chappell  
Member

Lisa M. Stickan  
Member

Terence M. McCafferty  
Member

Anthony W. Perlatti  
Director

Anthony N. Kaloger  
Deputy Director

May 31, 2023

Tenex Software Solutions, Inc.  
Ravi Kallem, President  
5402 W. Laurel Street, Suite 217  
Tampa, FL 33607

**RE: Exercising Second Option to Renew Live Results Election Night Reporting thru May 31, 2024  
– CM1709**

Dear Mr. Kallem,

The current contract between Cuyahoga County Board of Elections (“Board”) and Tenex Software Solutions (“Vendor”) for Live Election Night Results and Reporting for all Elections in Cuyahoga County, based on Bid #2021.06.09 (“Contract”) carried an “Initial Term” that expired on May 31, 2022. Pursuant to subdivision (B) of Article I, the Contract may be renewed for up to two annual renewal periods by mutual agreement between the Board of Elections and the Vendor. We are currently in our first renewal period, due to expire on May 31, 2023.

This letter serves to memorialize that the Board and the Vendor mutually agree to renew the Contract for the period beginning **June 1, 2023 through May 31, 2024** (“Renewal Period”, option 2 of 2) covering Live Election Night Results and Reporting for any elections occurring during the renewed term, including the August 8, 2023 Special Primary Election, the September 12, 2023 Primary Election, the November 7, 2023 General Election and the March 19, 2023 Primary Election. Accordingly, the Contract is extended for the first Renewal Period pursuant to the same terms and conditions as those set forth in the Contract.

Please signify Tenex Software Solutions’ agreement to execute the option to renew by signing in the place provided below and returning the signed notice to my attention at the Board of Elections. Also, Tenex Software Solutions must continue to maintain the insurance policies and limits required under the Contract and that the Board of Elections is included as an additional insured under the same.

Please do not hesitate to give me a call with any questions or concerns.

Sincerely,



Anthony W. Perlatti, Director  
Cuyahoga County Board of Elections

ACKNOWLEDGED AND AGREED:  
TENEX SOFTWARE SOLUTIONS

By: Ravi Kallem

Printed: Ravi Kallem

Title: President

# Agenda Item

#15

**Voucher Summary**

**Board Approval Date June 8, 2023**

**\$307,752.77**

	<b>Vendor</b>	<b>Department</b>	<b>Description</b>	<b>Amount</b>
1	PO23000016	Fiscal Services	15 tables and 23 mobile storage pedestals to be used in the EIP voting area the Board of Elections main building (Ancillary Table C).	\$27,754.97
2	PO210437	Fiscal Services	Annual Electronic Pollbooks maintenance and software license payment per contract May 2023 through April 2024.	\$181,250.00
3				
4				
5			<b>RESOLUTION AUTHORIZATION SUMMARY LIST BELOW</b>	
6	PO23002617	Fiscal Services	Angstrom Voter Information Guide	\$25,000.00
7	PO23002492	Fiscal Services	Clear Ballot 25 additional training days	\$42,000.00
8	PO23002676	Fiscal Services	Weekley VBM Application Packet Printing	\$31,747.80

a)

**Resolution No. R2023-6-8-15-A**

WHEREAS, the Cuyahoga County Fiscal Office (CCFO) requires the Cuyahoga County Board of Elections (CCBOE) to provide multiple documents to the CCFO to facilitate the procurement and subsequent accounts payable functions associated with CCBOE contracts for goods and services from vendors. The Resolution is necessary for the CCBOE to continue to provide for the usual operational services critical to election administration.

RESOLVED, that the Cuyahoga County Board of Elections hereby authorizes the Director, on behalf of the Board, to undertake all actions necessary to procure and subsequently pay the items identified as annual Electronic Pollbook maintenance and software license payment per the contract May 2023 to April 2024 in an amount not to exceed \$181,250.00 (Invoice Attached).

RESOLVED, this Resolution shall take effect and be in force immediately upon receiving the affirmative vote of a quorum of members of the CCBOE. All formal actions of this Board relating to the adoption of this Resolution were adopted in an open meeting of the Board, open to the public, and in compliance with all legal requirements of the Ohio Revised Code.

FURTHER RESOLVED, the Director and Chair are authorized to authenticate this resolution upon adoption through their signatures thereon, and the Director is instructed to transmit copies of this resolution to those individuals deemed necessary to effectuate the intent of its adoption.

Board Meeting Date: June 8, 2023

Agenda Item: Fiscal Services 15-A

Vendor: Tenex Software Solutions

Motion: (as presented on the agenda with any edits made during the meeting)

Motion made by: ----- BOARD CHAIRMAN CURTIS

Motion seconded by: ----- BOARD MEMBER DAVIS CHAPPELL

Vote of the Board Members:

Henry F Curtis, IV, Chairman	<input checked="" type="checkbox"/> Yay	<input type="checkbox"/> Nay
Inajo Davis Chappell, Member	<input checked="" type="checkbox"/> Yay	<input type="checkbox"/> Nay
Lisa M. Stickan, Member	<input checked="" type="checkbox"/> Yay	<input type="checkbox"/> Nay
Terence McCafferty, Member	<input checked="" type="checkbox"/> Yay	<input type="checkbox"/> Nay

Resolution adopted at the Cuyahoga County Board of Elections meeting on 8th  
JUNE 2023

Signature of Chairman Henry F Curtis IV

Signature of Director [Signature]



Tenex Software Solutions, Inc.  
5021 W Laurel Street  
Tampa, FL 33607 US  
+1 8136183639

# Invoice 1862

**BILL TO**  
OH Cuyahoga County  
Elections  
2925 Euclid Avenue  
Cleveland, OH 44115 USA

**SHIP TO**  
OH Cuyahoga County Elections  
2925 Euclid Avenue  
Cleveland, OH 44115 USA

<b>DATE</b> 03/06/2023	<b>PLEASE PAY</b> \$181,250.00	<b>DUE DATE</b> 04/05/2023
---------------------------	-----------------------------------	-------------------------------

DATE	DESCRIPTION	QTY	RATE	AMOUNT
	Precinct Central Support & Maintenance (12 mo) May 2023 - Apr 2024	1,450	125.00	181,250.00

**TOTAL DUE** **\$181,250.00**

THANK YOU.

b)

**Resolution No. R2023-6-8-15-B**

WHEREAS, the Cuyahoga County Fiscal Office (CCFO) requires the Cuyahoga County Board of Elections (CCBOE) to provide multiple documents to the CCFO to facilitate the procurement and subsequent accounts payable functions associated with CCBOE contracts for goods and services from vendors. The Resolution is necessary for the CCBOE to continue to provide for the usual operational services critical to election administration.

RESOLVED, that the Cuyahoga County Board of Elections hereby authorizes the Director, on behalf of the Board, to undertake all actions necessary to procure and subsequently pay the items identified as tables and storage for the first floor voting room, to accommodate the new election equipment as listed on the Table C Ancillary IT items previously approved for purchase on September 12, 2022, Board meeting in an amount not to exceed \$27,754.97 (Invoice Attached).

RESOLVED, this Resolution shall take effect and be in force immediately upon receiving the affirmative vote of a quorum of members of the CCBOE. All formal actions of this Board relating to the adoption of this Resolution were adopted in an open meeting of the Board, open to the public, and in compliance with all legal requirements of the Ohio Revised Code.

FURTHER RESOLVED, the Director and Chair are authorized to authenticate this resolution upon adoption through their signatures thereon, and the Director is instructed to transmit copies of this resolution to those individuals deemed necessary to effectuate the intent of its adoption.

Board Meeting Date: June 8, 2023

Agenda Item: Fiscal Services 15-B

Vendor: Ohio Desk

Motion: (as presented on the agenda with any edits made during the meeting)

Motion made by: ----- Chairman Curtis

Motion seconded by: ----- BOARD Member Davis Chappell

Vote of the Board Members:

Jeff Hastings, Chairman	<input checked="" type="checkbox"/> Yay	<input type="checkbox"/> Nay
Inajo Davis Chappell, Member	<input checked="" type="checkbox"/> Yay	<input type="checkbox"/> Nay
Lisa M. Stickan, Member	<input checked="" type="checkbox"/> Yay	<input type="checkbox"/> Nay
Terence McCafferty, Member	<input checked="" type="checkbox"/> Yay	<input type="checkbox"/> Nay

Resolution adopted at the Cuyahoga County Board of Elections meeting on JUNE 2023 8th

Signature of Chairman Henry F. Curtis

Signature of Director [Signature]



REMIT TO:  
Ohio Desk  
1122 Prospect Ave  
Cleveland, OH 44115-1229  
216-623-0600

# Invoice

Invoice	Invoice Date	Customer Order	Sales Order	Ship Date	Account Representative
451419	03/28/23	23000016 EXTB	222182	03/07/23	Don Shepka/Barb Maggio

**Sold To**

Lauren Hodges  
Cuyahoga County  
Office Of Procuremnt/diversity  
2079 East 9th Street  
Cleveland OH 44115-1302

**Ship To**

Shaunquitta Walker  
Cuyahoga County  
2925 Euclid Ave  
Board Of Elections  
Cleveland OH 44115-2415

Phone +1 (216) 443-6484  
lmhodes@cuyahogacounty.gov

Phone +1 (216) 443-6442  
smwalker@cuyahogacounty.gov

Due Date 04/07/23 Project 220964  
Terms NET 10 DAYS CUYAHO  
Quote 259132

Tax 34-6000817

Line	Quantity	Catalog Number / Description	Unit Price	Extended Amount
<b>Invoice Messages</b> This Invoice Will Be Sent Via Email				
BEG 1	1.00	area 1 TS4THR3072 STEELCAS TOP-TABLE, RECTANGLE, HIGH PRESSURE LAMINATE, 30D X 72W EDGE :6710 STORM NOCE TOP-SURF:2HSN STORM NOCE (HPL)	246.82	246.82
	Tag For	area 1 30/72		
2	1.00	TS4LSHPG STEELCAS LEG-STANDING HEIGHT ADJUSTABLE, POST, 27 3/8H TO 44H APPLICATION LEGS :7207 BLACK OPTIONS ** OPTIONS ** CAST OPT *OPT:OPTIONAL ON LEGS LEVELERS STD:LEVELERS	115.67	115.67
	Tag For	area 1 AHL		
3	1.00	TS4LSHPG4 STEELCAS LEG-STANDING HEIGHT ADJUSTABLE, PACKAGE QUANTITY 4, POST, 27 3/8H TO 44H APPLICATION LEGS :7207 BLACK	445.91	445.91

SUBJECT TO TERMS AND CONDITIONS.



REMIT TO:  
Ohio Desk  
1122 Prospect Ave  
Cleveland, OH 44115-1229  
216-623-0600

# Invoice

Invoice	Invoice Date	Customer Order	Sales Order	Ship Date	Account Representative
451419	03/28/23	23000016 EXTB	222182	03/07/23	Don Shepka/Barb Maggio

Line	Quantity	Catalog Number / Description	Unit Price	Extended Amount
4	1.00	OPTIONS ** OPTIONS ** CAST OPT *OPT:OPTIONAL ON LEGS LEVELERS STD:LEVELERS Tag For area 1 AHL TS2PBBF22M STEELCAS PEDESTAL-MOBILE, BOX / BOX / FILE, 22D BASIC :7207 BLACK KEYS :SK PLUG OPTIONS ** OPTIONS ** PULLS *OPT:PULL OPTIONS HDL PULL HANDLE PULL PULL PULL PLTMETAL *PULL:PLATED METAL 9211 NICKEL Tag For area 5	293.43	293.43
			Subsection Sub Total	1,101.83
			Ohio Non Taxable	0.00
			Subsection Total	1,101.83
END	Subsection	area 1		
BEG	Subsection	area 2		
5	2.00	TS4THR3072 STEELCAS TOP-TABLE, RECTANGLE, HIGH PRESSURE LAMINATE, 30D X 72W EDGE :6710 STORM NOCE TOP-SURF:2HSN STORM NOCE (HPL) Tag For area 2 30/72	246.82	493.64
6	2.00	TS4LSHPG STEELCAS LEG-STANDING HEIGHT ADJUSTABLE, POST, 27 3/8H TO 44H APPLICATION LEGS :7207 BLACK OPTIONS ** OPTIONS ** CAST OPT *OPT:OPTIONAL ON LEGS LEVELERS STD:LEVELERS Tag For area 2 AHL	115.67	231.34
7	2.00	TS4LSHPG4 STEELCAS LEG-STANDING HEIGHT ADJUSTABLE, PACKAGE QUANTITY 4, POST,	445.91	891.82

SUBJECT TO TERMS AND CONDITIONS.



REMIT TO:  
Ohio Desk  
1122 Prospect Ave  
Cleveland, OH 44115-1229  
216-623-0600

# Invoice

Invoice	Invoice Date	Customer Order	Sales Order	Ship Date	Account Representative
451419	03/28/23	23000016 EXTB	222182	03/07/23	Don Shepka/Barb Maggio

Line	Quantity	Catalog Number / Description	Unit Price	Extended Amount
8	2.00	27 3/8H TO 44H APPLICATION LEGS :7207 BLACK OPTIONS ** OPTIONS ** CAST OPT *OPT:OPTIONAL ON LEGS LEVELERS STD:LEVELERS Tag For area 2 AHL TS2PBBF22M STEELCAS	293.43	586.86
		PEDESTAL-MOBILE, BOX / BOX / FILE, 22D BASIC :7207 BLACK KEYS :SK PLUG OPTIONS ** OPTIONS ** PULLS *OPT:PULL OPTIONS HDL PULL HANDLE PULL PULL PULL PLTMETAL *PULL:PLATED METAL 9211 NICKEL Tag For area 5		
			Subsection Sub Total	2,203.66
			Ohio Non Taxable	0.00
			Subsection Total	2,203.66
END	Subsection	area 2		
BEG	Subsection	area 3		
9	1.00	TS4THR3072 STEELCAS TOP-TABLE, RECTANGLE, HIGH PRESSURE LAMINATE, 30D X 72W EDGE :6710 STORM NOCE TOP-SURF:2HSN STORM NOCE (HPL) Tag For area 3 30/72	246.82	246.82
10	1.00	TS4LSHPG STEELCAS LEG-STANDING HEIGHT ADJUSTABLE, POST, 27 3/8H TO 44H APPLICATION LEGS :7207 BLACK OPTIONS ** OPTIONS ** CAST OPT *OPT:OPTIONAL ON LEGS LEVELERS STD:LEVELERS Tag For area 3 AHL	115.67	115.67
11	1.00	TS4LSHPG4 STEELCAS	445.91	445.91

SUBJECT TO TERMS AND CONDITIONS.



REMIT TO:  
Ohio Desk  
1122 Prospect Ave  
Cleveland, OH 44115-1229  
216-623-0600

# Invoice

Invoice	Invoice Date	Customer Order	Sales Order	Ship Date	Account Representative
451419	03/28/23	23000016 EXTB	222182	03/07/23	Don Shepka/Barb Maggio

Line	Quantity	Catalog Number / Description	Unit Price	Extended Amount
12	1.00	LEG-STANDING HEIGHT ADJUSTABLE, PACKAGE QUANTITY 4, POST, 27 3/8H TO 44H APPLICATION LEGS :7207 BLACK OPTIONS ** OPTIONS ** CAST OPT *OPT:OPTIONAL ON LEGS LEVELERS STD:LEVELERS Tag For area 3 AHL TS2PBBF22M STEELCAS	293.43	293.43
		PEDESTAL-MOBILE, BOX / BOX / FILE, 22D BASIC :7207 BLACK KEYS :SK PLUG OPTIONS ** OPTIONS ** PULLS *OPT:PULL OPTIONS HDL PULL HANDLE PULL PULL PULL PLTMETAL *PULL:PLATED METAL 9211 NICKEL Tag For area 5		
			Subsection Sub Total	1,101.83
			Ohio Non Taxable	0.00
			Subsection Total	1,101.83
END	Subsection	area 3		
BEG	Subsection	AREA 4.		
13	3.00	TS4THR3072 STEELCAS TOP-TABLE, RECTANGLE, HIGH PRESSURE LAMINATE, 30D X 72W EDGE :6710 STORM NOCE TOP-SURF:2HSN STORM NOCE (HPL) Tag For area 4 30/72	246.82	740.46
14	3.00	TS4LSHPG STEELCAS LEG-STANDING HEIGHT ADJUSTABLE, POST, 27 3/8H TO 44H APPLICATION LEGS :7207 BLACK OPTIONS ** OPTIONS ** CAST OPT *OPT:OPTIONAL ON LEGS LEVELERS STD:LEVELERS Tag For area 4 AHL	115.67	347.01

SUBJECT TO TERMS AND CONDITIONS.





REMIT TO:  
Ohio Desk  
1122 Prospect Ave  
Cleveland, OH 44115-1229  
216-623-0600

# Invoice

Invoice	Invoice Date	Customer Order	Sales Order	Ship Date	Account Representative
451419	03/28/23	23000016 EXTB	222182	03/07/23	Don Shepka/Barb Maggio

Line	Quantity	Catalog Number / Description	Unit Price	Extended Amount
15	3.00	TS4LSHPG4 STEELCAS LEG-STANDING HEIGHT ADJUSTABLE, PACKAGE QUANTITY 4, POST, 27 3/8H TO 44H APPLICATION LEGS :7207 BLACK OPTIONS ** OPTIONS ** CAST OPT *OPT:OPTIONAL ON LEGS LEVELERS STD:LEVELERS Tag For area 4 AHL	445.91	1,337.73
16	3.00	TS2PBBF22M STEELCAS PEDESTAL-MOBILE, BOX / BOX / FILE, 22D BASIC :7207 BLACK KEYS :SK PLUG OPTIONS ** OPTIONS ** PULLS *OPT:PULL OPTIONS HDL PULL HANDLE PULL PULL PULL PLTMETAL *PULL:PLATED METAL 9211 NICKEL Tag For area 5	293.43	880.29
			Subsection Sub Total	3,305.49
			Ohio Non Taxable	0.00
			Subsection Total	3,305.49
END	Subsection	AREA 4.		
BEG	Subsection	AREA 5.		
17	1.00	TS4THR3072 STEELCAS TOP-TABLE, RECTANGLE, HIGH PRESSURE LAMINATE, 30D X 72W EDGE :6710 STORM NOCE TOP-SURF:2HSN STORM NOCE (HPL) Groupwork Table Top. , SPECIAL , *size, 30"D x (96"W) , Reference Documents: , 00149544 , 00186327 , 00180325 , 00186480 Tag For area 5 30/72	316.48	316.48
18	2.00	TS4LSHPG STEELCAS LEG-STANDING HEIGHT ADJUSTABLE, POST, 27 3/8H TO 44H APPLICATION LEGS :7207 BLACK	115.67	231.34

SUBJECT TO TERMS AND CONDITIONS.





REMIT TO:  
Ohio Desk  
1122 Prospect Ave  
Cleveland, OH 44115-1229  
216-623-0600

# Invoice

Invoice	Invoice Date	Customer Order	Sales Order	Ship Date	Account Representative
451419	03/28/23	23000016 EXTB	222182	03/07/23	Don Shepka/Barb Maggio

Line	Quantity	Catalog Number / Description	Unit Price	Extended Amount
19	1.00	OPTIONS ** OPTIONS ** CAST OPT *OPT:OPTIONAL ON LEGS LEVELERS STD:LEVELERS Tag For area 5 AHL TS4LSHPG4 STEELCAS LEG-STANDING HEIGHT ADJUSTABLE, PACKAGE QUANTITY 4, POST, 27 3/8H TO 44H APPLICATION LEGS :7207 BLACK OPTIONS ** OPTIONS ** CAST OPT *OPT:OPTIONAL ON LEGS LEVELERS STD:LEVELERS Tag For area 5 AHL	445.91	445.91
20	2.00	TS2PBBF22M STEELCAS PEDESTAL-MOBILE, BOX / BOX / FILE, 22D BASIC :7207 BLACK KEYS :SK PLUG OPTIONS ** OPTIONS ** PULLS *OPT:PULL OPTIONS HDL PULL HANDLE PULL PULL PULL PLTMETAL *PULL:PLATED METAL 9211 NICKEL Tag For area 5	293.43	586.86
			Subsection Sub Total	1,580.59
			Ohio Non Taxable	0.00
			Subsection Total	1,580.59
END	Subsection	AREA 5.		
BEG	Subsection	AREA 6.		
21	4.00	TS4THR3072 STEELCAS TOP-TABLE, RECTANGLE, HIGH PRESSURE LAMINATE, 30D X 72W EDGE :6710 STORM NOCE TOP-SURF:2HSN STORM NOCE (HPL) Groupwork Table Top. , SPECIAL , *size, 30"D x (96"W) , Reference Documents: , 00149544 , 00186327 , 00180325 , 00186480 Tag For area 6 30/72	316.48	1,265.92

SUBJECT TO TERMS AND CONDITIONS.



REMIT TO:  
Ohio Desk  
1122 Prospect Ave  
Cleveland, OH 44115-1229  
216-623-0600

# Invoice

Invoice	Invoice Date	Customer Order	Sales Order	Ship Date	Account Representative
451419	03/28/23	23000016 EXTB	222182	03/07/23	Don Shepka/Barb Maggio

Line	Quantity	Catalog Number / Description	Unit Price	Extended Amount
22	6.00	TS4LSHPG4 STEELCAS LEG-STANDING HEIGHT ADJUSTABLE, PACKAGE QUANTITY 4, POST, 27 3/8H TO 44H APPLICATION LEGS :7207 BLACK OPTIONS ** OPTIONS ** CAST OPT *OPT:OPTIONAL ON LEGS LEVELERS STD:LEVELERS Tag For area 6 AHL	445.91	2,675.46
23	8.00	TS2PBBF22M STEELCAS PEDESTAL-MOBILE, BOX / BOX / FILE, 22D BASIC :7207 BLACK KEYS :SK PLUG OPTIONS ** OPTIONS ** PULLS *OPT:PULL OPTIONS HDL PULL HANDLE PULL PULL PULL PLTMETAL *PULL:PLATED METAL 9211 NICKEL Tag For area 6	293.43	2,347.44
			Subsection Sub Total	6,288.82
			Ohio Non Taxable	0.00
			Subsection Total	6,288.82
END	Subsection	AREA 6.		
BEG	Subsection	AREA 7.		
24	3.00	TS4THR3072 STEELCAS TOP-TABLE, RECTANGLE, HIGH PRESSURE LAMINATE, 30D X 72W EDGE :6710 STORM NOCE TOP-SURF:2HSN STORM NOCE (HPL) Groupwork Table Top. , SPECIAL , *size, 30"D x (96"W) , Reference Documents: , 00149544 , 00186327 , 00180325 , 00186480 Tag For area 7 30/72	316.48	949.44
25	2.00	TS4LSHPG STEELCAS LEG-STANDING HEIGHT ADJUSTABLE, POST, 27 3/8H TO 44H APPLICATION LEGS :7207 BLACK	115.67	231.34

SUBJECT TO TERMS AND CONDITIONS.



REMIT TO:  
Ohio Desk  
1122 Prospect Ave  
Cleveland, OH 44115-1229  
216-623-0600

# Invoice

Invoice	Invoice Date	Customer Order	Sales Order	Ship Date	Account Representative
451419	03/28/23	23000016 EXTB	222182	03/07/23	Don Shepka/Barb Maggio

Line	Quantity	Catalog Number / Description	Unit Price	Extended Amount
26	4.00	OPTIONS ** OPTIONS ** CAST OPT *OPT:OPTIONAL ON LEGS LEVELERS STD:LEVELERS Tag For area 7 AHL TS4LSHPG4 STEELCAS LEG-STANDING HEIGHT ADJUSTABLE, PACKAGE QUANTITY 4, POST, 27 3/8H TO 44H APPLICATION LEGS :7207 BLACK OPTIONS ** OPTIONS ** CAST OPT *OPT:OPTIONAL ON LEGS LEVELERS STD:LEVELERS Tag For area 7 AHL	445.91	1,783.64
27	6.00	TS2PBBF22M STEELCAS PEDESTAL-MOBILE, BOX / BOX / FILE, 22D BASIC :7207 BLACK KEYS :SK PLUG OPTIONS ** OPTIONS ** PULLS *OPT:PULL OPTIONS HDL PULL HANDLE PULL PULL PULL PLTMETAL *PULL:PLATED METAL 9211 NICKEL Tag For area 6	293.43	1,760.58
			Subsection Sub Total	4,725.00
			Ohio Non Taxable	0.00
			Subsection Total	4,725.00
END	Subsection	AREA 7.		
28	7.00	DEAN 5 PORT BYRNE Custome Dean edge mount 5 port Power: 5 Standard Outlets Cord Color: Black Cord Cord: 108" Standard Cord, straight circuit breaker plug Mount: Edge Mount (A) Color: Black Plastic	198.40	1,388.80
29	16.00	DEAN 3 PORT BYRNE Custom Dean 3 port	124.24	1,987.84

SUBJECT TO TERMS AND CONDITIONS.



REMIT TO:  
 Ohio Desk  
 1122 Prospect Ave  
 Cleveland, OH 44115-1229  
 216-623-0600

# Invoice

Invoice	Invoice Date	Customer Order	Sales Order	Ship Date	Account Representative
451419	03/28/23	23000016 EXTB	222182	03/07/23	Don Shepka/Barb Maggio

Line	Quantity	Catalog Number / Description	Unit Price	Extended Amount
30	1.00	Power: 3 Standard Outlets Cord Color: Black Cord Cord: 108" Standard Cord, Straight Plug Mount: Edge Mount (A) Color: Black plastic  BYRNE Byrne Freight.	298.91	298.91
31	8.00	NAC03WM KIMBALL ACCESSORIES,WIRE MANAGER,PACK OF 5	20.64	165.12
32	3.00	TSAEGROM STEELCAS GROMMET, PACKAGE QUANTITY 10	29.64	88.92
33	19.00	FIELD CUT WKSF SPEC OHIO DESK ROUND GROMMETS-SEE DRAWING	18.00	342.00
34	9.00	DESIGN DESIGN Design Services To Be Rendered. Per State of Ohio Contract.	55.00	495.00
35	1.00	INSTALL Delivery/Installation * Normal Business Hours (7:00 AM - 3:30 PM, Monday - Friday, except holidays) ** Labor to be provided to Receive, Assemble, Deliver & Place Tables.	2,681.16	2,681.16

**Invoice Totals**

<b>Sub Total</b>	<b>27,754.97</b>
<b>Ohio Non Taxable</b>	<b>0.00</b>
<b>Please Pay This Amount</b>	<b>27,754.97</b>

SUBJECT TO TERMS AND CONDITIONS.

c)

**Resolution No. R2023-6-8-15-C**

WHEREAS, the Cuyahoga County Fiscal Office (CCFO) requires the Cuyahoga County Board of Elections (CCBOE) to provide multiple documents to the CCFO to facilitate the procurement and subsequent accounts payable functions associated with CCBOE contracts for goods and services from vendors. The Resolution is necessary for the CCBOE to continue to provide for the usual operational services critical to election administration.

RESOLVED, that the Cuyahoga County Board of Elections hereby authorizes the Director, on behalf of the Board, to undertake all actions necessary to procure and subsequently pay the items identified as the printing and mailing of the Voter Information Guides for all registers households in the August, 2023 General Election in an amount not to exceed \$25,000 (PO Attached).

RESOLVED, this Resolution shall take effect and be in force immediately upon receiving the affirmative vote of a quorum of members of the CCBOE. All formal actions of this Board relating to the adoption of this Resolution were adopted in an open meeting of the Board, open to the public, and in compliance with all legal requirements of the Ohio Revised Code.

FURTHER RESOLVED, the Director and Chair are authorized to authenticate this resolution upon adoption through their signatures thereon, and the Director is instructed to transmit copies of this resolution to those individuals deemed necessary to effectuate the intent of its adoption.

Board Meeting Date: June 8, 2023

Agenda Item: Fiscal Services 15-C

Vendor: Angstrom Graphics

Motion: (as presented on the agenda with any edits made during the meeting)

Motion made by: ----- CHAIRMAN CURTIS

Motion seconded by: ----- BOARD MEMBER DAVIS Chappell

Vote of the Board Members:

Henry F Curtis, IV, Member	<input checked="" type="checkbox"/> Yay	<input type="checkbox"/> Nay
Inajo Davis Chappell, Member	<input checked="" type="checkbox"/> Yay	<input type="checkbox"/> Nay
Lisa M. Stickan, Member	<input checked="" type="checkbox"/> Yay	<input type="checkbox"/> Nay
Terence McCafferty, Member	<input checked="" type="checkbox"/> Yay	<input type="checkbox"/> Nay

Resolution adopted at the Cuyahoga County Board of Elections meeting on 8th  
JUNE 2023

Signature of Chairman Henry F Curtis, IV

Signature of Director Christina Pe...



**DEPARTMENT APPROVAL**  
 CUYAHOGA COUNTY BOARD OF ELECTIONS

**Vendor Name:** Angstrom Graphics

**Vendor Number:** 35618

**PO Number:** 23002617 EXTB

<b>BILL TO:</b> Board of Elections 2925 Euclid Avenue Cleveland, OH 44115
<b>DELIVER TO:</b> Board of Elections 2925 Euclid Avenue Cleveland, OH 44115

**Requested By:**

**Date:**

Item	Quantity	UOM	Description	Unit Price	Total Price
1	1	LO	Printing & Mailing of Voter Information Guides for August 2023 Special Election	\$24,997.00	\$ 24,997.00
<b>PO TOTAL:</b>					<b>\$ 24,997.00</b>

**Justification for not receiving three quotes:**

N/A - Vendor was awarded job as winning bidder of informal RFB.

<b>Accounting Unit:</b>	BE100120
<b>Account:</b>	54450
<b>Sub-Account:</b>	0
<b>Type:</b>	S
<b>Asset:</b>	No

  
 Authorized Department Signature



# CUYAHOGA COUNTY BOARD OF ELECTIONS

**Henry F Curtis, IV**  
*Chairman*

**Inajo Davis Chappell**  
*Member*

**Lisa M. Stickan**  
*Member*

**Terence M. McCafferty**  
*Member*

**Anthony W. Perlatti**  
*Director*

**Anthony N. Kaloger**  
*Deputy Director*

May 30, 2023

To Whom It May Concern,

Under Chapter 3501 and 3505 of the Ohio Revised Code, the Cuyahoga County Board of Elections (CCBOE) has independent contracting authority to purchase the equipment and supplies necessary to perform its operations.

In accordance with that statutory authority, the CCBOE adopted the attached Procurement Policy on April 7, 2020. Under Article V. of the Policy, the Board of Elections delegated its contracting authority to the Director for transactions that do not exceed \$25,000. The CCBOE further delegated contracting authority to its Manager of Fiscal Services to execute purchases that are less than \$1,000 under Article VII(F).

Accordingly, the Cuyahoga County Board of Elections approves receiving reports on individual purchases that do not exceed \$25,000 at its regularly scheduled meetings after the transaction is executed. This approval is consistent with the Board of Elections' policies and requires no additional approval from the contracting authority to execute the transaction.

The following purchase is approved for the purposes of conducting countywide elections in a timely fashion.

PO #		Account Unit	Account	Sub	Activity	Vendor Name	Vendor #	Amount	Description
23002617	EXTB	BE100120	54450	0		Angstrom Graphics	35618	\$24,997.00	Printing & Mailing of Voter Information Guides for Aug 2023 Special Election

Sincerely,

Anthony W. Perlatti, Director



d)

**Resolution No. R2023-6-8-15-D**

WHEREAS, the Cuyahoga County Fiscal Office (CCFO) requires the Cuyahoga County Board of Elections (CCBOE) to provide multiple documents to the CCFO to facilitate the procurement and subsequent accounts payable functions associated with CCBOE contracts for goods and services from vendors. The Resolution is necessary for the CCBOE to continue to provide for the usual operational services critical to election administration.

RESOLVED, that the Cuyahoga County Board of Elections hereby authorizes the Director, on behalf of the Board, to undertake all actions necessary to procure and subsequently pay the items identified as the print, assemble and mail purchase order for the VBM Application packet in an amount not to exceed \$31,747.80 (PO Attached).

RESOLVED, this Resolution shall take effect and be in force immediately upon receiving the affirmative vote of a quorum of members of the CCBOE. All formal actions of this Board relating to the adoption of this Resolution were adopted in an open meeting of the Board, open to the public, and in compliance with all legal requirements of the Ohio Revised Code.

FURTHER RESOLVED, the Director and Chair are authorized to authenticate this resolution upon adoption through their signatures thereon, and the Director is instructed to transmit copies of this resolution to those individuals deemed necessary to effectuate the intent of its adoption.

Board Meeting Date: June 8, 2023

Agenda Item: Fiscal Services 15-D

Vendor: Weekley's Mailing Services

Motion: (as presented on the agenda with any edits made during the meeting)

Motion made by: ----- CHAIRMAN CURTIS

Motion seconded by: ----- BOARD MEMBER DAVIS CHAPPELL

Vote of the Board Members:

Henry F Curtis, IV, Chairman	<input checked="" type="checkbox"/> Yay	<input type="checkbox"/> Nay
Inajo Davis Chappell, Member	<input checked="" type="checkbox"/> Yay	<input type="checkbox"/> Nay
Lisa M. Stickan, Member	<input checked="" type="checkbox"/> Yay	<input type="checkbox"/> Nay
Terence McCafferty, Member	<input checked="" type="checkbox"/> Yay	<input type="checkbox"/> Nay

Resolution adopted at the Cuyahoga County Board of Elections meeting on 8th  
JUNE 2023

Signature of Chairman Henry F Curtis IV

Signature of Director [Signature]

**DEPARTMENT APPROVAL**  
**CUYAHOGA COUNTY BOARD OF ELECTIONS**

**Vendor Name:** Weekley's Mailing Services

**Vendor Number:** 5048

**PO Number:** 23002676 EXT B

**Requested By:** Jessica King, Ballot Department

**Date:** 6/1/23

<p align="center"><b>BILL TO:</b></p> Board of Elections 2925 Euclid Avenue Cleveland, OH 44115
<p align="center"><b>DELIVER TO:</b></p> USPS BMEU 2400 Orange Avenue Cleveland, OH 44101

Item	Quantity	UOM	Description	Unit Price	Total Price
1	1	LO	Print, Assemble, and Mail 180,000 VBM Application Packets for June, July, and August 2023	\$ 31,747.80	\$ 31,747.80
<b>PO TOTAL:</b>					\$ 31,747.80

<b>Accounting Unit:</b>	BE100115
<b>Account:</b>	54450
<b>Sub-Account:</b>	0
<b>Type:</b>	Service
<b>Asset:</b>	N/A

  
 Authorized Department Signature

e)

**Resolution No. R2023-6-8-15-E**

WHEREAS, the Cuyahoga County Fiscal Office (CCFO) requires the Cuyahoga County Board of Elections (CCBOE) to provide multiple documents to the CCFO to facilitate the procurement and subsequent accounts payable functions associated with CCBOE contracts for goods and services from vendors. The Resolution is necessary for the CCBOE to continue to provide for the usual operational services critical to election administration.

RESOLVED, that the Cuyahoga County Board of Elections hereby authorizes the Director, on behalf of the Board, to undertake all actions necessary to procure and subsequently pay the items identified additional purchase of 25 Clear Ballot service days for the new equipment in an amount not to exceed \$42,000 (PO Attached).

RESOLVED, this Resolution shall take effect and be in force immediately upon receiving the affirmative vote of a quorum of members of the CCBOE. All formal actions of this Board relating to the adoption of this Resolution were adopted in an open meeting of the Board, open to the public, and in compliance with all legal requirements of the Ohio Revised Code.

FURTHER RESOLVED, the Director and Chair are authorized to authenticate this resolution upon adoption through their signatures thereon, and the Director is instructed to transmit copies of this resolution to those individuals deemed necessary to effectuate the intent of its adoption.

Board Meeting Date: June 8, 2023

Agenda Item: Fiscal Services 15-E

Vendor: Clear Ballot Group, Inc.

Motion: (as presented on the agenda with any edits made during the meeting)

Motion made by: ----- *CHAIRMAN CURTIS*

Motion seconded by: ----- *BOARD MEMBER DAVIS CHAPPELL*

Vote of the Board Members:

Henry F Curtis, IV, Member	<input checked="" type="checkbox"/> Yay	<input type="checkbox"/> Nay
Inajo Davis Chappell, Member	<input checked="" type="checkbox"/> Yay	<input type="checkbox"/> Nay
Lisa M. Stickan, Member	<input checked="" type="checkbox"/> Yay	<input type="checkbox"/> Nay
Terence McCafferty, Member	<input checked="" type="checkbox"/> Yay	<input type="checkbox"/> Nay

Resolution adopted at the Cuyahoga County Board of Elections meeting on *8th*  
*JUNE* 2023

Signature of Chairman *Henry F Curtis, IV*

Signature of Director *[Signature]*



# DEPARTMENT APPROVAL

## CUYAHOGA COUNTY BOARD OF ELECTIONS

FEDERAL ID # 34-6000817

STATE OF OHIO # 29

**Vendor Name:** Clear Ballot Group Inc.

**Vendor Number:** 39455

**PO Number:** 23002492 EXT B

**Requested By:** Peter James, Election Compliance

**Date:** 5/18/23

<b>BILL TO:</b>
Board of Elections 2925 Euclid Avenue Cleveland, OH 44115
<b>DELIVER TO:</b>
Board of Elections 3951 Perkins Avenue Cleveland, OH 44114

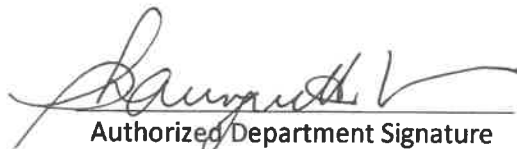
Item	Quantity	UOM	Description	Unit Price	Total Price
1	1	LO	25 Days of Onsite Election Support from Clear Ballot Representatives	\$ 42,500.00	\$ 42,500.00

**PO TOTAL:** \$ 42,500.00

Justification for not receiving three quotes:

See attached Procurement Exemption Form

<b>Accounting Unit:</b>	BE100125
<b>Account:</b>	52700
<b>Sub-Account:</b>	0
<b>Type:</b>	Service
<b>Asset:</b>	N/A

  
 Authorized Department Signature



Clear Ballot Group, Inc.  
Tax ID: 27-0798408  
Tel: +1 857-250-4961  
info@clearballot.com  
<https://clearballot.com/>

Cuyahoga County, OH  
2925 Euclid Ave  
Cleveland OH 44115  
United States

## Invoice CBG32308

Invoice Date:  
05/17/2023

Due Date:  
06/16/2023

Source:  
S03423

DESCRIPTION	QUANTITY	UNIT PRICE	TAXES	AMOUNT
<b>Non State-funded items</b>				
Election Support	25.000 Units	1,700.00		\$ 42,500.00
<i>Additional election support credits per request of Peter James to support November 2023 General Election and/or other future elections</i>				
				Subtotal \$ 42,500.00
<b>Subtotal</b>				<b>\$ 42,500.00</b>
<b>Total</b>				<b>\$ 42,500.00</b>

Please use the following communication for your payment : **CBG32308**

Payment terms: 30 Days