

VOTE CUYAHOGA COUNTY BOARD OF ELECTIONS

Board Meeting
11/6/2023

Attending:

Henry F Curtis, IV, Chairman
Inajo Davis Chappell, Board Member
Lisa M. Stickan, Board Member
Terence M. McCafferty, Board Member
Anthony Perlatti, Director
Tony Kaloger, Deputy Director

Mary Bejjani, Clerk to the Board
Skip White, Clerk to the Board

The Cuyahoga County Board of Elections Meeting began at 9:30 a.m. Hereinafter referred to as the CCBOE/Board.

Chairman Curtis noted that all Board Members were in attendance.

Agenda Item 1: Approval of the minutes from the October 18, 2023, board meeting

Chairman Curtis moved to approve the minutes from the October 18, 2023, board meeting. Board Member Davis Chappell seconded. Chairman Curtis noted unreadiness related to page three, correcting the word from “hearing” to “discussion.” The sentence will be corrected to state, “A transcript of the discussion can be obtained...” Chairman Curtis noted an edit also be made from “Perlattis” to “Perlatti.” The motion passed unanimously.

Agenda Item 2: Final approval of the ballot order for the December 5, 2023, East Cleveland Recall Election

Chairman Curtis moved to approve the final ballot order for the December 5, 2023, East Cleveland Recall Election. Board Member Davis Chappell seconded. The motion passed unanimously.

Agenda Item 3: Acknowledgment of the Ballot Proofs for the December 5, 2023, East Cleveland Recall Election in accordance with the Ballot Proofing Policy approved by the Board at the March 12, 2021, Board Meeting.

Chairman Curtis moved to acknowledge the Ballot Proofs for the December 5, 2023, East Cleveland Recall Election in accordance with the Ballot Proofing Policy approved by the Board at the March 12, 2021, Board Meeting. Board Member Davis Chappell seconded. The motion passed unanimously.

Agenda Item 4: Acknowledgment of candidates withdrawn from the November 7, 2023, General Election and the March 19, 2024, Primary Election

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

Chairman Curtis moved to acknowledge the candidates withdrawn from the November 7, 2023, General Election and the March 19, 2024, Primary Election, as set forth in the board materials. Board Member Davis Chappell seconded. The motion passed unanimously.

Agenda Item 5: Authorization to pay: 5 Voting Location Managers x \$275 = \$1,375; 5 Voting Location Deputies x \$275 = \$1,375; 53 Precinct Election Officials x \$250 = \$13,250 for the December 5, 2023, East Cleveland Recall Election

Chairman Curtis moved to authorize to pay: 5 Voting Location Managers x \$275 = \$1,375; 5 Voting Location Deputies x \$275 = \$1,375; 53 Precinct Election Officials x \$250 = \$13,250 for the December 5, 2023, East Cleveland Recall Election. Board Member Davis Chappell seconded. The motion passed unanimously.

Agenda Item 6: Authorization to process payment in the amount not-to-exceed \$500.00 for one (1) private voting location being used for the December 5, 2023, East Cleveland Recall Election

Chairman Curtis moved to authorize to process a payment not-to-exceed \$500.00 for one (1) private voting location being used for the December 5, 2023, East Cleveland Recall Election. Board Member Davis Chappell seconded. The motion passed unanimously.

Agenda Item 7: Final authorization for the allocation of voting booths for the December 5, 2023, East Cleveland Recall Election. Allocation quantities are based on one voting booth for every 175 registered voters per polling location. A total of 54 voting booths will be allocated + 10 ClearCast Go scanners + 5 ADA ClearAccess voting units and 10 Electronic Poll Books

Chairman Curtis moved to authorize the final allocation of voting booths for the December 5, 2023, East Cleveland Recall Election. Allocation quantities are based on one voting booth for every 175 registered voters per polling location. A total of 54 voting booths will be allocated + 10 ClearCast Go scanners + 5 ADA ClearAccess voting units, and 10 Electronic Poll Books. Board Member Davis Chappell seconded. The motion passed unanimously.

Agenda Item 8: Approval of the voucher and resolution for FIS-V-A) TEC Communications, Inc., B) R-Cap Security LLC

Chairman Curtis moved to approve the voucher and resolution for FIS-V-A) TEC Communications, Inc. Board Member Davis Chappell seconded. The motion passed unanimously. Chairman Curtis moved to approve the voucher and resolution for FIS-V-B) R-Cap Security LLC. 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.

NEW BUSINESS

November 7, 2023, General Election Update

Deputy Director Kaloger stated that early in-person (EIP) voting ends on Sunday, November 5, 2023. Staff processed over 4,300 EIP voters over the weekend, and the overall turnout was 21,645, nearly identical to the number of voters in August 2023. Voting EIP is increasing in popularity. Deputy Director Kaloger said the EIP voter line did go out, around the building and half-way down the East 30th Street block, and voters waited in line for about one hour. He stressed that parking continues to be challenging, with voters predominantly parking at Campus International and walking across the street. The Ballot Department processed over 96,000 Vote by Mail ballot applications, and 75,000 applications have been returned, a 78% return rate. In the August 2023 Election, the overall turnout was 39%, and the November 7, 2023 General Election is expected to have an overall turnout of 40-45%. Board Member Davis Chappell said the EIP turnout statewide is up 12% and asked what the CCBOE turnout was? Deputy Director Kaloger stated the CCBOE is slightly below the EIP turnout for August. Director Perlatti noted the difference is only about 200 votes and attributed it to losing one day of voting due to Columbus Day and several days of inclement weather. Board Member Davis Chappell stated the feedback she received was the EIP operation runs smoothly. Chairman Curtis said he also received many positive comments about EIP voting and thanked the staff. Board Member Davis Chappell commented on the helpful signage outside, around the vicinity of the building. Deputy Director Kaloger stated the CCBOE phone system is regularly updated with essential messages and prompts voters to access additional personalized information. He said the electronic poll books (EPBs) were updated on Sunday, November 5, 2023, with EIP voter data and the EPBs will be delivered to the voting locations on Monday, November 6, 2023. The Elections Officials Department has hired over 4,200 election officials. The average number of election officials will be 3.9 per precinct, which is close to the maximum number of four, and the Board approved two election officials per precinct. There are also adequate stand-by workers in place. The Election Support Department dispatched chasers to each location to install the ballot scanner paper rolls into the equipment, which should prevent jamming issues when printing reports. The CCBOE will evaluate other options for installing the paper rolls at the location for the March 2024 election. Deputy Director Kaloger stated the Monday Night Organizational Meeting for poll workers will take place on November 6, 2023, to set up the polling locations. He summarized that EIP voting ended on November 5, 2023, so voters will need to go to their neighborhood polling location to vote on Election Day. If the voter needs to determine where to vote, the information is on the CCBOE website, or they can call the CCBOE. On Election Day, polls open at 6:30 a.m. and close at 7:30 p.m., and voters will need to present valid photo identification.

Deputy Director Kaloger stated Director Perlatti and Chairman Curtis appeared before County Council and presented the CCBOE budget. Director Perlatti effectively communicated what the CCBOE needs are for the budget and addressed the shortfalls in the County Executive's budget for the CCBOE. Chairman Curtis presented a passionate and effective explanation of why the CCBOE needs a new headquarters. Board Member Davis Chappell thanked the Chairman and Director for their passionate plea regarding the deficiencies in the budget. She said there was an article in the paper about the need for a new headquarters to benefit the voters and for relief with the voter parking.

Board Member Davis Chappell stated she has asked that the CCBOE track the impact of the new voter identification law. Deputy Director Kaloger said the Registration Department will be reporting on that interchange of information when reporting on the Provisional ballots, and the Ballot Department will present the information regarding Vote-by-Mail. Director Perlatti stated one data point would be how many people come to the CCBOE to cure their ballot. There will be another data point with the rejection of provisional ballots, which is missing identification. The CCBOE noticed the change in the August 2023 Special Election when the reason for rejecting a provisional ballot was missing identification from the previously lower reason for rejection to the second highest. The highest reason for rejecting a provisional

is the individual is not registered. Director Perlatti said that that category of rejections has doubled across the State. Board Member Davis Chappell stated that the category of missing identification incorporates improper, incorrect, or missing identification, so the information is tracked and reported. She is interested in that data point and the number of people who come in to cure their ballot. Director Perlatti stated that information is a reportable requirement of the Secretary of State's (SOS) office. The SOS determines the rejection categories, and all counties follow the metrics and report them. The information is then reported on the SOS website.

December 5, 2023, East Cleveland Recall Election

Director Perlatti stated that November 6, 2023, is the close of voter registration for the December 5, 2023, East Cleveland Recall Election. He explained the complexities of voter registration and in-person voting with two elections overlapping and how the CCBOE is administering those aspects. Director Perlatti stated the polling locations have been locked in, and the voter information guides will be mailed after the November 7, 2023, General Election.

Director Perlatti stated that the CCBOE and Assistant Prosecutor Musson received an email from Willa Hemmons informing the CCBOE that East Cleveland will not pay for the December 5, 2023, East Cleveland Recall Election. The Board and Brent Lawler, Candidate and Petition Services Manager, discussed the matter. The CCBOE and Mr. Musson will be working together on an appropriate response.

Director Perlatti said on Friday, November 3, 2023, Eric Brewer filed five voter residency challenges with the CCBOE. The challenges are filed timely for the December 5, 2023, East Cleveland Recall Election. The challenges are against the Mayor of East Cleveland, his mother, one brother, and two additional people. Director Perlatti stated the filing does not have substantive information but a list of documents the challenger wants the CCBOE to obtain, such as utility bills, rental agreements, and other information. The Director and Mr. Musson will discuss what has been presented and determine if there is a requirement for the CCBOE to subpoena the documents and do the investigation for the challenger. Director Perlatti said the challenges have no bearing on the November 7, 2023 General Election. Board Member Stikkan stated the challenges are different as the CCBOE has previously dealt with a few of them. Director Perlatti said the Board did not cancel the previous challenge against Mayor King. However, Mr. Brewer challenged the Mayor to the same address again. Director Perlatti stated the CCBOE did forward challenges to the Secretary of State's (SOS) Public Integrity Unit, which they are working on and have been informed of any new information. Board Member Davis Chappell asked if the SOS has jurisdiction over these challenges? Mr. Musson stated that the CCBOE and he would look into the official role of the Public Integrity unit. Mr. Musson stated the Board has statutory duties that need to be met. Board Member Davis Chappell stated the SOS is effectively now looking at what arises from the same facts and issues. She said, like in a court, if they take jurisdiction over a matter of controversy arising from the same set of facts and circumstances, they would retain that jurisdiction. Board Member Davis Chappell questioned why the CCBOE would duplicate a quasi-judicial efficiency. She asked Mr. Musson to investigate whether the SOS is handling the same issue with the same players. Then maybe the Board's process is abbreviated, and the CCBOE can make the referral. Mr. Musson stated he would look into it and advise the Board. Board Member Davis Chappell said the Board is not trying to abdicate its statutory duties, but how often will the Board have to look at the same issue and have a protracted hearing about it? If the Board ends up at the same place with a referral to the SOS Public Integrity Unit, maybe something else can be done that satisfies the Board's duty. Director Perlatti stated he would work with Mr. Musson to determine the path forward and would know something for the next board meeting on November 20, 2023. He said in the meantime, the

CCBOE would put the challenged individuals in a provisional status. Therefore, they have the opportunity to vote until the CCBOE can work through the necessary actions.

Director Perlatti stated that Peter James, Election Compliance Administrator, has been working with staff on the Election Administration Plan, which is statutorily required to be in place at the beginning of 2024. He said the staff would provide the document to the Board for review. The Election Administration Plan does not require a Board vote, but the Board will review and sign off on it.

Chairman Curtis thanked the CCBOE staff for all their hard work for the November 7, 2023, General Election and the December 5, 2023, East Cleveland Recall Election.

PUBLIC COMMENT

There was no public comment

EXECUTIVE SESSION

There was no executive session

Chairman Curtis moved to recess the meeting at 10:10 a.m. Board Member Davis Chappell seconded. The motion passed unanimously.

Certification: I have reviewed the above minutes and certify that they are an accurate summary of the actions taken by the Cuyahoga County Board of Elections at its meeting held on November 6, 2023.

Henry F Curtis, IV, Chairman

Henry F Curtis, IV

Inajo Davis Chappell, Board Member

Inajo Davis Chappell

Terence M. McCafferty, Board Member

Terence M. McCafferty

Lisa M. Stickan, Board Member

Lisa M. Stickan

Anthony Perlatti, Director

Anthony Perlatti