

VOTE CUYAHOGA COUNTY BOARD OF ELECTIONS

Board Meeting
11/28/2023

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 9:40 a.m. Hereinafter referred to as the CCBOE/Board.

Chairman Curtis noted that all Board Members were in attendance.

Agenda Item 1: Acknowledgment of Secretary of State Advisory 2023-04: Ballot Printer Rules 111:3-10-01- 111:3-10-11

Chairman Curtis moved to acknowledge the Secretary of State Advisory 2023-04: Ballot Printer Rules 111:3-10-01- 111:3-10-11. Board Member Davis Chappell seconded. The motion passed unanimously.

Agenda Item 2: Certification of the official results of the November 7, 2023, General Election

Brian Cleary, Ballot Department Manager, presented information from the board packet regarding the Certification of the official results from the November 7, 2023, General Election. Mr. Cleary stated there are six automatic recounts for the November Election for Brooklyn Mayor, Brooklyn Heights Village Council, Cuyahoga Heights Village Council, Gates Mills Village Council, Rocky River Municipal Court Judge FTC 1/1/2024, and South Euclid/Lyndhurst Board of Education Member. The Automatic Recount Schedule will be posted with the dates, times and location after the Certification. The Requested Recount Deadline is 4:00 p.m. on Monday, December 4, 2023. Mr. Cleary said the post-election audit is tentatively scheduled for the week of December 18, 2023, after the automatic and requested recounts are completed. The Ballot Department will use the standard risk-limiting audit method to audit three races. The SOS has assigned the audits of Issues 1 and 2. The third race to be audited will be Issue 5. Director Perlatti stated the cost for a requested recount is \$65.00 per precinct. When a recount is conducted, about five percent of the ballots are selected, and that five percent is hand-counted. The information is then compared and scanned. When the data is compared and matched, the remaining 95 percent of the ballots are scanned. The same process is used for an automatic and requested recount per the statute.

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

- **Authorization to approve the remake of the optical scan ballots from the November 7, 2023, General Election**
Chairman Curtis moved to authorize to approve the remake of the optical scan ballots from the November 7, 2023, General Election. Board Member Davis Chappell seconded. The motion passed unanimously.
- **Authorization to approve absentee ballots from the November 7, 2023, General Election**
Chairman Curtis moved to authorize to approve absentee ballots from the November 7, 2023, General Election. Board Member Davis Chappell seconded. The motion passed unanimously.
- **Authorization to approve provisional ballots from the November 7, 2023, General Election**
Chairman Curtis moved to approve the provisional ballots from the November 7, 2023, General Election. Board Member Davis Chappell seconded. The motion passed unanimously.
- **Acknowledgment of the pre & post-test results of the vote tabulation system from the November 7, 2023, General Election**
Chairman Curtis moved to acknowledge pre & post-test results of the vote tabulation system from the November 7, 2023, General Election. Board Member Davis Chappell seconded. The motion passed unanimously.
- **Acknowledgment of the Official District Wide Results of the November 7, 2023, General Election for Cuyahoga, Geauga, and Lorain Counties**
Chairman Curtis moved to acknowledge the Official District Wide Results of the November 7, 2023, General Election for Cuyahoga, Geauga, and Lorain Counties. Board Member Davis Chappell seconded. The motion passed unanimously.

Chairman Curtis moved to acknowledge Certification of the official results of the November 7, 2023, General Election. Board Member Davis Chappell seconded. The motion passed unanimously.

Agenda Item 3: Acknowledgment of the date, time, and place of the post-election audit for the September 12, 2023, Primary Election and November 7, 2023, General Election

Chairman Curtis moved to acknowledge the date, time, and place of the post-election audit for the September 12, 2023, Primary Election and November 7, 2023, General Election. Board Member Davis Chappell seconded. The motion passed unanimously.

Agenda Item 4: Acknowledgment of candidate withdrawal from the March 19, 2024, Presidential Primary Election

Chairman Curtis moved to acknowledge a candidate withdrawal from the March 19, 2024, Presidential Primary Election, as set forth in the board materials. Board Member Davis Chappell seconded. The motion passed unanimously.

AGENDA ITEMS 5 – 7

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

Agenda Item 5: Challenge of voter residency filed by Eric Brewer against Norma King

Hasani Wheat, Registration Department Manager, presented the challenged Voter Packet for Norma King, as set forth in the board materials. Protestor Eric Brewer presented the documentation for the

challenge. Chairman Curtis noted that neither Norma King nor legal counsel representing her were present for the hearing. The Board and Assistant Prosecutor Musson discussed the challenge.

Board Member Davis Chappell moved that the CCBOE cancel the registration and uphold the protest based on the record of the Board's prior hearing and the testimony under oath that was given by Norma King, at the CCBOE hearing on May 23, 2023, that she did not reside at the address to which she is now registered again. Board Member Stickan seconded. The motion passed unanimously.

Agenda Item 6: Challenge of voter residency filed by Eric Brewer against Cecil King, Jr.

Protestor Eric Brewer presented the documentation for the Challenge. Chairman Curtis noted for the record that neither Cecil King, Jr. nor the legal counsel representing him were present for the hearing. The Board and Assistant Prosecutor Musson discussed the Challenge.

Board Member Davis Chappell moved to cancel the registration and uphold the protest of Cecil King, Jr. The CCBOE should refer the Challenge to the SOS Public Integrity Division. Board Member Stickan seconded. The motion passed unanimously.

Agenda Item 7: Challenge of voter residency filed by Eric Brewer against Herman Mitchell

Protestor Eric Brewer presented the documentation for the Challenge. Chairman Curtis noted for the record that neither Herman Mitchell nor the legal counsel representing him were present for the hearing. The Board and Assistant Prosecutor Musson discussed the Challenge.

Board Member Davis Chappell moved to cancel the registration of Mr. Herman Mitchell and uphold the Challenge presented. She stated the Board has no facts to indicate that this commercial property is, in fact, his residence, and the Challenger's testimony is persuasive. The CCBOE should refer the Challenge to the SOS Public Integrity Division. Board Member Stickan seconded and stated for the record that this property is clearly zoned for commercial use only and does not have the ability for mixed-use or residential use. From the information presented to the Board, this is a commercial property zone. The motion passed unanimously.

Agenda Item 8: 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.

PUBLIC COMMENT

There was no public comment

EXECUTIVE SESSION

There was no executive session

Chairman Curtis moved to recess the meeting at 10:12 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 28, 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