

VOTE CUYAHOGA COUNTY BOARD OF ELECTIONS

**Board Meeting
1/2/2024**

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 9:33 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 November 28, 2023, board meeting

Chairman Curtis moved to approve the minutes from the November 28, 2023, board meeting. Board Member Davis Chappell seconded. The motion passed unanimously.

Agenda Item 2: Acknowledgment of Secretary of State Directives: Directive 2023-21; Chapter 1 Introduction: Directive 2023-22; Chapter 2 Board of Elections Organization and Operations: Directive 2023-23; Chapter 3 Security: Directive 2023-24; Chapter 4 Voter Registration: Directive 2023-25; Chapter 5 Ballots: Directive 2023-26; Chapter 6 Precincts, Polling Locations, and Precinct Election Officials: Directive 2023-27; Chapter 7 Absentee Voting: Directive 2023-28; Chapter 8 Provisional Voting: Directive 2023-29; Chapter 9 Election Day Voting: Directive 2023-30; Chapter 10 Canvassing the Vote: Directive 2023-31; Chapter 11 Post-Election Activities: Directive 2023-32; Chapter 12 Voting Systems: Directive 2023-33; Chapter 13 Petitions: Directive 2023-34; Chapter 14 Candidates: Directive 2023-35; Chapter 15 Political Parties: Directive 2023-36; Chapter 16 Statewide Initiative and Referendum: Directive 2023-37; Chapter 17 Miscellaneous Duties: Directive 2023-38; Updated Election Official Manual: Directive 2023-39; Examination and Verification of Petitions Filed with the Secretary of State's Office

Chairman Curtis moved to acknowledge Secretary of State Directives: Directive 2023-21; Chapter 1 Introduction: Directive 2023-22; Chapter 2 Board of Elections Organization and Operations: Directive 2023-23; Chapter 3 Security: Directive 2023-24; Chapter 4 Voter Registration: Directive 2023-25; Chapter 5 Ballots: Directive 2023-26; Chapter 6 Precincts, Polling Locations, and Precinct Election Officials: Directive 2023-27; Chapter 7 Absentee Voting: Directive 2023-28; Chapter 8 Provisional Voting: Directive 2023-29; Chapter 9 Election Day Voting: Directive 2023-30; Chapter 10 Canvassing the Vote: Directive 2023-31; Chapter 11 Post-Election Activities: Directive 2023-32; Chapter 12 Voting Systems:

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

Directive 2023-33; Chapter 13 Petitions: Directive 2023-34; Chapter 14 Candidates: Directive 2023-35; Chapter 15 Political Parties: Directive 2023-36; Chapter 16 Statewide Initiative and Referendum: Directive 2023-37; Chapter 17 Miscellaneous Duties: Directive 2023-38; Updated Election Official Manual: Directive 2023-39; Examination and Verification of Petitions Filed with the Secretary of State's Office. Board Member Davis Chappell seconded. The motion passed unanimously.

Agenda Item 3: Certification of the Post-Election Audit Summary from the September 12, 2023, Primary Election and November 7, 2023, General Election

Director Perlatti presented information from the board packet regarding the certification of the Post-Election Audit Summary from the September 12, 2023, Primary Election and the November 7, 2023, General Election.

Chairman Curtis moved to certify the Post-Election Audit Summary from the September 12, 2023, Primary Election and the November 7, 2023, General Election. Board Member Davis Chappell seconded. The motion passed unanimously.

Agenda Item 4: Acknowledgment of resignations from elected office

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

Agenda Item 5: Acknowledgment of withdrawals from the March 19, 2024, Presidential Primary Election

Cuyahoga County Assistant Prosecuting Attorney Mark Musson stated the question was raised whether individuals who voted in other party primaries in 2021 were eligible under Ohio Revised Code Section 3513.191 to run in the Republican Party committee races. The Statute provides that anyone who had voted in the other party's Primary in the current year or the two prior calendar years is disqualified as a candidate in the other party's Central Committee or in that party's Primary. He said the question arose: what is the current year, is it the filing deadline for the Declaration of Candidacy, which was December 20, 2023, or the date of the board meeting to certify the candidates, which is the 77th day before the Primary, which is January 2, 2024? Mr. Musson stated the Statute precludes an individual from becoming a candidate if they voted in the other party's Primary in the current year or two preceding calendar years. A candidate being certified by the Board in 2024 establishes the current year, and the two preceding years are 2023 and 2022. Any primaries beyond that are outside the lookback window. The Board discussed the CCBOE's past practices, the opinion of legal counsel, and the guidance from the Secretary of State's office.

Chairman Curtis moved to acknowledge the withdrawals 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 Item 6: Certification of Candidates for the March 19, 2024, Presidential Primary Election

Prior to the certification of candidates, Brent Lawler, Candidate and Petition Services Manager, presented information from the Board Materials regarding Petitions for Board Review. Based on the Board's discussion on Agenda Item 5, two individuals voted as Democrats in the two preceding years and should not be certified for the March 19, 2024, Presidential Primary Election. He stated the two

individuals were Justyn Anderson, County Central Committee, East Cleveland-02-D, and Brian K. White, Sr. County Central Committee, East Cleveland-04-B.

Chairman Curtis moved to certify Ephraim Abdullah, Eric Brewer, Nicole Howell, Sherrie Kantarovich, Benjamin Rosenberg, Bob Saffold-State Central Committee, Man and Bob Saffold for County Central Committee. Chairman Curtis also moved to exclude Justyn Anderson, County Central Committee, and Brian K. White, Sr., County Central Committee, from the ballot. Board Member Davis Chappell seconded. The motion passed unanimously.

Mr. Lawler stated two candidates did not have the minimum qualifying signatures: James Hemphill, U.S. Representative, District 11, and Patrick Tovey, County Council, District 4.

Mr. Hemphill's petition was three signatures short of the required amount. Mr. Hemphill addressed the Board and provided affidavits for six petition signatures. Board Member Davis Chappell made a motion to accept the evidence based on the affidavits and voter information of Charlotte Miles, Danielle Thomas, Kaletha Hill-Davis, Carol Starre-Kmiecik, and Mary Ellen Schron cure the issue of the three signatures needed to validate the petition. Chairman Curtis seconded. The motion passed unanimously.

Chairman Curtis noted that Mr. Tovey was not present at the Board Meeting. Chairman Curtis moved to not certify Patrick Tovey to the ballot for the March 19, 2024, Presidential Primary. Board Member Davis Chappell seconded. The motion passed unanimously.

Mr. Lawler stated that a local option petition for Imposters, LTD. did not have the required number of valid signatures. The petition was four signatures short, and the petitioners were unable to secure affidavits in time for the Board Meeting. Chairman Curtis moved that Imposters, LTD should not be certified for the March 19, 2024 Primary Election ballot. Board Member Davis Chappell seconded. The motion passed unanimously.

Mr. Lawler stated three candidates did not completely list the required City/Ward/Precinct on their petitions. He said Jack M. Bacci, Cuyahoga Heights-00-A; Maria E. Bigham, Cleveland-11-I; and Rachel Kabb Effron, Woodmere-00-A, should not be certified to the ballot. Chairman Curtis moved that Jack M. Bacci, Maria E. Bigham, and Rachel Kabb Effron should not be certified for the March 19, 2024, Primary ballot. Board Member Davis Chappell seconded. The motion passed unanimously.

Mr. Lawler stated that Tina Barhams, Cleveland-08-C, listed her address as Euclid rather than her actual city, Cleveland, which is the address listed on her voter registration. Since the address does not match, the Board was asked not to certify Ms. Barhams to the ballot. Board Member Davis Chappell asked if Ms. Barhams was notified. Mr. Lawler stated everyone was contacted by phone and email. Chairman Curtis moved that Tina Barhams should not be certified for the March 19, 2024, Primary Election ballot. Board Member Davis Chappell seconded. The motion passed unanimously.

Mr. Lawler stated that Krista Rodriguez listed the wrong precinct, Solon-04-B, on the County Central Committee declaration form, but Ms. Rodriguez lives in Solon-04-C. Therefore, it was recommended she not be certified to the ballot. Board Member Davis Chappell said it may seem hyper technical, but writing the correct precinct is a requirement of the law. Chairman Curtis moved that Krista Rodriguez should not be certified for the March 19, 2024, Primary Election ballot. Board Member Davis Chappell seconded. The motion passed unanimously.

Mr. Lawler stated that Amanda Kean, North Olmsted-02-A, and Edward Julian, Strongsville-02-B, should not be certified to the ballot, as their Declaration of Candidacy forms were received via USPS after the December 20, 2023 filing deadline. Chairman Curtis moved that Amanda Kean and Edward Julian not be certified to the March 19, 2024, Primary Election ballot. Board Member Davis Chappell seconded. The motion passed unanimously.

Chairman Curtis moved to certify the candidates listed in the Board materials for the March 19, 2024, Presidential Primary Election. Board Member Davis Chappell seconded. The motion passed unanimously.

Agenda Item 7: Certification of Issues for the March 19, 2024, Presidential Primary Election

As provided in the meeting materials, Chairman Curtis moved to certify the Issues for the March 19, 2024, Presidential Primary Election. Board Member Davis Chappell seconded. The motion passed unanimously.

Agenda Item 8: Approval of voucher and resolution for FIS-V-A) U.S. Postmaster

Patrick McAlea, Assistant Manager, Fiscal Services Department, presented the voucher and resolution for the U.S. Postmaster, as set forth in the board materials.

Chairman Curtis moved to approve the voucher and resolution for FIS-V-A) U.S. Postmaster, 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.

NEW BUSINESS

Director Perlatti stated the Board certified the candidates and issues today. He said the deadline to file as a write-in candidate is January 8, 2024, and the charter amendment deadline is January 19, 2024. The certification of those items and a write-in protest hearing will take place at the Board Meeting on January 23, 2024. CCBOE staff will attend the Ohio Association of Election Officials (OAEO) conference in Columbus from January 11, 2024, to January 13, 2024. Board Member Davis Chappell and Director Perlatti will be representing the CCBOE on two speaker panels. Director Perlatti added that the initial import of the ballot language will be completed by January 5, 2024, and then the layout of the proofing process will begin. He also stated poll worker training will soon be starting.

Board Member Davis Chappell stated that the Board received a letter dated December 13, 2023, from the Chair of the U.S. House of Representatives, Committee on House Administration. They were made aware that a reported 903 votes were not counted on Election night because of the damage to the USB memory stick for the city of Bay Village. She asked if the CCBOE would be responding to the letter. Director Perlatti said there would be an acknowledgment response, which would be shared with the Board.

PUBLIC COMMENT

Pamela Pinkney Butts provided public comment regarding items on the agenda.

Donna Walker Brown provided public comment regarding protesting an acceptance of a candidate withdrawal and public records requests.

Bob Saffold provided public comment on the certification of candidates.

EXECUTIVE SESSION

There was no executive session.

Chairman Curtis moved to adjourn the meeting at 10:54 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 January 2, 2024.

Henry F Curtis, IV, Chairman

Henry F Curtis, IV

Inajo Davis Chappell, Board Member

Terence M. McCafferty, Board Member

Terence M. McCafferty

Lisa M. Stickan, Board Member

Lisa M. Stickan

Anthony Perlatti, Director

Anthony Perlatti