



**Board Meeting
12-19-2018**

Attending:

Inajo Davis Chappell, Chairwoman
David J. Wondolowski, Member
Robert S. Frost, Member
Jeff Hastings, Member
Pat McDonald, Director
Anthony Perlatti, Deputy Director
Brendan Doyle, Assistant Prosecutor, Cuyahoga County

Anthony Alto, Clerk to the Board
Linda D. Walker, Clerk to the Board

The Board Meeting began via roll call at 9:38 a.m.

Chairwoman Chappell: Present
Board Member Wondolowski: Present
Board Member Frost: Present
Board Member Hastings: Present

Agenda Item 1: Approval of minutes from the following meetings:

The Board voted unanimously to approve the minutes from the November 19, 2018 and November 27, 2018 board meetings.

Agenda Item 2: Acknowledgement of the following Secretary of State Directives and Advisory:

The Board voted unanimously to acknowledge Directive 2018-40 and Advisory 2018-04.

Agenda Item 3: Certification of the Recount for the Member of Charter Review Commission – City of Brook Park from the November 6, 2018 General Election

Ballot Assistant Manager Jason Culek stated that there was one (1) automatic recount for Member of Charter Review Commission for Brook Park. The hand count matched the official results. The precincts were rescanned and tabulated using electronic voting equipment. The electronic tabulation matched the results of the hand count and official results. The remaining precincts in the contest were rescanned and

tabulated using electronic voting equipment. There were no requested recounts. No candidates were present at the recount.

The Board voted unanimously to certify the Recount for the Member of Charter Review Commission – City of Brook Park from the November 6, 2018 General Election.

Agenda Item 4: Acknowledgement of the Audit Summary from the November 6, 2018 General Election

Ballot Assistant Manager Jason Culek stated that staff conducted a Risk-Limiting Post-Election Audit for the November 2018 General Election. There were 492,323 total ballots cast in the election. A total of 38 unique batches were audited, consisting of a hand count of 12,359 ballots from the audited contests. The accuracy rate for the post-election audit is 100%. For the Governor and Lieutenant Governor race there were 10 unique batches with 3,150 total ballots audited. For the Treasurer of State there were nine (9) unique batches with 2,764 total ballots audited. For the Court of Common Pleas, General Division, FTC 1-7-2019 there were 19 unique batches with 6,445 total ballots audited. No outside parties attended the audit.

The Board voted unanimously to acknowledge the Audit Summary from the November 6, 2018 General Election.

Agenda Item 5: Acknowledgement of appointments to and resignations from elected office

The Board voted unanimously to acknowledge the appointments to and resignations from elected office as listed.

Agenda Item 6: Approval of vouchers

The Board voted unanimously to approve the vouchers as listed.

Agenda Item 7: Approval of personnel agenda

The Board voted unanimously to approve the personnel agenda as listed.

New Business:

Letter from the Campaign Finance Auditors

A transcript of this discussion is available upon request

Chairwoman Chappell acknowledged a letter of concern from the Campaign Finance Auditors. The letter was a request to review their salary and duties compared to other similarly situated counties. Executive staff provided a very detailed explanation. Generally, in these matters the Board defers to the decision of executive staff. She also stated that the Board cannot go into executive session to talk about this matter because this concerns a class of employees, not individuals.

Board Member Wondolowski stated that when employees take this much time to research and write a report like this, but no change is made, those employees may look to some alternatives. He suggested that there might be some room to come to an agreement.

Board Member Hastings stated that these employees made public records requests to other agencies, and this agency spent a great deal of money on the Archer study. The employees had a right to research and bring their complaint to management. Management did hear their concern and made a decision that no change should be made at this time. Dissatisfied with management's decision they petitioned the Board. The Board looked at the arguments made by the employees and the decision of management and deferred to management. This issue was not just brushed aside, but thoughtfully considered by all parties. This issue is being discussed in public at this meeting because the letter was sent to the entire Board by a class of employees.

Board Member Frost echoed the sentiments of his colleagues. He respects the work all employees do here and appreciates that employees felt comfortable coming to them with this concern.

Director McDonald stated that this is not new information. The employees' complaints have been heard. Archer was consulted with this matter and they affirmed that no changes to their salaries should be made at this time.

Secretary of State LaRose Visit

Director McDonald stated that a couple weeks ago Secretary of State Elect Frank LaRose visited the Board and spoke with the management team.

Employee Recognition Ceremony

Director McDonald stated the Employee Recognition Ceremony will either be January 24th or 25th. County Councilwoman Nan Baker and County Prosecutor O'Malley will be the guest speakers.

Website Update

The Board of Elections is working with the County IT Department to change the website to comply with new ADA regulations.

Off-Site Voting Location

Staff has begun conversations with the County identifying possible in-person early voting locations. The Board is expanding its scope and looking into partnerships with the business community as well. Chairwoman Chappell suggested looking into hiring a broker for this.

Legislative Update

Director McDonald stated Senate Bill 296, containing pay adjustments for board of election members, passed both the House and Senate last night and is headed to the Governor for signature. It is unclear as to whether or not the Governor might veto this legislation, and if so, whether or not the legislature would override that veto. The legislature has spoken on the issue, but the Governor still has his say. House Bill 41 has passed and is headed to the Governor for signature. The bill contains updates to the early in-person voting process that will allow for much easier processing of these voters, second chance voting for in-person voters, and a massive reduction in paperwork for checking these voters in. The bill picked up two great amendments in the Senate. The first allows counties receiving reimbursement for voting machines to receive the full amount of money that was appropriated to them. The second gets rid of UOCAVA Saturday by pushing the starting period of UOCAVA voting to 46 days. Senate Bill 21 has passed the House and the Senate is expected to finalize their work on the bill next Tuesday and send it to the Governor for signature. This is the bill that allows, but does not require, boards of elections to reduce the number of poll workers in multi-precinct locations. The bill picked up one amendment in House Committee which would change the calculation of property taxes to describe levies for each \$100,000 in fair market value rather than for each \$100 of tax valuation.

Board Member Frost stated that he was elected president of the Association of Ohio Election Officials. The organization is committed to meeting the needs of Boards of Elections across the state and working in a bipartisan way. This issue of early voting hours is less a Democrat versus Republican issue and more of a large county versus small county one. He attended the Democracy Fund conference last week. A takeaway was commitment to prevent both voter fraud and voter suppression, that neither is acceptable in any amount, and that there are political actors on both sides that allege that large amounts are happening.

New Voting Equipment Acquisition Program

Election Compliance Administrator Shantiel Soeder stated in 2017 the Board held its first vendor selection event. The goal was to see the new technology. After that event the Board waited for the state to determine how much money each county would get. That information came out with the legislation previously talked about. After reviewing responses to the survey staff sent out, they decided to host a more thorough demonstration event in January. Each vendor will get a day. The day will be split up between the morning session including the public and other stake holders, and the afternoon session which will be for CCBOE staff only. This session will be focused on technology specific to CCBOE procedures and will go into precise

details. Audio and video recordings of both sessions each day will be posted on the website. Once the demonstrations are complete, the vendors will provide a private security presentation. Staff will also consult with current and former customers of the vendors.

Business Administrator Sean Webster stated the Board's responsibility is to recommend a vendor to the County Council who is responsible for purchasing the equipment. Once a vendor is selected they will finalize the items for purchase. Then there will be two (2) weeks to draft a contract. Afterwards the Board will submit a resolution to County Council authorizing them of the purchase, where it will go through the ordinary channels of passage. The Council will then have to approve the sub-lease purchase agreement. The Secretary of State will be the owner of all voting equipment to be purchased until the Secretary of State finishes paying off the Certificates of Participation. At that point ownership of the equipment will transfer to the County. Parties to the contract are the Secretary of State, County Council, and the Board of Elections. It is likely that the agreement can bypass the ordinary County procurement process.

Board Member Wondolowski asked what might be the cost of the uncovered portion, and what staff plans to do with the current equipment. Webster replied that the quotes solicited from the first survey still need to be analyzed further, but the majority of purchase items will fall under Table A. The items from Table B will hopefully be credited to the Board for their trade in of the older equipment. Any unused Table A money may be used for reimbursement of any equipment purchased since 2014.

Board Member Hastings asked if we would be able to negotiate terms. Webster replied that the vendor will provide a draft contract, and the Board has some room to negotiate those terms.

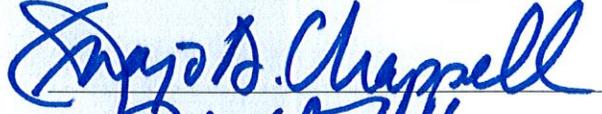
Director McDonald stated that staff has been reaching out to various stakeholders to inform them of the demonstrations. If the Board chooses to stay with the current vendor, there is not much change, but if a new vendor is selected then there will be more implications, like new training for poll workers and working to get buy-in from the public. The earliest any equipment may be implemented is the Presidential Primary, but that would include only the ADA equipment. New scanners and equipment are not allowed to be implemented during the Presidential general election.

Board Member Wondolowski asked where the new equipment would be stored during the implementation phase. Director McDonald responded that staff is looking into that, but has some ideas.

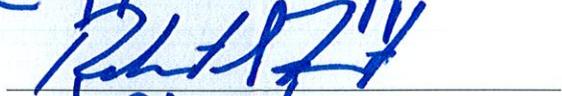
The Board voted unanimously to adjourn at 10:48 a.m.

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 December 19, 2018.

Inajo Davis Chappell, Chairwoman



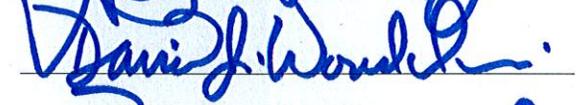
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