

**Board Meeting
8-19-2019**

Attending:

Jeff Hastings, Chairman
Inajo Davis Chappell, Member
Robert S. Frost, Member
David J. Wondolowski, Member
Anthony W. Perlatti, Director
Shantiel Soeder, Deputy Director
Kelli Perk, Assistant Prosecutor, Cuyahoga County

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

The Board Meeting began at 9:32 am.

Chairman Hastings noted that all board members were present.

Agenda Item 1: Approval of minutes from the July 15, 2019 board meeting

The Board voted unanimously to approve the minutes from the July 15, 2019 board meeting.

Agenda Item 2: Acknowledgement of Secretary of State Directives and Advisories

The Board voted unanimously to acknowledge Secretary of State Directives 2019-10 & 2019-11, and Advisories 2019-06 & 2019-07.

Director Perlatti stated that staff has already complied with these directives.

Agenda Item 3: Update on the September 10, 2019 Primary Election, and Last Chance Mailing

Director Tony Perlatti stated early voting has begun and will continue through September 9th. Staff will ensure that there is adequate signage for voters. Staff has received 829 vote-by-mail applications so far and has processed 13 early voters. We anticipate a 20% turnout. There will be one (1) new polling location in Fairview Park. Signage will be posted at the old location notifying voters of the change. One hundred percent of poll workers have been hired. Seventy percent have been trained.

Director Perlatti stated that staff sent out 32,552 notices for the last chance mailing. Staff has received back 9,320 notices as undeliverable.

Agenda Item 4: Protest Hearing against the candidacy of Kirsten Holzheimer-Gail

Candidate and Petition Services Manager Brent Lawler stated that Mr. Christopher Litwinowicz filed two protests against the candidates running for Euclid Mayor, Kirsten Holzheimer-Gail and Richard Montgomery II. Mr. Litwinowicz argues that since the candidates did not sign each part petition those unsigned part petitions should be thrown out. Mr. Litwinowicz protested candidates on the same issue in 2009, and the Board denied those protests. The Euclid Law Director opined that each part petition does not have to be signed. Staff recommended that both protests be denied and that the candidates be certified to the ballot.

Chairman Hastings noted that Christopher Litwinowicz, Mayor Holzheimer-Gail, Richard Montgomery, and Euclid Law Director Kelly Sweeney were all present.

Michael Litwinowicz was sworn in. He presented the Board with Article 7 of the Euclid Charter and read it. He stated that each petition must be accompanied by a signature. The petitions without signatures should be thrown out. After the petitions are thrown out the candidates will not have enough valid signatures. The candidates should be removed from the ballot.

Chairman Hastings stated that the Board received and reviewed the protest, responses, and legal opinion.

Euclid Law Director, Kelley Sweeney was sworn in. Ms. Sweeney stated the Euclid charter states that a candidate's petition must be signed by the candidate, and may be filed in separate parts, but shall be filed as one instrument. Mayor Holzheimer-Gail signed at least one of the part-petitions, therefore she signed the petition.

Richard Montgomery was sworn in. He was represented by Mr. Treppi. Mr. Treppi stated that the Euclid Law Director came to the correct conclusion. Mr. Litwinowicz's second argument against Mr. Montgomery fails because it is contradictory to Ohio law. Ohio law does not prohibit using non-resident circulators. However, even if those petitions were thrown out, Mr. Montgomery would still satisfy the number of signatures required. Mr. Litwinowicz made a final argument that Ms. Coretta Mock did not sign the petition. Mr. Montgomery verified that Ms. Mock did sign the petition and has an affidavit as evidence.

Chairman Hastings asked Mr. Montgomery if his signature is on his petition. Mr. Montgomery said that it is.

Board Member Chappell moved to deny the protest.

Board Member Wondolowski seconded.

The Board voted unanimously to deny the protest.

Agenda Item 5: Protest Hearing against the candidacy of Richard T. Montgomery II

Board Member Frost moved to deny the protest.

Board Member Wondolowski seconded the motion.

Board Member Frost asked Mr. Lawler if the signatures from the petition circulated by the non-electors were removed would Mr. Montgomery still have the required number of signatures. Mr. Lawler replied that he would.

Board Member Chappell stated that the Ohio Revised Code 3503.06(C)(1)(A) makes it clear that a circulator of a petition does not have to be a registered elector of the city.

Agenda Item 6: Acknowledgement of candidate and issue withdrawals

The Board voted unanimously to acknowledge the candidate and issue withdrawals as provided in the meeting materials.

Agenda Item 7: Acknowledgement of appointment to elected office

The Board voted unanimously to acknowledge the appointment to elected office as provided in the meeting materials.

Agenda Item 8: Certification of candidates and issues to the November 5, 2019 General Election

Mr. Lawler stated that staff is not recommending some candidates to be certified because they do not meet the number of signatures required. All candidates were notified and invited to the meeting.

The Board voted not to certify those candidates recommended by staff for failing to meet the signature requirement.

Chairman Hastings recused himself from voting on the certification of candidates for the Parma Board of Education.

Board Members Chappell, Frost, and Wondolowski voted to certify the candidates of the Parma Board of Education.

The Board voted unanimously to certify the rest of the candidates and issues to the November 5, 2019 General Election as provided in the meeting materials.

Agenda Item 9: Approval to allocate 263 voting booths, 36 DS200 precinct scanners, 13 ADA AutoMark voting units, and 46 electronic poll books for the September 10, 2019 Primary Election

The Board voted unanimously to allocate 263 voting booths, 36 DS200 precinct scanners, 13 ADA AutoMark voting units, and 46 electronic poll books for the September 10, 2019 Primary Election.

Agenda Item 10: Approval to process payment in the amount not-to-exceed \$900.00 for 3 private locations being used for the September 10, 2019 Election

The Board voted to approve processing payment in the amount not-to-exceed \$900.00 for 3 private locations being used for the September 10, 2019 Election.

Agenda Item 11: Approval to process payment for 13 Voting Location Managers, 15 Voting Location Deputies, 165 Precinct Election Officials, and 15 Standby Workers in the amount not-to-exceed \$35,228.00 for the September 10, 2019 Election

The Board voted unanimously to approve processing payment for 13 Voting Location Managers, 15 Voting Location Deputies, 165 Precinct Election Officials, and 15 Standby Workers in the amount not-to-exceed \$35,228.00 for the September 10, 2019 Election.

Agenda Item 12: May Election PEO Performance Review

Election Officials Assistant Manager Peter James stated that at the last Board meeting the Board approved a review policy for precinct election officials. All PEOs were notified of the new process and provided the rubrics against which they will be evaluated. There were very few complaints from workers or voters relative to the execution of the election. Overall, the May election was a success and a model for future elections. The materials sent to the Board contain the specifics of the performance review.

Board Member Chappell suggested having a contest or award as an incentive.

The Board voted unanimously to acknowledge the PEO Performance Review from the May Primary Election.

Agenda Item 13: Approval of vouchers

The Board voted unanimously to approve the vouchers as provided in the meeting materials.

Agenda Item 14: Presentation on the Biennial Budget Recommendation

Director Perlatti stated that the budget is based on both the previous period and four years prior. The OBM and Board of Elections fiscal officers work together to determine a base budget. The proposed budget is \$16.2 million for 2020 and \$13.1 million for 2021.

The budget for 2020 is 2% higher than 2016. The budget for 2021 is %7 higher than 2017. The increase is attributed to salary increases and higher costs for maintenance. Cost-saving practices and equipment include electronic poll books, a new ballot printer, and electronic voter

registration. There are also less polling locations because several of them have been consolidated. Staff is exploring lowering the number of poll workers at each precinct in multi-precinct locations pursuant to the new laws and regulations.

Board Member Chappell asked what increased costs the Board will incur in regards to the change of the March Primary to March 17, 2020. Director Perlatti stated that staff will have to send out more notifications. Deputy Director Shantiel Soeder stated that there will be money in the budget to accommodate this change.

Director Perlatti stated that the budget includes several new initiatives for the biennial period. These include replacing old voting booths, cyber security software licensing, Mail Ballot Verifier, Elections Asset Inventory Management System, compensation study, new early in-person voting center, and voting equipment.

Staff will ask the Board to approve the budget at the next meeting. After Board approval executive management will meet with fiscal representatives from the County. County Council will have to approve the final budget.

Agenda Item 15: Approval of personnel agenda

The Board voted unanimously to approve the personnel agenda as provided in the meeting materials.

New Business:

New Logo:

Deputy Director Soeder stated that staff is looking to unify the branding of the Board of Elections. Currently there are four (4) logos in use. There are some staff who have graphic design skills who can help design a new logo. The new logo will be consistent with the new website design.

New Early Voting Location

Director Perlatti stated that there is a need to find a new early voting location. New legislation will make early voting easier. Staff is working with the County to determine whether moving early voting to the warehouse is practical and efficient. We are creating a task force on this matter. Board Members Frost and Wondolowski volunteered to sit on the task force.

Public Comment:


Christopher Litwinowicz

Mr. Litwinowicz spoke about a variety issues.

The Board unanimously voted to adjourn at 11:06 am.

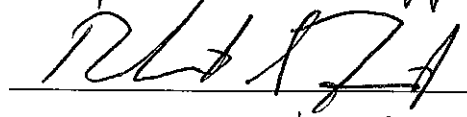
Certification: I have reviewed the above minutes and certify that they are an accurate summary of the actions taken by the Cuyahoga County Board of Elections at its meeting held on August 19, 2019.

Jeff Hastings, Chairman

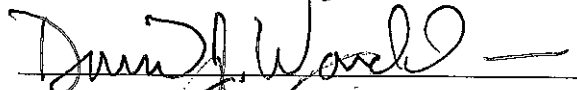


David A. Chappell

Inajo Davis Chappell, Member



Robert S. Frost, Member



Anthony Perlatti

David J. Wondolowski, Member

Anthony Perlatti, Director