



**Board Meeting  
9-26-19**

**Attending:**

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

Linda Walker, Clerk to the Board

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The Board Meeting began at 2:05 pm.

Chairman Hastings noted that all Board Members were present.

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**Agenda Item 1: Determination of the validity of provisional ballots and authorization to count provisional ballots from the September 10, 2019 Primary Election**

Registration Department Manager, Betty Edwards, stated there were a total of 31 provisional ballots cast and that no provisional ballots were cast in-house. Of those ballots, 31 were found to meet the requirements for opening. One (1) was found valid due to the APRI Exception. The APRI Exception allows any Cuyahoga County voter who was cancelled as a result of a supplement process to be activated as long as they are not registered in another county.

The Board voted unanimously to authorize the counting of the valid provisional ballots from the September 10, 2019 Primary Election.

**Agenda Item 2: Voter challenge against Antonio F. Stitt**

*The transcript of proceedings from the protest hearing are incorporated by reference into the minutes and are available for review upon request.*

Board Member Davis Chappell made the motion to support the challenge and Board Member Frost seconded the motion.

The Board voted unanimously to support the challenge and to cancel the registration of Antonio F. Stitt at the 20609 Selfridge, Highland Hills, OH 44122 address.

**Agenda Item 3: Certification of Official Results of the September 10, 2019 Primary Election**

- **Authorization to remake optical scan ballots from the September 10, 2019 Primary Election**
- **Authorization to approve absentee ballots from the September 10, 2019 Primary Election**

- **Authorization to approve provisional ballots from the September 10, 2019 Primary Election**
- **Acknowledgement of the pre- and post-election test results of the vote tabulation system from the September 10, 2019 Primary Election.**

The Board voted unanimously to authorize to remake optical scan ballots from the September 10, 2019 Primary Election.

The Board voted unanimously to authorize to approve absentee ballots from the September 10, 2019 Primary Election.

The Board voted unanimously to authorize to approve provisional ballots from the September 10, 2019 Primary Election.

The Board voted unanimously to acknowledge the pre- and post-election test results of the vote tabulation system from the September 10, 2019 Primary Election

The Board voted unanimously to certify the Official Results of the September 10, 2019 Primary Election.

**Agenda Item 4: Acknowledgement of the date, time, and place of the post-election audit for the September 10, 2019 Primary Election and random selection of a contest to be included in the audit**

The Board voted unanimously to acknowledge the date, time and place of the post-election audit for the September 10, 2019 Primary Election and random selection of a contest to be included in the audit to be conducted with the November General Election audit for contest of Fairview Park Council Ward 05.

**Agenda Item 5: Acknowledgement of candidate withdrawals**

The Board voted unanimously to acknowledge the Candidate withdrawals as provided in the meeting materials.

**Agenda Item 6: Approval of Campaign Finance Policy**

The Board voted unanimously to approve the Campaign Finance Policy as listed in the meeting materials.

**Agenda Item 7: Approval to allocate 5,013 voting booths, 1,004 DS200 precinct scanners, 332 ADA AutoMark voting units, and 992 Electronic Poll Books for the November 5<sup>th</sup> General Election**

The Board voted unanimously to approve to allocate 5,013 voting booths, 1,004 DS200 precinct scanners, 332 ADA AutoMark voting units, and 992 Electronic Poll Books for the November 5<sup>th</sup> General Election.

**Agenda Item 8: Approval to process payment in the amount not-to-exceed \$39,964.50 for 143 private locations and 1 zone station being used for the November 5<sup>th</sup> General Election**

The Board voted unanimously to approve to process payment in the amount not-to-exceed \$39,964.50 for 143 private locations and 1 zone station being used for the November 5<sup>th</sup> General Election.

**Agenda Item 9: Approval of vouchers**

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

## **Agenda Item 10: Approval of personnel agenda**

Board Member Wondolowski abstained from voting on the personnel agenda for the appointment of Michael Cannavino.

The remaining Board Members voted to approve the personnel agenda as listed in the meeting materials.

### **NEW BUSINESS**

#### **March 17, 2020 Presidential Primary Update**

Director Perlatti stated that since his last update, we have surveyed 332 polling locations that would be utilized in the March Election to determine availability and any other potential conflict; to date, we have received responses from 175 polling locations and 157 have not responded. Further follow up via email has been sent to the remaining 157 with a link to complete the survey. Regarding the 157 that have not responded, 44 polling locations are in the City of Cleveland and they are typically good partners with us and there should not be any issues.

Of the 175, we do have some challenges with four (4) locations outside of the downtown area who responded that they are not available due to St. Patrick's Day events:

- 1.) St. Ladislav Church (Westlake) – Five (5) precinct location.
- 2.) St. Clarence Church (North Olmsted) – Five (5) precinct location.
- 3.) St. Patrick Church (Rocky River) – Three (3) precinct location.
- 4.) Villa Angela St. Joseph High School (Cleveland) has stated not only are they not available, but are no longer interested in being a polling location due to sporting events that will need to use the space that is normally provided for us. This is a two (2) precinct location and we do have a potential relocation and have reached out to Councilman Polensek.

St. Roberts Church (Euclid) is available; however given a long Mass on Election Day – there would be a potential parking issue that we will work through.

Director Perlatti also stated that the Cleveland Heights-University Heights school district will be having a teacher in-service and may not be available for March and he will follow up with the Superintendent to engage in further conversation about this.

Board Member Davis Chappell asked if the schools are aware that if the Board expresses to utilize the facility that we have the right to hold an election at the school. Director Perlatti responded stating they are aware and he would hope that we would not have to exercise that right.

Regarding Old Stone Church and St. Clair Place (locations within the downtown area):

A meeting was held with Councilman Jones and Councilman McCormack regarding polling locations in their wards and the challenges they would have as polling locations in their respective wards are along the parade route. Data has been sent to both regarding voting trends at the locations. A follow-up meeting will be scheduled and we will also invite the Executive Directors from the County Democratic and Republican parties to provide them with updates and receive their thoughts and explain the challenges that may occur so that information can be shared with the candidates running within these wards. Both councilmen mentioned that they would reach out to the security personnel for the parade utilized by the City of Cleveland. Overall, there are 21 precincts that will be impacted.

## **Office of Budget and Management Update**

Director Perlatti stated that as a follow-up regarding the previously approved budget by the Board Members, communication with OBM has been ongoing. This is a two part process dealing with the base budget and the initiative budget. We do not foresee any issues with the base budget and there should not be any deductions.

Kendra Zusy, Manager of Fiscal Services, stated that we are scheduled to attend the County Executive's budget hearing on October 21st to discuss any existing funds, new initiatives or any concerns regarding additional funding that we would want County Council to consider. A meeting has also been scheduled for October 8<sup>th</sup> to address some of the initiatives to include the SOS security directive, the inventory management system and the mail verifier equipment.

Director Perlatti added that we are still waiting to hear back from OBM regarding the purchase of the voting booths. A decision will need to be made whether to phase in the purchase over a five (5) year period or purchase at one time.

Board Member Davis Chappell inquired as to the cost of replacement of the voting booths and Director Perlatti responded stating the cost could be \$800K-1M.

Board Member Hastings asked if the pay band study would also be included and Director Perlatti responded by saying yes; the pay band would be included and that the Archer Company had submitted a proposal.

Board Member Davis Chappell asked if we have considered utilizing other companies for potential better pricing. Director Perlatti responded by stating that we can certainly look at other companies.

Board Member Hasting asked what the initial cost of study was; Director Perlatti responded by stating \$25K and the current proposal would be a maintenance plan. Fiscal Manager stated that the subsequent study cost would be \$12K.

## **Equipment Acquisition Update**

Deputy Director Soeder stated since meeting with the vendors in December, a voting acquisition committee was created and will be a part of the selection process. Going forward we will circle back with the vendors to get a better understanding of how their systems work.

She further stated that staff is planning to observe systems in place at the Hamilton Board of Elections, who uses Hart InterCivic on October 18<sup>th</sup> and the Warren Board of Election, who uses Clear Ballot on October 17<sup>th</sup> and to visit Franklin County at a later time. Preliminary discussions will begin internally prior to the Presidential Election in 2020 and formally after the 2020 Presidential Election. Staff will recommend to the Board and receive approval to purchase equipment and implement use in the May 2021 Primary Election. The next major item is to have an in-house voting event in January to see exactly how systems interact with the ballot on demand system, whether or not to integrate poll books in the process, and do we have the ability to introduce scanners with HB 41.

Board Member Chappell asked if there was a checklist being prepared to discuss with vendors prior to the October site visits. Deputy Director Soeder stated that a draft checklist has been created and she will share that document with the Board Members.

## **National Voter Registration Day Update**

Cathy Goskey, Outreach Coordinator for Community Outreach, stated that in collaboration with Cleveland Votes and over 65 community partners, 40 events in celebration of National Voter Registration Day were held on Tuesday, September 17<sup>th</sup> and proved to be a success.

Director Perlatti stated that we will be reaching out to individuals who worked with the Board on National Voter Registration Day to see if there is any interest in working the polls on Election Day.

## **OAEO**

Board Member Frost stated that the Ohio Association of Election Officials (OAEO) trustees met and took a neutral position on Senate Bill 186, which is the Verified Voter Registration. This came after the Legislative Committee of OAEO recommended being against the legislation. In the process, a substitute SB186 will be introduced. There were issues with SB186 as introduced that are being addressed and the legislative committee will be asked to re-assess the Verified Voter Registration after the substitute senate bill is introduced and reevaluated. The bill is meant to improve the data breach and ensure quality of data coming in from our partners.

He further stated, the Secretary of State is pleased to announce, in partnership with the Cleveland Metropolitan Bar Association, that they have developed a curriculum for precinct election officials training to qualify for continuing legal education credit so that we can recruit even more effectively. The Secretary of State is recommending that all boards and trustees that are members of the Ohio Association of Election Officials work with the Bar Association.

## **PUBLIC TESTIMONY**

Adele Eisner – Provided a copy of a report from the City of Philadelphia, Office of the City Controller.

## **EXECUTIVE SESSION**

Discussion of personnel issues (to consider the appointment, employment, dismissal, discipline, promotion, demotion, or compensation of a public employee or official) and updates on pending/potential litigation if necessary.

The Board unanimously voted to adjourn at 4:23 pm.

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 September 26, 2019.

Jeff Hastings, Chairman \_\_\_\_\_

Inajo Davis Chappell, Member \_\_\_\_\_

Robert S. Frost, Member \_\_\_\_\_

David J. Wondolowski, Member \_\_\_\_\_

Anthony Perlatti, Director \_\_\_\_\_