



**CUYAHOGA COUNTY**  
**BOARD OF ELECTIONS**

**Henry F Curtis, IV, Chairman**

**Anthony W. Perlatti, Director**

**Inajo Davis Chappell, Board Member  
Director**

**Anthony Kaloger, Deputy**

**Terence M. McCafferty, Board Member**

**Lisa M. Stickan, Board Member**

**MEETING AGENDA**

**August 19, 2024**

**9:30 a.m.**

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**THE PLEDGE OF ALLEGIANCE**

**ADMINISTRATIVE**

1. Approval of the minutes from the July 25, 2024, board meeting
2. Acknowledgment of Secretary of State Directives:
  - a. Directive 2024-16: Removal of Non-Citizen Records
  - b. Directive 2024-17: Examination and Verification of Petitions from Independent Candidate for President and Vice President Filed with the Secretary of State's Office
3. Approval of the CCBOE Security Policy

**CANDIDATE & PETITION SERVICES**

4. Acknowledgment of resignation from, and appointment to elected office
5. Acknowledgment of issues withdrawn from the November 5, 2024, Presidential General Election
6. Certification of candidates for the November 5, 2024, Presidential General Election
7. Certification of issues for the November 5, 2024, Presidential General Election

**ELECTION OFFICIALS**

8. Acknowledgment of the updated PEO Performance Policy

**FISCAL SERVICES**

9. Approval of Resolutions and/or Vouchers for
  - a. R2024-08-19-0004V – Diltex, Inc.
  - b. R2024-08-19-0005V– Weekley's Mailing Service

**REGISTRATION**

10. Challenge of Right to Vote filed by Brian Gresham against Da'Viaghne Thomas
11. Challenge of Right to Vote filed by Hasani Wheat against Dave J. Thomas
12. Challenge of Right to Vote filed by Hasani Wheat against David Thomas
13. Discussion on questionable registration cards

**HUMAN RESOURCES**

14. Approval of the personnel agenda

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Video of this meeting can be viewed at <https://www.youtube.com/CuyahogaCountyBOE>

<sup>1</sup> Please email [mbejjani@cuyahogacounty.gov](mailto:mbejjani@cuyahogacounty.gov) or [dwhite1@cuyahogacounty.gov](mailto:dwhite1@cuyahogacounty.gov) with your name and the nature of your comment so we can fully assist you.

## **NEW BUSINESS**

- November 5, 2024, Presidential General Election Update

## **PUBLIC COMMENT**<sup>1</sup>

## **EXECUTIVE SESSION**

Discussion of personnel issues (to consider the appointment, employment, dismissal, discipline, promotion, demotion, or compensation of a public employee or official) and disputes involving the public body that are the subject of pending or imminent court action.

## 2024 Board Meeting Schedule

### August 2024

Monday, August 19<sup>th</sup> @9:30 a.m. Certification of candidates and issues for the November 5, 2024 General Election

### September 2024

Monday, September 9<sup>th</sup> @9:30 a.m. Certification of remaining issues, charter amendments, and write in candidates for the November 5, 2024 General Election

### October 2024

Tuesday, October 8<sup>th</sup> @9:30 a.m. October Board Meeting

### November 2024

Friday, November 1<sup>st</sup> @ 9:30AM Meeting for the November 5, 2024 General Election

Tuesday, November 5<sup>th</sup> November 2, 2024 General Election

Monday, November 18<sup>th</sup> @9:30 a.m. Provisional Verification for the November 5, 2024 General Election

Tuesday, November 26<sup>th</sup> @9:30 a.m. Certification of the November 5, 2024 General Election

### December 2024

Thursday, December 12<sup>th</sup> @9:30 a.m. December Board Meeting

# Agenda Item

#1

# VOTE CUYAHOGA COUNTY BOARD OF ELECTIONS

Board Meeting  
7/25/2024

**Attending:**

Henry F Curtis, IV, Chairman  
Inajo Davis Chappell, Board Member  
Terence M. McCafferty, Board Member  
Lisa M. Stickan, Board Member  
Anthony Perlatti, Director  
Mark R. Musson, Assistant Prosecutor, Cuyahoga County

Mary Bejjani, Clerk to the Board  
Skip White, Clerk to the Board

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The Cuyahoga County Board of Elections Meeting began at 9:37 a.m. Hereinafter referred to as the CCBOE/Board. Chairman Curtis noted that all Board Members were in attendance.

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**Agenda Item 1: Approval of the minutes from the June 11, 2024, board meeting**

Chairman Curtis moved to approve the minutes from the June 11, 2024, board meeting. Board Member McCafferty seconded. The motion passed. Board Member Davis Chappell abstained as she was excused from the meeting.

**Agenda Item 2: Acknowledgement of Secretary of State Directives: a. Directive 2024-09: Election Administration Readiness and Preparedness for the November 5, 2024, General Election; b. Directive 2024-10: Election Security for November 5, 2024, General Election (Security Directive 5.0); c. Directive 2024-11: Voter Registration Data Integrity; d. Directive 2024-12: Instructions Regarding the Review, Examination, and Verification of the Petition Proposing a Constitutional Amendment (Redistricting); e. Directive 2024-13: Instructions Regarding the Examination of a Petition to Form a Minor Political Party; f. Directive 2024-14: Preparation for the Statewide Mailings of Absentee Ballot Applications for the November 5, 2024, General Election; g. Directive 2024-15: The Examination and Verification of Petitions from Minor Party “Libertarian Party of Ohio” Candidates for U.S. Senate as well as President and Vice President of the United States**

Director Perlatti stated the majority of the Directives deal with statewide petitions, including the minor party petition, minor party candidate, and the redistricting amendment. He said Directive 2024-09, Election Administration Readiness, and Directive 2024-10, Election Security for November 5, 2024, Election, gave the CCBOE guidance and provided funding for each of the directives. Director Perlatti and Deputy Director Kaloger have signed the grant applications and submitted the funding plan for approval. The Election Administration Readiness deals primarily with poll worker functions, training, and supplies, which are \$109,000. The Election Security grant deals with cyber and physical security and the grant is \$66,000. The CCBOE will submit the completed list by the July 31, 2024, deadline. Director Perlatti added that Directive 2024-14 deals with the Statewide mailing of Vote-by-Mail (VBM) ballot applications to all registered voters. The statewide mailing will go out around Labor Day. The CCBOE will focus on voter education, emphasizing that it is a legitimate mailing. The SOS mailing is also barcoded, which helps with processing the information quickly and accurately. Board Member Davis Chappell asked if the SOS mailing precludes voters from requesting a VBM application. Director Perlatti said the CCBOE will continue to send and accept requested VBM applications, and it has already received about 15,000 VBM applications and 900 UOCAVA applications. He stated it is not inappropriate to submit multiple VBM applications, but it does not generate a ballot any faster. Board Member Davis Chappell asked regarding the

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

MARCS radio (Multi-Agency Radio Communication System) in Directive 2024-10. Director Perlatti said it is a walkie-talkie with a special network that can be used if all communications go down. Board Member Davis Chappell asked for further information regarding the Registration Audit Dashboard requirement in Directive 2024-11. Director Perlatti said it pertains to the upcoming January 2025 Data Act passed last year. Part of the Act includes the SOS office as the official repository that maintains more information in the voter registration database. The boards will send data to the SOS regularly that the public can consume. The dashboard will provide the boards with quality assurance data that flags questionable entries. The Director provided examples of flagging instances. He said the CCBOE is one of the largest counties and has many internal quality assurances that are run regularly, which minimizes the need that other counties experience.

Board Member Davis Chappell asked a general question regarding an update on the federal court ruling that was just issued regarding disability voters being able to allow whoever they want to assist them in delivering their ballots. She understood that the SOS may be appealing that ruling. She asked if the ruling would affect how the CCBOE prepares for the upcoming election? Mark Musson, Assistant Prosecuting Attorney, said the District Court Judge ruled that certain portions of the Revised Code as applied to disabled voters violate the supremacy clause by way of the Voting Rights Act that allows disabled voters to obtain assistance from anyone of their choice in casting their ballot. The state code limits the type of people who can return a ballot on behalf of a voter to certain limited family members. The SOS and Ohio Attorney General were taking the lead in defending the state statute and evaluating the decision. They have 30 days to decide whether to appeal in that timeframe. Prosecutor Musson said he expected the SOS to issue an advisory to the boards either through the State or at least the northern half within the territory of the district court. Board Member Davis Chappell stated that based on what was said, the preemptive or federal preemption argument and federal law trump state law, which prohibits, and limits disabled voters. Mr. Musson said the judge did not reach the ADA vagueness argument. Board Member Davis Chappell said the CCBOE will expect guidance from the SOS. She said it is a big issue for disabled voters, and the CCBOE will want to administer it in accordance with the law.

Chairman Curtis moved to acknowledge Secretary of State Directives a. Directive 2024-09: Election Administration Readiness and Preparedness for the November 5, 2024, General Election; b. Directive 2024-10: Election Security for November 5, 2024, General Election (Security Directive 5.0); c. Directive 2024-11: Voter Registration Data Integrity; d. Directive 2024-12: Instructions Regarding the Review, Examination, and Verification of the Petition Proposing a Constitutional Amendment (Redistricting); e. Directive 2024-13: Instructions Regarding the Examination of a Petition to Form a Minor Political Party; f. Directive 2024-14: Preparation for the Statewide Mailings of Absentee Ballot Applications for the November 5, 2024, General Election; g. Directive 2024-15: The Examination and Verification of Petitions from Minor Party “Libertarian Party of Ohio” Candidates for U.S. Senate as well as President and Vice President of the United States. Board Member Davis Chappell seconded. The motion passed unanimously.

### **Agenda Item 3: 1801 Superior Avenue Status Update by Mike Dever, County Public Works Director**

Director Perlatti stated the CCBOE has been working with the County Legal Department and other County agencies and secured the 1801 Superior Avenue building. The County Council did approve a lease agreement with the building owner and landlord, Industrial Commercial Properties, LLC (ICP). Additional work needs to be done to get into the space. The CCBOE has regularly met with Public Works and other entities to prepare to get the CCBOE into the building by January 2025. Director Perlatti said he invited Director Dever to the meeting today to explain the process better as Director Dever is the project manager and will be able to answer the various questions from the Board.

Cuyahoga County Department Public Works (DPW) Director Mike Dever provided a status update on the 1801 Superior Avenue building. He stated the significant hurdle of getting the legislation passed and an agreement had been reached, and now the County is trying to meet the deadline of January 2025, to get most of the Hughes Building staff into the facility by January, with February 1, 2025, being the hard date. Completed to date is the due diligence of public access, parking, and ADA access. The universal design standards the County has adopted are being utilized for the building’s functionality for existing operations, space planning, and voter queuing. The garage rehabilitation includes the air conditioning and appropriate environmental controls for the VBM ballot procedure moving over from the Halle Warehouse. The County is still working with the Health and Human Services (HHS)

agencies on how that space will work. There are some sight tweaks taking place that have not been completed yet. The hope is to do most of this build-out, including HHS, on floors two and three completed between now and January 2025 so that when the CCBOE moves into the space, there is no construction taking place on the upper floors. Director Dever stated that various approvals are still needed from the Board of Control and County Council for purchasing equipment and other needs, but the project is in a good place. The project partners and coordination include County agencies CCBOE, HHS, DPW, Information Technology (IT), and the Sheriff's Department. The landlord, ICP, has a design team, HSB, and Neff, for the design work. HSB is doing the interior design, and Neff is doing the site work and making improvements to the parking lot. Those plans have now been submitted to the City of Cleveland for permits, and the County is anticipating getting the permits in hand by mid-August, which will then be in full construction by that time. RAM Construction will do most of the construction on the garage space, and additional contractors will be added as the process continues. Board Member Davis Chappell asked if there would be any impacts due to inclement weather. Director Dever said it is anticipated that the outdoor construction will be completed so that it is fully operational in January 2025. He stated that the project support team that is part of the county project management team is Hill and K2M, and they have a weekly call with ICP to go over the various items. There are also continual calls with the CCBOE Director with the intent of having a lot of communication. There is currently a request for quote out for a county relocation contractor to assist in ultimately helping to pack everything up and get everybody organized to move the operations. It is anticipated that a vendor will be selected by mid-August. The value of the moving contract is under \$500,000. The relocation contractor will start almost immediately to plan and organize the move. Board Member Davis Chappell asked how the move would impact the election operation and administration. Director Dever stated the move would be as seamless as possible, and the intent is to have the relocation work done on days that the CCBOE does not have election business, with the understanding that everything is about the election now through November. He added that it is an opportune time for individual offices and people to start consolidating their information. It is understood that moving is a stressful time, and all efforts will be made to make the transition as seamless as possible. The important piece is to have the IT shutdown and start-up seamless. The critical path item is getting the procurement of all the appropriate IT material and being able to have it installed and up and running. It is one of the big challenges, so it has moved to the forefront to ensure everything is procured and in place in time. Director Dever stated there are other meetings taking place regarding the security of the building, how it will be set up, how it will function, and what the Sheriff's office or Protective Services needs to be available to ensure adequate security in the building. The primary entrance of the building will be at the back entrance off the parking lot, and some details are still to be worked through. Board Member Davis Chappell asked, in terms of security, which is obviously key for the CCBOE, the physical security as well as the cyber security, and if the County is going to assume all the costs for security? Director Dever said they are working together on that right now and said it is a county building, and it's important to ensure it is secure. There will be other County functions in the building, too. Board Member Davis Chappell said the CCBOE has heightened security concerns and interests. In terms of access, there is a need to ensure the CCBOE is set up with access cards and all required cameras. She said there needs to be a sure commitment from the County that the CCBOE would not pay for security. Director Dever stated the building will have state-of-the-art security, and the County is looking at cameras, access control cards, and everything of that nature. Board Member Stickan stated there are very specific requirements that are needed. Board Member Davis Chappell stated since there is a lease, perhaps it is important to have a sublease executed between the County and the CCBOE because this is so intricate, and with a sublease, each party is clear on what is being done. A lot has been done; there is a critical path with timelines; it is just incorporating what is already in the plan that has been discussed in the meetings and memorializing it so everyone is clear. Director Dever said the County Law Department and Prosecutor's office should maybe talk that through. He said the County Executive and County are committed to making this a state-of-the-art facility. Board Member Davis Chappell said a cost comes with that, and the CCBOE wants to ensure it is not in a position down the line where it will have to be bartering or compromising something else, or something gets scaled back. She emphasized that the CCBOE cannot have anything scaled back from a voting election administrative perspective. She said the CCBOE could not afford for there to be any more changes to what the plan is and suggested it be memorialized in a sublease, or somehow the CCBOE is sure of the security. Board Member Stickan stated she would assume the Director and Deputy Director also consulted on the security plan because, obviously, part of that security is for personnel and voters. Security is also used to secure the ballots and the integrity of the election, including the camera on the Dropbox, along with requirements outside the norm. She added that, obviously, nothing should be skipped. Director Perlatti said Deputy Director Kaloger and he are participating in the meetings and can attest they are vocal about making sure people understand that there are regular standards, then there are the enhanced standards and

requirements of the Secretary of State and the Department of Homeland Security that the CCBOE must live by. Director Dever said there is a written plan for all the security in the plan sheets in the overall document submitted to the city for review. Board Member Stickan stated since there are a few agencies in the building, there has been a concern about the public being able to clearly identify that the building is for the primary use of the CCBOE. This location is the building where the public will come for Early In-Person Voting or for candidate services; whatever the needs are, signage is something that needs to be made very clear. Director Dever said signage and guidance throughout the building are important components, and the details will be discussed in upcoming meetings. In January, there will most likely be temporary signage in place as the CCBOE moves in, but there will be adequate signage, so it is very clear that the CCBOE is within this building. Board Member Davis Chappell stated the concept was not that the CCBOE is within the building; the concept was that this is the CCBOE building and keeps migrating from that general principle. Even with the understanding that, obviously, there will be a couple of county agencies in the building, the CCBOE being the biggest one. That is how the CCBOE expects it to be billed; that is what was promised. Every time it is said the CCBOE is within the building, it is not how it was billed and not how it is being billed to the voters. Chairman Curtis stated the CCBOE will have the highest public use of the building and needs to be the lead, and the building must be secured to our specifications.

Board Member McCafferty said it was his understanding that the lease required the building owner to pay prevailing wages to the craftsmen and women. what is the Department of Public Works doing to ensure compliance with prevailing wages? Director Dever stated a prevailing wage coordinator will monitor those activities to ensure they are done. They have not selected many interior contractors yet because they will put smaller packages together. Since the plans are done now, they will look at a good cross-section of contractors throughout Northeast Ohio. He said the Cleveland Building Trades would be happy to see many of the contractors on that list. It will be a competitive process because the plans have just been completed. Board Member Davis Chappell asked if HHS would be the other primary agency in the building and if the construction on the second and third floors would be complete before the CCBOE occupied the building. Director Dever said the intent is to get as much of the heavy construction done prior to the CCBOE move. Some interior office work may need to be done, but they are trying to get the basic build-out done beforehand. He added that ICP is anxious to do that rather than mobilizing twice to bring contractors into the building. Board Member Davis Chappell asked if the landlord is covering the costs of improvements and if it is a triple net lease? Director Dever said yes, there is an allowance within the contract for them to do improvements, and confirmed it is a triple net lease. Board Member Davis Chappell asked if the consolidation of HHS will impact the number of people going into the building, and is it known how many HHS people are planned, and how it will impact parking? Director Dever said he did not know, but they will be utilizing a finite amount of space. He added there will be a parking item coming to the County Council's agenda next week to purchase two lots down the street at East 17th and Superior. That will be the first reading, so moving forward with regard to the HHS consolidation, it is still being worked out. Director Dever said K2M is the criteria architecture for the group. They will be handing off their architecture to a new group, DS, who is going to be handling all of the work in regard to HHS, and they are still working through the details. The HHS agency has 2,400 employees; its primary building is the Virgil Brown Building. Board Member Davis Chappell said that parking is pivotal and the reason for the main driver of the CCBOE wanting to move, so if there is anything that might potentially impact parking, the CCBOE needs to know. She said it would be extremely disappointing to know that more HHS people need to be in the building and the CCBOE has reduced parking for voters and staff, parking is key. She added that security and parking are the main drivers for the CCBOE move and remain critical for the CCBOE's operation. Any impacts on space allocation planning can potentially impact the CCBOE's ability to administer elections. Board Member Davis Chappell recommended there should be a sub lease or written documentation so it can be clear what is needed. Director Dever said those details have not been determined. Board Member Stickan said that is a critical piece, as when there were initial discussions, it was understood that HHS was supposed to be administration and that there would not be public traffic for their client services. Board Member Davis Chappell asked what the contingency plan was if something gets derailed, and if there is not one, it needs to be addressed. She said the CCBOE will have to be reliant on the schedule that is being provided. Director Dever agreed and stated that the CCBOE could remain in the current spaces longer, which is the worst-case scenario. He said it is important to get the CCBOE in by January 2025 and is fully aware of the importance of this significant project. Board Member Davis Chappell asked if there were any incentives for the landlord to finish on time? Director Dever stated the incentive would be when rent payments would commence. She asked Prosecutor Musson to review the lease and see if there were any incentives and advise the Board. Board Member Stickan stated that next year is a municipal election year with



rolling deadlines and that they should be mindful because any delays could cause confusion for voters and candidates. Director Perlatti said next year is loaded with deadlines, and the CCBOE has been very clear that if the January 25, 2025, date is not met, it would look like a shorter window to move in June 2025.

Board Member McCafferty asked for an update on Public Works moving the Ballot Drop Box in the CCBOE parking lot. Director Dever said that the Director and Deputy Director have been working with Public Works Facility administrators Matt Rymer and Dan Paul. He understood they discussed how the ballot drop box would be moved and the details for the parking lot for tents and barriers. Director Perlatti stated that ideally, the box should be moved by mid-August, and the CCBOE needs the dates to add to the calendar as the ballot box is a priority. Director Dever stated he understood it is a priority project and is confident it will be completed in time to everyone's satisfaction.

Director Dever stated he will be coming back in the near future to update the Board on how the project is going.

**Agenda Item 4: Approval to outsource the printing of Vote-by-Mail ballots for the November 5, 2024, Presidential General Election**

Chairman Curtis moved to approve to outsource the printing of Vote-by-Mail ballots for the November 5, 2024, Presidential General Election. Board Member Davis Chappell seconded. The motion passed unanimously.

**Agenda Item 5: Preliminary approval of the ballot order for the November 5, 2024, Presidential General Election**

Chairman Curtis moved to approve the preliminary approval of the ballot order for the November 5, 2024, Presidential General Election. Board Member Davis Chappell seconded. The motion passed unanimously.

**Agenda Item 6: Approval to appoint not less than two precinct election officials for each precinct pursuant to ORC §3501.22 for the November 5, 2024, Presidential General Election**

Chairman Curtis moved to approve to appoint not less than two precinct election officials for each precinct pursuant to ORC §3501.22 for the November 5, 2024, Presidential General Election. Board Member Davis Chappell seconded. The motion passed unanimously.

**Agenda Item 7: Preliminary authorization for the allocation of voting booths for the November 5, 2024, Presidential General Election. Allocation quantities are based on one voting booth for every 175 registered voters per polling location. A total of 4,842 voting booths will be allocated + 705 ClearCast Go scanners + 289 ADA ClearAccess voting units and 1,152 Electronic Poll Books**

Chairman Curtis moved to approve the preliminary authorization for the allocation of voting booths for the November 5, 2024, Presidential General Election. Allocation quantities are based on one voting booth for every 175 registered voters per polling location. A total of 4,842 voting booths will be allocated + 705 ClearCast Go scanners + 289 ADA ClearAccess voting units and 1,152 Electronic Poll Books. Board Member Davis Chappell seconded. The motion passed unanimously.

**Agenda Item 8: Approval of Resolution and/or Contract for a) R2024-07-25-0001C - Enhanced Voting, LLC, Live Election Night Reporting Software**

Patrick McAlea, Fiscal Services Assistant Manager, presented the information from the board materials regarding the approval of Resolution and/or Contract for Enhance Voting. Director Perlatti stated this product is for election night software that Tenex currently provides. The item did go out for bid which was structured by the fiscal manager and prosecutor's office that would score the best functionality at a reasonable fair price. The CCBOE had previously used Enhanced Voting for remote ballot marking, which is an ADA solution, and they were good to work with and had a good product. However, when the next bid came out, they were underbid. The Enhanced Voting, Live

Election Night Reporting Software will give the CCBOE additional reporting functions, which have helpful features for the CCBOE and voters, including the ability to update it with the certified election results.

Chairman Curtis moved to approve the Resolution and/or Contract for a) R2024-07-25-0001C - Enhanced Voting, LLC, Live Election Night Reporting Software. Board Member Davis Chappell seconded. The motion passed unanimously.

**Agenda Item 9: Approval of Resolutions and/or Vouchers for a) R2024-07-25-0002V - ESSVR, LLC., Dims Annual Maintenance Fee, b. R2024-07-25-0003V - Buckeye Power Supply, Rental of Portable Generator**

Mr. McAlea presented information from the board materials regarding the approvals of the resolutions and vouchers.

Chairman Curtis moved to approve the Resolution and vouchers for a) R2024-07-25-0002V - ESSVR, LLC., Dims Annual Maintenance Fee. Board Member Davis Chappell seconded. The motion passed unanimously.

Chairman Curtis moved to approve the Resolution and voucher for b) R2024-07-25-0003V - Buckeye Power Supply, Rental of Portable Generator. Board Member Davis Chappell seconded. The motion passed unanimously.

### **Agenda Items 10 – 21:**

Director Perlatti stated there are several challenges that are divided into two groups. All individuals are entitled to their own opportunity to speak; their challenges relate to the same registration address.

*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 Items 10 through 19:**

Hasani Wheat, Registration Department Manager, presented information outlined in the board materials regarding the Challenge of Right to Vote filed by Dennis Culley against David Biagas, Ronald H. Coleman, Cynthia Dlugo, Terry L. Green, Francis Raymond Kish, Nellie McKinney, Mohd M. Qamar, Wanda F. Raybon, Tonya Rushton, and Clay W. Williams, Jr. Mr. Culley is a registered voter in Cuyahoga County challenged the right to vote of the ten voters' registration at 16231 Broadway Road, Maple Heights, Ohio, which was previously known as Maple Care Center Nursing Home. Mr. Wheat stated that the ten challenged voters had no voter activity at the Broadway address since November 2017, and research indicated that the nursing home had been closed for a few years. Mr. Culley testified via Zoom. Board Member Davis Chappell asked if the CCBOE receives notifications if a senior facility closes? She said the CCBOE could initiate challenges if it were aware of the facility closing. Director Perlatti stated the CCBOE does not get an automatic notice that a facility is closing, and not all facilities engage with the CCBOE for assisted voting for their residents. Director Perlatti stated if the CCBOE were to get notice from a partner facility, that would be a different fact pattern that could be monitored. He said what is in place is the monitoring of voter activity. There was no voter activity for any of these individuals challenged and they were inactive. However, the process is not instantaneous in removing a voter, as there is a four-year window to the process. Board Member Davis Chappell asked if the Ohio Department of Health, which monitors senior facilities, could alert the CCBOE if a facility closes or opens. Board Member Stikkan said the County may also be able to provide the information. Director Perlatti stated the CCBOE will contact the County Senior and Adult Services Department for guidance.

Chairman Curtis confirmed that none of the respondents nor a representative attended the hearing.

**Agenda Item 10: Challenge of Right to Vote filed by Dennis Culley against David Biagas**  
**Agenda Item 11: Challenge of Right to Vote filed by Dennis Culley against Ronald H. Coleman**  
**Agenda Item 12: Challenge of Right to Vote filed by Dennis Culley against Cynthia Dlugo**

**Agenda Item 13: Challenge of Right to Vote filed by Dennis Culley against Terry L. Green**  
**Agenda Item 14: Challenge of Right to Vote filed by Dennis Culley against Francis Raymond Kish**  
**Agenda Item 15: Challenge of Right to Vote filed by Dennis Culley against Nellie McKinney**  
**Agenda Item 16: Challenge of Right to Vote filed by Dennis Culley against Mohd M. Qamar**  
**Agenda Item 17: Challenge of Right to Vote filed by Dennis Culley against Wanda F. Raybon**  
**Agenda Item 18: Challenge of Right to Vote filed by Dennis Culley against Tonya Rushton**  
**Agenda Item 19: Challenge of Right to Vote filed by Dennis Culley against Clay W. Williams, Jr.**

Chairman Curtis moved to uphold and cancel the registrations for agenda items 10-19, the Challenges of the Right to Vote, filed by Dennis Culley against David Biagas, Ronald H. Coleman, Cynthia Dlugo, Terry L. Green, Francis Raymond Kish, Nellie McKinney, Mohd M. Qamar, Wanda F. Raybon, Tonya Rushton, and Clay W. Williams, Jr. Board Member Davis Chappell seconded. The motion passed unanimously.

### **Agenda Items 20 through 21:**

Hasani Wheat presented information outlined in the board materials regarding the Challenge of Right to Vote filed by Willie Jones, III., against Brian Wilkes and Samantha Williams. Mr. Jones noted in his challenge that neither Brian Jones nor Samantha Williams lives at 2042 West 100th Street, Cleveland, Ohio. Mr. Jones also submitted an affidavit on July 20, 2024, stating that he owns the property and has resided there for over 22 years. Neither Brian Wilkes nor Samantha Williams have lived there. Mr. Wheat stated that the voter registration for Brian Wilkes and Samantha Williams came from the organization Black Fork Strategies, and the voter registrations were processed on June 12, 2024. The CCBOE could not verify relevant voter information through quality assurance measures from the Bureau of Motor Vehicles and the Social Security Administration. The CCBOE informed Black Fork Strategies of Mr. Jones's concerns. Black Fork spoke with the employee who circulated and collected the registration cards. However, that employee had no additional insights on this matter. The CCBOE also attempted to contact Mr. Wilkes and Ms. Williams but could not reach them. Board Member Stickan asked if Black Fork Strategies is the group the CCBOE has had previous issues with and referred to the SOS? Director Perlatti said yes. Board Member Stickan said her concern was there were two cards from the same worker with the same address and different zip codes. She asked if Brian Wilkes and Samatha Williams were registered voters in Cuyahoga County or if there was any record of them? Mr. Wheat stated this was their first registration. Board Member Stickan said this should be something that is flagged. Director Perlatti stated that in August, the Board can expect to see a report on some of the issues the CCBOE is seeing with Black Fork Strategies registration cards. Some grouping of registration cards has been identified as abnormal, like not having genuine signatures. A report will be provided to the Board regarding Black Fork Strategies that potentially rise to a level that is not a common mistake. The Board can then deliberate on whether there are additional action items the Board may want to refer to, such as the SOS Public Integrity Division. He said the CCBOE has regular communication with the leadership at Black Fork Strategies, and they are receptive and want to work with the CCBOE. Director Perlatti noted there is a lot of good work going on, but there may be some issues that need to be looked at. Board Member Stickan said she was glad this was caught early. Director Perlatti said the voter is active when a registration card is added to the system. However, one of the checks done throughout the State is called a BMV/SSA Administration check, which automatically reviews the information. If something is amiss, the CCBOE inactivates the registration and sends a notice to the individual. When someone registers to vote, the CCBOE automatically sends a notice advising them of their precinct and polling location. Director Perlatti said Mr. Jones received notices and challenged these two individuals. Director Perlatti said the BMV/SSA process is separate, and it ran its course, too. The CCBOE also receives returned notices when the post office returns it as undeliverable, and the CCBOE will put the voter status as must-vote-provisionally or send them another notice. There are checks and balances in the system. Board Member Davis Chappell also requested a status report on the items the CCBOE sent to the SOS Public Integrity Division. Chairman Curtis stated this concern was discussed at the conference, and the SOS committed to giving the CCBOE a status report.

Chairman Curtis confirmed that none of the respondents or a representative was in attendance for the hearing. He acknowledged the affidavit from Mr. Willie Jones, III., which attests that he owns the property at 2042 West 100th Street, Cleveland, and neither Brian Wilkes nor Samantha Williams have ever resided there.

**Agenda Item 20: Challenge of Right to Vote filed by Willie Jones, III against Brian Wilkes**  
**Agenda Item 21: Challenge of Right to Vote filed by Willie Jones, III against Samantha Williams**

Chairman Curtis moved to uphold and cancel the registrations for agenda items 20-21, the Challenges of the Right to Vote, filed by Willie Jones, III., against Brian Williams and Samantha Williams. Board Member Chappell seconded and made a friendly amendment to add the affidavit from Mr. Jones be part of the record. The motion passed unanimously.

Board Member Stickan asked that the CCBOE file an amended referral with the SOS Public Integrity Division. Director Perlatti stated yes. He said the CCBOE has worked with both Black Fork Strategies and Second Street Associates to put coding on their registration cards so the CCBOE can trace back to the circulators. The CCBOE does not know who the circulator is, but can provide the information to Black Fork, and they can then address it.

**Agenda Item 22: Approval of the personnel agenda**

Chairman Curtis moved to approve the personnel agenda, as provided in the board materials. Board Member Davis Chappell seconded. The motion passed unanimously.

Chairman Curtis moved to approve the tuition reimbursement, as provided in the board materials. Board Member Davis Chappell seconded. The motion passed unanimously.

**NEW BUSINESS**

**CCBOE Election Integrity Series**

Mike West, Community Outreach Manager, provided information on the CCBOE Election Integrity Series, which can be found on the CCBOE website. The CCBOE is working with local stations and social media to promote the series.

**Presidential/Vice Presidential Candidates**

Director Perlatti stated that 90 days before a General Election, the major political parties must certify the joint names of their presidential and vice-presidential candidates to the SOS. The 90-day deadline is August 7, 2024; this year, the Democratic National Convention is not held until August 19, 2024, through August 22, 2024. The Ohio Legislature and Governor passed House Bill 2, which delays the deadline for a major political party to certify their presidential and vice-presidential candidates to September 1, 2024. Director Perlatti stated that the CCBOE will build the ballot based on an SOS directive stating what names will appear. The SOS then has a deadline of September 6, 2024, to issue the Directive and send it to the boards of elections, which is ten days later than the original deadline. The opening of UOCAVA is Friday, September 10, 2024, which is a tight deadline. The CCBOE will still be able to build the ballot with all the other candidates and issues and although there will not be official names until the Directive is received, a placeholder can be created. Director Perlatti stated the general public should know that for administration purposes, the CCBOE has a timeline to meet all the state laws and have the ballots. The CCBOE will stay the course as none of the statutory deadlines have come about yet. Board Member Davis Chappell stated that the Directive from the SOS, Chief Elections Officers, is what triggers what boards of elections do.

The Director stated that the Election Support Department had sent out the polling location contracts for the private polling locations. By August 2, 2024, the Cleveland Metropolitan School District contracts will go out, and the other contracts for public locations will be sent the following week. Board Member Davis Chappell asked if the CCBOE has received any responses? Director Perlatti said there were locations from the March Election that indicated they would not be available for November. The Election Support Department has locked in other locations, and voters have been notified of any changes, and the changes will be noted in the Voter Information Guide. He said that in about two weeks, temporary employees will start in the Election Officials Department and be trained on recruiting poll workers. The Poll Worker Training Manual edits have been completed and have gone out to bid to have the manuals printed. Staff is also finalizing the quick reference guides. All poll workers must take in-person training for

the November 5, 2024, General Election, regardless of whether they worked in March 2024. This week, the CCBOE had its third meeting with the Sheriff's office, working on security for Early In-Person Voting and Election Day. The CCBOE has also expanded and bought in employees from the Cuyahoga County Office of Emergency Management (CCOEM), which will be utilized on Election Day. He said the CCOEM has been very helpful in reaching out and bringing in other entities for the Presidential Election. A Public Works employee is working on the parking lot agreements, and it appears the CCBOE will have all the necessary parking lots. The CCBOE just signed an agreement with the former Bryant and Stratton lot. Director Perlatti stated on Monday, July 29, 2024, there will be an on-site meeting with Midwest Direct. There will also be a meeting with the U.S. Post Office and Midwest to discuss deadlines and volume. The County Communications Department will also be meeting with the CCBOE. Additionally, there will be a meeting with the City of Cleveland Traffic Commission to discuss how they can help the CCBOE with officers and traffic during Early In-Person Voting and Election Day. Also scheduled is a meeting with the County IT Department to pro-actively plan for the November 5, 2024, Presidential General Election.

Board Member Davis Chappell asked if Rocket Mortgage FieldHouse is being used as a polling location? Director Perlatti said yes. The location was previously a polling location. Then when the Cavaliers were in the playoffs, the polling location was moved to Old Stone Church, where parking was always a challenge, and now, with the Sherwin-Williams building, the parking utilized is now gone. The NBA is very voter-engaged and asked to have the polling location back at the FieldHouse, and they are willing to work with the CCBOE for the next two to three years as a polling location. They will also provide additional staff to guide voters and work with the parking garage to have parking spaces available. Director Perlatti added on National Voter Registration Day, September 17, 2024, there will be events involving the local sports teams.

#### **PUBLIC COMMENT**

There was no public comment.

#### **EXECUTIVE SESSION**

There was no executive session.

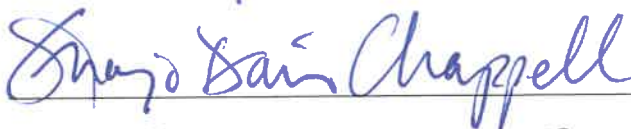
Chairman Curtis moved to adjourn the meeting at 11:38 a.m. Board Member Davis Chappell seconded. The motion passed unanimously.

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 July 25, 2024.

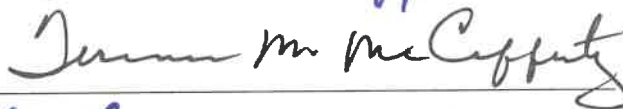
Henry F Curtis, IV, Chairman



Inajo Davis Chappell, Board Member



Terence M. McCafferty, Board Member



Lisa M. Stickan, Board Member



Anthony Perlatti, Director



# Agenda Item

#2

a)



RELEASED: August 1, 2024

## SUMMARY

- *Directive 2024-16* supplements *Directive 2024-08* (Annual Review of Statewide Voter Registration Database to Identify Non-citizens).
- It provides for the additional removal of registrants who have self-identified as non-citizens to the BMV and who have been verified as non-citizens through the federal SAVE (Systematic Alien Verification for Entitlements) database.
- Of the 499 non-citizen registrations identified by the SOS, 115 are from Cuyahoga County.
- The removal of registrations contained on a list provided by the SOS must occur no later than **Aug. 6**.
- No later than **Sept. 6**, the CCBOE must send an additional written notice to the individuals who are removed from the voter registration database informing the individual that their registration was canceled.
- If a non-citizen whose voter registration is removed under this process attains United States citizenship, they may re-register at any time upon completing the required registration form and signing the attestation of United States citizenship under penalty of election falsification.
- Any individual removed from the voter registration database pursuant to this Directive may cast a provisional ballot. That provisional ballot shall count if the removal of the voter registration was made in error and upon proof of United States citizenship.

## BACKGROUND AND OVERVIEW

State and federal law require maintaining accurate voter registration records. Further, the passage of the DATA Act clarified that boards of elections are required to remove individuals from the voter rolls who are not legally registered or eligible to vote. Therefore, *Directive 2024-16* requires the CCBOE to remove voter registrations of individuals who have notified the BMV they are not a United States citizen, who have failed to respond to notices from the SOS seeking confirmation of their citizenship status, and who have been verified as non-citizens by the federal SAVE database.

If a non-citizen whose voter registration is removed under this process attains United States citizenship, they may re-register at any time upon completing the required registration form and signing the attestation of United States citizenship under penalty of election falsification.

## INSTRUCTIONS

### **I. REMOVAL**

The CCBOE must remove the voter registrations of individuals:

1. That fail to respond to notices sent by the SOS office seeking confirmation of citizenship or cancelation of their voter registration.

2. That have submitted documentation self-identifying as a non-citizen to the BMV.
3. That have been confirmed as non-citizens in the federal SAVE database system.

The SOS will provide notice to non-citizens identified through this removal process. The removal of registrations contained on the list provided by the SOS must occur no later than **August 6, 2024**.

## **II. NOTICE AND HEARING**

No later than **Sept. 6, 2024**, the CCBOE must send an additional written notice to the individuals who are removed from the voter registration database informing the individual that their registration was canceled. A non-citizen whose registration is removed under this process may request a hearing and administrative appeal before the CCBOE. If the individual provides proof of citizenship at the hearing, their voter registration shall be re-instated.

## **III. PROVISIONAL VOTING**

Any individual removed from the voter registration database pursuant to this Directive may cast a provisional ballot. That provisional ballot shall count if the removal of the voter registration was made in error and upon proof of United States citizenship.



## **DIRECTIVE 2024-16**

August 1, 2024

To: All County Boards of Elections  
Board Members, Directors, and Deputy Directors

Re: Removal of Non-Citizen Records

### **SUMMARY**

Directive 2024-08 set forth the removal of non-citizens from Ohio's county and statewide voter registration databases. These registrants had two interactions with the Ohio Bureau of Motor Vehicles in which they self-identified as non-citizens, and they failed to respond to multiple notices seeking confirmation of their citizenship status. Recently the United States Department of Homeland Security granted the Ohio Secretary of State's office access to the Systematic Alien Verification for Entitlements (SAVE) system for verifying citizenship and immigration status as part of the voter registration process. Accordingly, this directive provides a supplement to Directive 2024-08 and provides for the additional removal of registrants who have self-identified as non-citizens to the Ohio Bureau of Motor Vehicles (BMV) and who have been verified as non-citizens through the federal SAVE database.

### **BACKGROUND AND OVERVIEW**

In 2022, Ohio voters overwhelmingly passed a constitutional amendment stating that only United States citizens may vote in all elections in the state of Ohio.<sup>1</sup> State and federal law require maintaining accurate voter registration records.<sup>2</sup> Further, the passage of the DATA Act<sup>3</sup> clarified that boards of elections are required to remove individuals from the voter rolls who are not legally registered or eligible to vote.<sup>4</sup>

Therefore, to comply with the Ohio Constitution and Ohio law, this directive requires each county board of elections to remove the voter registrations of individuals who have notified the BMV that they are not a United States citizen, who have failed to respond to notices from the Secretary of State's office seeking confirmation of their citizenship status,

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<sup>1</sup> Article V, Section 1; Article X, Section 3; Article XVIII, Section 3 of the Ohio Constitution.

<sup>2</sup> R.C. 3503.151(A)(D); R.C. 3501.11(U); 52 U.S.C. § 20507.

<sup>3</sup> House Bill 33 of the 135 General Assembly.

<sup>4</sup> R.C. 3503.151(D).

and who have been verified as non-citizens by the federal SAVE database. This directive then requires boards of elections to send removed registrants a notice indicating that their ineligible registration has been removed from the voter registration database.

The Secretary of State's office is committed to encouraging all eligible, lawfully registered citizens to be active voters. If a non-citizen whose voter registration is removed under this process attains United States citizenship, they may re-register at any time upon completing the required registration form and signing the attestation of United States citizenship under penalty of election falsification. If an individual whose voter registration is removed under this process believes the registration has been removed in error, they may provide proof of citizenship to their respective county board of elections to have the registration immediately reinstated.

## **INSTRUCTIONS**

### **I. REMOVAL**

Boards of elections are directed to remove the voter registrations of individuals 1) who fail to respond to notices sent by the Secretary of State's office seeking confirmation of citizenship or cancelation of their voter registration, (2) who have submitted documentation self-identifying as a non-citizen to the BMV and (3) who have been confirmed as non-citizens in the federal SAVE database system.

The Secretary of State will provide notice to non-citizens identified through the above-mentioned process that their registrations will be removed unless they provide proof of citizenship to their respective county board of elections. The removal of registrations contained on the list provided by the Secretary of State must occur no later than **August 6, 2024**.

### **II. NOTICE AND HEARING**

No later than **September 6, 2024**, boards of elections must send an additional written notice to the individuals who are removed from the voter registration database informing the individual that their registration was canceled because:

1. They failed to respond to notices confirming or canceling their voter registration;
2. They submitted documentation to the BMV indicating that they are a non-citizen;
3. They were verified as non-citizens in the Department of Homeland Security's Systematic Alien Verification for Entitlements (SAVE) database system; and
4. They have a right to contest the removal at an administrative hearing conducted by the board of elections.

A non-citizen whose registration is removed under this process may request a hearing and administrative appeal before the board of elections. If the individual provides proof of citizenship at the hearing, their voter registration shall be re-instated.

### **III. PROVISIONAL VOTING**

Any individual removed from the voter registration database pursuant to this directive may cast a provisional ballot. That provisional ballot shall count if the removal of the voter registration was made in error and upon proof of United States citizenship. If a voter registration was removed pursuant to this directive in error, boards of elections must restore the registration to active status and treat the registration as though it was never canceled. Finally, boards of elections must note that any registration removed pursuant to this directive was identified through a citizenship compliance review of the statewide voter registration database.

If you have any questions about this directive, please contact the Secretary of State's Elections Division at 614.466.2585.

Yours in service,



Frank LaRose  
Ohio Secretary of State

# Ohio Voter Registration Cancellation Notice - Non-Citizen

R.C. 3503.151(D); Constitution of Ohio Article V, Section 1

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You are hereby notified that your voter registration in the State of Ohio,

County of

City, Township, or Village of \_\_\_\_\_

Street Address \_\_\_\_\_

Has been canceled due to confirmation of Ohio Bureau of Motor Vehicles (BMV) records and the Department of Homeland Security's Systematic Alien Verification for Entitlements (SAVE) Database that you are not a U.S. citizen.

If you have questions concerning the cancellation of your voter registration record, please contact the

Board of Elections

at (address) \_\_\_\_\_

in the City of \_\_\_\_\_, Ohio.

You may request an administrative hearing before your county Board of Elections to challenge the cancellation.

This notice does not prohibit you from reregistering to vote should you attain citizenship in the future.

b)

**RELEASED: August 9, 2024**

## **SUMMARY**

- *Directive 2024-17* provides instructions on the examination and verification of signatures for independent candidate petitions filed with the SOS for the Nov. 5, 2024 Presidential General Election.
- The examination and verification of signatures must be complete and certification forms returned to the SOS by **12 p.m. on Monday, August 19.**
- A signature on a nominating petition for President and Vice President is not valid if it is dated more than one year before the nominating petition was filed.
- The CCBOE must ensure all voter registrations and updates to registrations are processed as of the date the petition was filed with the SOS before verifying signatures on the part-petitions.
- The Independent Candidates for President and Vice President are:
  - Claudia De La Cruz & Karina Garcia
  - Jill Stein & Anita Rios
  - Robert F. Kennedy Jr. & Nicole Shanahan
  - Richard Duncan & Mitchell Preston Bupp
  - Shiva Ayyadurai & Crystal Ellis
  - Peter Sonski & Lauren Onak

## **VERIFYING THE VALIDITY OF PART-PETITIONS AND SIGNATURES**

When verifying the validity of these part-petitions, the CCBOE must proceed with the following steps:

1. A signature on a nominating petition for President and Vice President is **not valid if it is dated more than one year before the nominating petition was filed.**
2. Ensure all voter registrations and voter registration updates are processed as of the date the petition was filed with the SOS before verifying the signatures on the part-petitions.
3. The CCBOE must verify all petition signatures, electronically record decisions on the validity or invalidity of each signature on the voter registration record, track for duplicate signatures, and ensure the voter registration record is updated with voter activity credit if the signature and address match.
4. Check each part-petition to determine whether the circulator's statement on the part-petition was properly completed. The entire part-petition may be invalid if the circulator's statement is not completed as required by law.
5. Each person who signs the nominating petition must be a qualified elector of Ohio and registered to vote at the address provided on the part-petition as of the date the board examines it.



### **PART-PETITION BELONGING TO ANOTHER COUNTY**

If the CCBOE receives a part-petition with a majority of signatures from another county, it must not verify that part-petition, but instead must promptly send the part-petition(s) to the Director and Deputy Director of the other county.

### **SCANNING THE PART-PETITIONS**

After it finishes checking the signatures on the part-petitions, the CCBOE must electronically scan each part-petition. A copy of the scanned images must be uploaded to the SOS, and a copy retained for its records.

### **FULFILLING PUBLIC RECORDS REQUESTS**

The CCBOE may receive public records requests for copies of the part-petitions. It should consult with the county prosecuting attorney before rejecting, fulfilling, or responding to any public records request.

### **PUBLIC INSPECTION OF PART-PETITIONS**

The part-petitions must be open to public inspection at the CCBOE until 4:00 p.m. on Monday, August 19. During this time the petitions must remain under the custody and control of the CCBOE at all times.

### **CERTIFICATION AND RETURN OF PETITION**

As soon as the CCBOE finishes verifying the signatures on the part-petitions, it must submit a signed (by the Director and Deputy Director) certification form to the SOS by **Monday, August 19, at 12 p.m.**

The original part-petitions must be mailed to the SOS by **August 30.**



## **DIRECTIVE 2024-17**

August 9, 2024

To: All County Boards of Elections  
Board Members, Directors, and Deputy Directors

Re: Examination and Verification of Petitions from Independent Candidate for  
President and Vice President Filed with the Secretary of State's Office

### **SUMMARY**

This directive provides instructions on the examination and verification of signatures for independent candidate petitions filed with the Ohio Secretary of State for the November 5, 2024, general election. In lieu of issuing a separate directive with each candidate's petition, this directive applies to each petition filed with the Ohio Secretary of State's office and transmitted to county boards of elections for review. Enclosed is a list of candidates and their filing dates, as well as a manifest of all part-petitions.

The examination and verification of signatures must be complete and the certification forms returned to the Secretary of State's office by **12:00 p.m. on Monday, August 19, 2024.**<sup>1</sup> County boards of elections are encouraged to return certification forms as soon as possible.

The original part-petitions must be shipped via trackable delivery method no later than **Friday, August 23, 2024.** The part-petitions must be received by the Secretary of State's office by **Friday, August 30, 2024.** Please note that the office has moved to 180 Civic Center Drive, Columbus, Ohio 43215-4138.

### **VERIFYING THE VALIDITY OF PART-PETITIONS AND SIGNATURES**

Please carefully read this directive and [Chapter 13 \("Petitions," Directive 2023-38\)](#) of the Election Official Manual before the board of elections examines the petitions sent to your county. Remember that a signature on a nominating petition for President and Vice President "is not valid if it is dated more than one year before the nominating petition was filed."<sup>2</sup>

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<sup>1</sup> 78 days before the general election, as required by [R.C. 3513.263](#).

<sup>2</sup> [R.C. 3513.263](#)

Before verifying the signatures on the part petitions, each board of elections must process all new, valid voter registrations as well as changes of names and addresses to existing registrations received by the board or the Secretary of State's office as of the date the petition was filed with the Secretary of State.<sup>3</sup>

The board must verify all petition signatures, electronically record decisions on the validity or invalidity of each signature on the voter registration record, track for duplicate signatures, and ensure that the voter registration record is updated accordingly.

The board must review each candidate's petitions independently of other candidates' petitions. Prior to verifying the validity of individual signatures contained on a part-petition, the board of elections must verify the validity of that part-petition. To verify the part-petitions, the board must check each part-petition to determine whether the circulator's statement on the part-petition has been properly completed. The entire part-petition is invalid if the circulator's statement is not completed as required by law.<sup>4</sup>

### **PART-PETITION BELONGING TO ANOTHER COUNTY**

If a board of elections receives a part-petition with a majority of signatures from another county, that board of elections may not determine the validity of that part-petition or review the signatures contained on it. Instead, it must promptly follow the steps below, complete the following two spreadsheets, and return them in the envelopes provided when all part-petitions are returned to the Secretary of State's office:

1. "Part-Petitions Sent" Spreadsheet [original part-petition(s)], and
2. "Part-Petitions Received" Spreadsheet [emailed part-petition(s)].

If a board of elections receives a part-petition(s) that belongs to another county, complete the following steps:

1. Contact the director or deputy director at the other county board by phone to notify them that your board will be forwarding a scanned copy of a part-petition(s).
2. Log the transfer of the part-petition(s) being sent on the "Part-Petitions Sent" spreadsheet.
3. Send the copy of the part-petition(s) via email to the director and deputy director of the other county board.

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<sup>3</sup> [R.C. 3501.38\(A\), \*State ex rel. Oster vs. Lorain Cty. Bd. of Elections\*, 93 Ohio St. 3d 480 \(2001\).](#)

<sup>4</sup> [R.C. 3501.38.](#)

4. Return the original part-petition(s) with the "Part-Petitions Sent" spreadsheet in an envelope and mark it as such. When the board returns its checked part-petitions to the Secretary of State's office, place this envelope on top of the checked part-petitions so it can be easily located and retrieved from the box.

If a board of elections receives a copy of a part-petition from another county, complete the following steps:

1. Log the part-petition(s) that the board received on the "Part-Petitions Received" spreadsheet.
2. Process the part-petition(s).
3. Return a printed copy of the emailed part-petition(s) with the "Part-Petitions Received" spreadsheet in an envelope and mark it as such. When the board returns its checked part-petitions to the Secretary of State's office, place this envelope on top of the checked part-petitions so it can be easily located and retrieved from the box.

**Note:** Even if a board of elections does not email a copy of a part-petition(s) to another county and/or does not receive a copy of a part-petition from another county, the board must enter the county name and mark the box (X) in the top right-hand corner of the spreadsheet and place it in an envelope. When the board returns its checked part-petitions to the Secretary of State's office, place both envelopes on top of the checked part-petitions so they can be easily located and retrieved from the box.

### **SCANNING THE PART-PETITIONS**

After the board of elections finishes verifying the signatures on the part-petitions, the board must electronically scan each part-petition. A copy of the scanned images – one for each candidate, e.g. each delegate – must be uploaded to the Secretary of State's SharePoint site (using the instructions accompanying this directive). Each board must retain an electronic copy of the images for the board's records.

### **FULFILLING PUBLIC RECORDS REQUESTS**

Boards of elections may receive public records requests for copies of the part-petitions. Boards should consult with their statutory legal counsel, the county prosecuting attorney, before rejecting, fulfilling, or responding to any public records request.

## **PUBLIC INSPECTION OF PART-PETITIONS**

The part-petitions must be open to public inspection at the board office until 4:00 p.m. on Monday, August 19, 2024.<sup>5</sup> During this time the petitions must remain under the custody and control of the board of elections at all times.

## **CERTIFICATION AND RETURN OF PETITIONS**

As soon as the board of elections finishes verifying the signatures on the part-petitions, the board must return a completed certification form for each candidate's petition. The certification form for each candidate's petition must be completed and submitted electronically via Elect Collect by selecting the "Submit" button. Each certification form must also be saved and printed. The director and deputy director must sign the certification forms and upload the signed certification forms to the SharePoint site.<sup>6</sup> **All certification forms and scanned images of petitions must be submitted by 12:00 p.m. on Monday, August 19, 2024.**

After the certification forms have been submitted, county boards of elections must promptly return the original part-petitions to the Secretary of State's office, Elections Division, 180 Civic Center Drive, Columbus, Ohio 43215-4138 via trackable delivery method. **All original part-petitions must be received by the Secretary of State's office no later than Friday, August 30, 2024.**

If you have any questions concerning this directive, please contact the Secretary of State's elections counsel at 614-728-8789.

Yours in service,



Frank LaRose  
Ohio Secretary of State

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<sup>5</sup> [R.C. 3513.262](#); [R.C. 1.14](#)

<sup>6</sup> If a board has not appointed a deputy director or director, then the board chairperson or a board member of the opposite party, respectively, must sign the certification forms.



## 2024 GENERAL ELECTION

### OTHER-PARTY/NONPARTY CANDIDATES AND FILING DATES

Claudia De La Cruz & Karina Garcia

May 22, 2024

Other-Party Candidate

Jill Stein & Anita Rios

July 9, 2024

Other-Party Candidate

Robert F. Kennedy Jr. & Nicole Shanahan

July 26, 2024

Nonparty Candidate

Richard Duncan & Mitchell Preston Bupp

July 26, 2024

Nonparty Candidate

Shiva Ayyadurai & Crystal Ellis

August 6, 2024

Nonparty Candidate

Peter Sonski & Lauren Onak

August 7, 2024

Other-Party Candidate



# Independent Candidate Part-Petitions Manifest

County	De La Cruz	Stein	Kennedy Jr	Duncan	Ayyadurai	Sonski	Total Part-Petitions
ADAMS	5	1	1	0	1	0	8
ALLEN	6	3	10	2	1	3	25
ASHLAND	8	3	1	13	1	4	30
ASHTABULA	9	1	2	10	3	1	26
ATHENS	12	8	4	4	0	4	32
AUGLAIZE	2	1	1	2	1	1	8
BELMONT	1	1	0	3	33	1	39
BROWN	3	0	2	0	0	0	5
BUTLER	36	5	31	1	0	10	83
CARROLL	0	0	0	14	1	0	15
CHAMPAIGN	8	4	0	5	0	6	23
CLARK	24	6	4	2	1	12	49
CLERMONT	29	6	25	1	0	4	65
CLINTON	5	1	6	2	0	2	16
COLUMBIANA	5	0	1	9	1	1	17
COSHOCTON	1	2	0	6	1	4	14
CRAWFORD	1	3	0	6	1	1	12
CUYAHOGA	215	55	420	77	21	52	840
DARKE	5	0	1	0	0	0	6
DEFIANCE	3	1	0	1	2	0	7
DELAWARE	57	64	6	8	4	91	230
ERIE	15	3	0	13	4	4	39
FAIRFIELD	31	17	5	10	2	35	100
FAYETTE	2	2	0	2	0	3	9
FRANKLIN	173	423	50	20	9	379	1054



# Independent Candidate Part-Petitions Manifest

FULTON	2	8	3	2	3	1	19
GALLIA	2	1	0	2	0	0	5
GEAUGA	32	3	2	9	2	6	54
GREENE	40	7	8	2	1	6	64
GUERNSEY	0	2	0	4	2	4	12
HAMILTON	113	30	83	4	3	17	250
HANCOCK	6	6	1	0	3	6	22
HARDIN	3	2	3	2	0	1	11
HARRISON	1	1	1	2	3	1	9
HENRY	4	5	2	1	0	1	13
HIGHLAND	4	1	2	2	0	3	12
HOCKING	5	2	0	2	0	3	12
HOLMES	2	1	0	4	0	1	8
HURON	6	1	0	7	0	1	15
JACKSON	4	2	0	2	0	2	10
JEFFERSON	3	0	0	3	6	0	12
KNOX	4	6	0	5	1	10	26
LAKE	45	5	8	25	5	9	97
LAWRENCE	1	0	0	0	0	0	1
LICKING	29	25	7	4	0	38	103
LOGAN	3	5	2	4	3	4	21
LORAIN	47	5	9	39	15	9	124
LUCAS	28	122	407	13	17	10	597
MADISON	2	7	3	3	1	9	25
MAHONING	23	2	1	25	1	3	55
MARION	10	5	2	8	2	7	34
MEDINA	37	5	2	13	3	5	65





# Independent Candidate Part-Petitions Manifest

MEIGS	1	1	0	1	0	1	0	0	3
MERCER	6	3	0	1	0	1	0	4	14
MIAMI	11	3	6	1	1	1	1	2	24
MONROE	1	1	0	1	1	1	1	0	4
MONTGOMERY	86	12	25	3	4	3	4	14	144
MORGAN	1	1	0	2	1	2	1	0	5
MORROW	1	6	2	5	1	5	1	7	22
MUSKINGUM	7	5	1	5	1	5	1	4	23
NOBLE	0	0	0	1	1	1	1	0	2
OTTAWA	7	2	2	5	3	5	3	2	21
PAULDING	0	0	1	1	0	1	0	1	3
PERRY	1	0	0	2	1	2	1	1	5
PICKAWAY	9	6	0	4	0	4	0	11	30
PIKE	0	0	0	2	0	2	0	1	3
PORTAGE	34	4	2	21	2	21	2	6	69
PREBLE	5	1	2	0	0	0	0	2	10
PUTNAM	0	0	1	2	0	2	0	0	3
RICHLAND	8	2	4	17	3	17	3	7	41
ROSS	9	5	0	2	0	2	0	9	25
SANDUSKY	2	2	0	3	1	3	1	2	10
SCIOTO	4	0	2	2	3	2	3	0	11
SENECA	4	3	0	2	1	2	1	3	13
SHELBY	8	1	3	1	0	1	0	1	14
STARK	38	3	4	38	4	38	4	7	94
SUMMIT	77	10	5	49	4	49	4	18	163
TRUMBULL	14	2	1	20	2	20	2	2	41
TUSCARAWAS	10	3	1	14	2	14	2	2	32



# Independent Candidate Part-Petitions Manifest

UNION	18	19	0	11	2	33	83
VANWERT	2	0	0	0	1	1	4
VINTON	0	0	0	1	0	0	1
WARREN	47	9	23	3	1	16	99
WASHINGTON	5	1	4	2	3	0	15
WAYNE	15	1	0	16	0	5	37
WILLIAMS	0	1	1	0	1	1	4
WOOD	8	17	11	5	3	7	51
WYANDOT	2	0	0	4	0	0	6
<b>Total</b>	<b>1553</b>	<b>993</b>	<b>1217</b>	<b>645</b>	<b>205</b>	<b>944</b>	<b>5557</b>



# Agenda Item

#3

## **Summary of Updated CCBOE Security Policy**

Directive 2024-10 (Election Security) requires the Cuyahoga County Board of Elections (CCBOE) to provide the Ohio Secretary of State (SOS) with a copy of its most recent Security Policy. To fulfill this requirement, the CCBOE reviewed and updated several policies previously approved by the Board in January of 2020 to reflect updates to the Election Official Manual (EOM) and Directives over the past four years.

In addition, the most recent Election Administration Plan (EAP) approved by the Board in June of 2024 contained a section on Security, a portion of which was pulled out and included in the CCBOE Security Policy.

The updated Security Policy contains the following sections:

- Election Administration & Information Systems Policy
  - Security of Physical Locations
  - Security of Network and Information Systems
- Acceptable Use Policy
- Background Check Policy
- Email Policy
- Ethics Policy
- Password Construction Guidelines
- Password Protection Policy
- Server Security Policy
- Workstation Security Policy

# Agenda Item

#4

**Resignation from Elected Office**

1. Traci Mitchell, Warrensville Heights Board of Education, Board Member<sup>1</sup>

**Appointments to Elected Office**

1. Keith Fuller, Warrensville Heights Board of Education, Board Member

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<sup>1</sup> *Term ends 12-31-2027. A special election is required to fill the remaining two years of the term at the 11-5-2025 General Election pursuant to ORC 3313.11.*

# *Resignation Documents*



Wednesday, June 26, 2024

Traci Mitchell  
WHCSD Board Member  
19118 Shakerwood Rd.  
Warrensville Hts., OH 44122

Dear Board Chair Roberts, Board Team, and the entire WHCSD school community,

It is with great sadness that I am rendering my resignation this evening. Today's meeting will be my last date of service as a board member for this great district.

I have enjoyed 8.5 years of service as a board member, working with an amazing board, district administration, educators, community partners, and our community at-large.

Together, we made great strides as we elevated our academic standings, raised five (5) school buildings, built three new state-of-the-art, 21<sup>st</sup> century and beyond academic campuses, drove a cultural shift, survived COVID, and built a district that all of us can be proud of!

As I relocate out of state, I look forward to watching this team continue to perform at high levels with integrity and compassion. I hope each of you will always keep our moral imperative top of mind – STUDENTS FIRST!

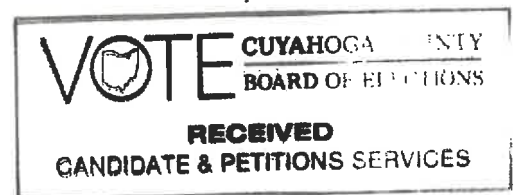
I wish you all the best and I will miss everyone dearly!

Yours in service,



Traci Mitchell

'24 JUL 29 PM 1:27



# *Appointment Documents*

# Certification to Fill Vacancy in Elected Office

07/10/2024

(MM/DD/YYYY)

Warrensville Heights

Ohio

(City/Village/Township)

## To the Board of Elections of Cuyahoga County

The undersigned respectfully certifies that a vacancy in the office of Board Member, in the Warrensville Hts. City School Dist. has occurred on 06/26/2024  
(City/Village/Township/School) (MM/DD/YYYY)

due to the Resignation of Traci Mitchell.  
(Death, Resignation, Etc.) (Print name of office holder)

The School Board has appointed Keith Fuller, to fill the vacancy  
(Council/Mayor/School Board etc.) (Print name of appointee)

under the authority of Ohio Revised Code 3313.11,  
(cite the ORC/Charter/Ordinance sections granting the appointing authority)

who is a qualified elector residing at 4487 Merrygold Blvd., Warrensville Hts., 44128,  
(State full street address, city, and zip code)  
330-351-9934; keith.fuller@whcsd.org  
(State phone number and email)

to hold the office and to perform the duties thereof until a successor is elected and qualified as provided by law.

Through my signature below, represent and warrant that I have full and complete authority to issue this certification and that the Cuyahoga County Board of Elections may rely upon the information disclosed herein. I further declare that the foregoing covenants of authority and the described appointment are valid, true and accurate based on my own personal knowledge.

Treasurer

7/18

\*\*Signed by appointing authority or authorized representative (i.e., Clerk of Council, School Treasurer, Mayor, etc.)

(Title)

(Date)

'24 JUL 29 PM 1:26

- Provide the Board of Elections with the Appointees executed Oath of Office July 10, 2024 and
- If the appointment requires action at a public meeting, list the meeting date \_\_\_\_\_ and provide a copy of the agenda or meeting minutes.
- Attach a copy of the ORC / Charter / Ordinance sections listed above.

WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A FELONY OF THE FIFTH DEGREE.

RECORD OF PROCEEDINGS

Minutes of

WARRENSVILLE HEIGHTS CITY BOARD OF EDUCATION

Meeting 15-24

SPECIAL MEETING (FILL BOARD VACANCY)

GOVERNMENT FORMS & SUPPLIES 844-224-3388 FORM NO. 10148

Held JULY 10, 20 24

The Special Meeting of the Warrensville Heights Board of Education was held on Wednesday, July 10, 2024, at 5:00 p.m., at the Warrensville Heights Board of Education, Council Chambers Room, located at the Warrensville Heights Municipal Center, First Floor, 4743 Richmond Road, Warrensville Heights, Ohio 44128.

President Roberts called the meeting to order and asked the Treasurer, Dr. Michael A. Rock to call the roll. The roll call revealed the following members present: Mr. Ray A. Freeman, Mrs. Millicent Gaiter, Mrs. Barbara A. Mumin, Mr. Earl D. Roberts

Mr. Donald J. Jolly, II, Superintendent, also in attendance.

Pledge

President Roberts requested all stand to recite the Pledge of Allegiance to the Flag.

Executive Session

2.1 Moved by Mr. Freeman and seconded by Mrs. Gaiter that the board enter into executive session to consider the appointment of a public official.

Vote:

Ayes - Mr. Freeman, Mrs. Mumin, Mrs. Gaiter, Mr. Roberts

Nays - None

Motion carried

4-0

R-07-24-86

(Entered into Executive Session at 5:03 p.m.)

2.2 Moved by Mrs. Gaiter and seconded by Mrs. Mumin to exit executive session and return to public session.

Vote:

Ayes - Mr. Freeman, Mrs. Mumin, Mrs. Gaiter, Mr. Roberts

Nays - None

Motion carried

4-0

R-07-24-86A

(Returned to Public Session at 8:50 p.m.)

2.3 Moved by Mrs. Gaiter and seconded by Mrs. Mumin to approve the Resolution to Fill Board of Education Vacancy with Keith Fuller after various interviews.

Vote:

Ayes - Mr. Freeman, Mrs. Mumin, Mrs. Gaiter, Mr. Roberts

Nays - None

Motion carried

4-0

24 JUL 29 PM 1:27

R-07-24-87

Adjournment

Moved by Mrs. Gaiter and seconded by Mrs. Mumin that the board adjourn the meeting.

Vote:

Ayes - Mr. Freeman, Mrs. Mumin, Mrs. Gaiter, Mr. Roberts

Nays - None

Motion carried


4-0

R-07-24-88

**Treasurer's Certification**

I, Dr. Michael A. Rock, Treasurer of the Warrensville Heights City School District, do hereby certify that this is a true and exact copy of the Minutes of the Special Meeting of the Board of Education of the Warrensville Heights City School District held July 10, 2024.

Date: 7/24/24

  
\_\_\_\_\_  
Treasurer, Board of Education  
Warrensville Heights City School District, Ohio

'24 JUL 29 PM 1:27

**RESOLUTION TO FILL BOARD OF EDUCATION VACANCY**

The Board of Education of the Warrensville Heights City School District, Ohio, met in special session on July 10, 2024, commencing at 5:00 p.m., at the Warrensville Heights Board of Education, located at the Warrensville Heights Municipal Center, Council Chambers Room, 1<sup>st</sup> Floor, 4743 Richmond Road, Warrensville Heights, Ohio, with the following members present:

Mr. Earl D. Roberts

Mrs. Millicent Gaiter

Mr. Ray A. Freeman

Mrs. Barbara A. Mumin

The Treasurer advised the Board that the notice requirements of Section 121.22 of the Revised Code and the implementing rules adopted by the Board pursuant thereto were complied with for the meeting.

Mrs. Millicent Gaiter moved the adoption of the following resolution:

WHEREAS, this Board of Education by reason of Board Member Traci Mitchell resigning June 26, 2024, due to moving out of the District; and

WHEREAS, this Board of Education has the legal authority to fill a vacancy for the unexpired term thereof;

NOW, THEREFORE, BE IT RESOLVED that Keith Fuller is hereby appointed to serve as a member of the Board of Education of the Warrensville Heights City School District for the term ending on January 1, 2026.

Mrs. Barbara A. Mumin seconded the motion.

Upon roll call on the adoption of the foregoing Resolution, the vote was as follows:

Mr. Earl D. Roberts -yes

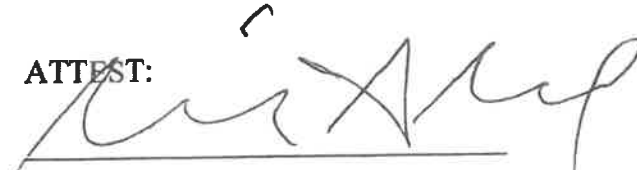
Mrs. Millicent Gaiter -yes


Mr. Ray A. Freeman -yes

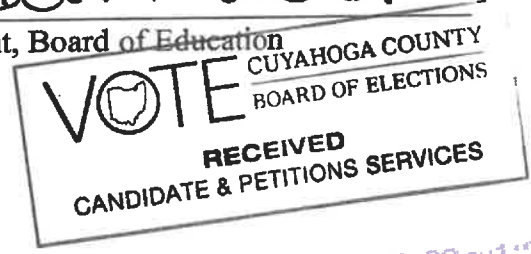
Mrs. Barbara A. Mumin -yes

Motion passed and adopted this 10<sup>th</sup> day of July, 2024. Resolution No. R-07-24-87

ATTEST:

  
\_\_\_\_\_  
Treasurer

  
President, Board of Education



'24 JUL 29 PM1:27



**WARRENSVILLE  
HEIGHTS**  
City School District

**Dr. Michael A. Rock**  
Treasurer

**Regular Meeting July 24, 2024**

Oath of Office: Mr. Keith Fuller

Do you solemnly swear that you will support the Constitution of the United States and the Constitution of the state of Ohio; and that you will faithfully and impartially discharge your duties as a member of the board of education of the Warrensville Heights City School District in Cuyahoga County, Ohio, to the best of your ability, and in accordance with the laws now in effect and hereafter to be enacted, during your continuance in said office, and until your successor is elected and qualified?

Answer: Yes

[Handwritten Signature]

Member's Signature

7/24/24

Date

**Treasurer's Certification**

I, Dr. Michael A. Rock, Treasurer do hereby certify that this is a true and exact copy of the appointee's signed oath of office administered at the Regular Meeting of the Board of Education of the Warrensville Heights City School District held July 24, 2024.

Date: 7/29/24

[Handwritten Signature]  
Treasurer, Board of Education  
Warrensville Heights City School District, Ohio



'24 JUL 29 PM 1:27



## Ohio Revised Code Section 3313.11 Vacancy in board.

Effective: November 12, 1997

Legislation: House Bill 269 - 122nd General Assembly

Notwithstanding division (D) of section 3311.19 and division (D) of section 3311.52 of the Revised Code, this section does not apply to any joint vocational or cooperative education school district.

A vacancy in any board of education may be caused by death, nonresidence, resignation, removal from office, failure of a person elected or appointed to qualify within ten days after the organization of the board or of appointment or election, removal from the district, or absence from meetings of the board for a period of ninety days, if such absence is caused by reasons declared insufficient by a two-thirds vote of the remaining members of the board, which vote must be taken and entered upon the records of the board not less than thirty days after such absence.

If the board members are selected by appointment pursuant to division (B) or (F) of section 3311.71 of the Revised Code, the appointing authority responsible for the appointment shall fill any such vacancy by appointment of an individual to serve the remainder of the unexpired term from a slate of at least three persons proposed by the municipal school district nominating panel established under that section. If the member creating the vacancy resides in a municipal school district but not in the municipal corporation containing the greatest portion of the district's territory, the individuals included on such slate shall also reside in the municipal school district but not in the municipal corporation containing the greatest portion of the district's territory.

If the board members are selected by election, the board shall fill any such vacancy at its next regular or special meeting, not earlier than ten days after such vacancy occurs. A majority vote of all the remaining members of the board may fill any such vacancy. Immediately after such a vote, the treasurer of the board of education shall give written notice to the board of elections responsible for conducting elections for that school district that a vacancy has been filled, and the name of the person appointed to fill the vacancy. Each person selected by the board or probate court to fill a vacancy shall hold office for the shorter of the following periods: until the completion of the unexpired term, or until the first day of January immediately following the next regular board of education election taking place more than ninety days after a person is selected by the board or





probate court to fill the vacancy. At that election, a special election to fill the vacancy shall be held in accordance with laws controlling regular elections for board of education members, except that no such special election shall be held if the unexpired term ends on or before the first day of January immediately following that regular board of education election. The term of a person chosen at a special election under this section shall begin on the first day of January immediately following the election, and the person shall serve for the remainder of the unexpired term. Whenever the need for a special election under this section becomes known, the board of education shall immediately give written notice of this fact to the board of elections responsible for conducting the regular board of education election for that school district.

The term of a board of education member shall not be lengthened by the member's resignation and subsequent selection by the board or probate court under this section.

# Agenda Item

#5

**Ballot Issue(s) Withdrawn from the November 5, 2024 General Election**

1. **Maple Heights-05-A** - Local Liquor Option (Sunday Sales) for Devki, LLC, dba Mr Z Beverage & Deli at 17205 Broadway Avenue, Maple Heights, OH 44137.
2. **Parma City School District** - proposed 6.88-mill additional property tax for emergency requirements of the district.(repealed by Board Resolution 2024-07-308).
3. **South Euclid-01-D** – Local Liquor Option (Weekdays) for VMPR LLC at 800 South Green Road, South Euclid, OH 44144.
4. **South Euclid-01-D** – Local Liquor Option (Sundays) for VMPR LLC at 800 South Green Road, South Euclid, OH 44144.

## Withdrawal of Petitions, Devki LLC, Maple Heights 5A

bob whyisee.com <bob@whyisee.com>

Wed 8/14/2024 2:26 PM

To: Anthony W. Perlatti <aperlatti@cuyahogacounty.gov>

Cc: Brent Lawler <blawler@cuyahogacounty.gov>

📎 1 attachments (405 KB)

DevkiWithdrawalLetter.pdf;

Dear Director Perlatti,

My company, Young Independent Consultants, Inc., filed petitions on behalf of Devki, L.L.C., dba Mr Z Beverage & Deli, 17205 Broadway Avenue, Maple Heights, Ohio 44137 for Sunday sales of wine and mixed beverages to be voted on in the current precinct, Maple Heights 5-A. We had reason to believe that the site was dry as the client indicated, but we recently became aware that it is wet for Sunday off-premise sales of wine and mixed beverages.

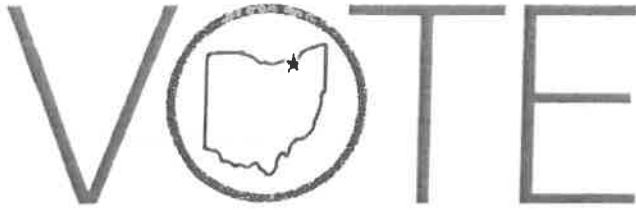
We therefore request that the Cuyahoga County Board of Elections withdraw from the ballot the petitions that we filed for this site on June 28, 2024. My apology for any inconvenience this might cause, but we don't see where putting the issue before voters will serve any purpose in light of these circumstances, and at best it would confuse voters as Sunday sales are already permitted. Please contact me with any questions at (614) 332-4855.

Sincerely,

Robert H. Young  
President

AUG 14 '24 PM 3:16





**CUYAHOGA COUNTY**  
**BOARD OF ELECTIONS**

***General Receipt, Candidate & Petition Services***

**Date Received:** 8.14.2024

**From:**

**Phone:**

Bob Young (agent)

Young Independent Consultants, Inc.

**Received:**

Withdrawal of local option Maple Heights Ward 5 Precinct A - 5-R - Quest 2

Devki, L.L.C., dba Mr Z Beverage & Deli

17205 Broadway Avenue, Maple Heights, Ohio 44137

**Notes:**

**Received by Board of Elections-Staff:** Brent E. Lawler.

AUG 14 '24 PM 3:15

**BOARD OF EDUCATION  
PARMA CITY SCHOOL DISTRICT  
Parma, Ohio**

The Board of Education of Parma City School District, Ohio, met in special session on July 24, 2024, commencing at 6:00 p.m., in the Auditorium at Normandy High School, 2500 West Pleasant Valley Road, Parma, Ohio, with the following members present:

Mark Ruda

Ashley McTaggart

Linda Kohar

The Treasurer advised the Board that the notice requirements of Section 121.22 of the Revised Code and the implementing rules adopted by the Board pursuant thereto were complied with for the meeting.

Ashley McTaggart moved the adoption of the following Resolution:

**RESOLUTION NO. 2024-07-308**

**A RESOLUTION REPEALING RESOLUTION NO. 2024-05-184, ADOPTED ON MAY 9, 2024, AND RESOLUTION NO. 2024-05-207, ADOPTED ON MAY 23, 2024, DECLARING THE NECESSITY OF AND DETERMINING TO PROCEED WITH THE SUBMISSION TO THE ELECTORS OF THE SCHOOL DISTRICT OF THE QUESTION OF AN ADDITIONAL TAX LEVY PURSUANT TO SECTIONS 5705.194 TO 5705.197 OF THE REVISED CODE, AND REQUESTING, AUTHORIZING AND DIRECTING THE CUYAHOGA COUNTY BOARD OF ELECTIONS TO REMOVE THAT QUESTION FROM THE NOVEMBER 5, 2024 BALLOT.**

**WHEREAS**, on May 9, 2024, this Board duly adopted Resolution No. 2024-05-184 and on May 23, 2024, duly adopted Resolution No. 2024-05-207 (together, the Resolutions), declaring the necessity of and determining to proceed with the submission to the electors of the question of an additional tax levy in excess of the ten-mill limitation in order to raise the amount of \$18,215,132 each calendar year for a period of 10 years for the purpose of providing for the emergency requirements of the School District, pursuant to Sections 5705.194 through 5705.197 of the Revised Code; and

**WHEREAS**, pursuant to Sections 5705.194 through 5705.197 of the Revised Code and the Resolutions, that question was to be submitted to the electors of the School District at an election to be held on November 5, 2024; and

24 JUL 25 PM 1:11

**WHEREAS**, this Board has now determined that it is necessary and proper to remove the question from the November 5, 2024 ballot; and

**WHEREAS**, this Board therefore hereby finds, determines and declares that it is necessary to repeal the Resolutions and to request, authorize and direct the Cuyahoga County Board of Elections to remove that question from the ballot;

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Education of Parma City School District, County of Cuyahoga, Ohio, that:

Section 1. Repeal of Resolutions. Resolution Nos. 2024-05-184 and 2024-05-207, adopted by this Board on May 9, 2024, and May 23, 2024, respectively, as each was adopted, are hereby repealed.

Section 2. Delivery of Resolution to Board of Elections. In accordance with the repeal of the Resolutions as set forth in Section 1, the Treasurer is hereby authorized and directed immediately to certify a copy of this Resolution to the Cuyahoga County Board of Elections and to request, authorize and direct the Board of Elections to remove the question submitted by this Board of an additional tax levy in excess of the ten-mill limitation in order to raise the amount of \$18,215,132 each calendar year for a period of 10 years for the purpose of providing for the emergency requirements of the School District, from the November 5, 2024 ballot.

Section 3. Additional Necessary Actions. The Treasurer and any other School District official are further authorized and directed to take any and all actions and do any and all things which are required to effectuate the purpose of this Resolution, the removal of the question described in Section 2 from the November 5, 2024 ballot.

Section 4. Compliance with Open Meeting Requirements. This Board finds and determines that all formal actions of this Board and of any of its committees concerning and relating to the adoption of this Resolution were taken, and that all deliberations of this Board and of any of its committees that resulted in those formal actions were held, in meetings open to the public in compliance with the law.

Section 5. Captions and Headings. The captions and headings in this Resolution are solely for convenience of reference and in no way define, limit or describe the scope or intent of any Sections, subsections, paragraphs, subparagraphs or clauses hereof.

Section 6. Effective Date. This Resolution shall be in full force and effect from and immediately upon its adoption.



'24 JUL 25 PM1:11

Linda Kohar seconded the motion.

Upon roll call on the adoption of the Resolution, the vote was as follows:

Mark Ruda Yes

Ashley McTaggart Yes

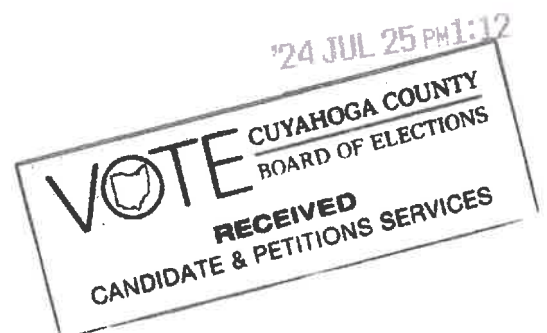
Linda Kohar Yes

#### TREASURER'S CERTIFICATION

The above is a true and correct extract from the minutes of the special meeting of the Board of Education of Parma City School District, Ohio, held on July 24, 2024, commencing at 6:00 p.m., in the Auditorium at Normandy High School, 2500 West Pleasant Valley Road, Parma, Ohio, showing the adoption of the Resolution set forth above. Written notice of the time and place of that special meeting of the Board was served personally upon, or actually received by, each Board member at least two days in advance of such meeting; and notice of the time, place and purposes of that special meeting, was, at least 24 hours in advance of the time of such meeting, given to and received by all news media that had heretofore requested notification of such special meetings pursuant to Section 121.22 of the Revised Code and the procedures established by the Board for that purpose.

Dated: July 24, 2024

  
\_\_\_\_\_  
Treasurer, Board of Education  
Parma City School District, Ohio





7/25/24, 1:04 PM

Mail - Cory Milne - Outlook

## Parma City School District

Sean Nuccio <nuccios@parmacityschools.org>

Thu 7/25/2024 9:39 AM

To: Issue Filings <IssueFilings@cuyahogacounty.gov>

Cc: Brent Lawler <blawler@cuyahogacounty.gov>; Cory Milne <cmilne@cuyahogacounty.gov>

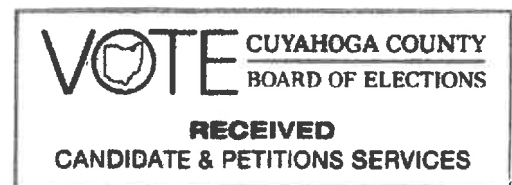
📎 1 attachments (146 KB)

Remove Levy from Ballot.pdf;

The Parma City School District wishes to remove our November levy from the ballot. Please see the attached resolution approving the removal of the levy.

--

Sean Nuccio, CPA  
Treasurer/CFO  
Parma City School District  
6800 Commonwealth Boulevard  
Parma Heights, OH 44130  
440-885-2324



'24 JUL 25 PM 1:16

## Petition filing for VMPR LLC

Pamela Fletcher <docpfletch@gmail.com>

Mon 8/19/2024 6:58 AM

To: Brent Lawler <blawler@cuyahogacounty.gov>

Cc: Work <valdia.burns@yahoo.com>

Good morning,

Please be advised that this email is to inform that VMPR LLC will be withdrawing both local option questions for the ballot. Thank you for all your assistance with this process, we look forward to registering a new petition that meets all requirements in the future.

Best,

Dr. Pamela Jones

VMPR LLC, Secretary

Business Management Consultant

216-214-1745

Sent from my iPhone

AUG 19 '24 AM 8:26

# Agenda Item

#6

# VOTE CUYAHOGA COUNTY BOARD OF ELECTIONS

## Certification of Nonpartisan Candidates to the November 5, 2024 General Election

<u>Office</u>	<u>Office</u>	<u>Name</u>	<u>Last Name</u>
State Board of Education District 11	Member of State Board of Education	Delores	Gray Ford
State Board of Education District 11	Member of State Board of Education	Jennie	Kelley-Crosby
City of Cleveland Heights	Member of Council (UTE 12/31/2027)	James	Posch
Village of Highland Hills	Member of Council (UTE 12/31/2025)	Robert L.	Wright II

# Agenda Item

#7

# Petitions for Board Review

# Petition for Board Review

Bay Village Ward 01 Precinct B – All In Restaurants

**Local Option Petitions for Board Review**  
**Sufficiency of Petition Contents**

**Local Liquor Option: Bay Village Ward 01 Precinct B – All In Restaurants**

**Overview:**

Petitioner Quinn Goehring filed part-petitions containing:

- Valid Signatures Required: 50
- Signatures filed: 52
- Valid Signatures: 48
- Petition signatures short: 2

- Petitioner filed a 5-R – specific location local option petition **Exhibit A**
- Petitioner met with Manager Lawler and reviewed the four (4) invalid signatures: 3 were printed names and the fourth signature the voters address does not match what is on file with the Board of Elections.
- Signature comparison exhibit attached **Exhibit B**
- Petitioner indicated that he would attend the Board meeting and present sworn affidavits from the voters attesting they signed the petition.
- Petition is valid in all other respects.

Petitioner was notified by email and by voice that All In Restaurants local option will be discussed at the Board meeting on August 19, 2024 at 9:30 am; 4<sup>th</sup> floor of the Board of Elections.

**Exhibits**

A -All In Restaurants Part-petition containing the “Not Genuine” signatures

B - Signature Comparison Exhibit

C – Zegarac & Greathouse sworn affidavits



# Exhibit A

**All In Restaurants Part-petition  
containing the “Not Genuine” signatures**

Signatures on this petition must be written in ink.

Signature	Voting Residence Street Number and Address	City, Village, or Township	County	Date of Signing
✓ 1. Deona Swasey	566 HUNTMERE DR	BAY VILLAGE	CUYAHOGA	7/31/24
✓ 2. Der Barnes	575 Huntmore	Bay Village	Cuyahoga	7/31/24
✓ 3. Bernadette Barnes	575 Huntmore	Bay Village	Cutt.	7/31/24
✓ 4. Emma	569 Huntmore	BAY VILLAGE	Cutt	7/31/24
✓ 5. Benj. Co	565 Huntmore	Bay Village	Cuyahoga	7/31/24
✓ 6. Maex Miller	578 Huntmore	Bay Village	Cuyahoga	7/31/24
✓ 7. Katelyn Cole	574 Huntmore	BV	OH	7/31/24
✓ 8. Adam Zouvarac	582 Huntmore	Bay Village	OH	7/31/24
✓ 9. Patrick Zouvarac	606 Huntmore	Bay Village	OH	7-31-24
✓ 10. Mark Greathouse	614 Huntmore	Bay Village	OH	7-31-24
✓ 11. Annie Greathouse	614 Huntmore	Bay Village	OH	7/31/24
✓ 12. Stacey Howard	25815 EATON WAY	BAY VILLAGE	OH	7/31/2024
✓ 13. [Signature]	25815 Eaton Way	Bay Village	OH	7/31/24
✓ 14. [Signature]	626 Oakmoor Ave	Bay Village	OH	7/31/24
✓ 15. Walter Mack	635 OAKMOOR AVE	Bay Village	OH	7/31/24
✓ 16. April Harper	635 Oakmoor Ave	Bay Village	OH	7/31/24
✓ 17. [Signature]	627 Oakmoor Ave	Bay Village	OH	7/31/24
✓ 18. [Signature]	606 Oakmoor Ave	Bay Village	OH	7/31/24
✓ 19. Hank Rees	606 Oakmoor Ave	Bay Village	OH	7/31/24
✓ 20. N. Metsch	603 OAKMOOR RD	Bay Village	OH	7/31/24
✓ 21. N. Metsch	603 OAKMOOR	Bay Village	OH	7/31/24
✓ 22. S. Jones	589 Oakmoor	Bay Village	OH	7/31/24
✓ 23. Dan Trucius	586 Oakmoor	Bay Village	OH	7/31/24

25 ✓  
16 ✓  
15 ✓  
14 ✓  
13 ✓  
12 ✓  
11 ✓  
10 ✓  
9 ✓  
8 ✓  
7 ✓  
6 ✓  
5 ✓  
4 ✓  
3 ✓  
2 ✓  
1 ✓

WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A FELONY OF THE FIFTH DEGREE

**Circulator Statement**

Must be completed and signed by the circulator.





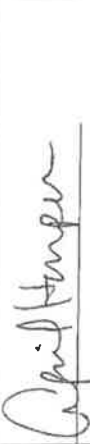

I, MARK L SWASEY, declare under penalty of election falsification that I reside at the address appearing below my signature; that I am the circulator of the foregoing petition containing 23 signatures; that I witnessed the affixing of every signature; that all signers were to the best of my knowledge and belief qualified to sign; and that every signature is to the best of my knowledge and belief the signature of the person whose signature it purports to be or of an attorney in fact acting pursuant to section 3501.382 of the Revised Code.

[Signature]  
Signature of Circulator  
566 HUNTMERE DR.  
Permanent Residence Address  
BAY VILLAGE OH 44144  
City or Village State Zip Code

# Exhibit B

## **Signature Comparison Exhibit**

Not Genuine Signature Explanation for All in Restaurants Petition vs Database

Part Petition #	Petition #3 Line #	Voter Name	Voter ID	Reason for Not Genuine Signature	Signature on File in Database	Signature on Petition
3	8	Adam Zegarac	2669967	Printed Name on Petition; Signed Name in Database		8. 
3	10	Mark Greathouse	2958186	Printed Name on Petition; Signed Name in Database		10. 
3	16	April Harper	1784670	Printed Name on Petition; Signed Name in Database		16. 

# Exhibit C

**Zegarac & Greathouse sworn affidavits**

To whom it may concern,

I, Adam Zegarac, a resident at  
582 Huntmere drive Bay Village OH 44140

intended to sign the petition stating:

"Shall the sale of beer, wine and mixed beverages, and spiritous liquor be permitted for sale on Sunday by All In Restaurants, Inc. an applicant for a D-6 liquor permit authorizing on/off premise sales who is engaged in operating a full service restaurant at 25517 and 25519 Eaton Way, Bay Village, OH 44140 in this precinct?"

Please accept my written name in place of my legal signature.

Adam Zegarac  
Signature

Sworn to and signed by Adam Zegarac in my presence in Westlake

County of Cuyahoga, State of Ohio, this 13th day of August, 2021

Erin Cullen  
Signature and Seal of Notary Public, State of Ohio



ERIN CULLEN  
NOTARY PUBLIC, STATE OF OHIO  
Commission No. 2019-RE-802381  
My Commission Expires 10/23/2024

My commission expires 10/23/2024

To whom it may concern,

I Mark Greathouse, a resident at

614 Huntmere Dr

intended to sign the petition stating:

“Shall the sale of beer, wine and mixed beverages, and spiritous liquor be permitted for sale on Sunday by All In Restaurants, Inc. an applicant for a D-6 liquor permit authorizing on/off premise sales who is engaged in operating a full service restaurant at 25517 and 25519 Eaton Way, Bay Village, OH 44140 in this precinct?”

Please accept my written name in place of my legal signature.

[Handwritten Signature]  
Signature

Sworn to and signed by Mark Greathouse in my presence in Westlake,

County of Cuyahoga, State of Ohio, this 12<sup>th</sup> day of August, 2024

[Handwritten Signature]  
Signature and Seal of Notary Public, State of Ohio



ERIN CULLEN  
NOTARY PUBLIC, STATE OF OHIO  
Commission No. 2019-RE-802381  
My Commission Expires 10/23/2024

my commission expires 10/23/2024

# Petition for Board Review

Local Liquor Option:

Cleveland 03 Precinct B – Imposters LTD



**Local Option Petitions for Board Review**  
**Sufficiency of Petition Contents**

**Local Liquor Option: Cleveland 03 Precinct B – Imposters LTD**

**Overview:**

- Petitioner filed a 5-R – specific location local option petition. **[Exhibit A]** (Attorney Alex Bibisi)
  - **Petitioner listed that they were seeking the sale of “wine and spirituous liquor.”**
  - **The available choices to insert are listed below the line.**
  - **If a petitioner wanted sales of wine, they would need to state “wine and mixed beverages”**
- **Imposters indicated on the petition they are a holder of D1 & D2 liquor permits and an applicant for D3 & D6 liquor permits.**
- Copy of one part petition was sent by the BOE to the Division of Liquor Control to determine the status of the liquor permit application stated on the petition. **[Exhibit B - Definitions]**
- **Liquor Control responded back that Imposters is a holder of D1, D2 and D6 liquor permits and an applicant for a D3 liquor permit. [Exhibit B – page 16]**
- Ohio liquor control law divides alcoholic beverages into various classes according to their alcohol content. A local liquor option election will affect only the sale of those classes of beverages that are specifically designated on the petition and in the ballot language.
- Assistant Prosecutor Musson stated in an email in part: “Since the petition language informs the ballot language under R.C. 4301.355, we cannot use the petition language that the elector’s signed. There is no valid ballot question authorizing the sale “wine and spirituous liquor” at a particular location. I’m not aware of any case law that would allow us to deviate from the understanding you expressed below.” **[Exhibit F]**
- Petition contains sufficient number of signatures.

Petitioner’s legal counsel was notified by email that Imposters local option will be discussed at the Board meeting on August 19, 2024, at 9:30 am, 4<sup>th</sup> floor of the Board of Elections.

**Exhibits**

- A - Imposters local option sample petition
- B - Guide to Local Liquor Options Elections Definitions & 5-R Specific Location overview
- C - Liquor Control response to BOE on permit status
- D - “How to” read permit application status
- E - ORC 4301.355 Election and form of ballots contesting a particular location
- F - Assistant Prosecutor Musson’s email opinion
- G - Petitioners response

# Exhibit A

**Imposters local option sample petition**

### Local Liquor Option Election Petition

A petition to submit the question of the sale of beer, wine and mixed beverages, or spirituous liquor at a particular location within a precinct if the petitioner for the local option election is an applicant for the issuance or transfer of a liquor permit at, or to, a particular location within a precinct; or the holder of a permit at a particular location within the precinct; or a person who operates or seeks to operate a liquor agency store at a particular location within the precinct; or the designated agent of one of these persons.

R.C. 3501.38, 3501.382, 3503.06, 4301.323, 4301.333 and 4301.355

#### Instructions

1. Either or both of the two questions set forth below may be submitted.
2. The petition section for any question to be submitted must be completed before any signature may be obtained on this petition.
3. The petition must be filed with the Board of Elections of the county in which the precinct is located, not later than 4 p.m. of the 90<sup>th</sup> day before the day of a general or primary election, except as follows:

If the petition is being filed with respect to a previous local option election, the petitioner must satisfy both of the following conditions:

- a. No later than 29 days after the Ohio Division of Liquor Control receives final notice of the result of such election affecting the liquor permit holder, the petition must be filed with the Board of Elections in which such precinct is located; and
- b. No later than 29 days after the Ohio Division of Liquor Control receives final notice of the result of such election affecting the liquor permit holder, a copy of the petition with the Board of Elections' file stamp must be filed with the Superintendent of the Division of Liquor Control.

To the Board of Elections of Cuyahoga County, Ohio:  
Name of County Board of Elections

We, the undersigned, qualified electors of the precinct hereinafter defined, respectfully petition that you submit to the electors of such precinct the following question(s):

(1) Shall the sale of wine and spirituous liquor be

insert above one or more of the following three choices: beer; wine and mixed beverages; or spirituous liquor

permitted by Imposters LTD

Insert name (as submitted to Division of Liquor Control) of liquor permit holder or applicant, or liquor agency store, including, if applicable, trade or fictitious name under which applicant for, or holder of, liquor permit or liquor agency store either does, or intends to do, business at the particular location

a(n) applicant for a D-3 and D-6 liquor permit and a holder of a D-1 and D-2 liquor permit(s),

insert "an applicant for" or "a holder of" or "an operator of" insert name of the type of liquor permit or permits, or if appropriate, "liquor agency store for the State of Ohio"

authorizing on/off-premise sales

insert brief description of the type of sales authorized by the permits listed above, such as "on-premise sales," "off-premise sales," or "on/off premise" sales

who is engaged in the business of a performing arts theater

insert general nature of the business in which liquor permit holder or applicant is engaged, or will be engaged, at the particular location

at 4828 Lorain Avenue, Cleveland, Ohio 44102 in this precinct?

insert address of the particular location within the precinct

(2) Shall the sale of \_\_\_\_\_ be

insert above one or more of the following three choices: beer; wine and mixed beverages; or spirituous liquor

permitted for sale on Sunday by \_\_\_\_\_

insert name (as submitted to Division of Liquor Control) of liquor permit holder or applicant, or liquor agency store, including, if applicable, trade or fictitious name under which applicant for, or holder of, liquor permit or liquor agency store either does, or intends to do, business at the particular location

a(n) \_\_\_\_\_

insert all that applies: "an applicant for a D-8 liquor permit, holder of a D-6 liquor permit," or "liquor agency store," "an applicant for or holder of an A-1-A, A-2, A-2f, A-3a, C-1, C-2x, D-1, D-2x, D-3, D-3x, D-4, D-5, D-5b, D-5c, D-5e, D-5f, D-5n, D-5i, D-5j, D-5k, D-5l, D-5m, D-5n, D-5o or D-7 liquor permit," (if only the approval of beer sales is sought), or "liquor agency store"

authorizing \_\_\_\_\_

insert brief description of the type of sales authorized by the permits listed above, such as "on-premise sales," "off-premise sales," or "on/off premise" sales

who is engaged in the business of \_\_\_\_\_

insert general nature of the business in which liquor permit holder or applicant is engaged, or will be engaged, at that particular location

at \_\_\_\_\_ in this precinct?

insert address of the particular location within the precinct

CLEVE-03-B

FIG 7-28 AM 27

# Exhibit B

**Guide to Local Liquor Options Elections  
Definitions & 5-R Specific Location overview**

## Local Liquor Option Elections - In General

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Local liquor option elections allow registered voters to vote on the question of whether, and to what extent, alcohol sales and consumption will be allowed within a particular area, usually a precinct. Local liquor option elections can specify certain types of alcohol that may be made available within that precinct and whether the alcohol may be consumed on-premises only, off-premises only, or both on- and off-premises.<sup>1</sup>

## Petitioner's Responsibilities

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This publication is general in nature and is not intended to be the exclusive source of information about local liquor options. The **petitioner** must determine which local liquor option question(s) to submit to the voters. Additionally, the **petitioner** is responsible for complying with all applicable constitutional and statutory provisions governing local liquor option elections. Because neither a county board of elections nor the Secretary of State's office can give the petitioner legal advice, the petitioner is encouraged to seek private legal counsel.

## Definitions<sup>2</sup>

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Ohio liquor control law divides alcoholic beverages into various classes according to their alcohol content. A local liquor option election will affect only the sale of those classes of beverages that are specifically designated on the petition and in the ballot language.

### "Beer"

Refers to all beverages brewed or fermented wholly or in part from malt products and containing ½ of 1 percent or more of alcohol by volume.

### "Intoxicating Liquor" and "Liquor"

Refers to a broad classification including all liquids and compounds, other than beer, containing at least ½ of 1 percent of alcohol by volume. This includes cider and alcohol, and all solids and confections which contain ½ of 1 percent of alcohol by volume.

### "Mixed Beverages"

Refers to premixed, bottled products and solids and confections obtained by combining whiskey, neutral spirits, brandy, gin or other distilled spirits with water, pure juices, or other flavorings. The completed product must contain not less than ½ of 1 percent and not more than 21 percent of alcohol by volume.

### "Spirituous Liquor"

Refers to all intoxicating liquors containing more than 21 percent of alcohol by volume.

### "Wine"

Refers to all liquids made from the fermented juices of grapes, fruits, or other agricultural products and containing not less than ½ of 1 percent and not more than 21 percent of alcohol by volume.

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<sup>1</sup> R.C. 4301.32.

<sup>2</sup> R.C. 4301.01.

## **Process for Particular Use at a Specific Location Local Liquor Option Election (Non-nuisance: Form 5-R)**<sup>49</sup>

### **Generally**

This type of election authorizes the sale of three categories of alcoholic beverages at a specific location in an election precinct:

Category 1: Beer;

Category 2: Wine and mixed beverages; and

Category 3: Spirituous liquor.

*Club-3 Importer*  
**Note:** "Wine and mixed beverages" is a single category, requiring **BOTH** wine and mixed beverages. Thus, petition may request "beer and wine and mixed beverages" or "wine and mixed beverages and spirituous liquor," but **NOT** "beer and wine" or "beer and mixed beverages" or "mixed beverages and spirituous liquor."

The petition may request authorization to sell only one of the three categories, or any combination of the three, or all three categories of alcoholic beverages.

A petition for a particular use at a specific location can only be used by the following four entities:

1. Holder of the liquor permit(s) listed on the petition,
2. Applicant for the issuance or transfer of the liquor permit(s) for the location named in the petition,<sup>50</sup>
3. Applicant who seeks to operate a liquor agency store, or
4. Designated agent of the holder or applicant for the liquor permit(s) for, or the operator of a liquor agency store at, the location named in the petition.

No one other than a holder or applicant for the necessary permit, operator of a liquor agency store, or the designated agent of the holder/applicant/operator may petition for a particular use election.

### **Petition Form; Petitioner Requirement**

The procedure for particular use local liquor option elections differs significantly from other local liquor option elections. The petitioner, who must be a party legally associated with the premises named in the petition – i.e., the only premises to be affected by the election – files with the board of elections a valid and sufficient petition (**Form 5-R**), properly executed affidavit (**Form 5-N**), and, if the petitioner is the designated agent of a permit holder, applicant, or operator of a liquor agency store, written evidence of that designation.

Because only the location named in the petition will be affected by the election, there is no requirement that notice be given to the Division of Liquor Control or to any other permit holder who might be located within the precinct named in the petition before the petition is circulated.

*auth Evoked 01-D VmPR →*  
**Petitioners - Note well:** *The name used on the petition to designate the permit holder, permit applicant, or operator of a liquor agency store – including, if applicable, any trade or fictitious name*

<sup>49</sup> R.C. 4301.323, 4301.333, 4301.355, 4301.365, 4301.39.

<sup>50</sup> For questions about an Economic Development Transfer (Trex), please contact the Division of Liquor Control.

*under which it does, or intends to do, business – and the address of the location specified on the petition must be identical in all respects to the name and address then on file with the Division of Liquor Control for that location. If either the name or address on file with Liquor Control as of the date the board of elections certifies the validity and sufficiency of the petition is not identical to the petition, the question(s) will not be certified to the ballot. Ohio law specifically prohibits anyone from changing or withdrawing a petition after it has been filed.<sup>51</sup>*

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The petitioner serves as the contact person for the local liquor option issue. Consequently, the petitioner must:

- Provide their name and mailing address to the board of elections, and
- Sign all documents to be filed with the board of elections that pertain to the local liquor option issue.

### **Pick up Petition and Other Materials**

The **petitioner** – not the board of elections or any of its employees – determines which local liquor option question to place on the ballot. The petitioner is responsible for obtaining the appropriate petitions and other forms by a date far enough in advance of the targeted election to allow the petitioner sufficient time to meet all the statutory requirements, including the statutory filing deadline 90 days before the election.

The board of elections must provide the petitioner with the following materials:

1. **Petition (Form 5-R);**
2. **Form 5-N Affidavit of Intended Use;**
3. **Guide to Local Liquor Option Elections;** and
4. **Form 5-F, Certificate of Required Number of Signatures**, containing the minimum number of valid signatures required to place on the ballot the question(s) indicated on the petition. The board of elections must issue **Form 5-F** to the petitioner within 15 days after the petitioner's request. The petition (**Form 5-R**) must be signed by a number of qualified electors of the precinct that is equal in number to at least 35 percent of the total number of votes cast in that precinct for the office of governor at the most recent gubernatorial election, except that if the petition is solely for a Sunday sales question, the petition only needs the signatures of 50 qualified electors.

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**Note:** A circulator of a local liquor option petition is not required to be an elector, but must be at least 18 years of age.

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**R.C. 4301.333** mandates that each part of a **5-R** petition contain all of the following information:

1. A notice that the petition is for the submission of the question or questions set forth in **R.C. 4301.355;**
2. The name of the applicant for the issuance or transfer, or the holder, of the liquor permit or, if applicable, the name of the liquor agency store, including any trade or fictitious names under which the applicant, holder, or liquor agency store either intends to do or does business at the particular location;

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<sup>51</sup> **R.C. 3501.38(1).**

3. The address and proposed use of the particular location within the election precinct to which the results of the question or questions specified in R.C. 4301.355 apply. The law provides that, for purposes of this petition, "use" means all of the following:

- **The type of each liquor permit applied for by the applicant or held by the liquor permit holder as described in R.C. 4303.11 to 4303.183, including a description of the type of beer or intoxicating liquor sales authorized by each permit as provided in those sections (for example: C-2 liquor permit authorizing off-premise sales);**

**Note:** Failure to list the type of sales authorized by the permit on the petition will invalidate the petition. Some examples of the type of sales authorized include, but are not limited to, "on-premise sales," "off-premise sales," and "on/off premise sales," depending upon the type of liquor permit.

- If a liquor agency store, the fact that the business is operated as a liquor agency store authorized to operate by this state; and
- A description of the general nature of the business of the applicant, liquor permit holder, or liquor agency store (for example: convenience store).

#### **File Petition**

The petitioner must file all of the following documents with the board of elections not later than 4 p.m. on the 90th day before a general election or a special election held on a day on which a primary election may be held:

1. **Petition (Form 5-R).**

2. **Form 5-N Affidavit of Intended Use.**

3. If the permit holder/applicant or liquor agency store designated an agent for purpose of circulating and filing the 5-R petition, **separate written evidence of that designation of agent**, signed by the permit holder/ applicant or liquor agency store.

**Note:** There is no form prescribed by the Secretary of State for designating the agent. The parties who want the 5-R petition filed are responsible for producing the necessary documentation, such as a letter from the applicant identifying the agent as such.

4. **Appropriate filing fee.**<sup>52</sup>

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**Note to Petitioners:** The law requires you to file the affidavit (Form 5-N) and, if applicable, the written evidence of the designation of agent, at the time you file the petition (Form 5-R). Failure to comply will result in the invalidation of the entire petition.<sup>53</sup>

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#### **Board of Elections Must Determine Petition's Validity and Sufficiency**

Not later than the 78th day before the election, the board of elections must examine and determine the validity and sufficiency of the petition for certification of the question(s) to the ballot.<sup>54</sup>

#### **Board of Elections' Notice Requirements**

Upon the filing of a 5-R Petition seeking an election on a particular use at a specific location, the board of elections may email a copy of the front side of one part of the petition to the Division of

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<sup>52</sup> R.C. 3513.10 (B)(2).

<sup>53</sup> R.C. 4301.333(C)(2).

<sup>54</sup> R.C. 4301.33, 4301.331, 4305.14.



Liquor Control at [liquorlicensingmailunit@com.state.oh.us](mailto:liquorlicensingmailunit@com.state.oh.us); for verification prior to certification that the petitioner is an applicant, permit holder, or liquor agency store at the location specified on the petition.

The board of elections must submit the Notice of Election to be Held (**Form 126-A**) to the Secretary of State's office and the Division of Liquor Control upon the board's certification of the issue and determination of the date of the election.

Not later than 10 days before the election, the board of elections must post or publish a public notice of the election.<sup>55</sup>

## **Special Instructions**

### **Twenty-Nine Day Rule for Liquor Permit Holder Whose Permit is Made Partially or Wholly Unlawful Due to Results of Certain Local Liquor Option Elections**

Where a permit is made partially unlawful as the result of a local liquor option election held pursuant to:

- R.C. 4301.35 (choice of questions);
- R.C. 4301.351 (Sunday sales in entire precinct);
- R.C. 4301.353 (sales in a portion of a precinct);
- R.C. 4303.29 (sale of spirituous liquor by the glass); or
- R.C. 4305.14 (sale of beer),

A particular location local liquor option election may be held if both of the following occur no later than 29 days after the Division of Liquor Control receives the final notice of the results of such election:

1. The affected permit holder files with the board of elections a valid and sufficient petition for a particular use at a specific location (**Form 5-R**) to hold a particular location local liquor option election pursuant to R.C. 4301.333; and
2. The affected permit holder files with the Division of Liquor Control's superintendent a copy of that petition (**Form 5-R**) bearing the board of elections' file stamp.

If both of those conditions are met, the results of the local liquor option election that made the permit partially unlawful will not take effect as to that liquor permit holder until the Division of Liquor Control receives final notice from the board of elections of either of the following events (whichever occurs earlier):

1. The board of elections determines that the petition (**Form 5-R**) filed by the permit holder pursuant to R.C. 4301.39 (G) is invalid; or
2. An election held pursuant to R.C. 4301.355 concerning the liquor permit holder resulted in a majority no vote.

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<sup>55</sup> R.C. 3501.03.

# Exhibit C

**Liquor Control response to BOE on permit status**

RE: Status requested: Cleve-03-B / Imposters q1

localoption@com.ohio.gov <localoption@com.ohio.gov>

Thu 8/8/2024 12:32 PM

To: Brent Lawler <blawler@cuyahogacounty.gov>; Cory Milne <cmilne@cuyahogacounty.gov>; localoption@com.ohio.gov <localoption@com.ohio.gov>

Hello!

Imposters LTD is an applicant for a D3

```
PERMIT NUMBER - 4129389
COUNTY - 18 CUYAHOGA LLC
TAXING DISTRICT - 154 CLEVELAND
NO EXISTING VIOLATIONS
SUN SALE INFO - F10 TO DISPLAY
PROBLEM CODE
PROBLEM DATE
LAST INSPECTION
HOLDER BAR CODE
NAME AND ADDRESS
IMPOSTERS LTD
1ST FL & B5MT
4828 LORAIN AVE
CLEVELAND OH 44102
PGEBD 69464L
OUTLET NUMBER 994 AGENCY NUMBER
RESTRICTION: SALE OF WINE ILLEGAL
CLASS D1 D2 D3 D6
TYPE OF APPLICATION REN REN TFOL NEW
APPLICATION DATE 09/25/23 09/25/23 08/26/22 08/04/22
FILING STATUS PENALTY PENALTY TIMELY TIMELY
RECEIPT NUMBER D097404 D097404 F028215 D051427
FEE AMOUNT 376.00 564.00 .00 500.00
APPLICATION PENDING DATE
RENEWAL PENDING STATUS NO NO YES NO
SITE LOCATION VOTE YES
ORIGINAL ISSUE DATE 02/27/23 02/27/23 12/19/23
SOURCE OF ORIGINAL ISSUE TRF-QTA TRF-QTA NEW-NQT
CURRENT ISSUE DATE 10/01/23 10/01/23 12/19/23
MAILING DATE 01/05/24 01/05/24 01/05/24
TYPE OF ISSUE REIS REIS REIS
STATUS OF FEE AMOUNT DISTRIB DISTRIB N/A DISTRIB
REFUND AMOUNT
PENALTY RECEIPT NUMBER D097404 D097404
BUYER
SELLER 68287I 68287I 68287I
PROCESS FEE STATUS Y
TYPE OF NO ISSUE
ISSUED STATUS YES YES DRYPEND YES
CANCELLATION DATE
QUOTA EXEMPT STATUS
ENTER TO CONTINUE PROCESSING // PF7 REVERSE // PF8 FORWARD // PF9 RETURN
TO ORIGINAL PROCESSING // CLEAR /OR/ PA2 TO RETURN TO MENU
XXXXXXXX 001 OF 001 WORD FILE INQUIRY TERM DATE TIME
C032 08/08/24 12:28:4
```

18 R 43/00  
Connected to remote server/host 66.144.176.215 using lu/pool TCP00032 and po Microsoft Print to PDF on PORTPROMPT:

From: Brent Lawler <blawler@cuyahogacounty.gov>

Sent: Thursday, August 8, 2024 9:30 AM

To: Cory Milne <cmilne@cuyahogacounty.gov>; COM LIQ Local Option <localoption@com.ohio.gov>

Cc: Brent Lawler <blawler@cuyahogacounty.gov>

Subject: Status requested: Cleve-03-B / Imposters q1

# Exhibit D

**“How to” read permit application status**

RE: Application status requested: South Euclid 04-A Grove Kosher Market

localoption@com.ohio.gov <localoption@com.ohio.gov>

Thu 2/2/2023 12:02 PM

To: Brent Lawler <blawler@cuyahogacounty.gov>

You are seeing:

Upper left: permit number, taxing district (county + city/twp)

Upper right: permit holder and permit premise address

Middle columns: Classes they have applied for / are issued / were cancelled in the past.

Bottom red oval: status of permit classes. Yes = current issued, drypend = pending app, known dry, pend = pending app, noopen = pending app, no opening yet in the quota, and variations of "cancelled" and below that the date of cancellation.

Let me know if you have any more questions!

```

PERMIT NUMBER - 1209400
COUNTY - 13 CUYAHOGA LLC
TAXING DISTRICT - 500 SOUTH EUCLID
NO EXISTING VIOLATIONS
SIN SALE TRFD PEER
PROBLEM CODE
PROBLEM DATE
LAST INSPECTION
HOLDER BAR CODE
NAME AND ADDRESS
GROVE KOSHER CLEVELAND LLC
DBA GROVE KOSHER MARKET
1930 WOODENVILLE CENTER RD
SOUTH EUCLID OH 44121
PSEBU 092323

OUTLET NUMBER
AGENCY NUMBER

RESTRICTION:

CLASS
TYPE OF APPLICATION
APPLICATION DATE
FILING STATUS
RECEIPT NUMBER
FEE AMOUNT
APPLICATION PENDING DATE
RENEWAL PENDING STATUS
SITE LOCATION VOTE
ORIGINAL ISSUE DATE
SOURCE OF ORIGINAL ISSUE
CURRENT ISSUE DATE
ISSUING DATE
TYPE OF ISSUE
STATUS OF FEE AMOUNT
REFUND AMOUNT
PENALTY RECEIPT NUMBER
BUYER
SELLER
PROCESS FEE STATUS
TYPE OF NO ISSUE
ISSUED STATUS
CANCELLATION DATE
QUOTA EXEMPT STATUS
ENTER TO CONTINUE PROCESSING // PF7 REVERSE // PF8 FORWARD // PF9 RETURN
TO ORIGINAL PROCESSING // CLEAR /OR/ PAD TO RETURN TO MENU

TERM DATE
TIME

001 OF 001 WORD FILE INQUIRY
0005 02/02/23 11:47:49
432002

```

CLASS	D5	D5	D5
N	N	N	N
12/06/22	08/23/22	11/24/21	12/06/22
TIMELY	TIMELY	TIMELY	TIMELY
006100	505100	002100	001100
252.00	376.00	100.00	500.00
		11/24/21	
NO	NO	NO	NO
01/19/23	11/12/21		01/19/23
NEW-OTH	NEW-OTH		NEW-OTH
01/19/23	10/01/22		01/19/23
01/20/23	01/20/23		01/20/23
PLIS	RETS		RETS
DISTRIB	DISTRIB	D.T.F.	DISTRIB
Y	Y	Y	Y
YES	YES	DRYPEND	YES

Connected to remote server/host 66.144.176.215 using lu/pool TCP00065 and port 23 PDF995 on PDF995PORT

Applicant for since it says "pending" at the bottom of the D5. Holder of would = "yes." Yes = license issued.

# Exhibit E

**ORC 4301.355**

**Election and form of ballots contesting a particular location**



## Ohio Revised Code

### Section 4301.355 Election and form of ballots contesting a particular location.

Effective: March 23, 2022

Legislation: Senate Bill 102

(A) If a petition is filed under section 4301.333 of the Revised Code for the submission of the question or questions set forth in this section, it shall be held in the precinct as ordered by the board of elections under that section. The expense of holding the election shall be charged to the municipal corporation or township of which the precinct is a part.

(B) At the election, one or more of the following questions, as designated in a valid petition, shall be submitted to the electors of the precinct:

(1) "Shall the sale of \_\_\_\_\_ (insert beer, wine and mixed beverages, or spirituous liquor) be permitted by \_\_\_\_\_ (insert name of applicant, liquor permit holder, or liquor agency store, including trade or fictitious name under which applicant for, or holder of, liquor permit or liquor agency store either intends to do, or does, business at the particular location), an \_\_\_\_\_ (insert "applicant for" or "holder of" or "operator of") a \_\_\_\_\_ (insert class name of liquor permit or permits followed by the words "liquor permit(s)" or, if appropriate, the words "liquor agency store for the State of Ohio"), who is engaged in the business of \_\_\_\_\_ (insert general nature of the business in which applicant or liquor permit holder is engaged or will be engaged in at the particular location, as described in the petition) at \_\_\_\_\_ (insert address of the particular location within the precinct as set forth in the petition) in this precinct?"

(2) "Shall the sale of \_\_\_\_\_ (insert beer, wine and mixed beverages, or spirituous liquor) be permitted for sale on Sunday by \_\_\_\_\_ (insert name of applicant, liquor permit holder, or liquor agency store, including trade or fictitious name under which applicant for, or holder of, liquor permit or liquor agency store either intends to do, or does, business at the particular location), an \_\_\_\_\_ (insert "applicant for a D-6 liquor permit," "holder of a D-6 liquor permit," "applicant for or holder of an A-1-A, A-2, A-2f, A-3a, C-1, C-2x, D-1, D-2x, D-3, D-3x, D-4, D-5, D-5b, D-5c, D-5e, D-5f, D-5g, D-5h, D-5i, D-5j, D-5k, D-5l, D-5m, D-5n, D-5o, or D-7 liquor permit," if only the approval of beer sales is sought, or "liquor agency store") who is engaged in the business of \_\_\_\_\_ (insert general nature of the business in which applicant or liquor permit holder is



engaged or will be engaged in at the particular location, as described in the petition) at \_\_\_\_\_  
(insert address of the particular location within the precinct) in this precinct?"

(C) The board of elections shall furnish printed ballots at the election as provided under section 3505.06 of the Revised Code, except that a separate ballot shall be used for the election under this section. The question set forth in this section shall be printed on each ballot, and the board shall insert in the question appropriate words to complete it. Votes shall be cast as provided under section 3505.06 of the Revised Code.



# Exhibit F

**Assistant Prosecutor Musson's email opinion**

**RE: Petition invalid - Imposters q1**

Musson, Mark <mmusson@prosecutor.cuyahogacounty.us>

Wed 8/7/2024 5:05 PM

To: Brent Lawler <blawler@cuyahogacounty.gov>

Cc: Anthony W. Perlatti <aperlatti@cuyahogacounty.gov>; Anthony N. Kaloger <tkaloger@cuyahogacounty.gov>; Cory Milne <cmilne@cuyahogacounty.gov>

It looks like they intended to seek a vote on getting a D-3 (spiritous liquor) for their location. They already hold a D-1 (beer), D-2 (wine and mixed beverages), and D-6 (Sunday sales). Their petition erroneously seeks approval of "wine and spiritous liquor" where it should say only "spiritous liquor." Also, the petition also says they are an applicant for a D-6, where they already hold a D-6 according to Liquor Control.

Since the petition language informs the ballot language under R.C. 4301.355, we cannot use the petition language that the elector's signed. There is no valid ballot question authorizing the sale "wine and spiritous liquor" at a particular location.

I'm not aware of any case law that would allow us to deviate from the understanding you expressed below.

Mark

Mark R. Musson  
Assistant Prosecuting Attorney – Civil Division  
Cuyahoga County Prosecutor Michael O'Malley's Office  
The Justice Center, Courts Tower  
1200 Ontario Street, 8th Floor  
Cleveland, OH 44113  
Phone (216) 443-7795  
[MMusson@prosecutor.cuyahogacounty.us](mailto:MMusson@prosecutor.cuyahogacounty.us)

**From:** Brent Lawler <blawler@cuyahogacounty.gov>

**Sent:** Wednesday, August 7, 2024 2:28 PM

**To:** Musson, Mark <mmusson@prosecutor.cuyahogacounty.us>

**Cc:** Anthony W. Perlatti <aperlatti@cuyahogacounty.gov>; Anthony N. Kaloger <tkaloger@cuyahogacounty.gov>; Cory Milne <cmilne@cuyahogacounty.gov>; Brent Lawler <blawler@cuyahogacounty.gov>

**Subject:** Fw: Petition invalid - Imposters q1

Mark

Please read the below email and look at the attached petition.

Do you see anything in case law that would allow us to accept this and add the language ourselves? The SOS liquor guide page 16 seems to clearly state that you have the have "wine and mixed beverages". The establishment already has "mixed beverages" which is why they didn't place it on the petition.

This is set for a Board review on August 19

tk  
bel

Brent E. Lawler, Manager

## Petition invalid - Imposters q1

Brent Lawler <[blawler@cuyahogacounty.gov](mailto:blawler@cuyahogacounty.gov)>

Wed 8/7/2024 2:14 PM

To: Alexander R. Bibisi <[ABibisi@walterhav.com](mailto:ABibisi@walterhav.com)>

Cc: Brent Lawler <[blawler@cuyahogacounty.gov](mailto:blawler@cuyahogacounty.gov)>; Cory Milne <[cmilne@cuyahogacounty.gov](mailto:cmilne@cuyahogacounty.gov)>; Imposters LTD <[impostersltd@gmail.com](mailto:impostersltd@gmail.com)>

📎 2 attachments (968 KB)

2022 Local Options Guide.pdf; Local Option Withdrawal 2024.docx;

8.7.24

via email: [qgoehring@gmail.com](mailto:qgoehring@gmail.com)

Alex:

The Board of Elections has received your local option petition filing for Imposters located in Cleveland-03-B.

As we discussed, unfortunately, the petition filing is invalid. The type of sale "wine" must also include "mixed beverages" to be considered a valid submission.

The Secretary of State OH Local Liquor Options Gude (attached)' page 16 reads in part:

- Note: "Wine and mixed beverages" is a single category, requiring BOTH wine and mixed beverages. Thus, petition may request "beer and wine and mixed beverages" or "wine and mixed beverages and spirituous liquor," but NOT "beer and wine" or "beer and mixed beverages" or "mixed beverages and spirituous liquor."

Issue filers are not permitted to supplement their filings, nor are Boards of Elections permitted to give you back the part petitions you filed.

Therefore, we encourage you to withdraw your local option. Attached is a withdrawal form that you may complete, sign and return it to us immediately, by email, regular mail, or in person.

If you do not withdraw your local option by Wednesday, August 14, 2024, your local option will be submitted to the Board for removal from the ballot. The Board meeting will be held at the address below on Monday, August 19, 2024, at 9:30 AM.

Regards,

Brent

Brent E. Lawler, Manager  
Candidate & Petition Services  
Cuyahoga County Board of Elections  
2925 Euclid Avenue  
Cleveland, OH 44115-2497  
Phone: 216.443.6509  
Fax: 216.443.6466  
Email: [blawler@cuyahogacounty.gov](mailto:blawler@cuyahogacounty.gov)

## Candidate &amp; Petition Services

Cuyahoga County Board of Elections

2925 Euclid Avenue

Cleveland, OH 44115-2497

Phone: 216.443.6509

Fax: 216.443.6466

Email: [blawler@cuyahogacounty.gov](mailto:blawler@cuyahogacounty.gov)**From:** Brent Lawler <[blawler@cuyahogacounty.gov](mailto:blawler@cuyahogacounty.gov)>**Sent:** Wednesday, August 7, 2024 2:14 PM**To:** Alexander R. Bibisi <[ABibisi@walterhav.com](mailto:ABibisi@walterhav.com)>**Cc:** Brent Lawler <[blawler@cuyahogacounty.gov](mailto:blawler@cuyahogacounty.gov)>; Cory Milne <[cmilne@cuyahogacounty.gov](mailto:cmilne@cuyahogacounty.gov)>; Imposters LTD <[impostersltd@gmail.com](mailto:impostersltd@gmail.com)>**Subject:** Petition invalid - Imposters q1

8.7.24

Alex:

The Board of Elections has received your local option petition filing for Imposters located in Cleveland-03-B.

As we discussed, unfortunately, the petition filing is invalid. The type of sale "wine" must also include "mixed beverages" to be considered a valid submission.

The Secretary of State OH Local Liquor Options Gude (attached)' page 16 reads in part:

- Note: "Wine and mixed beverages" is a single category, requiring BOTH wine and mixed beverages. Thus, petition may request "beer and wine and mixed beverages" or "wine and mixed beverages and spirituous liquor," but NOT "beer and wine" or "beer and mixed beverages" or "mixed beverages and spirituous liquor."

Issue filers are not permitted to supplement their filings, nor are Boards of Elections permitted to give you back the part petitions you filed.

Therefore, we encourage you to withdraw your local option. Attached is a withdrawal form that you may complete, sign and return it to us immediately, by email, regular mail, or in person.

If you do not withdraw your local option by Wednesday, August 14, 2024, your local option will be submitted to the Board for removal from the ballot. The Board meeting will be held at the address below on Monday, August 19, 2024, at 9:30 AM.

Regards,

Brent

# Exhibit G

**Petitioners' response**

**BEFORE THE CUYAHOGA COUNTY BOARD OF ELECTIONS  
STATE OF OHIO**

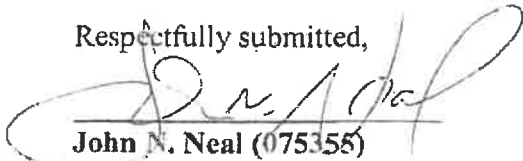
IN THE MATTER OF:	)	
	)	
APPEAL OF –	)	
Imposters LTD	)	
4828 Lorain Avenue	)	
Cleveland, Ohio 44102	)	
	)	
Liquor Permit No.:	)	APPELLANT'S NOTICE OF
4129389	)	APPEAL OF LOCAL OPTION
	)	PETITION REJECTION

Imposters LTD hereby gives notice of its appeal to the Cuyahoga County Board of Elections from the August 7, 2024 correspondence reflecting a rejection of Imposters LTD's local option petition filing for the appellant's particular location in Cleveland-03-B, a copy of which is attached hereto as Exhibit A and incorporated in this Notice by reference as if fully set forth herein.

This appeal is taken upon the following grounds:

That the rejection appealed from is not supported by reliable, probative, admissible, and substantial evidence, and was not in accordance with law. Specifically, the stated reason for rejection (invalidation due to failure to list both "wine" and "mixed beverages" on the petition, or other alleged defective language) is not supported by the Ohio Revised Code or law.

Respectfully submitted,



**John N. Neal (075355)**

[jneal@walterhav.com](mailto:jneal@walterhav.com)

216.6189.7866/216.916.2432 (facsimile)

**Alexander Rigdon Bibisi (100451)**

[abibisi@walterhav.com](mailto:abibisi@walterhav.com)

216.658.6217/216.916.2450 (facsimile)

**WALTER HAVERFIELD LLP**

1500 West Third Street, Suite 300

Cleveland, Ohio 44113

# EXHIBIT A

**Alexander R. Bibisi**

---

**From:** Brent Lawler <blawler@cuyahogacounty.gov>  
**Sent:** Wednesday, August 7, 2024 2:14 PM  
**To:** Alexander R. Bibisi  
**Cc:** Brent Lawler; Cory Milne; Imposters LTD  
**Subject:** Petition invalid - Imposters q1  
**Attachments:** 2022 Local Options Guide.pdf; Local Option Withdrawal 2024.docx

8.7.24 via email: qgoehring@gmail.com

Alex:

The Board of Elections has received your local option petition filing for Imposters located in Cleveland-03-B.

As we discussed, unfortunately, the petition filing is invalid. The type of sale "wine" must also include "mixed beverages" to be considered a valid submission.

The Secretary of State OH Local Liquor Options Gude (attached)' page 16 reads in part:

- Note: "Wine and mixed beverages" is a single category, requiring BOTH wine and mixed beverages. Thus, petition may request "beer and wine and mixed beverages" or "wine and mixed beverages and spirituous liquor," but NOT "beer and wine" or "beer and mixed beverages" or "mixed beverages and spirituous liquor."

Issue filers are not permitted to supplement their filings, nor are Boards of Elections permitted to give you back the part petitions you filed.

Therefore, we encourage you to withdraw your local option. Attached is a withdrawal form that you may complete, sign and return it to us immediately, by email, regular mail, or in person.

If you do not withdraw your local option by Wednesday, August 14, 2024, your local option will be submitted to the Board for removal from the ballot. The Board meeting will be held at the address below on Monday, August 19, 2024, at 9:30 AM.

Regards,

Brent

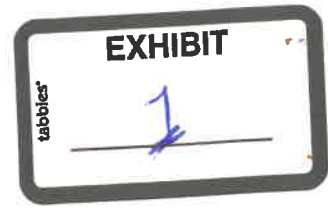
Brent E. Lawler, Manager  
Candidate & Petition Services  
Cuyahoga County Board of Elections  
2925 Euclid Avenue  
Cleveland, OH 44115-2497  
Phone: 216.443.6509  
Fax: 216.443.6466  
Email: [blawler@cuyahogacounty.gov](mailto:blawler@cuyahogacounty.gov)

AUG 14 '24 PM 3:43

Local Option Petition Review  
Local Liquor Option: Cleveland 03  
Precinct B -  
Imposter's  
**Exhibits from**  
**Attorney John Neal**

---





IMPOSTERS LTD



4129389 6060  
Local Option Print Out

LOCATION VOTE HISTORY

02/21/23

4129389

COUNTY NAME: CUYAHOGA (18)

PAG 1 OF 2 PGEBO

12/05/33	-	TAX-DIST-154 WARD-	PRECINCT-
12/05/33	W	REPEAL VOTE	
12/06/33		TAX-DIST-154 WARD-8	PRECINCT-P
01/01/49		TAX-DIST-154 WARD-3	PRECINCT-X
01/01/67		TAX-DIST-154 WARD-3	PRECINCT-A
11/04/69	-	W REG(A): {BEER, WINE, MIXED-BEV, SPIRITUOUS-LIQ}	ON PREMISE & CARRYOUT
11/04/69	-	W REG(B): {WINE}	CARRYOUT
11/04/69	✓	D REG(C): {WINE}	ON/OFF PREMISE
11/04/69	✓	D REG(D): {SPIRITUOUS LIQUOR}	
11/04/69	-	W REG(E): STATE LIQUOR STORE OR AGENCY	
01/01/71		TAX-DIST-154 WARD-3	PRECINCT-B
09/19/81		TAX-DIST-154 WARD-17	PRECINCT-B
10/08/93		TAX-DIST-154 WARD-14	PRECINCT-FF
10/23/99		TAX-DIST-154 WARD-14	PRECINCT-G
12/17/01		TAX-DIST-154 WARD-17	PRECINCT-G
10/04/05	-	D LOC(1): {SEE INFORMATION}	
10/04/05	-	D LOC(2): {SEE INFORMATION}	

PLACE AN X BY THE QUESTION TO VIEW THE TEXT AND INFORMATION

PREVIOUS PAGE=F7

NEXT PAGE=F8

PA2-KEY = END SESSION, CLEAR-KEY = CHANGE FUNCTION, ENTER-KEY = TO CONTINUE

LOCATION VOTE HISTORY

02/21/23

COUNTY NAME: CUYAHOGA (18)

PAG 2 OF 2 PGEBO

11/06/07 \_ D LOC(1): (SEE INFORMATION)

07/21/09 TAX-DIST-154 WARD-15 PRECINCT-I

04/24/13 TAX-DIST-154 WARD-3 PRECINCT-B

PLACE AN X BY THE QUESTION TO VIEW THE TEXT AND INFORMATION

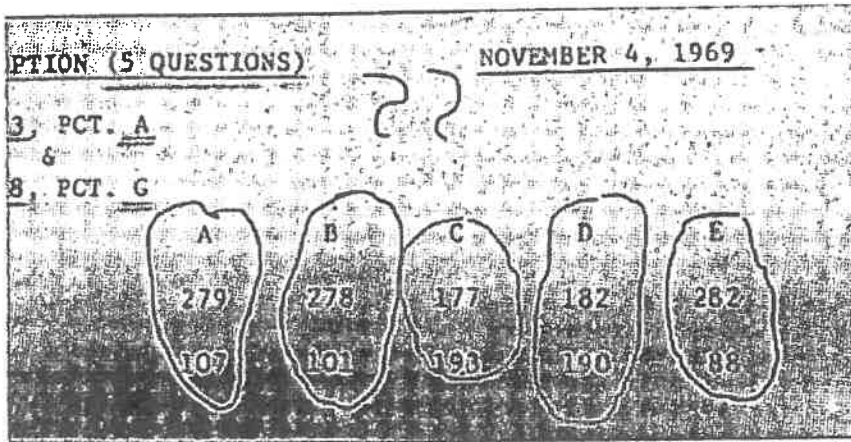
PREVIOUS PAGE=F7

NEXT PAGE=F8

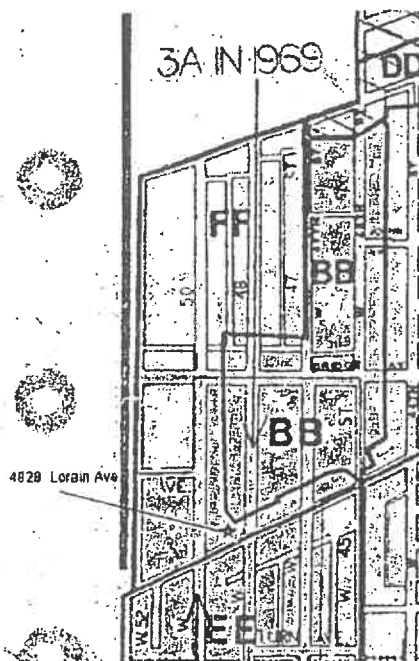
PA2-KEY = END SESSION, CLEAR-KEY = CHANGE FUNCTION, ENTER-KEY = TO CONTINUE

**Dobbins, Hollie**

**From:** John S. Eddy <jeddy@cuyahogacounty.gov>  
**Sent:** Wednesday, February 22, 2023 2:34 PM  
**To:** Dobbins, Hollie  
**Subject:** Re: 4828 Lorain Ave



**From:** John S. Eddy <jeddy@cuyahogacounty.gov>  
**Sent:** Wednesday, February 22, 2023 2:18 PM  
**To:** Hollie.Dobbins@com.ohio.gov <Hollie.Dobbins@com.ohio.gov>  
**Subject:** Re: 4828 Lorain Ave



The blue area indicates a dry vote. So, they would need a subsequent vote to re-wet this area...and I don't see it.

LICENSING SECTION  
NOTICE TO BOARD OF ELECTIONS

OHIO DIVISION OF LIQUOR CONTROL  
8808 TUSSING ROAD  
P.O. BOX 4005  
REYNOLDSBURG, OHIO 43068-9005  
(614) 844-2360

4129389	NEW	IMPOSTER LTD 4828 LORAIN AVE CLEVELAND OH 44102
ISSUE DATE 08 04 2022		
FILING DATE D6		
18	154	C D51427
TAX DISTRICT		RECEIPT

2022 SEP -8 AM 8:37

OHIO DIV. LIQUOR CONTROL

08/30/2022

CUYAHOGA COUNTY BOARD OF ELECTIONS  
2925 EUCLID AVE  
CLEVELAND OHIO 44115-2497

JOHN EDDY - SENIOR GIS TECHNICIAN

216-443-6686  
jeddy@cuyahogacounty.us  
Cuyahoga County Board of Elections



Board of Elections:

The Division of Liquor Control is responsible for determining the local option status for all applications. In order to accomplish this it will be necessary for you to supply us with a complete ward/precinct history since 1933 for the above captioned location. Please answer the following questions and complete the local option history form. Please list in chronological order, month/day/year, all ward/precinct changes beginning with the earliest date (1933) to the most current.

- Are your precinct/ward records available back to 1933? Yes  No    
 If no, your records begin in 1941.
- Is the location in question divided into two (2) political subdivisions?   
 Yes  No  If yes, explain on a separate sheet and attach.
- In what City, Village or Township is this location located? Cleveland
- Was this location annexed from a township? Yes  No  If yes, give name of township and date annexed

Month/Day/Year	Ward	Precinct
(example) 1-5-35	5	D
(example) 6-1-55	6	C
Beginning with 19 <u>41</u>	8	P
1949	3	X
1967	3	A
1971	3	B

9-19-1981	17	B
10-8-1993	14	FF
10-23-1999	14	G
12-17-2001	17	G
7-21-2009	15	I
4-24-2013	3	B
2022	3	B

JOHN EDDY - SENIOR GIS TECHNICIAN

PRINT YOUR NAME & TITLE

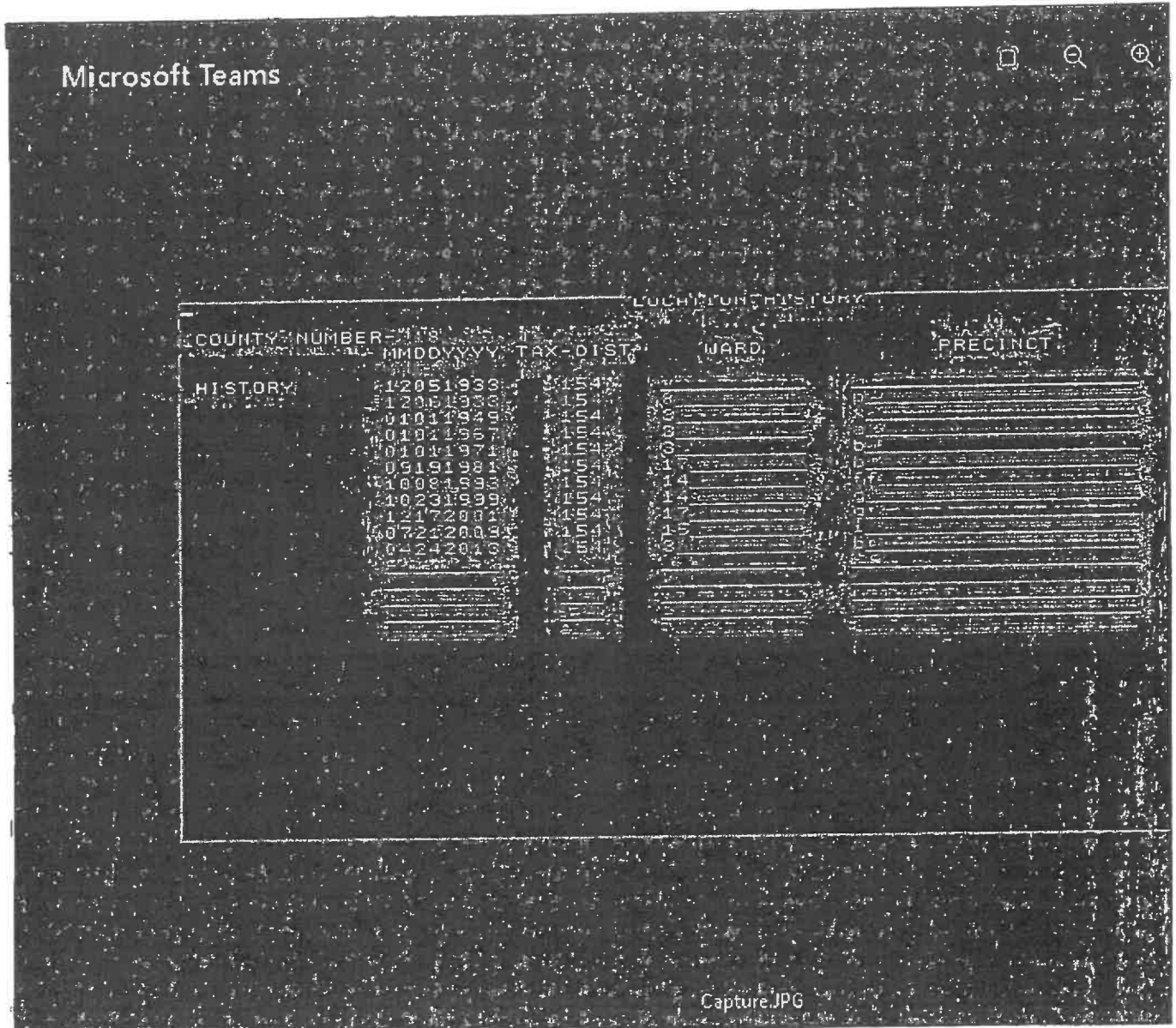
216-443-6686  
jeddy@cuyahogacounty.us  
Cuyahoga County Board of Elections

AREA CODE &  
PHONE NUMBER

DATE

9-7-22

From: Hollie.Dobbins@com.ohio.gov <Hollie.Dobbins@com.ohio.gov>  
 Sent: Wednesday, February 22, 2023 1:49 PM  
 To: John S. Eddy <jeddy@cuyahogacounty.gov>  
 Subject: 4828 Lorain Ave



**Ohio** Department of Commerce  
 Hollie Dobbins  
 Account Examiner 3  
 Ohio Department of Commerce  
 Division of Liquor Control  
 6606 Tussing Road, Reynoldsburg, Ohio 43068

\*\*\*\*\*  
 The information transmitted is intended solely for the individual or entity to which it is addressed and may contain



Department  
of Commerce

Division of Liquor Control

Sheryl Maxfield, Director

Mike DeWine, Governor  
Jon Husted, Lt. Governor

February 23, 2023

IMPOSTERS LTD  
4828 LORAIN AVE  
CLEVELAND OH 44102

Re: **TFOL D1 D2 D3 NEW D6 PERMIT #4129389**  
IMPOSTERS LTD  
4828 LORAIN AVE  
CLEVELAND OH 44102

Dear Applicant:

Please be advised that the above captioned permit location is **DRY** for **MONDAY THROUGH SATURDAY** for **Wine on and off premises and Spirituous Liquor** and **SUNDAY** sales of **Beer, Mixed Beverages and Spirituous Liquor**.

Since we cannot process your application for the **D3 D6** class (es) mentioned above, Please cancel the D3 transfer portion of the application and have the seller either cancel the issued D3 or place the permit in safekeeping. We will keep the D6 application pending "DRY" per your new application unless you would rather cancel and have the class fee refunded. Also, advise the Division if you still want the **D2** since it is restricted for "No Wine sales on and off premises."

Because we do NOT regulate local option elections, including how and when to get a question on a ballot, you should direct any questions to your attorney or your county board of elections. You can visit our local option information on our website at <https://com.ohio.gov/divisions-and-programs/liquor-control/new-permit-info/guides-and-resources/local-option-election-law> for more information.

If you have any questions concerning this matter, please feel free to contact us at [fileinquiry@com.ohio.gov](mailto:fileinquiry@com.ohio.gov).

Licensing Processing Section

dl

cc: John Neal, Esq

Licensing New or Transfer Section  
6606 Tussing Road  
PO Box 4005  
Reynoldsburg, OH 43068-9005 U.S.A.  
[liquorlicensing@mailunit@com.state.oh.us](mailto:liquorlicensing@mailunit@com.state.oh.us)



An Equal Opportunity Employer and Service Provider

614 | 644 3155  
Fax 614 | 644 3166  
TTY/TDD 800 | 750 0750  
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# STATE OF OHIO

DEPARTMENT OF COMMERCE  
DIVISION OF LIQUOR CONTROL

4129389 REIS 10-01-2023 10-01-2024  
PERMIT NUMBER CODE DATE ISSUED EXPIRATION DATE

THIS CERTIFICATE IS VALID ONLY BETWEEN THE DATE ISSUED AND EXPIRATION DATE APPEARING HEREIN. IT MAY BE USED ONLY BY THE NAMED HOLDER AT THE LOCATION FOR WHICH ISSUED.

THIS CERTIFIES THAT  
IMPOSTERS LTD  
1ST FL & BSMT  
4828 LORAIN AVE  
CLEVELAND OH 44102

THE PERSON NAMED HEREIN IS AUTHORIZED TO SELL OR DISPENSE ALCOHOLIC BEVERAGES WITH ALCOHOLIC CONTENT PERMITTED BY LAW FOR THE PERMITS DESIGNATED BELOW.

THIS CERTIFICATE AND/OR EACH TYPE OF PERMIT REPRESENTED IS SUBJECT TO SUSPENSION, REVOCATION OR CANCELLATION AS AUTHORIZED BY TITLE XLIII OF THE REVISED CODE.

IS THE HOLDER OF PERMIT OR PERMITS DESIGNATED BELOW

18	CUYAHOGA	154	CLEVELAND	09-25-2023	D097404	\$ VALUE
CODE	PERMIT TYPE					
D1	BEER ONLY FOR ON PREMISES CONSUMPTION AND IN SEALED CONTAINERS FOR CARRY OUT					376.00
D2	WINE AND CERTAIN PRE-PACKAGED DRINKS FOR ON PREMISES CONSUMPTION AND IN SEALED CONTAINERS FOR CARRY OUT					564.00
D6	SALE OF INTOXICATING LIQUOR ON SUNDAY					500.00
ADDITIONAL INFORMATION: D6 PRIVILEGES ON AND OFF PREMISES						
SALE OF WINE ILLEGAL						
PUR SPRT LQUR FROM AGY# 994 MINOTTI'S ROCKY RIVER WINE SH						TOTAL \$ 1,440.00
PERMITS AUTHORIZED BY SECTIONS 4303.02 TO 4303.232, INCLUSIVE OF THE REVISED CODE						

XXXXXXXX \*REISSUED\*

4301.66 Obstructing search of premises prohibited. No person shall hinder or obstruct any agent or employee of the division of liquor control, any enforcement agent of the department of public safety, or any officer of the law, from making inspection or search of any place, other than a bona fide private residence, where beer or intoxicating liquor is possessed, kept, sold, or given away.

**Sheryl Maxfield**

DIRECTOR OF COMMERCE  
**James V. Canepa**  
SUPERINTENDENT OF LIQUOR CONTROL

TRANSFERRED  
PREVIOUS PERMIT NUMBER  
PENALTY

01-05-2024

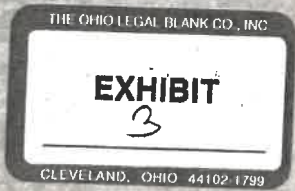
## DIVISION OF LIQUOR CONTROL PERMITTEE IDENTIFICATION CARD

4129389 10-01-2023  
PERMIT NUMBER EXPIRATION DATE  
10-01-2024 D1 D2 D6  
DANGER FOR PURCHASE OF SPIRITUOUS LIQUOR REIS

AUTHORIZED AGENT(S)

NAME \_\_\_\_\_  
ADDRESS \_\_\_\_\_  
NAME \_\_\_\_\_  
ADDRESS \_\_\_\_\_  
NAME \_\_\_\_\_  
ADDRESS \_\_\_\_\_

IMPOSTERS LTD  
1ST FL & BSMT  
4828 LORAIN AVE  
CLEVELAND OH 44102



**Sheryl Maxfield**

DIRECTOR OF COMMERCE  
**James V. Canepa**  
SUPERINTENDENT OF LIQUOR CONTROL

PUR SPRT LQUR FROM AGY# 994 MINOTTI'S ROCKY RIVER WINE SH  
MAY PURCHASE BEVERAGES AS INDICATED ABOVE



# Section 4301.355 | Election and form of ballots contesting a particular location.

Ohio Revised Code / Title 43 Liquor / Chapter 4301 Liquor Control Law

*Effective: March 23, 2022    Latest Legislation: Senate Bill 102 - 134th General Assembly*



(A) If a petition is filed under section 4301.333 of the Revised Code for the submission of the question or questions set forth in this section, it shall be held in the precinct as ordered by the board of elections under that section. The expense of holding the election shall be charged to the municipal corporation or township of which the precinct is a part.

(B) At the election, one or more of the following questions, as designated in a valid petition, shall be submitted to the electors of the precinct:

(1) "Shall the sale of \_\_\_\_\_ (insert beer, wine and mixed beverages, or spirituous liquor) be permitted by \_\_\_\_\_ (insert name of applicant, liquor permit holder, or liquor agency store, including trade or fictitious name under which applicant for, or holder of, liquor permit or liquor agency store either intends to do, or does, business at the particular location), an \_\_\_\_\_ (insert "applicant for" or "holder of" or "operator of") a \_\_\_\_\_ (insert class name of liquor permit or permits followed by the words "liquor permit(s)" or, if appropriate, the words "liquor agency store for the State of Ohio"), who is engaged in the business of \_\_\_\_\_ (insert general nature of the business in which applicant or liquor permit holder is engaged or will be engaged in at the particular location, as described in the petition) at \_\_\_\_\_ (insert address of the particular location within the precinct as set forth in the petition) in this precinct?"

(2) "Shall the sale of \_\_\_\_\_ (insert beer, wine and mixed beverages, or spirituous liquor) be permitted for sale on Sunday by \_\_\_\_\_ (insert name of applicant, liquor permit holder, or liquor agency store, including trade or fictitious name under which applicant for, or holder of, liquor permit or liquor agency store either intends to do, or does, business at the

particular location), an \_\_\_\_\_ (insert "applicant for a D-6 liquor permit," "holder of a D-6 liquor permit," "applicant for or holder of an A-1-A, A-2, A-2f, A-3a, C-1, C-2x, D-1, D-2x, D-3, D-3x, D-4, D-5, D-5b, D-5c, D-5e, D-5f, D-5g, D-5h, D-5i, D-5j, D-5k, D-5l, D-5m, D-5n, D-5o, or D-7 liquor permit," if only the approval of beer sales is sought, or "liquor agency store") who is engaged in the business of \_\_\_\_\_ (insert general nature of the business in which applicant or liquor permit holder is engaged or will be engaged in at the particular location, as described in the petition) at \_\_\_\_\_ (insert address of the particular location within the precinct) in this precinct?"

(C) The board of elections shall furnish printed ballots at the election as provided under section 3505.06 of the Revised Code, except that a separate ballot shall be used for the election under this section. The question set forth in this section shall be printed on each ballot, and the board shall insert in the question appropriate words to complete it. Votes shall be cast as provided under section 3505.06 of the Revised Code.

*Last updated January 13, 2022 at 12:04 PM*

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## Available Versions of this Section

September 10, 2010 – House Bill 519 - 128th General Assembly

September 28, 2016 – House Bill 342 - 131st General Assembly

March 23, 2022 – Amended by Senate Bill 102 - 134th General Assembly

# Certification of Issues

for the November 5, 2024, Presidential General  
Election

## Certification of Issues for the November 5, 2024 General Election

Rev. 8/20/2024

### Municipal Issues

#### BAY VILLAGE-01-B

##### **Local Liquor Option**

Shall the beer, wine and mixed beverages and spirituous liquor be permitted for sale on Sunday by All In Restaurants, Inc. an applicant for a D-6 liquor permit who is engaged in the business of operating a full service restaurant 25517 and 25519 Eaton Way, Bay Village, OH 44140 in this precinct?

#### BEDFORD -02-A

##### **Local Liquor Option**

Shall the sale of wine and mixed beverages be permitted for sale on Sunday by Sun Bedford LLC dba Bedford Sunoco Food Mart an applicant for a D-6 liquor permit, holder of C-1 and C-2 liquor permits who is engaged in the business of a convenience store and gas station at 667 Northfield Road, Bedford, OH 44146 in this precinct?

#### CITY OF BEREA

##### **Proposed Tax Levy (Renewal)**

A renewal of a tax for the benefit of the City of Berea to supplement its general fund for the purpose of making appropriations for hospitalization in and support of Southwest General Health Center that the County Fiscal Officer estimates will collect \$111,000 annually, at a rate not exceeding 1 mill for each \$1 of taxable value, which amounts to \$5 for each \$100,000 of the County Fiscal Officer's appraised value, for five years, commencing in 2025, first due in calendar year 2026.

#### BEREA -05-A

##### **Local Liquor Option**

Shall the sale of wine and mixed beverages and spirituous liquor be permitted for sale on Sunday by Dougs Sportsman Tavern LLC dba Sportsman Tavern and Patio a holder of D1, D2, D3, D3A liquor permits and applicant for a D-6 liquor permit who is engaged in the business of a neighborhood tavern bar & restaurant at 483 Prospect Rd 1st FL, Berea, OH 44017 in this precinct?

#### VILLAGE OF BRATENAH

##### **Proposed Tax Levy (Renewal and Increase)**

A renewal of 4.5 mills and an increase of 1 mill for each \$1 of taxable value to constitute a tax for the benefit of the Village of Bratenahl for the purpose of current expenses that the County Fiscal Officer estimates will collect \$508,000 annually, at a rate not exceeding 5.5 mills for each \$1 of taxable value, which amounts to \$147 or each \$100,000 of the County Fiscal Officer's appraised value, for five years, commencing in 2025, first due in calendar year 2026.

#### CITY OF BRECKSVILLE

##### **Proposed Zoning Amendment**

Shall the Zoning Map of the City of Brecksville be amended by adding an MS Motor Services Overlay Zoning District for a True North gas station and carwash on the approximately 2.39 acres fronting on Miller Road and an LB Local Business Overlay Zoning District on the approximately 2.35 acre remainder of PP #604-17-003 located at 6850 Miller Road?

**CITY OF BRECKSVILLE**  
**Proposed Zoning Amendment**

Shall Section 1189.01 of the Planning and Zoning Code of the City of Brecksville be amended by adding Subsection (o) to prohibit the cultivation, processing or dispensing of adult use cannabis in all use districts?

**CITY OF BROADVIEW HEIGHTS**  
**Proposed Tax Levy (Renewal)**

A renewal of a tax for the benefit of the City of Broadview Heights for the purpose of providing funds for the payment of salaries of permanent police personnel that the County Fiscal Officer estimates will collect \$468,000 annually, at a rate not exceeding 0.7 mill for each \$1 of taxable value, which amounts to \$20 for each \$100,000 of the County Fiscal Officer's appraised value, for five years, commencing in 2024, first due in calendar year 2025.

**VILLAGE OF CHAGRIN FALLS**  
**Proposed Tax Levy (Renewal)**

A renewal of a tax for the benefit of the Village of Chagrin Falls for the purpose of current expenses that the County Fiscal Officer estimates will collect \$1,064,000 annually, at a rate not exceeding 5.5 mills for each \$1 of taxable value, which amounts to \$120 for each \$100,000 of the County Fiscal Officer's appraised value, for five years, commencing in 2024, first due in calendar year 2025.

**CLEVELAND -03-B**  
**Local Liquor Option**

Shall the sale of wine and mixed beverages and spirituous liquor be permitted for sale on Sunday by EWC OPCP, LLC an applicant for a D-6 liquor permit who is engaged in the business of operating a neighborhood bar at 4911 Detroit Ave., 1st Floor and Patio, Cleveland, OH 44102 in this precinct?

**CLEVELAND -03-J**  
**Local Liquor Option**

Shall the sale of wine and mixed beverages and spirituous liquor be permitted for sale on Sunday by Cleshoni, LLC dba Issho Ni Izakaya an applicant for a D-6 liquor permit who is engaged in the business of the operation of a full-service restaurant at 2054 Fulton Road, Cleveland, OH 44113 in this precinct?

**CLEVELAND -11-K**  
**Local Liquor Option**

Shall the sale of wine and mixed beverages and spirituous liquor be permitted for sale on Sunday by Forever Pride LLC dba Vibe Bar an applicant for a D-6 liquor permit, holder of a D-2, D-2X, D-3 and D-3A liquor permits who is engaged in the business of a tavern and grille at 11633 Lorain Ave. and Patio, Cleveland, OH 44111 in this precinct?

**CLEVELAND -13-I**  
**Local Liquor Option**

Shall the sale of beer, wine and mixed beverages, and spirituous liquor be permitted for sale on Sunday by 787 Market LLC dba 787 Market, an applicant for a D-6 liquor permit and holder of C-1, C-2, and D-3 permits who is engaged in the business of operating a market and cafe at 6105 Memphis Ave., Cleveland, OH 44144

**CLEVELAND -16-C**  
**Local Liquor Option**

Shall the sale of wine and mixed beverages be permitted for sale on Sunday by Sun150 Corp dba Speedy Puritas Sunoco an applicant for a D-6 liquor permit, holder of C-1 and C-2 liquor permits who is engaged in the business of a convenience store and gas station at 15009 Puritas Avenue, Cleveland, OH 44135 in this precinct?

**CLEVELAND -16-O**

**Local Liquor Option**

Shall the sale of wine and mixed beverages be permitted for sale on Sunday by Sun136 Corp dba Speedy Grub Shack an applicant for a D-6 liquor permit, holder of C-2 and C-2x liquor permits who is engaged in the business of a convenience store and gas station at 13601 Lorain Avenue, Cleveland, OH 44111 in this precinct?

**CLEVELAND -17-H**

**Local Liquor Option**

Shall the sale of wine and mixed beverages be permitted for sale on Sunday by Speedy's Rocky River Drive LLC DBA Speedy's Grub Shack an applicant for a D-6 liquor permit, holder of a C-1 and C-2 liquor permits who is engaged in the business of a convenience store at 4075 Rocky River Drive, Cleveland, OH 44135 in this precinct?

**FAIRVIEW PARK -02-A**

**Local Liquor Option**

Shall the sale of wine and mixed beverages, & spirituous liquor be permitted for sale on Sunday by Meson, LLC doing business as Padrinos Tacos & Cantina & Patio an applicant for a D6 liquor permit who is engaged in the business of a family oriented, full-service Mexican Restaurant at 3120 Westgate Mall Units 24 & 25, Fairview Park, OH 44126 in this precinct?

**GARFIELD HEIGHTS -01-A**

**Local Liquor Option**

Shall the sale of wine and mixed beverages be permitted for sale on Sunday by Sun Lkwd LLC dba Speedy Garfield Marathon an applicant for a D-6 liquor permit, holder of a C-1 and C-2 liquor permits who is engaged in the business of a convenience store and gas station at 14218 Broadway Avenue, Garfield Heights, OH 44125 in this precinct?

**GARFIELD HEIGHTS -07-B**

**Local Liquor Option**

Shall the sale of wine and mixed beverages be permitted for sale on Sunday by Aldi, Inc., Ohio, dba Aldi 98 an applicant for a D-6 liquor permit who is engaged in the business of operating a grocery store at 12782 Roackside Road, Garfield Heights, OH 44125 in this precinct?

**VILLAGE OF GATES MILLS**

**Proposed Tax Levy (Renewal)**

A renewal of a tax for the benefit of the Village of Gates Mills for the purpose of current expenses that the County Fiscal Officer estimates will collect \$728,000 annually, at a rate not exceeding 3.5 mills for each \$1 of taxable value, which amounts to \$98 for each \$100,000 of the County Fiscal Officer's appraised value, for five years, commencing in 2025, first due in calendar year 2026.

**CITY OF HUNTING VALLEY**

**Proposed Charter Amendment**

Shall the Charter of the Village of Hunting Valley be amended to create new Article XII, Section 8 to provide all public bodies of the Village of Hunting Valley may conduct meetings by teleconference, video conference, or using other similar technology in compliance with all legal requirements and pursuant to executive order and/or legislative action, subject to rules implemented by legislative action; any recorded meeting may constitute the journal as referenced in Article III, Section 7 of Hunting Valley Charter?

**LAKEWOOD -01-I**

**Local Liquor Option**

Shall the sale of wine and mixed beverages be permitted for sale on Sunday by Somesomm LLC dba Lakewood Bottle Shop an applicant for a D-6 liquor permit who is engaged in the business of operating a locally-owned beer and wine bottle shop at 16300 Detroit Ave STE 110, Lakewood, OH 44107 in this precinct?

**LAKEWOOD -03-C**

**Local Liquor Option**

Shall the sale of wine and mixed beverages be permitted for sale on Sunday by Claude Enterprise, L.L.C., (dba Marathon) an applicant for a D-6 liquor permit who is engaged in the business of operating a carryout/grocery store at 14235 Madison Avenue, Lakewood, OH 44107 in this precinct?

**MAYFIELD HEIGHTS -00-C**

**Local Liquor Option**

Shall the sale of wine and mixed beverages be permitted for sale on Sunday by Shiv Krupa One, Inc., dba Golden Gate Beverage & Liquor an applicant for a D-6 liquor permit who is engaged in the business of operating a carryout/liquor agency store at 6105 Mayfield Road, Mayfield Heights, OH 44124 in this precinct?

**CITY OF MIDDLEBURG HEIGHTS**

**Proposed Tax Levy (Renewal)**

A renewal of a tax for the benefit of the City of Middleburg Heights to supplement its general fund for the purpose of making appropriations for hospitalization in and support of Southwest General Health Center that the County Fiscal Officer estimates will collect \$204,000 annually, at a rate not exceeding 1 mill for each \$1 of taxable value, which amounts to \$6 for each \$100,000 of the County Fiscal Officer's appraised value, for five years, commencing in 2025, first due in calendar year 2026.

**CITY OF OLMSTED FALLS**

**Proposed Tax Levy (Renewal)**

A renewal of a tax for the benefit of the City of Olmsted Falls to supplement its general fund for the purpose of making appropriations for hospitalization in and support of Southwest General Health Center that the County Fiscal Officer estimates will collect \$55,000 annually, at a rate not exceeding 1 mill for each \$1 of taxable value, which amounts to \$5 for each \$100,000 of the County Fiscal Officer's appraised value, for five years, commencing in 2025, first due in calendar year 2026.

**CITY OF OLMSTED FALLS**

**Proposed Tax Levy (Renewal)**

A renewal of a tax for the benefit of the City of Olmsted Falls for the purpose of providing and maintaining fire apparatus, appliances and emergency rescue equipment or sources of water supply and materials therefor or the payment of permanent, part-time or volunteer firemen or fire-fighting companies to operate the same that the County Fiscal Officer estimates will collect \$111,000 annually, at a rate not exceeding 2 mills for each \$1 of taxable value, which amounts to \$10 for each \$100,000 of the County Fiscal Officer's appraised value, for five years, commencing in 2024, first due in calendar year 2025.

**CITY OF OLMSTED FALLS**

**Proposed Tax Levy (Renewal)**

A renewal of a tax for the benefit of the City of Olmsted Falls for the purpose of providing parks maintenance and purchase of playground equipment for the parks of the City that the County Fiscal Officer estimates will collect \$123,000 annually, at a rate not exceeding 1 mill for each \$1 of taxable value, which amounts to \$14 for each \$100,000 of the County Fiscal Officer's appraised value, for five years, commencing in 2024, first due in calendar year 2025.

**VILLAGE OF ORANGE**  
**Proposed Zoning Amendment**

Shall the Zoning Map of the Village of Orange be amended to change the zoning classification of certain property, currently known as the "New Song Church" property, located at 4799 Lander Road, which includes permanent parcel numbers 901-35-006, 901-35-011, and 901-39-036 (also known as West Fairview Dr. Unit: Rear), from its current U-1 Single-Family Dwelling District into the S-1 Special Residential District?

**PARMA -02-C**  
**Local Liquor Option**

Shall the sale of wine and mixed beverages, and spirituous liquor be permitted for sale on Sunday by Donau, Inc., dba Schnitz Ale Brewery an applicant for a D-6 liquor permit who is engaged in the business of operating a brewery/restaurant at 5729 Pearl Road & Patio, Parma, OH 44129 in this precinct?

**CITY OF PARMA HEIGHTS**  
**Proposed Charter Amendment**

Shall Article III, Section 8 of the Charter of the City of Parma Heights be amended to provide that notice of service fo Special Meetings of City Council may be waived through documented written or electronic correspondence?

**CITY OF PARMA HEIGHTS**  
**Proposed Charter Amendment**

Shall Article III, Section 11 of the Charter of the City of Parma Heights be amended to provide that at least five (5) members of Council are needed to suspend the requirement that a copy of each legislative action shall be provided to Council not less than forty-eight (48) hours prior to the Council meeting as an emergency and to provide that every every ordinance or resolution shall be read by title only unless five (5) members of Council vote affirmatively to read an ordinance or resolution in its entirety?

**CITY OF PARMA HEIGHTS**  
**Proposed Charter Amendment**

Shall Article IV, Section 7 of the Charter of the City of Parma Heights be amended to provide that the Civil Service Commission shall prescribe and enforce rules that may be different than the State's general statutes on civil service law and shall conduct its affairs in accordance with its own lawfully adopted rules and regulations, which may be different rom the State's general statutes on civil service law?

**CITY OF PARMA HEIGHTS**  
**Proposed Charter Amendment**

Shall Article IV, Section 6 of the Charter of the City of Parma Heights be amended to provide that the Municipality may, within the amounts and items appropriated by City Council, make purchases and enter into contracts on behalf of the Municipality involving expenditures for the whole of any authorized project, asset or service not in excess of seventy-five thousand dollars (\$75,000) without competitive bidding, except as may otherwise be provided by ordinance of the Council?

**CITY OF PEPPER PIKE**  
**Proposed Tax Levy (Renewal)**

A renewal of a tax for the benefit of the City of Pepper Pike for the purpose of providing and maintaining fire apparatus, appliances, buildings, and for the payment of permanent and part-time, firefighter/emergency medical service personnel to operate the same, that the County Fiscal Officer estimates will collect \$1,857,000 annually, at a rate not exceeding 4 mills for each \$1 of taxable value, which amounts to \$107 for each \$100,000 of the County Fiscal Officer's appraised value, for five years, commencing in 2024, first due in calendar year 2025.



**ROCKY RIVER -03-A**

**Local Liquor Option**

Shall the sale of beer, wine, mixed beverages, and spirituous liquor be permitted for sale on Sunday by Empire Foods II LLC, dba Gather Food and Drink an applicant for a D-6 liquor permit who is engaged in the business of a restaurant and bar at 20253 Lake Rd., Rocky River, OH 44116 in this precinct?

**ROCKY RIVER -04-B**

**Local Liquor Option**

Shall the sale of wine and mixed beverages be permitted for sale on Sunday by 20960 Gas, Inc.,(dba Race Fuel/Westgate Shell) an applicant for a D-6 liquor permit who is engaged in the business of operating a grocery store at 20960 Center Ridge Rd., Rocky River, OH 44116 in this precinct?

**CITY OF STRONGSVILLE**

**Proposed Tax Levy (Renewal)**

A renewal of a tax for the benefit of the City of Strongsville to supplement its general fund for the purpose of making appropriations for hospitalization in and support of Southwest General Health Center that the County Fiscal Officer estimates will collect \$383,500 annually, at a rate not exceeding 1 mill for each \$1 of taxable value, which amounts to \$5 for each \$100,000 of the County Fiscal Officer's appraised value, for five years, commencing in 2025, first due in calendar year 2026.

**CITY OF STRONGSVILLE**

**Proposed Tax Levy (Renewal)**

A renewal of a tax for the benefit of the City of Strongsville for the purpose of current expenses that the County Fiscal Officer estimates will collect \$575,000 annually, at a rate not exceeding 1.5 mills for each \$1 of taxable value, which amounts to \$8 for each \$100,000 of the County Fiscal Officer's appraised value, for five years, commencing in 2024, first due in calendar year 2025.

**VILLAGE OF VALLEY VIEW**

**Proposed Tax Levy (Renewal)**

A renewal of a tax for the benefit of Village of Valley View for the purpose of providing funds for parks and recreational purposes of the Village that the County Fiscal Officer estimates will collect \$419,000 annually, at a rate not exceeding 2.3 mills for each \$1 of taxable value, which amounts to \$59 for each \$100,000 of the County Fiscal Officer's appraised value, for five years, commencing in 2024, first due in calendar year 2025.

**WARRENSVILLE HTS -05-A**

**Local Liquor Option**

Shall the sale of wine and mixed beverages be permitted for sale on Sunday by Aldi, Inc., Ohio dba Aldi #97 an applicant for a D-6 liquor permit who is engaged in the business of operating a grocery store at 4087 Richmond Road, Warrensville Heights, OH 44122 in this precinct?

**WARRENSVILLE HTS -03-A**

**Local Liquor Option**

Shall the sale of wine and mixed beverages be permitted for sale on Sunday by 17707 Miles Road, Inc. aka: Exxon an applicant for a D-6 liquor permit who is engaged in the business of operating family-oriented, full-service convenience store at 17707 Miles RD., Warrensville Heights., OH 44128 in this precinct?

## Township Issues

### CHAGRIN FALLS TOWNSHIP

#### **Proposed Resolution - Electric Aggregation**

Shall the Township of Chagrin Falls have the authority to aggregate the retail electricity loads located in the Township and for that purpose, and enter into service agreements to facilitate for those loads the sale and purchase of electricity, such aggregation to occur automatically except where such person elects to opt out?

### CHAGRIN FALLS TOWNSHIP

#### **Proposed Resolution - Gas Aggregation**

Shall the Township of Chagrin Falls have the authority to aggregate the retail natural gas loads located in the Township and enter into service agreements for the sale and purchase of natural gas, such aggregation to occur automatically except where any person elects to opt out?

### OLMSTED TOWNSHIP

#### **Proposed Tax Levy (Renewal)**

A renewal of a tax for the benefit of the Township of Olmsted for the purpose of providing and and maintaining fire protection, police protection, and emergency medical services that the County Fiscal Officer estimates will collect \$1,339,000 annually at a rate not exceeding 4 mills for each \$1 of taxable value, which amounts to \$122 for each \$100,000 of the County Fiscal Officer's appraised value, for a continuing period of time, commencing in 2024, first due in calendar year 2025.

## School/Library/Special Issues

### CLEVELAND MUNICIPAL SCHOOL DISTRICT

#### **Proposed Bond Issue and Tax Levy**

Shall the Cleveland Municipal School District be authorized to do the following:

(1) Issue bonds for the purpose of constructing, renovating, remodeling, enlarging, furnishing, equipping and otherwise improving School District buildings and facilities and acquiring, clearing, equipping and otherwise improving School District building and facility sites in the principal amount of \$295,000,000, to be repaid annually over a maximum period of 35 years, and levy a property tax outside the ten-mill limitation, estimated by the County Fiscal Officer to average over the bond repayment period 2.65 mills for each \$1 of taxable value, which amounts to \$93 for each \$100,000 of the County Fiscal Officer's appraised value, to pay the annual debt charges on the bonds, and to pay debt charges on any notes issued in anticipation of those bonds?

(2) Levy an additional property tax for the purpose of the current expenses of the school district and of partnering community schools that the County Fiscal Officer estimates will collect \$52,068,000 annually, at a rate not exceeding 8.6 mills for each \$1 of taxable value (of which 0.5 mill is to be allocated to partnering community schools), which amounts to \$301 for each \$100,000 of the County Fiscal Officer's appraised value, for ten years?

### GARFIELD HTS CITY SCHOOL DISTRICT

#### **Proposed Tax Levy (Renewal)**

Shall a levy renewing an existing levy be imposed by the Garfield Heights City School District for the purpose of providing for the emergency requirements of the School District in the sum of \$5,350,000 an a levy of taxes to be made outside of the ten mill limitation estimated by the County Fiscal Officer to average 13.88 mills for each \$1 of taxable value, which amounts to \$468 for each \$100,000 of the County Fiscal Officer's appraised value, for a period of ten years, commencing in 2025, first due in calendar year 2026?

**MAYFIELD CITY SCHOOL DISTRICT**

**Proposed Tax Levy (Additional)**

An additional tax for the benefit of the Mayfield City School District for the purpose of current expenses that the County Fiscal Officer estimates will collect \$7,743,000 annually, at a rate not exceeding 5 mills for each \$1 of taxable value, which amounts to \$175 for each \$100,000 of the County Fiscal Officer’s appraised value, for a continuing period of time, commencing in 2024, first due in calendar year 2025.

**RICHMOND HTS LOCAL SCHOOL DISTRICT**

**Proposed Bond Issue Proposed Income Tax and Bond Issue**

Shall the Richmond Heights Local School District be authorized to do the following:

1. Impose an annual income tax of 1.25% on the earned income of individuals residing in the school district, for a continuing period of time, beginning January 1, 2025, for the purpose of current expenses?
2. Issue bonds for the purpose of constructing school facilities and renovating and expanding existing school facilities, including under a program of the Ohio Facilities Construction Commission; furnishing and equipping the same and improving sites thereof in the municipal amount of \$15,445,000, to be repaid annually over a maximum period of 37 years, and levy a property tax outside the ten-mill limitation estimated by the County Fiscal Officer to average over the bond repayment period 3.24 mills for each \$1 of taxable value, which amounts to \$113 for each \$100,000 of the County Fiscal Officer’s appraised value, to pay the annual debt charges on the bonds, and to pay debt charges on any notes issued in anticipation of those bond?

**STRONGSVILLE CITY SCHOOL DISTRICT**

**Proposed Tax Levy (Additional)**

An additional tax for the benefit of the Strongsville City School District for the purpose of current expenses that the County Fiscal Officer estimates will collect \$9,230,000 annually, at a rate not exceeding 4.9 mills for each \$1 of taxable value, which amounts to \$172 for each \$100,000 of the County Fiscal Officer’s appraised value, for a continuing period of time, commencing in 2024, first due in calendar year 2025.

**WARRENSVILLE HTS CITY SCHOOL DISTRICT**

**Proposed Tax Levy (Renewal)**

Shall a levy renewing an existing levy be imposed by the Warrensville Heights City School District for the purpose of providing for the emergency requirements of the school district in the sum of \$1,850,000 and a levy of taxes to be made outside of the ten-mill limitation estimated by the County Fiscal Officer to average 4.37 mills for each \$1 of taxable value, which amounts to \$134 for each \$100,000 of the County Fiscal Officer’s appraised value, for a period of ten years, commencing in 2025, first due in calendar year 2026?

**Countywide Issues**

**County of Cuyahoga**

**Proposed Replacement of Excise Tax on Cigarettes for**

**Cuyahoga Arts and Culture**

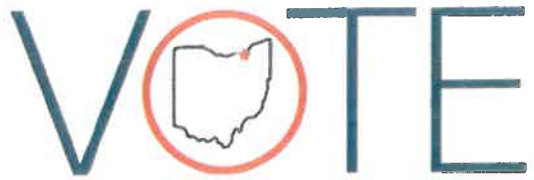
**County of Cuyahoga**

For the purpose of making grants to support operating or capital expenses of arts or cultural organizations in Cuyahoga County, to defray the costs of acquiring, constructing, equipping, furnishing, improving, enlarging, renovating, remodeling, or maintaining an artistic or cultural facility, and to meet operating expenses of Cuyahoga Arts and Culture, shall an excise tax be levied throughout Cuyahoga County for the benefit of Cuyahoga Arts and Culture on the sale of cigarettes at wholesale at the rate of 35 mills per cigarette, which amounts to 3.5 cents per cigarette, for 10 years?

An existing tax of 15 mills per cigarette, which amounts to 1.5 cents per cigarette, having two years remaining, will be terminated and replaced upon the passage of this tax.

# Agenda Item

#8



CUYAHOGA COUNTY  

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BOARD OF ELECTIONS

# Precinct Election Official Performance Review Policy

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## Overview

The Cuyahoga County Board of Elections (CCBOE) must adopt a Precinct Election Official (PEO) performance policy that will determine which PEOs should be reappointed, promoted, demoted, relocated, on watch, or removed; areas of training that are effective and those that need enhancements; and assist the Agency in monitoring and assessing the effectiveness of the overall training, recruitment, and execution of Election Day operations impacted by PEOs.

In [Section 17.05 of the Election Official Manual](#), the Ohio Secretary of State provides guidance and minimum standards for Boards of Elections to assess the performance of PEOs fairly and consistently.

Additionally, this policy outlines a clear framework for the Election Officials Department staff to evaluate the performance of PEOs during an election. The policy ensures that any mistakes or issues identified are addressed post-election, minimizing or eliminating future issues.

## Election Day Positions

### Precinct Election Official (PEO)

Precinct Election Officials (PEOs) ensure the election is conducted lawfully and assist voters in a courteous and respectful manner. For the purposes of this policy, a PEO refers to any worker in a Polling Location, regardless of their specific job title.

### Voting Location Manager (VLM)

One PEO for every Polling Location is selected to act as the Voting Location Manager (VLM) with the overall responsibility of overseeing the election process, including supervising the opening and closing of the Polling Location and transporting the ballots and voting materials to the Board of Elections after the polls close.

### Voting Location Deputy (VLD)

One PEO for every Polling Location is selected to act as the Voting Location Deputy (VLD). Two (2) VLDs are staffed at Polling Locations with six (6) or more precincts. The VLD serves as the lead worker at the Voter Assistance Table (VAT) and assumes the main leadership role in the Polling Location in the absence of the VLM. The VLD also accompanies the VLM to the Drop-Off Location.

### Rover

Rovers serve as liaisons between the Polling Locations and the CCBOE and are dispatched when issues at the Polling Locations are reported. They are also responsible for supporting the delivery of supplies, replacing broken equipment, ADA signs, parking, and keeping campaigners outside the neutral zone. They are not Precinct Election Officials.



# Definitions and Resources

## Backup Paper Pollbooks

Each Polling Location has a paper pollbook that serves as a backup in the rare instance that all EPBs in that location are not operational. PEOs must NEVER open and use the Backup Paper Pollbook without permission from CCBOE management. Backup Paper Pollbooks are reviewed after the election to verify they were not opened without permission.

## Drop-Off Chain of Custody Form

There is one Drop-Off Chain of Custody Form for each Polling Location in each election. These forms are located at the designated Drop-Off Location for each Polling Location. The purpose of the form is to document that all required supplies were delivered by the PEOs to the Drop-Off Location.

## Ballot Scanner | ClearCast Go

The Ballot Scanner is the optical scan voting equipment used at Polling Locations and during Early In-Person Voting in Cuyahoga County.

## Ballot Scanner Logs

Report that includes the activity of every ClearCast Go Ballot Scanner deployed at Polling Locations during the election. It lists when each Ballot Scanner was opened (Poll Opened) and closed (Poll Closed).

## Ballot Scanner Totals Reports

When PEOs set up each ClearCast Go Ballot Scanner at the Polling Location, a Totals Report (zero tape) is printed to indicate no votes have been cast on the voting device before the polls are opened. This report is to be signed by PEOs of opposite political parties.

When PEOs shut down each ClearCast Go Ballot Scanner at the end of Election Day, two copies of the Totals Report (summary report) are printed to indicate the final vote total on that voting device. These reports are to be signed by PEOs of opposite political parties.

## Election Official Online Survey

After each election, a survey is emailed to all PEOs and Rovers seeking input on their election experience and suggestions for future improvements.

## Electronic Pollbook (EPB)

Electronic Pollbooks (EPBs) are used to check in voters on Election Day. EPBs contain the record of every registered voter in Cuyahoga County and are used to process every voter when they first arrive at a Polling Location, including provisional voters.

## Election Response Team (ERT) Log

The Election Response Team (ERT) is comprised of BOE staff, including Election Day Worker Trainers and Training Assistants. This team is dispatched to Polling Locations when issues are reported. The ERTs take note of any issues they witness while out in the field on Election Day.

## **EPB Abandoned Transaction Report**

Report generated by Precinct Central that lists the number of abandoned transactions that occurred on the EPBs at the point of ballot being issued. An abandoned transaction at the point of ballot being issued can point to instances of PEOs not scanning ballot stub barcode in the EPB.

## **EPB All Check-ins Report**

Report generated by Precinct Central that lists the timestamp for all voter check-ins on the EPBs at each Polling Location. This report shows the total number of check-ins at each location. It is also used to monitor any voter check-ins that were processed prior to 6:30 a.m.

## **EPB Ballot Accounting Report**

Report generated by Precinct Central that shows if the Ballot Accounting process (referred to as Reconciliation in the Election Official Manual) was completed at each Polling Location.

## **EPB Polls Opened Log**

Report generated by Precinct Central that shows when the Polls Opened slips were printed from the EPBs. The Poll Open slip should be generated from each EPB by 6:30 a.m. on Election Day.

## **EPB Precinct Register Printed Log**

Report generated by Precinct Central that shows when the 11:00 a.m. and 4:00 p.m. reports were printed from the EPBs.

## **Equipment Retrieval Report**

Following the election, Election Support provides the Equipment Retrieval Report that lists Polling Locations where supplies were not returned to the Drop-Off Location.

## **Issue Tracker**

Web-based program used during the election to track issues called into the CCBOE (primarily from PEOs). These issues are then assigned to staff members on designated Resolution Teams to resolve the issues. The Issue Tracker is also used to record issues received after the election.

## **Location Tracker (Green Bubbles Program)**

Web-based program used to track the five (5) Mandatory Calls that VLMs are required to make during the election. The Green Bubble Program records a date/time stamp for each call, allowing staff to review after the election if each of the five calls were made on time.

## **Oath of Office**

The Oath of Office is in the Payroll Module on the EPB as well as a sheet located on the inside cover of the VAT Log. The VLM is required to read the Oath out loud to all PEOs at the location, have them swear to the Oath, then sign when they clock-in on the EPB.

## **PEO Evaluation Form**

Following each election, an evaluation form is mailed to the VLMs asking them to evaluate each PEO at their Polling Location. This form lists the name of each worker at the Polling Location and asks the VLM to rate each worker on a variety of criteria.

## **Pink Memo**

Pink sheets included in the VAT Log that are used by PEOs at the Polling Location to note any problems that arise during the election and what, if any, resolution there was to these issues. Interactions with voters and personality conflicts between workers are often cited in the Pink Memos.

## **Provisional Summary by Precinct (8J – PROV All Export)**

Following each election, the Registration Department reviews all provisional envelopes to see if the ballot is valid. If the provisional ballot is rejected, the reason is documented. A final report is then generated which is reviewed to see if a ballot was rejected because of an error/oversight by the PEOs at the Polling Location.

## **Provisional Tally Sheets**

Every voter who is directed to the VAT Table to vote a provisional ballot must have either a Voter Referral slip or a Precinct Lookup slip printed from an EPB. These slips help the VAT Officials issue the proper ballot to the provisional voter. Once the voter has voted their ballot and sealed it within the provisional envelope, the EPB slip is to be taped to the provisional envelope by a VAT Official. During the provisional review process post-election, each provisional envelope is checked to see if it has the proper EPB slip taped to it. If an envelope has the incorrect slip or does not have a slip attached, it is noted on the Provisional Tally Sheet for that precinct.

## **Rover Logs**

Rover Logs are used by Rovers to record any issues (and resolutions to the issues, if any) encountered while visiting various Polling Locations on Election Day.

## **Training Assessment**

In training classes, PEOs and VLMs are given an assessment covering material that was presented during their class. The performance of each PEO is recorded in their worker profile.

## **Voter Assistance Table (VAT)**

The Voter Assistance Table (VAT) and the PEOs that work there are responsible for assisting voters who must vote provisionally and are in the correct Polling Location. Two key functions of the VAT Officials are to ensure that the provisional envelope is filled out correctly for each provisional voter, and to record each provisional voter in the VAT Log.

## **VAT Log**

Using the slip generated from the Electronic Pollbook (EPB) for a provisional voter, along with the correct precinct ballot and style, a VAT Official enters information into the VAT Log to ensure all steps in the provisional voting process are completed properly. This also assists in post-election reconciliation of the validity of a provisional ballot.

## Voter Online Survey

During each countywide election a survey is created seeking feedback from the voting public on their voting experience – either absentee or on Election Day. A link to the survey is posted on our website and a Voter Survey Postcard with our website address is provided to voters at each Polling Location.

## Policy

- The Board must adopt this policy in agreement with the Secretary of State’s Election Official Manual.
  - [Section 17.05 of the Election Official Manual](#)
- Staff will present to the Board any necessary amendments for approval called for by the issuance of future SOS Directives, changes in statute, or any other reason binding to the Board.
- The agency will assess and apply the terms of the policy to every election conducted by the CCBOE within a reasonable period following Election Day.
- The results of this assessment will be presented to the Board at one of their regularly scheduled meetings.
- The Board will assess PEO performance against four (4) primary categories:
  1. Opening and Closing of Polling Places
  2. Self-Reporting of Problems
  3. Handling of Provisional Ballots
  4. Reconciliation after Polls are Closed
- Each of these primary categories will have several specific questions associated with the subject category.
- The primary categories and corresponding subject areas will have weighted scoring criteria assigned to them to take into consideration the impact of the task on the overall operations of elections.
- The assessment will first be applied to the entirety of a Polling Location. Based on this assessment, staff will determine if they need to further research the performance of specific PEOs.
- Once the assessment process is complete, each PEO will receive one of the following designations:
  - **Reappoint** – can serve in future elections and must only attend required training
  - **Promote** – stepped up into leadership role (VLM or VLD)
  - **Demote** – stepped down from leadership into PEO role
  - **Relocate** – will be moved to a different Polling Location
  - **On Watch** – given opportunity and tools to improve in future elections
  - **Remove** – will not serve in future elections

# Procedure

## 1. Opening and Closing of Polling Places

Did the Polling Location open and close on time?

PEOs are trained to contact the Board of Elections Call Center at 216-443-3277 during the election if there are any issues opening or closing the polls. These calls are logged in the Issue Tracker and sent over to the appropriate Resolution Team for troubleshooting.

Following each election, the Issue Tracker and the Location Tracker (Green Bubbles program) are reviewed to see if there were any issues related to Polling Locations opening late or closing early.

After reviewing this information, each Polling Location is assigned one of the following rankings:

- 1 = The location is determined to have opened and closed on time.
- 3 = The location is determined to NOT have opened and/or closed on time.

Did the PEOs print and appropriately sign a zero tape(s) and summary report(s)?

Following each election, the zero tapes and summary reports (Totals Reports) from each Ballot Scanner in the election is reviewed by staff to verify each tape was signed by PEOs.

After reviewing this information, each Polling Location is assigned one of the following rankings:

- 1 = The location signed BOTH the zero tapes and summary reports for all Ballot Scanners.
- 2 = The location signed some but NOT ALL zero tapes and summary reports.
- 3 = The location did NOT sign zero tapes and summary reports.

Did the PEOs sign the Oath of Office?

Following each election, the EPB Clock-In Reports and the VAT Logs are reviewed to verify each worker signed the Oath of Office.

After reviewing this information, each Polling Location is assigned one of the following rankings:

- 1 = The location FULLY completed the Oath of Office.
- 2 = The location PARTIALLY completed the Oath of Office.
- 3 = The location did NOT complete the Oath of Office.

Did the PEOs correctly open and close the equipment?

Following each election, the Ballot Scanner and EPB logs are reviewed for the opening and closing times of each Ballot Scanner in a Polling Location. All equipment must be open and ready for voters by 6:30 a.m. and no machine may be shut down before 7:30 p.m. All Ballot Scanners and EPBs are to remain open until the close of polls.

After reviewing this information, each Polling Location is assigned one of the following rankings:

- 1 = The location correctly opened and closed ALL Ballot Scanners and EPBs in a timely manner.
- 2 = The location opened and closed SOME, but not all, Ballot Scanners and EPBs in a timely manner.
- 3 = The location did NOT open and/or close the Ballot Scanners and EPBs in a timely manner.

## 2. Self-Reporting of Problems

Did the PEOs follow required procedures for reporting voting machine/device issues to the Board?

PEOs are trained to contact the Board of Elections Call Center at 216-443-3277 during the election if their Polling Location experiences any issues with voting equipment. These issues are documented in the Issue Tracker. All Pink Memos, Rover Logs, and ERT Logs are also reviewed to learn if there were any documented issues with the equipment that were not reported to the Call Center.

After reviewing this information, each Polling Location is assigned one of the following rankings:

- 1 = The location followed procedures for reporting voting machine/device issues to the Board.
- 3 = The location did NOT follow procedures for reporting voting machine/device issues to the Board.

Did the PEOs follow required procedures for reporting low ballot supply to the Board?

PEOs are trained to contact the Board of Elections Call Center at 216-443-3277 during the election if their Polling Location is running low on ballots for any precinct. In addition, the CCBOE has staff monitoring the ballot supply at each Polling Location through Precinct Central. Precinct Central uses data from the EPBs to track the number of check-ins and therefore the number of ballots remaining at each Polling Location.

After reviewing this information, each Polling Location is assigned one of the following rankings:

- 1 = The location followed procedures for reporting low ballot supply to the Board.
- 3 = The location did NOT follow procedures for reporting low ballot supply to the Board.

### 3. Handling of Provisional Ballots

Did the PEOs properly issue provisional ballots to voters, including directing voters at the wrong Polling Location to their correct Polling Location?

Following each election, the Registration Department reviews every provisional envelope along with the VAT Log from each Polling Location. This review generates two reports that are used by the Election Officials staff for the PEO Performance Review:

- Provisional Summary by Precinct (8J – PROV All Export)
- Provisional Tally Sheets

The Provisional Summary by Precinct (8J – PROV All Export) report breaks down the number of provisional ballots cast in the election by precinct, then by reason code if the ballot was rejected. For the PEO Performance Review, we focus on provisional ballots that were rejected for reasons that either could have been prevented with better PEO oversight or that were the result of PEO error. If there are multiple instances of incomplete provisional envelopes from a Polling Location, the VLD of that location is contacted to stress the need to verify that all required fields need to be completed on the provisional envelope for the ballot to count.

For every instance of a provisional ballot being cast in the wrong location, the VLD is contacted to learn how this mistake occurred. Depending on the number of wrong location provisional ballots issued at a Polling Location and the circumstances surrounding them, further action may be taken such as requiring additional training, permanent exclusion from the VAT, or removal as a PEO for future elections.

After reviewing this information, each Polling Location is assigned one of the following rankings:

- 1 = The location had no provisional ballots rejected due to insufficient PEO oversight or PEO error.
- 2 = The location had an average of LESS than one (1) provisional ballot rejected per precinct due to insufficient PEO oversight or PEO error.
- 3 = The location had an average of MORE than one (1) provisional ballot rejected per precinct due to insufficient PEO oversight or PEO error.

The Provisional Tally Sheet documents if the Voter Referral slip or Precinct Lookup slip generated from the EPB that directs a voter to the VAT Table is taped to the provisional envelope as instructed during training class. These slips, if generated properly from the EPB, should ensure that there is never a provisional ballot cast in the wrong precinct or Polling Location. Having the slip connected to the provisional ballot cast helps staff determine – if there was a mistake made by a PEO and/or – where in the process it occurred. If more than 50% of the provisional envelopes from a Polling Location have the incorrect slip or do not have an EPB slip taped to it, the VLD is contacted to remind them of the importance of this practice.

After reviewing this information, each Polling Location is assigned one of the following rankings:

- 1 = The location properly taped the EPB slips to ALL provisional envelopes.
- 2 = The location properly taped 50% OR MORE EPB slips to the provisional envelopes.
- 3 = The location properly taped FEWER than 50% of the EPB slips to the provisional envelopes.

## 4. Reconciliation after Polls are Closed

Did the PEOs complete the reconciliation duties and sign the reconciliation certification document?

“Reconciliation duties” as described by the SOS is what the CCBOE refers to as Ballot Accounting – an accounting of all check-ins (signatures) on the EPB compared to all ballots cast (not counting provisional ballots) at each Polling Location. The Ballot Accounting process is done on one (1) EPB at every Polling Location. The process is complete when two PEOs sign the EPB after balancing votes cast compared to check-ins on the EPBs. This information is then submitted electronically back to the CCBOE, where it can be viewed in the Reconcile section of Precinct Central. The data in Precinct Central verifies whether the Ballot Accounting report was completed and signed by the PEOs at that Polling Location.

After reviewing this information, each Polling Location is assigned one of the following rankings:

- 1 = The location submitted their Ballot Accounting report.
- 3 = The location did NOT submit their Ballot Accounting report.

## Additional Evaluation Procedures

In addition to the minimum standards provided by the SOS in the Election Official Manual, the CCBOE utilizes other resources to gather a more complete picture of PEO performance at the Polling Locations. The goal is the same as outlined in the Policy section. Each PEO will receive one of the following designations:

- **Reappoint** - Can serve in future elections and must only attend required training
- **Promote** - Stepped up into leadership role (VLM or VLD)
- **Demote** - Stepped down from leadership into PEO role
- **Relocate** - Will be moved to a different Polling Location
- **On Watch** - Given opportunity and tools to improve in future elections
- **Remove** - Will not serve in future elections

The following evaluation procedures allow the CCBOE to learn more about how PEOs interact with the voting public and one another.

### Election Official Survey, Voter Survey, PEO Evaluation Form

The online surveys conducted following each election, as well as the PEO Evaluation Form, allow us to understand in a more subjective way how the PEOs performed their duties on Election Day. These resources are helpful in determining the competence and professionalism of specific workers, and whether individual PEOs have the skills or temperament to serve as Election Officials in future elections.

Also included in this information is feedback from voters, something we don't get from the resources used to meet the minimum standards provided by the SOS in Section 17.05 of the Election Official Manual. The experience of the voter – whether positive or negative – is something we want to know and include in our evaluations of PEOs.



Examples of questions we ask in our surveys include:

- How would you rate the management skills of your VLM?
- How would you rate the overall effectiveness of the Election Officials you worked with?
- How would you rate the effectiveness of the training you received in preparation for Election Day?
- How can we improve your voting experience? (Voter Feedback Survey)

Most questions have a section where the respondent can leave a comment, and it's here that some of the best feedback can be gathered.

## Final Steps

After gathering information from dozens of sources – both objective and subjective in nature – we complete the performance review process by taking specific actions to prevent identified issues from repeating themselves in future elections. There are three (3) categories of steps that we take post-election:

- Communication
- Tracking
- Training

### Communication

Once we have collected and processed all the information from the post-election reports, we prepare a Polling Location Performance Review “Grade Sheet” for each Polling Location in the election. This Grade Sheet evaluates the PEOs at each Polling Location against the criteria set out by the SOS in the Procedure section of this policy. In addition, we include other items that were a recurring issue during the election, so that we can provide direct feedback to the workers at these locations about what steps they need to take in the future to prevent these issues.

If there was an issue that was unique to a particular Polling Location, we will place a phone call to the applicable PEOs to go over the details and explain what steps can be taken in the future to prevent a recurrence of the problem. If there's an issue with an individual PEO, after gathering as much information as possible, we will contact the PEO and take the appropriate course of action depending on the circumstances.

### Tracking

**Comment Review:** At the conclusion of the post-election review process (in particular, reviewing the Pink Memos, PEO Evaluation Form, the Issue Tracker, and Online Surveys), we look for feedback that pertains to a particular PEO. The purpose of this is to document any issues that may lead us to take particular action either now or in the future on the employment status of this worker.

Our first step is to contact the VLM at the Polling Location of the PEO in question (or depending on the nature of the issue, other workers as well) to get their viewpoint on the worker in question. Next, we will place a comment in the worker profile of the PEO in DIMS (our voting registration system), and if a phone call needs to be made directly to the worker in question, this will take place as well.

Lastly, we review the comments from previous elections of every PEO that served in the current election and make sure any issues that have been experienced in the past are reevaluated with the worker's current performance. This evaluation results in the following designations:

- **Reappoint**

PEOs who are reappointed are determined to have followed policies and procedures. These workers will be among the first to be contacted to hire in the next election cycle. They are only required to attend training as mandated by the Board or by the Secretary of State.

- **Promote**

If a PEO is determined to have excelled at performing Election Day processes and has demonstrated leadership qualities on Election Day, they are invited to step up to work as a VLM or VLD in the next election. They would attend a VLM/VLD training class during the next election cycle they are hired for and would fill a necessary position at a Polling Location.

- **Demote**

A VLM or VLD may be evaluated by staff as not meriting working in a leadership role at the Polling Location but may be suitable to still serve as a PEO. The Comment Box of their profile would indicate that they will serve as a PEO in the next election and the worker is also marked in the appropriate Zone Planning Worksheet.

- **Relocate**

If a PEO has been evaluated by staff as eligible to work in future elections but only if the worker is moved to another location, the label "Relocate" is placed in the Comment Box of the individual worker profile. The worker is also marked in the appropriate Zone Planning Worksheet. This typically results from a PEO(s) having personality conflicts with other workers in a location.

- **On Watch**

If a PEO has been relocated two times previously or was found to have been involved in significant procedural or personnel issues, this worker will be marked as "On Watch." This indicates that we will be monitoring this person for any additional infractions in future elections. Staff will reach out to the PEO to coach them on how they can improve in future elections and may require them to attend additional training. Workers who are "On Watch" will be tracked in the appropriate Zone Planning Worksheet to monitor progress between elections.

- **Remove**

If a PEO has been evaluated by staff as not meriting working in any future elections, they are marked as a DO NOT HIRE in their worker profile in DIMS. This is a checkbox in the worker record that turns the PEO's record red and places a large "DO NOT HIRE WORKER" label in the title of their profile. Typically, a worker will need to have multiple elections of below-average performance or other documented issues to be marked a DO NOT HIRE, but if an infraction is deemed serious enough by staff, even if it's a first offense, we reserve the right to permanently remove any PEO.

## Training

There are typically two (2) categories of feedback we receive after conducting our post-election review of the election relative to the training curriculum for PEOs:

- Repeated Mistakes
- Suggestions for Improvement

**Repeated Mistakes:** When conducting a comprehensive review of an election using the resources outlined in the Definition section of this policy, certain mistakes or oversights that occur in multiple Polling Locations become clear. These issues are typically covered in training – whether during the training class itself or in the training materials provided to the PEOs at the Polling Location – but the bottom line is that these mistakes need to be rectified in future elections.

Therefore, they are documented by being entered into our Lessons Learned Smartsheet, an agency-wide program used to record lessons learned from the most recent election that can be implemented or improved upon in the future. Before we create the training curriculum for the next election, we review the Lessons Learned items pertaining to PEOs and make sure to add or increase our emphasis on the items identified as repeated mistakes.

**Suggestions for Improvement:** When conducting a comprehensive review of an election using the resources outlined in the Definition section of this policy, there are suggestions that are made by PEOs (particularly through the online surveys) for how we might improve certain election processes at the Polling Locations. Since the PEOs are on the “frontline” so-to-speak of the election process, we value their input and want to include their suggestions when appropriate.

The Lessons Learned Smartsheet is also used to document suggestions for improvement that we deem pertinent or necessary. Prior to each election, these items are reviewed and, if we believe it will improve the efficiency of our operations at the Polling Locations, we will work to implement the suggestion.

## Conclusion

In closing, it is important as an agency that we go beyond – as stated in Section 17.05 of the Election Official Manual – the “minimum standards a board must use for monitoring and assessing the performance of precinct Election Officials ...” In addition to meeting these minimum standards, we expand our scope of evaluation to include nearly two dozen different sources of information relative to the performance of PEOs during any given election. This provides us with a comprehensive understanding of the competency of our Election Officials and whether they are properly performing their duties for the voting public.

# Agenda Item

#9

a)

**Resolution No. R2024-08-19-0004V**

WHEREAS, the Cuyahoga County Fiscal Office (CCFO) requires the Cuyahoga County Board of Elections (CCBOE) to provide multiple documents to the CCFO to facilitate the procurement and subsequent accounts payable functions associated with CCBOE contracts for goods and services from vendors. The Resolution is necessary for the CCBOE to continue to provide for the usual operational services critical to election administration.

RESOLVED, that the Cuyahoga County Board of Elections hereby authorizes the Director, on behalf of the Board, to undertake all actions necessary to procure and subsequently pay the items identified on the purchase order for twenty-five (25) HP all-in-one desktop computers with a 3-Year onsite care plan, for use with the Vote-by-Mail process. The purchase amount is not to exceed \$ 30,480.50. Funding is being provided by the 2024 Ohio Secretary of State Election Readiness Grant

RESOLVED, this Resolution shall take effect and be in force immediately upon receiving the affirmative vote of a quorum of members of the CCBOE. All formal actions of this Board relating to the adoption of this Resolution were adopted in an open meeting of the Board, open to the public, and in compliance with all legal requirements of the Ohio Revised Code.

FURTHER RESOLVED, the Director and Chair are authorized to authenticate this resolution upon adoption through their signatures thereon, and the Director is instructed to transmit copies of this resolution to those individuals deemed necessary to effectuate the intent of its adoption.

Board Meeting Date: August 19, 2024

Agenda Item: Fiscal Services A

Vendor: Diltex, Inc.

Motion: (as presented on the agenda with any edits made during the meeting)

Motion made by: -----

BOARD CHAIRMAN CURTIS

Motion seconded by: -----

BOARD MEMBER DAVIS CHAPPELL

Vote of the Board Members:

Henry F Curtis, IV, Chairman	<input checked="" type="checkbox"/> Yay	<input type="checkbox"/> Nay
Inajo Davis Chappell, Member	<input checked="" type="checkbox"/> Yay	<input type="checkbox"/> Nay
Lisa M. Stickan, Member	<input checked="" type="checkbox"/> Yay	<input type="checkbox"/> Nay
Terence McCafferty, Member	<input checked="" type="checkbox"/> Yay	<input type="checkbox"/> Nay

Resolution adopted at the Cuyahoga County Board of Elections meeting on 19th  
August 2024

Signature of Chairman

Henry F Curtis, IV

Signature of Director

[Signature]



# CUYAHOGA COUNTY BOARD OF ELECTIONS

**Henry F Curtis, IV**  
*Member*

**Inajo Davis Chappell**  
*Member*

**Lisa M. Stickan**  
*Member*

**Terence M. McCafferty**  
*Member*

**Anthony W. Perlatti**  
*Director*

**Anthony N. Kaloger**  
*Deputy Director*

## Memorandum

**To:** Board Members

**Cc:** **Anthony W. Perlatti, Director**  
**Anthony N. Kaloger, Deputy Director**

**From:** Patrick McAlea, Fiscal Services Assistant Manager

**Date:** August 14, 2024

**Re:** Desktop Computers for VBM

---

As you are aware, the Ohio Secretary of State issued Directive 2024-09 on June 21, 2024, in which it was announced that each county will receive funding toward election readiness for the November 2024 General Election. With careful consideration of our Board's needs, a plan was developed for utilizing these funds, and submission of this plan was made to the Secretary of State's office on July 31, 2024. The plan included an appropriation for this purchase to upgrade the computers for Vote by Mail application processing and ballot returns in compliance with the Secretary of State Directive 2024-10.

An unrestricted, informal bid was conducted through the Cuyahoga County's procurement system, INFOR, to 108 registered suppliers. The bid closed on Friday, August 9, 2024 at 3:00pm EDT. There were 16 respondents.

With the Board's approval, a Purchase Order will be issued to Diltex, Inc., the lowest and best respondent, in the amount of \$30,480.50 for twenty-five (25) HP all-in-one desktop computers with a 3-Year onsite care plan. The equipment will arrive no later than August 30, 2024 to ensure installation and availability for use beginning with the Vote-by-Mail cycle starting September 20, 2024.

Please see the bid summary on the following page.

### BID TABULATION

Rank	Bidder Name	Total Bid Amount
1	Diltex, Inc.	\$30,480.50
2	HPI International	\$31,316.00
3	GovConnection, Inc.	\$31,607.00
4	Ibilola Ogun	\$31,838.15
5	Princeton IT Services	\$33,324.75
6	CGB Tech Solutions, Inc.	\$36,400.00
7	Chi Corporation	\$36,850.00
8	Singlesource IT, LLC	\$37,465.25
9	Visual Edge IT	\$39,896.25
10	SHI	\$39,919.36
11	Mulberry Online Enterprises	\$41,641.75
12	Axelliant, LLC	\$41,704.50
13	Mobile Advance, Inc.	\$44,450.00
14	Above & Beyond Electronics, LLC	\$46,364.50
15	National Vanguard Consortium	\$51,385.00
16	Blue Technologies, Inc.	Entered a "No Bid" Response

An appropriation from the 2024 Readiness Grant (Directive 2024-09) will be utilized for this purchase.



b)

**Resolution No. R2024-08-19-0005V**

WHEREAS, the Cuyahoga County Fiscal Office (CCFO) requires the Cuyahoga County Board of Elections (CCBOE) to provide multiple documents to the CCFO to facilitate the procurement and subsequent accounts payable functions associated with CCBOE contracts for goods and services from vendors. The Resolution is necessary for the CCBOE to continue to provide for the usual operational services critical to election administration.

RESOLVED, that the Cuyahoga County Board of Elections hereby authorizes the Director, on behalf of the Board, to undertake all actions necessary to procure and subsequently pay the items identified on the purchase order for the printing and mailing of 493,000 Voter Information Guides for the November 2024 Presidential Election. The purchase amount is not to exceed \$ 30,073.00.

RESOLVED, this Resolution shall take effect and be in force immediately upon receiving the affirmative vote of a quorum of members of the CCBOE. All formal actions of this Board relating to the adoption of this Resolution were adopted in an open meeting of the Board, open to the public, and in compliance with all legal requirements of the Ohio Revised Code.

FURTHER RESOLVED, the Director and Chair are authorized to authenticate this resolution upon adoption through their signatures thereon, and the Director is instructed to transmit copies of this resolution to those individuals deemed necessary to effectuate the intent of its adoption.

Board Meeting Date: August 19, 2024

Agenda Item: Fiscal Services B

Vendor: Weekley's Mailing Service

Motion: (as presented on the agenda with any edits made during the meeting)

Motion made by: ----- BOARD CHAIRMAN CURTIS

Motion seconded by: ----- BOARD MEMBER DAVIS CHAPPELL

Vote of the Board Members:

Henry F Curtis, IV, Chairman	<input checked="" type="checkbox"/> Yay	<input type="checkbox"/> Nay
Inajo Davis Chappell, Member	<input checked="" type="checkbox"/> Yay	<input type="checkbox"/> Nay
Lisa M. Stickan, Member	<input checked="" type="checkbox"/> Yay	<input type="checkbox"/> Nay
Terence McCafferty, Member	<input checked="" type="checkbox"/> Yay	<input type="checkbox"/> Nay

Resolution adopted at the Cuyahoga County Board of Elections meeting on 19th,  
August 2024

Signature of Chairman Henry F Curtis, IV

Signature of Director [Signature]



# CUYAHOGA COUNTY BOARD OF ELECTIONS

Henry F Curtis, IV  
Member

Inajo Davis Chappell  
Member

Lisa M. Stickan  
Member

Terence M. McCafferty  
Member

Anthony W. Perlatti  
Director

Anthony N. Kaloger  
Deputy Director

## Memorandum

**To:** Board Members

**Cc:** **Anthony W. Perlatti, Director**  
**Anthony N. Kaloger, Deputy Director**

**From:** Patrick McAlea, Fiscal Services Assistant Manager

**Date:** August 12, 2024

**Re:** Voter Information Guides for the November 5, 2024 General Election

---

As you are aware, a General Election will take place on November 5, 2024. The plan is to mail out a Voter Information Guide to all registered voters, households only, for this election—approximately 493,000 households.

The Voter Information Guide includes the following information:

- How to request a Vote-By-Mail application from the Board of Elections;
- Early In-Person voting dates and hours at the Board of Elections;
- The voter's Election Day poll location and voting hours;
- Identification requirements for voting on Election Day;

Early In-Person voting begins on Tuesday, October 8, 2024. **The Voter Information Guide will be mailed approximately three weeks before early voting begins.**

An unrestricted, informal bid was conducted through the Cuyahoga County's procurement system, INFOR, to 36 registered suppliers. The bid closed on Friday, July 19, 2024, at 11:00am EDT. There were 7 bidders.

The bid will be awarded to Weekley's Mailing Service in the amount of \$30,073.00. This vendor satisfactorily produced the March 2024 Voter Information Guides.

Please see the bid summary on the following page.

### BID TABULATION

Rank	Bidder Name	Total Bid Amount
1	Weekley's Mailing Service*	\$30,073.00
2	Foote Printing	\$30,566.00
3	Midwest Direct	\$31,926.68
4	Graphic Village	\$49,901.46
5	Indiana Printing & Publishing	\$50,798.72
6	Election IQ	\$59,160.00
7	Avalon	\$289,800.19

*\*Lowest and best bid respondent*

Necessary funds were allocated in the 2024 BOE General Election Budget for this purpose.

# Agenda Item

#10

Henry F. Curtis, IV  
Chairman

Inajo Davis Chappell  
Member

Lisa M. Stickan  
Member

Terence M. McCafferty  
Member

Anthony W. Perlatti  
Director

Anthony N. Kaloger  
Deputy Director

## **SUMMARY FOR BRIAN GRESHAM VOTER CHALLENGE:**

On May 29, 2024, Brian K. Gresham, a registered voter in Maple Heights, Ward 6-B, submitted an SOS prescribed *Form #257, Challenge of Right to Vote and Correction of Registration List* that challenges the right of Da'Viaghne Thomas to vote using the address of 20508 Hansen Road in Maple Heights, Ohio.

### ***General Information***

- Brian Gresham indicates on the Challenge Form that Da'Viaghne Thomas has never lived at the 20508 Hansen Road address nor has anyone lived there by that name in over 25 years.
- When the voter challenge was filed on May 29, 2024, there were two voters at the 20508 Hansen Road address: Brian Gresham and Da'Viaghne Thomas.
- Per the Cuyahoga County Property Summary Report, Caressa Kyle is the current property owner at 20508 Hansen Road since September 25, 2023.
- The registration card in question for Da'Viaghne Thomas was circulated by Black Fork Strategies (BFS).
- Prior to processing the BFS registration card, Mr. Thomas was registered at 4705 Walford Road, Apt. 6, Warrensville Heights, Ohio.
- Shortly after receiving the challenge, CCBOE staff communicated with Mr. Thomas who stated he would be changing his registration address. The challenge was held in abeyance to afford Mr. Thomas one (1) month to update his record, and this information was provided to Mr. Gresham.
- Da'Viaghne Thomas has not updated his address back to 4705 Walford Road, Apt. 6 in Warrensville Heights since CCBOE Staff reached out to him on May 29, 2024.

### ***CCBOE Comments***

#### **Brian Gresham Information**

- Brian Gresham has been registered in the voter registration database at the 20508 Hansen Road address since June 19, 2013.
- Brian Gresham has voted a total of three times since moving to 20508 Hansen Road: in the November 2016 General Election, the November 2020 General Election, and the November 2023 General Election.

#### **Da'Viaghne Thomas Information**

- Da'Viaghne Thomas signed a voter registration form on April 11, 2024, listing an address of 20508 Hansen Road in Maple Heights; the voter registration form was received at the Cuyahoga County Board of Elections on April 23, 2024 via mail and processed on May 1, 2024.

- Da'Viaghne Thomas has not voted in any election at either the Maple Heights or Warrensville Heights addresses.
- During CCBOE Staff's phone call with Da'Viaghne Thomas on May 29, 2024 regarding his voter registration, Mr. Thomas stated that he has never lived at the 20508 Hansen Road address and that he currently lives at 4705 Walford Road, Apt. 6 in Warrensville Heights.

### Challenge of Right to Vote and Correction of Registration List

R.C. 3503.24

(To be filed with the Board of Elections not later than 30 days prior to the election)

RECEIVED ON

MAY 29 2024

CUY.CO.BOE

I, Brian K. Gresham, am a qualified elector of Cuyahoga County

My address is 20508 Hansen Rd, Maple Hts.  
(Street Address) (City)

I hereby: (check one box below and fill in remaining information)

Challenge the Right to Vote of Daviaghne J. Thomas  
(Name of Person Challenged)

whose Address is 20508 Hansen Rd, Maple Hts, Cuyahoga  
(Street Address) (City) (County)

Request correction of the registration list of Precinct \_\_\_\_\_ Ward \_\_\_\_\_

I file this challenge or correction for the following reason(s): Daviaghne J. Thomas does not live at this address 20508 Hansen Rd., Maple Hts, Cuyahoga nor has anyone lived here by that name in over 25 years.

**PLEASE NOTE:** The return of mail, sent by an elections official or any other individual, as undeliverable, unable to forward, or a change of address on file (NCOA) alone is insufficient to grant a challenge or application for correction. Evidence of a foreclosure action alone is insufficient to grant a challenge or correction. The fact that a voter's status is recorded in the Statewide Voter Registration Database as "active-confirmation" (also known as "inactive") alone is insufficient ground to grant a challenge or correction.

I hereby declare under penalty of election falsification that the statements above are true based on my personal knowledge, information or belief.

Brian K. Gresham  
Signature of Elector



# VOTER INFORMATION REPORT

**BRIAN K GRESHAM**

PRINTED ON: 8/13/2024

VOTER ID: 242303  
NAME: BRIAN K GRESHAM  
RESIDENCE: 20508 HANSEN RD  
CITY/STATE/ZIP: MAPLE HTS, OH 44137

CARE OF:  
STREET/BX:  
MAIL CITY:  
MAIL STATE/ZIP:  
COUNTRY:

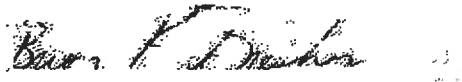
PHONE NUMBER:

STATUS: ACTIVE  
PARTY: UNAFFILIATED  
REG DATE: 06/18/2013

PRECINCT: MPHT06B.01  
PRECINCT NAME: MAPLE HEIGHTS -06-B

POLLING PLACE: WYLIE ATHLETIC CENTER AT MAPLE HTS F  
1 MUSTANG WAY

SIGNATURE:



I hereby certify that the above document is a true and correct copy of the original filed at the Cuyahoga County Board of Elections.



**CUYAHOGA COUNTY**  
**BOARD OF ELECTIONS**

Election Official: Hasani Wheat

Title: Registration manager

Date: August 13, 2024

Signature: Hasani Wheat

# VOTER INFORMATION REPORT

DAVIAGHNE J THOMAS

PRINTED ON: 8/13/2024

VOTER ID: 2831303  
NAME: DAVIAGHNE J THOMAS  
RESIDENCE: 20508 HANSEN RD  
CITY/STATE/ZIP: MAPLE HTS, OH 44137

CARE OF:  
STREET/BX:  
MAIL CITY:  
MAIL STATE/ZIP:  
COUNTRY:

PHONE NUMBER:

STATUS: ACTIVE  
PARTY: UNAFFILIATED  
REG DATE: 04/23/2024


PRECINCT: MPHT06B.01  
PRECINCT NAME: MAPLE HEIGHTS -06-B

POLLING PLACE: WYLIE ATHLETIC CENTER AT MAPLE HTS I  
1 MUSTANG WAY

SIGNATURE:

*Dave Thomas*

I hereby certify that the above document is a true and correct copy of the original filed at the Cuyahoga County Board of Elections.

**VOTE**  
  
**CUYAHOGA COUNTY**  
**BOARD OF ELECTIONS**

Election Official: Hasani Wheat

Title: Registration Manager

Date: August 13, 2024

Signature: Hasani Wheat

FOLD HERE

1. Are you a U.S. citizen?  Yes  No  
2. Will you be at least 18 years of age on or before the next general election?  Yes  No  
If you answered NO to either of the questions, do not complete this form.

3. Last Name: Thomas  
First Name: Da'Vaughne  
Middle Name or Initial: Jamarion  
Jr., II, etc.:  
4. House Number and Street (Enter new address if changed): 475.5 ~~1111~~ Walden Rd. Unit C  
Apt. or Lot #: 1111  
5. City or Post Office: KY 41228  
6. ZIP Code: 44128

7. Additional Rural or Mailing Address (if necessary): NA  
8. County where you live: CUY  
9. Birthdate (MO-DAY-YR) (required): 2000  
10. Ohio driver's license No. OR last 4 digits of Social Security No. (one form of ID required to be listed or provided): [REDACTED]  
11. Phone No. (voluntary): [REDACTED]

12. PREVIOUS ADDRESS IF UPDATING CURRENT REGISTRATION - Previous House Number and Street  
Previous City or Post Office: County: State:

13. CHANGE OF NAME ONLY Former Legal Name: Former Signature:

I declare under penalty of election falsification I am a citizen of the United States, will have lived in this state for 30 days immediately preceding the next election, and will be at least 18 years of age at the time of the general election.

14. Your Signature →  
Date: 6 / 13 / 18  
MO DAY YR  
Signature: Da'Vaughne T.

FOR BOARD USE ONLY  
SEC4010 (Rev. 07/08)  
City, Village, Twp.  
Ward  
Precinct  
School Dist.  
Cong. Dist.  
Senate Dist.  
House Dist.



Please see information on back of this form to learn how to obtain an absentee ballot.

WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A FELONY OF THE FIFTH DEGREE

I am:  Registering as an Ohio voter  Updating my address  Updating my name

1. Are you a U.S. citizen?  Yes  No
2. Will you be at least 18 years of age on or before the next general election?  Yes  No
- If you answered NO to either of the questions, do not complete this form.

3. Last Name: Thomas  
 First Name: Dave  
 Middle Name or Initial: J  
 Jr., etc.:

4. House Number and Street (Enter new address if changed): 20508 Hansen Rd  
 Apt. or Lot #: Maple Hts  
 5. City or Post Office: Maple Hts  
 6. ZIP Code: 44137

7. Additional Mailing Address (if necessary):  
 8. County (where you live): Cuyahoga

9. Birthdate (MMDDYYYY) (required): 2000  
 10. Ohio Driver's License number OR Last Four Digits of Social Security number (one form of ID required to be listed or provided):  
 11. Phone Number (voluntary): 216 264 0626

12. PREVIOUS ADDRESS IF UPDATING CURRENT REGISTRATION - Previous House Number and Street:  
 Previous City or Post Office:  
 Previous County:  
 Previous State:

13. CHANGE OF NAME ONLY Former Legal Name:  
 Former Signature:

14. I declare under penalty of election falsification I am a citizen of the United States, will have lived in this state for 30 days immediately preceding the next election, and will be at least 18 years of age at the time of the general election.

Your Signature ↓ Date (MMDDYYYY) 4/11/24  
 Dave Thomas

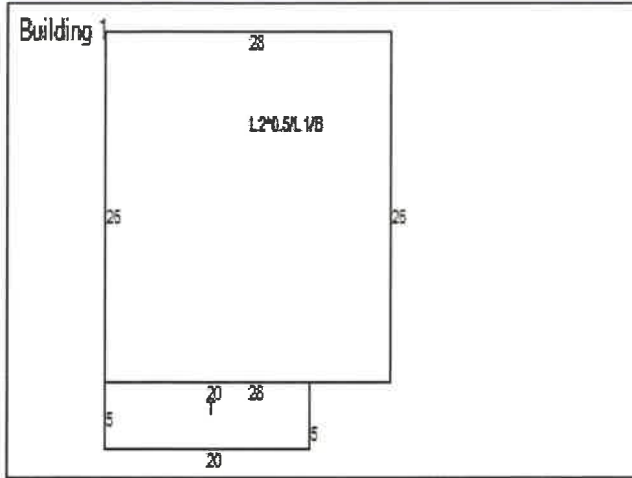
FOR BOARD USE ONLY  
 SEC4019 (rev. 4/15)  
 City, Village, Twp.  
 Ward  
 Precinct  
 School Dist.  
 Cong. Dist.  
 Senate Dist.  
 House Dist.

RECEIVED  
 APR 23 2024  
 CUYAHOGA COUNTY

17865 - 24

**Owner** KYLE, CARESSA  
**Address** 20508 HANSEN RD  
 MAPLE HEIGHTS, OH. 44137  
**Land Use** (5100) R - 1-FAMILY PLATTED LOT  
**Description** 6 FEHR 0025 ALL  
**Neighborhood Code** 09401

### SKETCH



### MAP VIEW

Map Image

### BUILDING INFORMATION

Building Record Number	1	Occupancy	1-FAMILY	Story Height	1.5
Style	CAPE COD	Year Built	1950	Exterior Walls	ALUM/VINYL
Condition	AVERAGE	Construction Quality	C / AVERAGE	Roof Type	GABLE
Roof Material	ASPH-SHINGLE	Heat Type	FORCED-AIR	Air Conditioning	NONE
Attic Type	NONE	Basement Type	BASEMENT	Basement Square Feet	728
Basement Finished	No	Rooms	5	Bedrooms	3
Bathrooms (Full/Half)	1/0	Garage Type	DETACHED	Garage Capacity	2
Year Garage Built	1986	Garage Size	440	Living Area Basement	
Living Area 1	728	Living Area 2	364	Living Area Upper	
Living Area Total	1,092	Floor Location		Party Wall	

### LAND

Code	Frontage	Depth	Acreage	Sq Ft
PRM	40	120	0.11	4,800

### VALUATION

2023 Values	Taxable Market Value	Exempt Market Value	Abated Market Value	Assessed Taxable Value
Land Value	\$10,400	\$0	\$0	\$3,640
Building Value	\$41,700	\$0	\$0	\$14,600
Total Value	\$52,100	\$0	\$0	\$18,240
Land Use	5100			SINGLE FAMILY DWELLING

### PERMITS

Tax Year	Reason	Tax Change	Exempt Change	Percent Complete	Reinspect	Notes
----------	--------	------------	---------------	------------------	-----------	-------

### IMPROVEMENTS

Type	Description	Size	Height Depth
------	-------------	------	--------------

### SALES

Date	Buyer	Seller	Price
9/25/2023	KYLE, CARESSA	Kyle Ollie L	\$0
2/25/2005	Kyle Ollie L	Kyle Ollie L	\$0
2/13/1986	Kyle Ollie L	Davis William E	\$49,000
7/15/1977	Davis William E	Rzeszut Anthony A & Jinny L	\$31,500
1/1/1975	Rzeszut Anthony A & Jinny L		\$0

### Taxes

2023 Taxes	Charges	Payments	Balance Due
Tax Balance Summary	\$2,055.00	\$2,055.00	\$0.00

# Agenda Item

#11

# VOTE CUYAHOGA COUNTY BOARD OF ELECTIONS

**Henry F. Curtis, IV**  
Chairman

**Inajo Davis Chappell**  
Member

**Lisa M. Stickan**  
Member

**Terence M. McCafferty**  
Member

**Anthony W. Perlatti**  
Director

**Anthony N. Kaloger**  
Deputy Director

## **SUMMARY FOR VOTER CHALLENGE OF DAVID THOMAS AND DAVE THOMAS:**

On August 9, 2024, Hasani Wheat, a registered voter in Cleveland, Ward 1-F, submitted an SOS prescribed *Form #257, Challenge of Right to Vote and Correction of Registration List* that challenges the right of David Thomas and Dave Thomas to vote using the address of 20508 Hansen Road in Maple Heights, Ohio.

### ***General Information***

- Hasani Wheat indicates on the Challenge Forms that Brian Gresham challenged Da'Viaghne Thomas' voter registration at 20508 Hansen Road, attesting that Mr. Thomas has never lived at that address.
  - A review of the voter registration cards of Da'Viaghne, Dave, and David Thomas at the 20508 Hansen Road address identified in addition to the same surname and address, the same birthdate of 02/08/2000 for all three registrants.
- The registration card in question for David Thomas was circulated by Black Fork Strategies.
- The registration card in question for Dave Thomas was circulated by Second Street Associates.
- The four voters currently registered at the 20508 Hansen Road address are Brian Gresham, Da'Viaghne Thomas, Dave Thomas, and David Thomas.
- Per the Cuyahoga County Property Summary Report, Caressa Kyle is the current property owner at 20508 Hansen Road since September 25, 2023.
- Attempts from CCBOE Staff to contact Dave Thomas or David Thomas were to no avail.

### ***CCBOE Comments***

#### **David Thomas Information**

- The registration card in question for David Thomas is his first and only card on file with the CCBOE. There is no voter activity on his registration record. His registration is currently in an Inactive status due to mismatching BMV/SSA information.

#### **Dave Thomas Information**

- The registration card in question for Dave Thomas is his first and only card on file with the CCBOE. There is no voter activity on his registration record. His registration is currently in an Inactive status due to mismatching BMV/SSA information.

# VOTER INFORMATION REPORT

DAVE THOMAS

PRINTED ON: 8/13/2024

VOTER ID: 3125107  
NAME: DAVE THOMAS  
RESIDENCE: 20508 HANSEN RD  
CITY/STATE/ZIP: MAPLE HTS, OH 44137

CARE OF:  
STREET/BX:  
MAIL CITY:  
MAIL STATE/ZIP:  
COUNTRY:

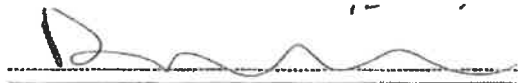
PHONE NUMBER:

STATUS: INACTIVE  
PARTY: UNAFFILIATED  
REG DATE: 07/03/2024

PRECINCT: MPHT06B.01  
PRECINCT NAME: MAPLE HEIGHTS -06-B

POLLING PLACE: WYLIE ATHLETIC CENTER AT MAPLE HTS I  
1 MUSTANG WAY

SIGNATURE:



I hereby certify that the above document is a true and correct copy of the original filed at the Cuyahoga County Board of Elections.

**VOTE**  
  
**CUYAHOGA COUNTY**  
**BOARD OF ELECTIONS**

Election Official: Hasani Wheat

Title: Registration Manager

Date: August 13, 2024

Signature: Hasani Wheat



I am:  Registering as an Ohio voter  Updating my address  Updating my name

1. Are you a U.S. citizen?  Yes  No  
2. Will you be at least 18 years of age on or before the next general election?  Yes  No  
If you answered NO to either of the questions, do not complete this form.

3. Last Name: Thomas First Name: Dave Middle Name or Initial: S Jr., II, etc.

4. House Number and Street (Enter new address if changed): 20508 Hansen Apt. or Lot #: Maple HT 5. City or Post Office: Maple HT 6. ZIP Code: 24137

7. Additional Mailing Address (if necessary): Cuyahoga 8. County (where you live): Cuyahoga

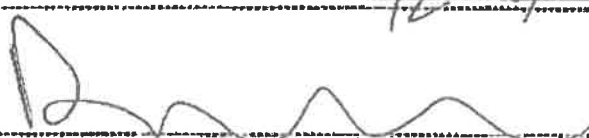
9. Birthdate (MM/DD/YYYY) (required): 2/29 10. Ohio driver's license number, state ID card number, OR last four digits of Social Security number (one to four of ID required to be listed or provided): [REDACTED] 11. Phone Number (voluntary): 410 797 0779

12. PREVIOUS ADDRESS IF UPDATING CURRENT REGISTRATION - Previous House Number and Street

Previous City or Post Office: [REDACTED] Previous County: [REDACTED] Previous State: OH

13. CHANGE OF NAME ONLY Former Legal Name: [REDACTED] Former Signature: [REDACTED]

14. I declare under penalty of election falsification I am a citizen of the United States, will have lived in this state for 30 days immediately preceding the next election, and will be at least 18 years of age at the time of the general election.

Your Signature  Date 2/24/24

FOR BOARD USE ONLY  
SEC-010 (rev. 2/1/22)  
City, Village, Twp.  
Ward  
Precinct  
School Dist.  
Cong. Dist.  
Senat. Dist.  
House Dist.  
R82A

RECEIVED 7/3/2024 CUY. CO. B.O.E.

RECEIVED ON 7/3/2024 CUY. CO. B.O.E.

# Challenge of Right to Vote and Correction of Registration List

R.C. 3503.24

(To be filed with the Board of Elections not later than 30 days prior to the election)

RECEIVED ON  
AUG 09 2024  
PAY: 00: 00: 00

I, Hasani Wheat, am a qualified elector of Cuyahoga  
(County)

My address is 17423 Tarkington Avenue, Cleveland  
(Street Address) (City)

I hereby: (check one box below and fill in remaining information)

Challenge the Right to Vote of Dave J. Thomas  
(Name of Person Challenged)  
whose Address is 20508 Hansen Rd., Maple Heights, Cuyahoga  
(Street Address) (City) (County)

Request correction of the registration list of Precinct \_\_\_\_\_ Ward \_\_\_\_\_

I file this challenge or correction for the following reason(s): On July 3, 2024, the Cuyahoga County Board of Elections  
(CCBOE) received a voter registration from Dave J. Thomas, stating that he lives at 20508 Hansen Road. A challenge was  
presented earlier challenging the voter registration of Da'Vaighne Thomas at the same address. The CCBOE is questioning the  
legitimacy of the voter registration card, prompting a challenge.

**PLEASE NOTE:** The return of mail, sent by an elections official or any other individual, as undeliverable, unable to forward, or a change of address on file (NCOA) alone is insufficient to grant a challenge or application for correction. Evidence of a foreclosure action alone is insufficient to grant a challenge or correction. The fact that a voter's status is recorded in the Statewide Voter Registration Database as "active-confirmation" (also known as "inactive") alone is insufficient ground to grant a challenge or correction.

I hereby declare under penalty of election falsification that the statements above are true based on my personal knowledge, information or belief.

Hasani Wheat  
Signature of Elector

# VOTER INFORMATION REPORT

DAVID THOMAS

PRINTED ON: 8/13/2024

VOTER ID: 3123813  
NAME: DAVID THOMAS  
RESIDENCE: 20508 HANSEN RD  
CITY/STATE/ZIP: MAPLE HTS, OH 44137

CARE OF:  
STREET/BX:  
MAIL CITY:  
MAIL STATE/ZIP:  
COUNTRY:

PHONE NUMBER:

STATUS: INACTIVE  
PARTY: UNAFFILIATED  
REG DATE: 07/01/2024

PRECINCT: MPHT06B.01  
PRECINCT NAME: MAPLE HEIGHTS -06-B

POLLING PLACE: WYLIE ATHLETIC CENTER AT MAPLE HTS  
1 MUSTANG WAY

SIGNATURE:



I hereby certify that the above document is a true and correct copy of the original filed at the Cuyahoga County Board of Elections.



Election Official: Hasani Wheat

Title: Registration Manager

Date: August 13, 2024

Signature: Hasani Wheat

to obtain an absentee ballot.

GUilty OF A FELONY OF THE FIFTH DEGREE

I am:  Registering as an Ohio voter  Updating my address  Updating my name

1. Are you a U.S. citizen?  Yes  No

2. Will you be at least 18 years of age on or before the next general election?  Yes  No  
If you answered NO to either of the questions, do not complete this form.

3. Last Name: Thomas First Name: David Middle Name or Initial: \_\_\_\_\_ Jr., II, etc. \_\_\_\_\_

4. House Number and Street (Enter new address if changed): 20506 Hansen Apt. or Lot #: \_\_\_\_\_ 5. City or Post Office: Maple HTS 6. ZIP Code: 4187

7. Additional Mailing Address (if necessary): \_\_\_\_\_ 8. County (where you live): Cuyahoga

9. Birthdate (MM/DD/YYYY) (required): 2/8/20 10. Ohio Driver's License number OR Last Four Digits of Social Security number (one form of ID required to be listed or provided): [REDACTED] 11. Phone Number (voluntary): 216 264 0364

12. PREVIOUS ADDRESS IF UPDATING CURRENT REGISTRATION - Previous House Number and Street: 4703 Wilford Rd

Previous City or Post Office: \_\_\_\_\_ Previous County: \_\_\_\_\_ Previous State: \_\_\_\_\_

13. CHANGE OF NAME ONLY Former Legal Name: \_\_\_\_\_ Former Signature: \_\_\_\_\_

14. I declare under penalty of election fabrication I am a citizen of the United States, will have lived in this state for 30 days immediately preceding the next election, and will be at least 18 years of age at the time of the general election.

Your Signature ↓ Date (MM/DD/YYYY) 6/26/24

[Handwritten Signature]

FOR BOARD USE ONLY  
SEC 4110 (rev. 4/15)  
City, Village, Twp. \_\_\_\_\_  
Ward \_\_\_\_\_  
Precinct \_\_\_\_\_  
School Dist. \_\_\_\_\_  
Cong. Dist. \_\_\_\_\_  
Senate Dist. \_\_\_\_\_  
House Dist. \_\_\_\_\_

88917 - 24

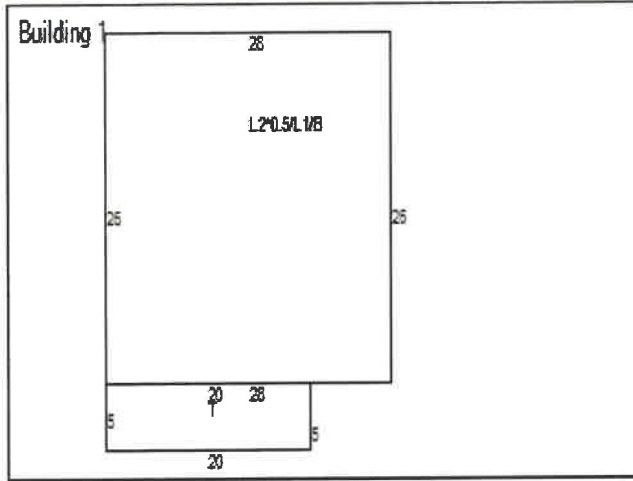
CFO-PS&T-4494

RECEIVED ON 7/1/2024 CUY. CO. B.O.E.

RECEIVED ON 7/1/2024 CUY. CO. B.O.E.

**Owner** KYLE, CARESSA  
**Address** 20508 HANSEN RD  
 MAPLE HEIGHTS, OH. 44137  
**Land Use** (5100) R - 1-FAMILY PLATTED LOT  
**Description** 6 FEHR 0025 ALL  
**Neighborhood Code** 09401

**SKETCH**



**MAP VIEW**

Map Image

**BUILDING INFORMATION**

Building Record Number	1	Occupancy	1-FAMILY	Story Height	1.5
Style	CAPE COD	Year Built	1950	Exterior Walls	ALUM/VINYL
Condition	AVERAGE	Construction Quality	C / AVERAGE	Roof Type	GABLE
Roof Material	ASPH-SHINGLE	Heat Type	FORCED-AIR	Air Conditioning	NONE
Attic Type	NONE	Basement Type	BASEMENT	Basement Square Feet	728
Basement Finished	No	Rooms	5	Bedrooms	3
Bathrooms (Full/Half)	1/0	Garage Type	DETACHED	Garage Capacity	2
Year Garage Built	1986	Garage Size	440	Living Area Basement	
Living Area 1	728	Living Area 2	364	Living Area Upper	
Living Area Total	1,092	Floor Location		Party Wall	

**LAND**

Code	Frontage	Depth	Acreage	Area
PRM	40	120	0.11	4,800

**VALUATION**

2023 Values	Taxable Market Value	Exempt Market Value	ADAMS Market Value	Assessed Taxable Value
Land Value	\$10,400	\$0	\$0	\$3,640
Building Value	\$41,700	\$0	\$0	\$14,600
Total Value	\$52,100	\$0	\$0	\$18,240
Land Use	5100			SINGLE FAMILY DWELLING

**PERMITS**

Tax Year	Reason	Tax Change	Exempt Change	Percent Complete	Reinspect	Notes
----------	--------	------------	---------------	------------------	-----------	-------

**IMPROVEMENTS**

Type	Description	Size	Height/Depth
------	-------------	------	--------------

**SALES**

Date	Buyer	Seller	Price
9/25/2023	KYLE, CARESSA	Kyle Ollie L	\$0
2/25/2005	Kyle Ollie L	Kyle Ollie L	\$0
2/13/1986	Kyle Ollie L	Davis William E	\$49,000
7/15/1977	Davis William E	Rzeszut Anthony A & Jinny L	\$31,500
1/1/1975	Rzeszut Anthony A & Jinny L		\$0

**Taxes**

2023 Taxes	Charges	Payments	Balance Due
Tax Balance Summary	\$2,055.00	\$2,055.00	\$0.00

# Agenda Item

#12

Henry F Curtis, IV  
Chairman

Inajo Davis Chappell  
Member

Lisa M. Stickan  
Member

Terence M. McCafferty  
Member

Anthony W. Perlatti  
Director

Anthony N. Kaloger  
Deputy Director

## **SUMMARY FOR VOTER CHALLENGE OF DAVID THOMAS AND DAVE THOMAS:**

On August 9, 2024, Hasani Wheat, a registered voter in Cleveland, Ward 1-F, submitted an SOS prescribed *Form #257, Challenge of Right to Vote and Correction of Registration List* that challenges the right of David Thomas and Dave Thomas to vote using the address of 20508 Hansen Road in Maple Heights, Ohio.

### ***General Information***

- Hasani Wheat indicates on the Challenge Forms that Brian Gresham challenged Da'Viaghne Thomas' voter registration at 20508 Hansen Road, attesting that Mr. Thomas has never lived at that address.
  - A review of the voter registration cards of Da'Viaghne, Dave, and David Thomas at the 20508 Hansen Road address identified in addition to the same surname and address, the same birthdate of 02/08/2000 for all three registrants.
- The registration card in question for David Thomas was circulated by Black Fork Strategies.
- The registration card in question for Dave Thomas was circulated by Second Street Associates.
- The four voters currently registered at the 20508 Hansen Road address are Brian Gresham, Da'Viaghne Thomas, Dave Thomas, and David Thomas.
- Per the Cuyahoga County Property Summary Report, Caressa Kyle is the current property owner at 20508 Hansen Road since September 25, 2023.
- Attempts from CCBOE Staff to contact Dave Thomas or David Thomas were to no avail.

### ***CCBOE Comments***

#### David Thomas Information

- The registration card in question for David Thomas is his first and only card on file with the CCBOE. There is no voter activity on his registration record. His registration is currently in an Inactive status due to mismatching BMV/SSA information.

#### Dave Thomas Information

- The registration card in question for Dave Thomas is his first and only card on file with the CCBOE. There is no voter activity on his registration record. His registration is currently in an Inactive status due to mismatching BMV/SSA information.

# Challenge of Right to Vote and Correction of Registration List

R.C. 3503.24

(To be filed with the Board of Elections not later than 30 days prior to the election)

RECEIVED ON

AUG 09 2024

PM: 00: 00

I, Hasani Wheat, am a qualified elector of Cuyahoga  
(County)

My address is 17423 Tarkington Avenue, Cleveland  
(Street Address) (City)

I hereby: (check one box below and fill in remaining information)

Challenge the Right to Vote of David Thomas  
(Name of Person Challenged)

whose Address is 20508 Hansen Rd., Maple Heights, Cuyahoga  
(Street Address) (City) (County)

Request correction of the registration list of Precinct \_\_\_\_\_ Ward \_\_\_\_\_

I file this challenge or correction for the following reason(s): On July 1, 2024, the Cuyahoga County Board of Elections (CCBOE) received a voter registration card from David Thomas, stating that he lives at 20508 Hansen Road. A challenge was presented earlier challenging the voter registration of Da'Vaighne Thomas at the same address. The CCBOE is questioning the legitimacy of the voter registration card, prompting a challenge.

**PLEASE NOTE:** The return of mail, sent by an elections official or any other individual, as undeliverable, unable to forward, or a change of address on file (NCOA) alone is insufficient to grant a challenge or application for correction. Evidence of a foreclosure action alone is insufficient to grant a challenge or correction. The fact that a voter's status is recorded in the Statewide Voter Registration Database as "active-confirmation" (also known as "inactive") alone is insufficient ground to grant a challenge or correction.

I hereby declare under penalty of election falsification that the statements above are true based on my personal knowledge, information or belief.



Signature of Elector



# VOTER INFORMATION REPORT

HASANI WHEAT

PRINTED ON: 8/13/2024

VOTER ID: 2453543  
NAME: HASANI WHEAT  
RESIDENCE: 17423 TARKINGTON AVE  
CITY/STATE/ZIP: CLEVELAND, OH 44128

CARE OF:  
STREET/BX:  
MAIL CITY:  
MAIL STATE/ZIP:  
COUNTRY:

PHONE NUMBER:

STATUS: ACTIVE  
PARTY: DEMOCRAT  
REG DATE: 07/06/2015


PRECINCT: CLEVE01F.01  
PRECINCT NAME: CLEVELAND -01-F

POLLING PLACE: FREDERICK DOUGLASS RECREATION CEN  
15401 MILES AVENUE

SIGNATURE:

*Hasani Wheat*

I hereby certify that the above document is a true and correct copy of the original filed at the Cuyahoga County Board of Elections.

**VOTE**  
  
**CUYAHOGA COUNTY**  
**BOARD OF ELECTIONS**

Election Official: *Hasani Wheat*

Title: *Registration Manager*

Date: *August 13, 2024*

Signature: *Hasani Wheat*

# Agenda Item

#13

Henry F Curtis, IV  
Chairman

Inajo Davis Chappell  
Member

Lisa M. Stickan  
Member

Terence M. McCafferty  
Member

Anthony W. Perlatti  
Director

Anthony N. Kaloger  
Deputy Director

## **Review Summary of Black Fork Strategies and Second Street Associates Registration Cards**

Black Fork Strategies and Second Street Associates are statewide voter registration drive organizations that have submitted thousands of registration cards to the Cuyahoga County Board of Elections this year.

As questionable matters come to our attention, CCBOE staff have met with or communicated with these two registration drive organizations frequently. Conversations and meetings were predominantly held with their field staff (known as City or Field Managers). From those conversations, we have seen some improvements, but other issues continue to present day. The issues that CCBOE Staff have seen are not unique to Cuyahoga County. As reported by other Board of Elections across the state of Ohio, CCBOE Staff are finding similar fact patterns.

The Registration Department is bringing forward three categories of anomalies that were found through our data entry and proofing of these registration cards. These issues include:

- three registrations received in the name of deceased individuals that were submitted on their behalf
- individuals that had their voter registrations challenged by homeowners that have stated that these individuals do not reside at their address
- an exorbitant number of duplicate registrations coming in for individual voters in a short amount of time

Attached, you will find information on the duplicate voters and the challenged voters. Confidential registration documentation on deceased voters and duplicates will be provided separately.

Henry F Curtis, IV  
Chairman

Inajo Davis Chappell  
Member

Lisa M. Stickan  
Member

Terence M. McCafferty  
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Deputy Director

## Voter Challenges that were received and impacted by Black Fork Strategy Registration Cards

- **Brian Gresham-** Challenged the Voter Registration of Da’Vaighne Thomas at 20508 Hansen Road in Maple Heights.
  - Most recent registration card of Da’Vaighne Thomas was collected by Black Fork Strategies.
    - Canvasser Tramane Medley circulated the registration form for Da’Vaighne Thomas.
  - Challenge set to go for Board Hearing on August 19, 2024.
- **Hasani Wheat-** Challenged the Voter Registrations of Dave Thomas and David Thomas at 20508 Hansen Road in Maple Heights.
  - Registration card for Dave Thomas was collected by Second Street Associates.
    - Canvasser Mikayla Brown circulated the registration form for Dave Thomas.
  - Registration card for David Thomas was collected by Black Fork Strategies.
    - Canvasser Taliyah Upchurch circulated the registration form for David Thomas.
  - Challenge set to go for Board Hearing on August 19, 2024.
- **Willie Jones-** Challenged the Voter Registrations of Brian Wilkes and Samantha Williams at 2042 West 100th Street in Cleveland.
  - Registration cards of Brian Wilkes and Samantha Williams were collected by Black Fork Strategies.
    - Canvasser Chad Thompson circulated the registration forms for Brian Wilkes and Samantha Williams.
  - Challenge was upheld after the Board Hearing decision, and the voter registration records of Brian Wilkes and Samantha Williams were cancelled on July 25, 2024.

Henry F. Curtis, IV  
Chairman

Inajo Davis Chappell  
Member

Lisa M. Stickan  
Member

Terence M. McCafferty  
Member

Anthony W. Perlatti  
Director

Anthony N. Kaloger  
Deputy Director

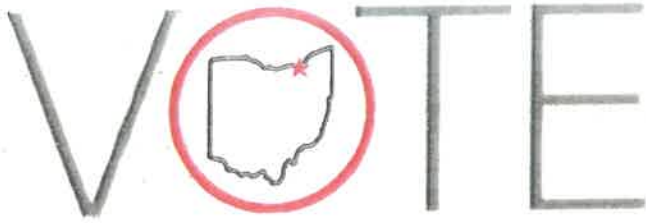
## **Black Fork Strategies and Second Street Associates Duplicate Report**

As CCBOE staff were entering registrations cards returned by Black Fork Strategies (BFS) and Second Street Associates, over time, staff realized that both organizations were returning multiple registration cards for the same voter. Some of the registration cards were signed on the same day with slight variations, others were exact duplicates.

It was estimated that between March 1, 2024, and August 14, 2024, the CCBOE received 17,000 voter registration cards for 6,500 voters.

Below is a general breakdown of the number of duplicate registration cards received from both organizations.

- **3 Duplicate Voter Registration Forms for 1,315 voters**
- **4 Duplicate Voter Registration Forms for 518 voters**
- **5 Duplicate Voter Registration Forms for 200 voters**
- **6 Duplicate Voter Registration Forms for 105 voters**
- **7 Duplicate Voters Registration Forms for 70 voters**
- **8 Duplicate Voters Registration Forms for 34 voters**
- **9 Duplicate Voters Registration Forms for 23 voters**
- **10 Duplicate Voters Registration Forms for 13 voters**
- **11 Duplicate Voters Registration Forms for 11 voters**
- **12 Duplicate Voters Registration Forms for 7 voters**
- **13 Duplicate Voters Registration Forms for 6 voters**
- **14 Duplicate Voters Registration Forms for 5 voters**
- **15 Duplicate Voters Registration Forms for 1 voter**
- **16 Duplicate Voters Registration Forms for 1 voter**
- **19 Duplicate Voters Registration Forms for 1 voter**



# CUYAHOGA COUNTY BOARD OF ELECTIONS

Henry F Curtis, IV  
Chairman

Inajo Davis Chappell  
Member

Lisa M. Stickan  
Member

Terence M. McCafferty  
Member

Anthony W. Perlatti  
Director

Anthony N. Kaloger  
Deputy Director

## Registration Forms Submitted by Black Fork Strategies or Second Street Associates in 2024 (Deceased)

1.

Name: Ruth Pollard

DOB: [REDACTED] 1921

Copy of questionable form received from Black Fork Strategies (BFS) on 7/1/2024:

to obtain an absentee ballot. **GUilty OF A FELONY OF THE FIFTH DEGREE**

I am:  Registering as an Ohio voter  Updating my address  Updating my name

1. Are you a U.S. citizen?  Yes  No  
 2. Will you be at least 18 years of age on or before the next general election?  Yes  No  
 If you answered NO to either of the questions, do not complete this form.

3 Last Name: Pollard 7 First Name: Ruth Middle Name or Initial: \_\_\_\_\_ Apt. No.: \_\_\_\_\_  
 4 Home No. and Ext. (If no new address or changed): 2229 E. 79th St City or Post Office: \_\_\_\_\_ Zip Code: 44103  
 \* Address of Mailing Address (if necessary): \_\_\_\_\_

8 SEX (M/F) 1921 10 Ohio Driver's License Number OR Last Four Digits of Social Security Number (if not listed in 10, required to be listed in 10) \_\_\_\_\_ 11 Please Mark for Instructions

12 PREVIOUS ADDRESS (if you have changed your registration) \_\_\_\_\_ Precinct Number and Code \_\_\_\_\_  
 Previous City or Post Office \_\_\_\_\_ Former County \_\_\_\_\_ Former State \_\_\_\_\_  
 13 CHANGE OF NAME ONLY (For legal name change) \_\_\_\_\_ Former Signature \_\_\_\_\_

14 I declare under penalty of election infraction that I am a citizen of the United States, will have lived in this state, county, and precinct for 30 days immediately preceding the next election, and will be at least 18 years of age at the time of the general election.

Your Signature: [Signature] Date: 6-26-24

77859 - 24

RECEIVED ON 7/1/2024 CUY. CO. B.O.E.

Copy of the registration form on file prior to BFS submission, signed 10/28/1996:

THIS IS AN APPLICATION FOR A  NEW REGISTRATION  ADDRESS CHANGE  NAME CHANGE

1 Last Name: POLLARD First Name: RUTH Middle Initial: \_\_\_\_\_ Apt. No.: \_\_\_\_\_  
 2 Home Number and Ext. (If no new address or changed): 2229 E. 79 ST. City or Post Office: CLEVELAND Zip Code: 44103  
 3 Mailing Name (if necessary): \_\_\_\_\_ 4 County where you live: CUY. Precinct (county): CLEVELAND  
 5 DAY YEAR: 10/28/96 6 Social Security No. (optional): \_\_\_\_\_ 7 Precinct (county): CLEVELAND  
 8 ADDRESS CHANGE ONLY - PREVIOUS ADDRESS: \_\_\_\_\_ Precinct Number and Code: \_\_\_\_\_  
 Previous City or Post Office: \_\_\_\_\_ County: \_\_\_\_\_ State: \_\_\_\_\_  
 9 CHANGE OF NAME ONLY: \_\_\_\_\_ Former Legal Name: \_\_\_\_\_ Former Signature: \_\_\_\_\_

10 Signature of Applicant: Ruth E. Pollard  
 Date: 10/28/96

Information that will remain confidential and will be used only for voter registration purposes: 1) the office where you submit your voter registration application or 2) the fact that you have declared to register. The penalty for election infraction is imprisonment for not more than 6 months, or a fine of \$1,000, or both.

SEC 4010 (Rev. 1995) / 1043

1161812315

**Screenshot from the May 2012 Ohio Department of Health (ODH) Deceased file:**

Decedent's Last Name	Decedent's First Name	Decedent's Middle Name	Decedent's SSN4	Decedent's DOB	Decedent's DOD	Decedent's City	Decedent's Street Address
POLLARD	RUTH	EILEEN	4495	[REDACTED] 1921	4/10/2012	CLEVELAND	2229 E. 79 <sup>TH</sup> ST

- Ruth Pollard passed away on 4/10/2012 and she was cancelled in our voter registration database at that time.
- The voter record has had no voter activity since 2012.
- The CCBOE received a registration card in Ruth Pollard's name that contained matching printed name, address, and DOB.
- CCBOE Staff reached out to the Pollard household to confirm that Ruth Pollard is deceased. Amber Pollard, the niece of Ruth Pollard confirmed that she passed away 12 years ago and that no other person with that name lives at the 2229 E. 79<sup>th</sup> St address.
- Black Fork identified the registration card with serial number 77859-24 as circulated by Wendy Anderson (WA).

2.

Name: Milvern Jones

DOB: [REDACTED]/1926

Copy of questionable form received from Black Fork Strategies (BFS) on 8/1/2024:

to obtain an absentee ballot. **GUILTY OF A FELONY OF THE FIFTH DEGREE**

I am:  Registering as an Ohio voter  Updating my address  Updating my name

1. Are you a U.S. citizen?  Yes  No  
 2. Will you be at least 18 years of age on or before the next general election?  Yes  No  
 If you answered NO to either of the questions, do not complete this form.

3. Last Name: JONES Total Name: Milvern Jones Code Home or Initial: [REDACTED]  
 4. House Number and Street (Enter new address if changed): 7900 Mt. [REDACTED] Apt. or Lot #: [REDACTED] 5. City or Post Office: CLEVELAND 6. ZIP Code: 44101  
 7. Additional Mailing Address (if necessary): [REDACTED] 8. County (where you live): Cuyahoga  
 9. Birth date (MM/DD/YYYY) (required): [REDACTED] 10. Of a Driver's License number OR Last Four (Digits of Soc. Sec. No. (one form of ID required to be listed or provided): [REDACTED]  
 11. PREVIOUS ADDRESS IF UPDATING CURRENT REGISTRATION - Previous House Number and Street: [REDACTED]  
 Previous City or Post Office: [REDACTED] Previous County: [REDACTED] Previous State: [REDACTED]  
 12. CHANGE OF NAME ONLY Former Legal Name: [REDACTED] Former Signature: [REDACTED]  
 14. I declare under penalty of election falsification I am a citizen of the United States who has lived in this state for 30 days immediately preceding the next election and will be at least 18 years of age at the time of the general election.

Your Signature: [Signature] Date (MM/DD/YYYY): 7-26-24

FOR BOARD USE ONLY  
 St. County (new 4/12)  
 City v. age 1/0  
 Ward  
 Precinct  
 School Dist  
 Comm Dist  
 Senate Dist  
 House Dist

119473 - 24  
 [Signature]

RECEIVED ON 8/1/2024 CUY. CO. S.O.E. (vertical text on left and right)

Copy of the registration form on file prior to BFS submission, signed 12/29/2018

Registering as an Ohio voter  
  Updating my address  
  Updating my name

1. Are you a U.S. citizen?  Yes  No  
 2. Will you be at least 18 years of age on or before the next general election?  Yes  No  
 If you answered NO to either of the questions, do not complete this form.

3. Last Name: **JONES**      First Name: **MILVERN**      Middle Name or Initial: **EBU**      Jr., II, etc.:

4. House Number and Street (Enter new address if changed): **9900 Mt Auburn**      Apt. or Lot #: **Down**      5. City or Post Office: **CLEU**      6. ZIP Code: **44104**

7. Additional Mailing Address (if necessary):      8. County (where you live): **CUY**

9. Birthdate (MM/DD/YYYY) (required): **26**      10. Ohio Driver's License number OR Last Four Digits of Social Security number (one form of ID required to be listed or provided): **[REDACTED]**      11. Phone Number (voluntary):

12. PREVIOUS ADDRESS IF UPDATING CURRENT REGISTRATION - Previous House Number and Street  
 Previous City or Post Office      Previous County      Previous State

13. CHANGE OF NAME ONLY Former Legal Name      Former Signature

14. I declare under penalty of election falsification I am a citizen of the United States, will have lived in this state for 30 days immediately preceding the next election, and will be at least 18 years of age at the time of the general election.

Your Signature ↓ **Milvern Jones**      Date (MM/DD/YYYY) **12-29-18**

FOR BOARD USE ONLY  
 SEC4010 (rev. 4/16)  
 City, Village, Twp.  
 Ward  
 Precinct  
 School Dist.  
 Cong. Dist.  
 Senate Dist.  
 House Dist.

25:01 PM ST. 4 NOV RECEIVED JAN 02 2019

Screenshot from the March 2021 Ohio Department of Health (ODH) Deceased file:

Decedent's Last Name	Decedent's First Name	Decedent's Middle Name	Decedent's Name	Decedent's SSN4	Decedent's DOB	Decedent's DOD	Decedent's City	Decedent's Street Address
JONES	MILVERN			6464	[REDACTED]/1926	3/1/2021	CLEVELAND	9900 MT AUBURN

- Milvern Jones passed away on 3/1/2021 and she was cancelled in our voter registration database at that time.
- The voter record has had no voter activity since 2020.
- The CCBOE received a registration card in Milvern Jones' name that contains a matching printed name, DOB and last four of SSN.
- CCBOE Staff attempted to contact the residence of Milvern Jones to confirm, however, the phone number on the voter's record was disconnected.
- Black Fork identified the registration card with serial number 119473-24 as circulated by canvasser Averiana Knight (AK).



3.

Name: Doris Glenn

DOB: [REDACTED] 1930

Copy of questionable form received from Second Street Associates (SSA) on 4/24/2024:

RECEIVED ON 4/24/2024 CUY. CO. B.O.E.

I am:  Registering as an Ohio voter  Updating my address  Updating my name

1. Are you a U.S. citizen?  Yes  No  
2. Will you be at least 18 years of age on or before the next general election?  Yes  No  
If you answered NO to either of the questions, do not complete this form.

3. Last Name: Glenn First Name: Doris Middle Name or Initial: D Jr., R, etc.

4. House Number and Street (Post Office Box) Apt. or Lot # 5. City or Post Office: Clevel OH 44120

7. Additional Mailing Address (if necessary) 8. County (where you live): CUY

9. Birthdate (MM/DD/YYYY) (required) 10. Ohio driver's license number, state ID card number, OR last four digits of Social Security number (last four digits of ID required to be listed or provided) 11. Place to enter address

12. PREVIOUS ADDRESS if UPDATING CURRENT REGISTRATION - Previous House Number and Street  
Previous City or Post Office Previous County Previous State

13. CHANGE OF NAME ONLY Former Legal Name Former Signature

14. I declare under penalty of election infraction I am a citizen of the United States, will have lived in this state for 30 days immediately preceding the next election, and will be at least 18 years of age at the time of the general election.

Your Signature ↓ Date (mm/dd/yyyy) 4-17-24  
Doris Glenn

FOR BOARD USE ONLY  
REC-410 (rev. 8/228)  
City, Village, Twp.  
Ward  
RECEIVED ON  
4/24/2024  
Cuy. Co.  
B.O.E.  
Precinct Dist.  
House Dist.  
T5939

Copy of the signature on file prior to SSA submission and voter details page.

legally  
Doris M Glenn  
Signature of Applicant

DORIS M. GLENN ORC0020785962 \*\*\* COMMENT \*\*\*

Voter Details | Properties | Flags/Misc | Notices |

County Info | State Info (S) |

Voter ID: 918850  
Status: [REDACTED]  
Reason: DECEASED  
Affidavit: OH0320785962  
Sig: 918850 Auto S   
DMV Lic: SSN: -6064

Name | Prior Name | Alternate Name |  
Name: [REDACTED]  
Prefix: [REDACTED]  
First: DORIS  
Middle: M  
Last: GLENN  
Suffix: [REDACTED] Birth Date: [REDACTED] 1930  
St Ran:

Residence  
Standard Residence Address [REDACTED] Clear  
House#: 12401 Frac: [REDACTED] Dir: [REDACTED]  
Street: GRIFFING Type: AVE  
Post: [REDACTED] Bldg: [REDACTED] Apt: [REDACTED]  
City: CLEVELAND Zip: 44120  
Prec: CLEVELAND 31 Manual

Mailing  
Cntry: [REDACTED] Clear  
CareOf: [REDACTED]  
Str/Bx: [REDACTED]  
City: [REDACTED] St: [REDACTED] Zip: [REDACTED]

- Doris Glenn passed away in 1995 and she was cancelled in our voter registration database at that time.
- The voter record has had no voter activity since 1995.
- The CCBOE received a registration card in Doris Glenn's name that contained matching printed name, address, DOB, and last four of the Social Security Number.
- Second Street identified the registration card with serial number T5939 as circulated by Dajon Striver.