



**Board Meeting
November 1, 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
Anthony Kaloger, Deputy Director
Mark R. Musson, Assistant Prosecutor, Cuyahoga County

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

The Cuyahoga County Board of Elections Meeting began at 9:30 a.m. Hereinafter referred to as the CCBOE/Board. Chairman Curtis noted that all Board Members were in attendance.

Agenda Item 1: Approval of the minutes from the October 8, 2024, Board Meeting

Chairman Curtis moved to approve the minutes from the October 8, 2024, Board Meeting; Board Member Davis Chappell seconded. The motion passed.

Agenda Item 2: Approval of the updated CCBOE Signature Stamp Policy

Director Perlatti stated that in 2022 the Board adopted a Signature Stamp Policy. The updated policy would allow for the generation of the Director's electronic signature on certain documents, such as the annual oath of office for all employees.

Chairman Curtis moved to approve the updated CCBOE Signature Stamp Policy; Board Member Davis Chappell seconded. The motion passed.

Agenda Item 3: Approval of the updated Vote-by-Mail Ballot Collection Program Outside the Board Office

Director Perlatti stated that this updated plan extends the Ballot Collection Program hours through Monday, November 4 and Tuesday, November 5 from 12:00 p.m. to 7:30 p.m.

Member Davis Chappell stated that this morning she heard a reporter on Ideastream announce that voters needed to come inside the Board of Elections building to drop off a ballot other than your own, indicating that they are not aware of the off-site collection that is permitted of those forms. She stated that the CCBOE needs

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

to get the message out that people may complete the 12-P form outside with the Ballot Collection Program. She requested that staff reach out to correct that erroneous information.

Mike West, Manager, Community Outreach, stated that immediately after the Board Meeting he will reach out to Ideastream for clarification of details regarding the Ballot Collection Program. That and other information will be reiterated during an upcoming Facebook Live and a news conference on Monday.

Chairman Curtis moved to approve the updated Vote-by-Mail Ballot Collection Program Outside the Board Office; Board Member Davis Chappell seconded. The motion passed.

NEW BUSINESS

November 5, 2024, Presidential General Election Update:

Member Davis Chappell inquired about an update regarding how many Cuyahoga County voters had been referred to the Prosecutor's office for illegal voting or illegal registration to determine whether there was a problem in Cuyahoga County.

Mr. Musson advised that the Prosecutor's office to date has received five referrals from the Attorney General through the Bureau of Criminal Investigation and have obtained one indictment. Decisions are forthcoming on the remaining four. The subjects of the indictments are primarily long-term permanent legal residents that have crossed the line into activity that is not related to their status in the country. In October, the Attorney General announced that his office directly secured six indictments throughout the state -- one of which was in Cuyahoga County -- but that indictment has been dismissed since it was discovered that individual was deceased.

Board Member Chappell stated that she wanted to make sure there was not an inordinate number in Cuyahoga County. Mr. Musson stated that the five individuals includes registering to vote illegally and illegal voting.

Board Member Davis Chappell requested an update regarding a pending case she was concerned would create an additional requirement for voting location managers. She wanted to make sure that voting location managers know exactly which forms they must before Tuesday.

Mr. Musson advised that the Secretary of State issued a revised form 10-U in October that was challenged by a number of plaintiffs from a 2006 case that enjoined an old law, which is the challenge to a voter at the polling station on their right to vote. The judge rejected this attempt to reinvoke that old injunction as applied to this new form. Part of that decision was that the court holds the defendant to its representation in the opposition memorandum that only persons who specifically present a form of photo identification with a non-citizen designation or otherwise unauthorized form of photo identification are required to present additional proof of citizenship. The court said that a person's fundamental rights to vote are not implicated because the voting managers will only use that 10-U form to challenge someone's citizenship status if the photo identification they present indicates they are not a citizen.

Director Perlatti stated that non-citizens being ineligible to vote is not new, but what has changed recently is having a non-citizen designation on the back of a driver's license. A notation used to be on the front that would

say non-transferable and that would mean that person was not a citizen. The Secretary of State provides weekly emails with updates on the non-citizen voting form. The CCBOE has trained its poll workers to read a driver's license. Should a poll worker see a non-citizen designation, the check-in operator at the electronic poll book will guide the voter go to the voter assistance table, at which point the voting location manager and deputy voting location manager would engage the voter through the process with the 10-U form. This process includes asking several questions and if they have a certificate showing their citizenship or a naturalized parent they can take an oath saying my parent is a citizen and ultimately the voter and voting location manager would sign it and vote provisionally. If the voter has their certificate of citizenship or took the oath they would get a regular ballot. Otherwise they would be provided a provisional ballot and have the opportunity to cure the ballot post-election.

Director Perlatti stated that a simple document at the check-in table serves as a last-minute reminder for poll workers that lists acceptable and unacceptable identification.

Member McCafferty questioned what would happen if there were an issue with the drop-box. Director Perlatti stated that CCBOE staff knows who was sent a ballot and which ballots were received. The drop-box has a fire-suppression system, however, the contents of the drop-box are unknown until it is emptied. The CCBOE would utilize its media resources to inform voters who dropped ballots in the drop-box between specific dates to use the Track My Ballot tool on the CCBOE website and to reemphasize that provisional voting is available.

Chairman Curtis wished to be clear that there had not been an incident with the CCBOE drop-box but that the agency has a plan in the unlikely event of one.

Member McCafferty stated that a voter suggested that having estimated waiting times on the CCBOE website would be useful. Director Perlatti explained that would be useful information but the challenge is that the waiting time could fluctuate widely in a short amount of time.

Member Davis Chappell stated that another concern that was raised was to make sure that poll workers are parking away from the main entrance to the polling location so that the easiest parking may be available for voters. Chairman Curtis stated that has been a long-standing aspect of poll worker training, however, some of the locations with a lot of precincts requires more poll workers.

Director Perlatti stated that regardless of size, the polling locations are unique. Poll workers are advised to park the furthest away from the polling location entrance.

Moving on with the report, Director Perlatti advised that the CCBOE has hired and trained 450 poll workers who are assigned to specific locations and an additional 200 stand-by poll workers that will be assigned as needed on Election Day.

Single-precinct polling locations will have at least 8 poll workers, which is more than the required four; two-precinct locations will have at least 10 poll workers. Locations with higher historical turnout were allocated additional resources.

A poll worker will be positioned at every scanner in polling locations because of the three-page ballots. This method was utilized successfully during Early In-Person voting. Every voter needs to know that ballots may be inserted in any orientation but they must wait for the “thank you” message before inserting the next page to avoid jams.

Poll workers will also remind voters at the check-in station that Issue 1 begins on page 4 and concludes on page 5.

Director Perlatti stated that the vote-by-mail application deadline was Tuesday at 8:30 p.m. The CCBOE received over 179,220 applications and all ballots have been sent to voters. 133,265 ballots have been received through yesterday -- a 74% return rate. Historically the return rate is 90%, which means about 28,000 ballots are yet to be returned.

That return rate would equate to about 161,000 vote-by-mail ballots this cycle. The VBM turnout is lower than anticipated. The CCBOE had 192,761 ballots returned by mail in 2016 and this year have not even received that many applications. Staff anticipates more people going to the polls for this election. The Ballot Department has scanned about 110,000 of the 133,000 returned ballots and is working every day to scan the ballots they are receiving.

Director Perlatti explained that the three-page ballot has had a major impact on all aspects of administering the election but staff is hitting its marks.

Member Davis Chappell stated that the public should be aware that votes are not being tabulated but instead are being prepped as required by the Secretary of State.

Chairman Curtis stated that the CCBOE counts VBM ballots first but are not tabulated because the results must be unknown before the polls on Election Night. The first results reported on Election Night are available so quickly because they have been working for days to process them. Director Perlatti explained that the first thing reported on Election Night is VBM results because staff has collected information until 7:30 p.m. when it goes through the tabulation software and processes.

Member McCafferty questioned the process for EIP scanners. Director Perlatti advised that when EIP voting concludes this Sunday at 5:00 p.m. the scanners will be sealed and subsequently picked up by the Ballot Department. After the polls close on Election Night the Ballot Department will conduct the poll closing processes on the EIP scanners and tabulate the results.

Moving on with the report, Director Perlatti stated that through yesterday 53,256 people had voted EIP and the total is anticipated to grow to over 60,000 which would be a Cuyahoga County record. Member Davis Chappell stated that she has gotten good feedback from voters about the process and CCBOE staff.

The CCBOE still anticipates 70% turnout in this election despite the decrease for VBM. Staff anticipates some voters changing the manner in which they vote from VBM to the polls. In order to ensure an adequate number of ballots are supplied at polling locations, staff examined per precinct turnout data from past elections and

applied it to today's registration numbers with a 20% increase. Additionally, a supplemental order of 27,000 ballots was placed that will be available at the CCBOE for a bipartisan team to transport polling places.

Upon the conclusion of voting on Election Day, every polling location should have at least 50 ballots that were not needed. Each polling location should have at least two unopened ballot packs that contain a 66-ballot cushion. Should that not be enough, more ballots may be printed on demand. Ballot quantity will be monitored on Election Day in real time and staff will be ready to deploy ballots as needed.

Member Davis Chappell inquired whether there was a way for poll workers to see when the ballot supply is getting low. Director Perlatti explained that when 70% of a polling location's ballots have been used there is a paper insert in the ballot pack advising the poll worker to notify the polling place. Staff may already be aware of that due to data monitoring. Some of the challenges experienced in November 2023 led to an extra step that was implemented in March 2024 that continues this election.

Deputy Director Kaloger emphasized the logistical challenges associated with the three-page ballot. One ballot pack contains 100 sheets of paper, meaning for this election each pack contains 33 ballots. To keep each bag a reasonable weight for poll workers to manage, only so many packs are placed inside each bag. Tiers have been created to get additional ballots out when necessary.

Member Davis Chappell inquired whether staff has had conversations with the Post Office regarding their management of VBM mail. Director Perlatti advised that the Post Office has raised potential issues with the weight or volume of ballots in their processes. A kickoff meeting was held with Cuyahoga County, Midwest Direct and the Post Office prior to the election cycle and subsequent calls have been held weekly for updates. Voters should plan for 3 to 7 days for the CCBOE to receive it. Anecdotally, some people may utilize EIP due to their personal experiences with the mail.

The deadline for VBM applications was 8:30 p.m. on Tuesday and any valid requests went out in the mail Wednesday. Ballots must be postmarked by November 4 or dropped in a drop-box at the CCBOE to be valid.

Director Perlatti stated that Cuyahoga County will often post its final results very early in the morning after an election. There are 289 polling locations with 76 cargo vans transporting material to the offices. The first delivery will likely be around 8:45 or 9:00 p.m. with the last arriving around 11:00 p.m. Often, neighboring counties report their final results while Cuyahoga County has not yet received all of the ballots.

Often there will be 97 to 99% reported around midnight and at that point that figure will pause. That is when staff is looking at how many people checked in on electronic poll books, how many ballots were scanned and matching those figures. The unofficial results are ballots cast on Election Day. All EIP and VBM received through mail pickup at Tuesday morning will be included. That tally will eventually include provisional ballots and timely post-election absentees postmarked by November 4 and received by Saturday, November 9.

Following the election, the official process begins, during which eligible provisional ballots and every post-election absentee ballot will be tabulated and reported on November 20.

Director Perlatti concluded his report by stating he would reiterate during his Monday press conference that there will be no voting at the CCBOE building on Tuesday. Anyone going to the polls should go to CCBOE website to make sure they know their polling location.

Deputy Director Kaloger stated that people who not voted in person since 2022 or earlier may notice the new voting equipment. The scanners from a voter's perspective are similar. Voters should remember that photo ID such as a driver's license, State ID, passport, military ID, Ohio National Guard or Veteran Services card are required.

Parking has been a challenge with robust EIP voting. The CCBOE acquired about 300 parking spaces to be available on weekdays which expands to 550 spaces during weekends. Parking is spread across six lots in the area of the building. Deputy Director Kaloger advised that the CCBOE has good signage to direct voters from a full parking lot to the next closest lot. Four unarmed security guards will be stationed at those parking lots to assist voters.

Cleveland Police will assist with traffic control during the coming weekend. During the week two to four sheriffs monitor the driveways and four additional armed security guards will monitor the parking lot and Campus International.

Deputy Director Kaloger gave a special thanks to the CCBOE's neighbors for allowing the use of their parking lots..

Deputy Director Kaloger advised that during the first two weeks of EIP the voter line did not extend beyond the tent because the line moved quickly -- usually a 20-minute wait once a voter is inside the building and a 40-minute wait from the tent. Last Saturday the voter line filled the tent and extended to the apartments. On Sunday the line went to the edge of Chester Avenue.

Plans are being made for the large crowds expected this weekend. Cleveland Police will have a presence and two fire marshals will be on site.

EIP voting will take place on Tuesday from 7:30 a.m. to 7:30 p.m., Wednesday through Saturday from 8:00 a.m. to 4:00 p.m and EIP voting at the CCBOE concludes on Sunday from 1:00 p.m. to 5:00 p.m. There is no EIP voting on Monday and voters are encouraged to go to the CCBOE website to find their polling locations and utilize Track My Ballot. A 24/7 automated phone system also contains that information.

Moving to the subject of election integrity, Deputy Director Kaloger advised that when the polls close on Election Day the exact number of ballots received and how many are yet to be received will be known along with how many provisional ballots were issued on Election Day on the CCBOE website. Ohio has good laws and good people executing elections. The public should have confidence that their votes will be counted accurately.

Member Davis Chappell inquired whether Clear Ballot will provide sufficient support during their first presidential election with Cuyahoga County. Director Perlatti stated that although this will be the CCBOE's

first presidential election with Clear Ballot scanners, Clear Ballot has processed presidential elections on the West Coast. Five Clear Ballot representatives will be on site with the Ballot Department at the Warehouse. Additionally, an election response team will be available to go out to polling locations in need of assistance with the scanners. Clear Ballot also conducted 3-hour training sessions for 25 rovers and other CCBOE staff regarding potential issues they may encounter.

Member Davis Chappell wanted to make sure that staff will be able to identify how the new ID law impacted voters in this presidential compared to past elections. Director Perlatti agreed.

Director Perlatti thanked the Board for approving the off-site ballot collection as it was necessary because of the size of the CCBOE's location and it helps with 12-P forms. Of the 133,265 ballots returned, about 16,500 have been personally returned by voters. About 6,200 individuals have gone through the Campus International staffed collection site with the other 10,300 coming through the drop-box. 13% of all the ballots received so far have been from people in a car handing it to staff.

Chairman Curtis, on behalf of the Board, thanked Director Perlatti, Deputy Director Kaloger and all staff for their hard work.

PUBLIC COMMENT

There was no public comment.

EXECUTIVE SESSION

There was no executive session.

Chairman Curtis moved to adjourn the meeting at 10:45 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 November 1, 2024.

Henry F Curtis, IV, Chairman

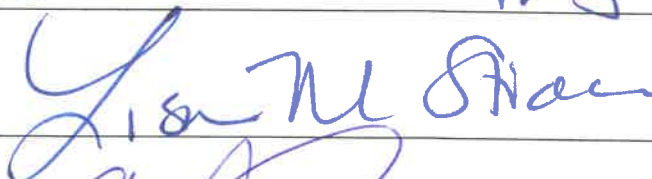


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Anthony Perlatti, Director

