

VOTE CUYAHOGA COUNTY BOARD OF ELECTIONS

Board Meeting December 10, 2024

Attending:

Henry F Curtis, IV, Chairman
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 2:00 p.m. Hereinafter referred to as the CCBOE/Board. Chairman Curtis noted that all Board Members except Member Davis Chappell were in attendance.

Chairman Curtis noted that the absence of Member Davis Chappell was excused.

Agenda Item 1: Approval of the minutes from the November 1, 2024, November 15, 2024, and November 20, 2024, Board Meetings

Member McCafferty noted that he had an excused absence for the November 15, 2024, Board Meeting and would abstain and was present for the November 20, 2024, Board Meeting.

Chairman Curtis moved to approve the minutes from the November 1, 2024, Board Meeting; Board Member McCafferty seconded. The motion passed.

Chairman Curtis moved to approve the minutes from the November 15, 2024, Board Meeting; Board Member Stickan seconded. The motion passed with one abstention by Member McCafferty.

Chairman Curtis moved to approve the minutes from the November 20, 2024, Board Meeting; Board Member McCafferty seconded. The motion passed.

Agenda Item 2: Acknowledgment of the disposal of Electronic Pollbooks

Director Perlatti stated that the CCBOE began utilizing new electronic pollbooks (EPBs) in March 2024. Staff has been unable to donate the old EPBs, which are Apple iPad Mini 2s because they do not run current software applications. The CCBOE intends to work with the County which has a contract with RET3 – an electronic equipment recycle vendor – to dispose of the old EPBs at no cost.

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

Chairman Curtis moved to acknowledge the disposal of Electronic Pollbooks; Board Member Stickan seconded. The motion passed.

Agenda Item 3: Discussion of absentee ballot for Gene Faubel from the November 5, 2024, Presidential General Election

Deputy Director Kaloger advised that several ballots received during the election required additional research. One such example was an absentee ballot from Gene Fauble. On August 29, 2024, Mr. Fauble completed and signed his vote by mail application. On September 16 the CCBOE received and processed his vote by mail application. October 8 was the first day we could mail vote by mail ballots and Mr. Fauble's ballot was part of that mailing. On October 16 the CCBOE applied the October Ohio Department of Health STEVE report that showed that Mr. Fauble died on October 6, and his registration record was subsequently cancelled. On October 21 the CCBOE received Mr. Fauble's vote by mail ballot. The signature date on the return envelope was October 4 -- two days before he passed away and four days before ballots were mailed. Mr. Fauble's vote by mail ballot was not accepted for tabulation. According to the Ohio Department of Health Report and his published obituary he passed away on October 6.

Chairman Curtis stated that the bottom line is he passed away on October 6 and ballots were not mailed until October 8, meaning he could not have signed it on October 4. Subsequently, the ballot was returned on October 21.

Member Stickan questioned whether this would be referred to the Public Integrity Division. Director Perlatti stated that this matter would be appropriate for Public Integrity to take additional steps.

Chairman Curtis moved to refer this matter to the Secretary of State Public Integrity Division; Member McCafferty seconded. The motion passed.

Deputy Director Kaloger advised that another provisional ballot was received from a voter who was deceased according to the STEVE Report. Upon further investigation it was determined that the individual is alive and in a nursing home. There was no accompanying obituary and staff verified that the person is alive. Due to this new information, the official results will be amended under the next agenda item to include this voter's provisional ballot.

Chairman Curtis clarified that the official results will be amended because information indicating that voter was deceased was received in error. Deputy Director Kaloger affirmed.

Director Perlatti explained that this situation included a matching date of birth, last four numbers of the Social Security number and first and last name. He advised that Deputy Director Kaloger reached out to the Secretary of State's office and made them aware that the report which was not generated by the Secretary of State had this error.

Deputy Director Kaloger stated that they confirmed the person was alive and are looking into whether there is a glitch in their process or it is an isolated situation. The CCBOE is awaiting their response.

Member Stickan questioned whether someone voted twice. Director Perlatti stated that the CCBOE is waiting to see if that person contacts the agency. The person voted a regular ballot in Franklin County and a provisional in Cuyahoga County within a short period of time. More information will be available by the January Board Meeting.

Member Stickan inquired whether staff contacted Franklin County regarding this voter, to which Deputy Director Kaloger replied that they did prior to rejecting the ballot.

Agenda Item 4: Certification of the Amended Official Results of the November 5, 2024, Presidential General Election

Director Perlatti stated that the Ballot Department was provided with the one additional provisional ballot and the department reran the ballots and updated the appropriate categories. There are no new automatic recounts and the individual will get voter history and we have up until 80 days from Election Day to amend results.

Brian Cleary, Manger, Ballot Department, stated that the Ballot Department adjusted the results which did not affect any outcomes. The amended results will be reflected in the record and posted once certified.

Chairman Curtis moved to approve the Certification of the Amended Official Results of the November 5, 2024, Presidential General Election; Board Member McCafferty seconded. The motion passed.

Agenda Item 5: Certification of Recounts from the November 5, 2024, Presidential General Election

Mr. Cleary advised that the Ballot Department conducted a recount of Issue 37, for which there were a total of 9,030 ballots. One precinct, which equals 629 ballots or 6.9% of the total ballots cast in that race, was randomly selected and hand-counted. The department scanned 5% of the ballots through the high-speed calculator and the results matched. Staff took the remaining 11 precincts in the contest and ran them through the scanners again and that also matched the official canvass.

The department utilized the same procedure to recount the contest for Cuyahoga County Council District 6, for which there were 72,308 ballots cast. The results matched.

Chairman Curtis moved to approve the Certification of Recounts from the November 5, 2024, Presidential General Election; Board Member McCafferty seconded. The motion passed.

Agenda Item 6: Acknowledgment of the post-election audit for the November 5, 2024, Presidential General Election will be conducted at the Board of Elections Tabulation Center, 3951 Perkins Avenue, Cleveland, Ohio 44114 beginning on December 11, 2024, at 9:30 a.m.

Director Perlatti stated the Secretary of State's office has mandated that the audit will encompass the contests for president and U.S. Senate. The third contest must be a County-wide question or candidate contest, which will be Issue 55.

Recounts are complete the date and time of the audit are now set.

Chairman Curtis moved to acknowledge the post-election audit for the November 5, 2024, Presidential General Election will be conducted at the Board of Elections Tabulation Center, 3951 Perkins Avenue, Cleveland, Ohio 44114 beginning on December 11, 2024, at 9:30 a.m.; Board Member McCafferty seconded. The motion passed.

Agenda Item 7: Acknowledgment of the Official Results of the November 5, 2024, Kids Ballots

Chairman Curtis moved to acknowledge the Official Results of the November 5, 2024, Kids Ballots; Board Member McCafferty seconded. The motion passed.

Agenda Item 8: Acknowledgment of the Early In-Person Voting PEO Performance Report from the November 5, 2024, Presidential General Election

Steve Doell, Supervisor, Candidate & Petition Services, stated that Early In-Person (EIP) voting went very smoothly. One of the challenges staff encountered was the three-sheet ballot, which led to longer wait times to print. The format of the ballot necessitated more instruction to voters regarding where to vote for Issue 1 because the text included multiple pages.

Mr. Doell indicated that the fourth week of EIP was brutal for staff because the volume of voters required poll workers to stay for 12 hours in addition to the time spent setting up in the morning and closing after everyone had voted. Some EIP staff worked over 80 hours that week.

62,922 people voted during EIP including 174 takeaways. That amount is almost 10,000 more than four years ago. He stated that there were 2,239 provisional voters, of which 402 were on Election Day who came to the CCBOE and legitimately had a registration issue. Another 800 came to the CCBOE and want vote and we would send them to their polling location. Chairman Curtis questioned whether 400 or so legitimate voters on Election Day and another 800 who appeared. Mr. Doell confirmed.

Mr. Doell pointed out that 85% of the online survey respondents gave a good or very good rating. Member McCafferty stated that he voted during EIP and gave kudos for the staff for a job well done. Chairman Curtis stated that he received overwhelmingly positive feedback and especially as it relates to ADA voters.

Director Perlatti stated that staff did an amazing job with the volume of voters. Staff routinely reported to work prior to the polls opening and stayed well after the close of the polls due to the long lines.

Chairman Curtis inquired whether EIP staff implemented any new procedures based on previous Lessons Learned meetings. Mr. Doell stated that more printers were utilized. Director Perlatti advised that each scanner had a seasonal employee to remind voters to pause between inserting sheets into the machine. Deputy Director Kaloger added that the tent in the parking lot helped pull the voter line in and keep campaigners at a reasonable distance.

Chairman Curtis moved to acknowledge the Early In-Person Voting PEO Performance Report from the November 5, 2024, Presidential General Election; Board Member McCafferty seconded. The motion passed.

Agenda Item 9: Approval of the personnel agenda

Chairman Curtis moved to approve the personnel agenda; Board Member McCafferty seconded. The motion passed.

Director Perlatti stated that as the CCBOE transitions to its future home at 1801 Superior Avenue and certain changes to staffing are necessary to best serve the agency.

The Absentee Voting Services Department (AVS) will ultimately be responsible for absentee vote by mail. When the CCBOE moves to its new building the AVS Department will absorb responsibility for EIP from the Candidate & Petition Services Department. AVS will need support staff and that operation will have the highest number of seasonal workers. The creation of these externally-posted positions is to provide more supervision for this operation.

Chairman Curtis moved to approve the positions as outlined in the personnel agenda; Board Member McCafferty seconded. The motion passed.

Chairman Curtis moved to approve a 2% Cost-of-Living Adjustment for Full-Time Employees effective December 15, 2024; Board Member McCafferty seconded. The motion passed.

NEW BUSINESS

November 5, 2024, Presidential General Election by the Numbers:

Peter James, Administration & Compliance Administrator, stated that the average of the three previous presidential elections was a 70.5% overall voter turnout. Staff expected voter turnout to be around 70% and the actual turnout was 65.7% which was lower than expected based upon the average of the past three presidential elections.

Cleveland Ward 17 had voter turnout almost 4% higher than the average of the last three elections and Seven Hills had 0.1% higher turnout. Voter turnout in Cleveland overall significantly underperformed.

Mr. James stated that 97,000 Cuyahoga County citizens that voted in 2020 and are still registered did not vote in this election, which equates to 15% of the people that voted in 2020 chose not to vote in this election.

Voter turnout in the state of Ohio was 71.7% which is 6% higher than Cuyahoga County. Cuyahoga had the third-lowest turnout percentage in the state trailing only Lawrence County at 63% and Lucas County at 63.6%. In 2020 there were eight counties that had a lower turnout than Cuyahoga. In 2016 there were 21 counties with a lower turnout percentage and in 2012 there were 47 counties.

Franklin County had a 67.3% overall turnout and Hamilton County was at 69%.

Mr. James advised that vote by mail (VBM) was down in Cuyahoga County and across the state. Staff expected about 23% of ballots be cast by VBM which would have been about 205,000 VBM ballots. The actual turnout was 166,589 or about 38,000 fewer VBM ballots than expected.

Mr. James advised that even though Cuyahoga County had a lower VBM turnout than expected, 28% of the votes cast were VBM and statewide it was 18%. 22% of VBM ballots in the state were cast by mail in 2016 and Cuyahoga County was 31% in that election. Cuyahoga County led the state with the highest VBM turnout both as a percentage and total.

Moving to Early In-Person (EIP) voting, Mr. James explained that this election had the highest turnout in that category ever. Statewide, 26% of all ballots cast came during EIP and in Cuyahoga County it was 10.7%. Even though Cuyahoga had high EIP turnout it was still well behind the Statewide average. Cuyahoga County had the lowest EIP turnout as a percentage of any county in the state. More voters chose to vote EIP than VBM during the absentee period, whereas it was the opposite in 2016. This year there was a jump from 12% Statewide voters choosing to vote EIP to 26%. This is an item to pay attention to voting patterns evolve.

Mr. James stated that on Election Day there was lower turnout than expected based on previous elections. Staff anticipated about 42% of all registered voters to vote on Election Day and the actual turnout was 40%. Statewide 55% of all ballots were cast on Election Day and in Cuyahoga County it was 61%. Cuyahoga was in the top seven counties in the state in terms of percent of votes cast on Election Day.

Turnout on Election Day during general elections can be tracked based upon check-in times through the electronic poll books. Typically there is a surge at the beginning of the morning, a dip in the middle of the day and an increase at the end of the day. During this election there was a huge surge of voters in the morning and it seemed like there might be a huge turnout. However, once the initial surge subsided it did not increase substantially.

Mr. James noted that there are 556 registered voters over the age of 100 and 209 of them voted in the election with the oldest person being 109.

Cuyahoga County had a big surge in EIP voters. 45% of people who voted in the November 2023 General Election on Election Day decided to vote EIP in November 2024. A sizeable number of voters who traditionally voted on Election Day made the choice to vote EIP.

Mr. James advised that the U.S. Census Bureau estimated that 982,700 people in Cuyahoga County meet the definition to be eligible to register to vote. The current number of registered voters in the county is 893,000, meaning there are about 89,000 people aged 18 or older that are not registered.

Concluding his report, Mr. James stated that a Facebook vote alert is a good tool which allows election administrations to send out Facebook posts that will be seen by anyone with a Facebook account in a specific region, which opens up the audience quite significantly.

Chairman Curtis and the Board thanked Mr. James for his report.

November 5, 2024, Presidential General Election Update:

Director Perlatti stated that this Friday is the last day for the Fiscal Department to pay bills and have it hit the

2024 budget.

Prosecutor Musson and Director Perlatti are working on getting a mediation date with Brian Bardwell.

Director Perlatti stated that a few suburban precincts were identified as having more than mandated by statute. John Eddie of the IS Department has provided a draft map which has rebalanced and draw precincts. The City of Strongsville has had a lot of growth and they currently they have four wards -- three of which will each gain one additional precinct. The Strongsville city council has been alerted that they do not need to take any action. Other impacted communities include Berea, North Royalton and Beachwood. In January or February 2025 those maps will be brought before the CCBOE Board to approve.

Director Perlatti indicated that no splits will be created by this process and it's possible one might be eliminated.

Member McCafferty questioned whether precincts are eliminated if they fall below a certain voter threshold. Director Perlatti advised that in 2022 staff looked what some city charters require. Some municipalities redrew their ward boundaries following the U.S. Census and through that some precincts were eliminated.

Cleveland has not yet adjusted their ward boundaries since the 2020 Census. Their ward boundaries are driven off of a population of 25,000. Per their charter if they lose precincts they lose them in two so they keep an odd number of wards. City Council began working on precinct boundaries in 2024. Their number of wards will decrease from 17 to 15. Today Council President Griffin will have press conference to release the draft maps.

Director Perlatti advised that three weeks ago he sent correspondence to Cleveland City Hall informing them of a high possibility of a County-wide May primary, which means the CCBOE needs those ward boundary changes sooner rather than later because there is little time to complete the precinct modifications before their June filing deadline. It appears that their intention is to introduce and approve legislation during their January 6 Council meeting. John Eddie is cleaning up data points in the DIMS database in anticipation of these maps and it will impact a lot of voters. Director Perlatti advised that the goal will be to provide the maps during the February Board Meeting.

The Candidate & Petition Services Department in anticipation of individuals wanting to pull petitions for the June filing deadline have a one-page document making them aware that they must get maps from the City of Cleveland until the CCBOE finishes its process. They circulate at their own risk.

Member McCafferty questioned whether there a minimum number of voters per precinct. Director Perlatti advised that there is no minimum; the CCBOE strives for between 1,100 and 1,200 voters. Some precincts have 500, depending on splits and geographic boundaries.

Concluding the report, Director Perlatti stated that the Wednesday before Thanksgiving the City of Cleveland issued a conditional building permit to the landlord of the CCBOE's future home of 1801 Superior Avenue that was negatively impacting the project. Public Works is working with the landlord who is responsible for much of the construction of the project to get a modified schedule. The landlord notified Public Works that they

would be finished with construction in the middle of March which is over a month later than expected.

The date regarding a decision on whether to move with Public Works may be pushed back one week. Director Perlatti stated that if construction is not completed until the middle of March then the CCBOE will be unable to move on time. Mike Dever, Director of Public Works, has asked the landlord to provide an expedited schedule and cost to be finished by January 31. That expedited schedule has not been received yet.

This morning, Deputy Director Kaloger and Director Perlatti took the management team to the building to get a better gauge of their new spaces. Relocation Specialists Incorporated (RSI) is under contract with the County to coordinate with the mover. RSI will meet with each department manager and assistant manager and go through how and when the department's contents will be moved.

There are many things outside of the CCBOE's control and elections are deadline-driven with no flexibility with statutory deadlines. Director Perlatti stated that the election will not be put in jeopardy to accommodate a move but he is hopeful something can be worked out.

PUBLIC COMMENT

Twon Billings, 1876 Wood Road, East Cleveland, stated that he was an East Cleveland City Councilman and there was a challenge regarding who was in council and the 8th District Court ruled that he was the legitimate councilperson. He wanted to find out where to pick up the certificate. Chairman Curtis stated that the question has been noted by the Clerks to the Board and will refer that to the appropriate department and get an answer for expeditiously.


EXECUTIVE SESSION

There was no executive session.

Chairman Curtis moved to adjourn the meeting at 3:04 p.m.; Board Member McCafferty 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 December 10, 2024.

Henry F Curtis, IV, Chairman



Inajo Davis Chappell, Board Member

-abstained-

Terence M. McCafferty, Board Member



Lisa M. Stickan, Board Member



Anthony Perlatti, Director