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August 15, 2012

Director Joseph P. Masich
Deputy Director Kimberly A. Zurz
Summit County Board of Elections
470 Grant Street
Akron, Ohio 44311-1157

Re: Tie Votes of July 10, 2012

Dear Director Masich and Deputy Director Zurz:

As you know, at the Summit County Board of Elections meeting on July 10, 2012, the Board members tied on three motions related to voting locations. Board members moved to hold in person absentee voting at: (1) the Summit County Board of Elections; (2) a former HHGregg location on Buchholzer Blvd; and (3) the Akron Beacon Journal.

Under Ohio Revised Code 3501.11(X), in all cases of a tie vote or a disagreement in the Board, if no decision can be arrived at, the director or chairperson shall submit the matter in controversy, not later than 14 days after the tie vote or the disagreement, to me to decide the question. On July 24, 2012, my office received material from Summit County regarding the tie votes.

Neither side in this controversy proposed genuine off-site solutions. The Akron Beacon Journal building, while a well-known and centrally located facility, would pose difficulty for large numbers of people entering through a single entrance to access the building's second floor through a common staircase or small elevator. The HHGregg facility, however, while spacious, seems to be more appealing for its accessibility for electioneers than voters, creating a voting sideshow. It is inadequate for many of the same reasons HHGregg chose to close its doors: the security of the site and its broad access and public appeal are inadequate.

The Summit County Board of Elections has a large building with ample unallocated or flexible-use space that can easily be repurposed to accommodate in person absentee voting. The building has approximately 85 parking spaces with 3 handicap designated spaces. Should the Board have concerns about parking, there are several nearby lots with which the Board could contract to provide additional voter and/or staff parking. Onsite in-person absentee voting relieves the Board of having to transport ballots. The office's existing 30 cameras provide the necessary security that would have to be duplicated at additional cost at either offsite location.

I, therefore, break the tie in favor of the Summit County Board of Elections as the in-person voting location for the 2012 General Election and against the other two motions regarding other locations for in-person voting.

Sincerely,



Jon Husted

Cc: Summit County Board Members