



**Jon Husted**  
Ohio Secretary of State

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February 29, 2012

Deputy Director Daniel DeAngelis  
Lucas County Board of Elections  
One Government Center, Suite 300  
Toledo, Ohio 43604

Re: Tie Votes of February 14, 2012

Dear Deputy Director DeAngelis:

As you know, at the Lucas County Board of Elections meeting on February 14, 2012, the board members tied on five motions: (1) to hire Meghan Gallagher as Director; (2) to terminate Dan DeAngelis; (3) to hire LeVera Scott as Deputy Director; (4) to terminate Michelle Dudley; and (5) to have regularly scheduled board of elections meetings twice a month that can only be canceled with agreement of three board members.

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 fourteen days after the tie vote or the disagreement, to the Secretary of State, who shall summarily decide the question, and the Secretary of State's decision shall be final. On February 28, 2012, the Secretary of State's Office received material from Lucas County regarding the five tie votes.

**Tie Votes Regarding Meghan Gallagher, Dan DeAngelis, LaVera Scott, and Michelle Dudley**

Apparently the Lucas County Board of Elections members cannot agree on the staffing for the crucial positions of Director, Deputy Director or IT Director. With the presidential primary election less than a week away, I must ensure that the Lucas County Board of Elections has sufficient staff to complete the important tasks on Election Day and the weeks thereafter. The Board of Elections must begin the official canvass of election results between March 17, 2012 and March 21, 2012, and must complete the official canvass no later than March 27, 2012.

Because there is not enough time to resolve the staffing issues before the presidential primary election, I break the tie in favor of hiring Meghan Gallagher as Director, and against firing Dan DeAngelis and Michelle Dudley, *but only for the temporary time period between now and March 27, 2012*. I will not decide the tie vote regarding LaVera Scott until March 27, 2012.

I hope that the board members can resolve their staffing issues at their reorganization meeting on March 2, 2012, though I am afraid that based on the prior actions of the board, such resolution is

unlikely. If the staffing issues are not resolved at the March 2, 2012 reorganization meeting, I will decide how to resolve those staffing issues on a permanent basis. Additionally, if the board continues to act in a partisan, dysfunctional manner, I will send in an investigator to conduct depositions of the board members and staff and to recommend how to resolve the constant conflicts.

Any personnel changes between the issuance of this letter and March 27 must have prior approval from my office.

**Tie Vote Regarding Holding Regularly Scheduled Board of Elections Meetings**

The board members and staff have similarly been unable to resolve scheduling board meetings and setting agendas for those meetings. To resolve those issues, I break the tie in favor of the motion for the Lucas County Board of Elections to have two regularly scheduled board meetings a month that can only be canceled with the agreement of three board members. I suggest that the meetings have fixed agendas containing items to be discussed at every board meeting, i.e. upcoming elections, personnel, budgeting, etc. I hope these regularly scheduled meetings will force the board members and staff to communicate with each other and to focus on conducting fair and efficient elections for the citizens of Lucas County.

Sincerely,



Jon Husted

Cc: Lucas County Board Members