

NEWS

QUESTIONS OR COMMENTS? Contact Jason Jump at (620) 896-7311 or email jjump@atticaindependent.com

LOCAL OFFICER RECALL PROCEDURE (sedgwickcounty.org/media/30003/ks_recall_petition.pdf)

1. Form a recall committee of three registered electors of the election district
 2. Prepare a recall petition using Form RP – Recall Petition; the recall committee is strongly urged to seek legal counsel in preparing the petition. Include on each page of a petition for recall of a local officer:
 - a. Name and Office of local officer to be recalled
 - b. Grounds for Recall described in particular in not more than 200 words.Grounds for recall are: conviction of a felony, misconduct in office or failure to perform duties prescribed by law. “Misconduct in office” means a violation of law by the officer that impacts the officer’s ability to perform the official duties of the office.
 - c. A Statement that the petitioners are registered electors of the election district of the local officer sought to be recalled.
 - d. Names and Addresses of the three registered electors of the election district of the officer sought to be recalled who comprise the recall committee
 - e. A Statement of Warning that any person who signs a name other than that person’s own name to a petition for recall of a local officer, or who knowingly signs more than once for the same proposition at one election, or who signs the petition knowing he or she is not a registered elector is guilty of a class B misdemeanor
 - f. A Statement that a list of all sponsors authorized to circulate the recall petitions may be examined in the office of the county election officer.
3. File a copy of the petition with the County Election Officer
 - a. A petition may not be filed during the first 120 days or the last 180 days of a person’s term of office
 - b. The copy of the petition filed must be signed by the members of the recall committee in the presence of the County Election Officer
 - c. File a list of all sponsors authorized to circulate the recall petitions along with the copy of the petition
 - d. Upon request, the County Election Officer shall notify the recall committee of the official number of votes cast for all candidates for the office of the local officer sought to be recalled, such percentage to be based upon the last general election for the current term of office of the officer sought to be recalled
 4. County Election Officer transmits the copy of the petition to the district attorney to determine sufficiency of the grounds for recall and the format of the petition.
- The district attorney has five days to make

- the determination and notify the county election officer and the recall committee. An “insufficient” determination shall include whether:
- a. The facts do not support the grounds for recall as stated in the petition for recall;
 - b. The petition is not substantially in the required form;
 - c. The petition was filed during the first 120 days ... or within less than 180 days of the termination of the term of office of the officer sought to be recalled;
 - d. The person named in the petition is not a local officer;
 - e. There is an insufficient number of required signatures of any kind;
 - f. The local officer sought to be recalled has been or is being subjected to another recall election during such officer’s current term of office; or
 - g. The application does not conform to any other requirement of the recall act.
5. Upon receiving notice that a petition is sufficient, the petition may be circulated.
 - a. The number of signatures required is not less than 40% of the total votes cast for all candidates for the office of the local officer sought to be recalled at the last general election for the current term of office of the local officer to be recalled, divided by the number of people elected
 - b. The petition must be circulated in person by a sponsor and only in the election district where the sponsor resides
 - c. The petition cannot be circulated in more than one county
 - d. The names must be signed in ink
 - e. A person who signed the petition may withdraw his or her name by giving written notice to the county election officer before the final petition is filed
 - f. Each sponsor must complete a notarized Affidavit and attach it to the petition pages the sponsor circulated before filing the final petition; the Affidavit is on second page of the Recall Petition form File the final petition with the County Election Officer. The necessary signatures of registered voters must be secured and filed within 90 days from the date the recall committee receives the determination from the county attorney
 - b. Within 30 days of receiving the petition the County Election Officer will review the petition and notify the recall committee and the local officer if the petition was properly or improperly filed, including having a sufficient number of valid signatures
 7. The election will be held between 60 and 90 days after notification that enough signatures were on the petition

- a. Within ten days of the notification, the officer sought to be recalled may make a statement of not more than 200 words in justification of his or her conduct, which will be maintained in the Election Office for public inspection.
 - b. The wording of the ballot question will be: “Shall (name of official) be recalled from the office of _____?”. Provision shall be made for marking the question “Yes” or “No.”
 - c. If the officer is recalled, the office will be vacant the day after the date the election is certified by the county board of canvassers. The vacancy in office will be filled in the same way that a vacancy caused by other reasons is filled. The person who was recalled is not eligible to be appointed to fill the vacancy
8. Monies received and/or expended in consideration of a recall effort must be reported pursuant to K.S.A. 25-901: 25-901: Election campaign finance in cities, unified school districts, community colleges and townships; organizations promoting or opposing candidates or propositions to have treasurer and keep accounts of receipts and expenditures; filing of annual statements; contents; time of filing; state political party committee accounts, audited. Every committee, club, organization, municipality or association designed to promote or engaged in promoting the success or defeat of any party or the election or defeat of any candidate or candidates for any city of the second and third class, unified school district, except unified school districts having 35,000 or more pupils regularly enrolled in the preceding school year any community college or township office, or the adoption or defeat of any question submitted at any city, unified school district, community college, township or county election, shall have a treasurer, and shall cause to be kept a detailed account of all moneys or property or other thing of value received by it, and of the manner in which the same shall be expended; and shall file annually with the county election officer of the county in which such committee, club, organization or association has its headquarters a statement of all its receipts and expenditures, showing in detail from whom such moneys or property or other thing of value were received, to whom such moneys or property or other thing of value were paid, for what specific purposes each payment was made, and the exact nature of the service rendered in consideration thereof. The annual statement herein required shall be filed on or before December 31, such statement shall cover the period ending on December 1 immediately preceding...

NEWS BRIEFS

COUNTY PUBLIC TRANSPORTATION AVAILABLE

The Public Transportation Service assists all Harper County residents of any age to stay independent with transportation to work, medical appointments, shopping, errands, Patterson Health Center and locations less than 70 miles. Hours of operation are 8:30 a.m. to 4:30 pm, Monday through Friday. Every county resident can ride with public transit regardless of age or mobility. Equal access is provided to the public. Call (620) 842-5104 for reservations and rates. First come, first served. Advance reservations are recommended.

TEFAP FOOD COMMODITIES AVAILABLE JULY 10

TEFAP food commodities will be available to pick up Thursday, July 10 from 8:30 am to noon at Harper County Courthouse, located at 201 N. Jennings. Park on the west side of the courthouse. Food is first come, first served and new income guidelines apply. Proxy forms are available if you have someone else picking up a box for your household. Single household maximum gross income is \$2,413. Commodities are available for all Harper County households who meet income guideline regardless of age. This institution is an equal opportunity program. For seniors specifically, additional food commodities are available through Wichita’s United Methodist Open Door and picked up at Anthony United Methodist Church. The Commodity Supplemental Food Program is the monthly food-box program for items provided by the USDA and distributed to income-eligible people 60 years of age and older. Open Door’s program is available in 11 Kansas counties: Butler, Chautauqua, Cowley, Harper, Harvey, Kingman, Pratt, Reno, Sedgwick, Stafford and Sumner. This is a monthly food-box program for income-eligible elders age 60 and older. This program’s food is provided by the USDA through the state of Kansas and may include such items as canned juice, fruit, vegetables, milk and meat, peanut butter or dry beans, cereal, macaroni or rice and two pounds of cheese for each family member who qualifies by age and income. Applications are available in the Harper County Department on Aging, located on the first floor of courthouse or online at umopendoor.org. Contact the DOA at (620) 842-5104 for more information.

ATTICA SENIOR MEALS

- June 30:** Taco bake, brussel sprouts, fruit, cookie and milk
- July 1:** Breaded chicken sandwich, fried potatoes, cucumber salad, and milk
- July 2:** Smoked pork, baked beans, spinach salad, roll, fruit and milk
- July 3:** Beef stroganoff, tossed salad, fruit, brownie, milk
- July 4:** Closed for July 4th holiday
- Please order/cancel by 1 p.m. the day prior. Call (620) 254-7371 for reservations.

COUNTY

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on Sunday asking that exact question.

“He (the caller) said you’ve got to do something. This can not continue like this,” the District 3 commissioner said of the phone call.

Waldschmidt said the only thing the commissioners can do is control the budget of Martin’s department. He said he was about ready to look at that option.

“I’m already there,” Struble said. “I’m done. I’m done.

“That was a 180 days – 180 days and we couldn’t do nothing in 180 days?”

Waldschmidt said one of the worst things to think about was that Martin earlier in the year told commissioners and law enforcement that things were okay and getting better in his department.

“I think all of us are at our limit,” McCurley said. “We’re done with the whole situation. We’re done talking about it. Done being told that things are taken care of – things are getting better.

“Something’s got to give. If the only thing we can do is (change your) salary, then that’s where we’re at. It’s unacceptable. We have to do what we can do to show the county – our communi-

ty – we know that there’s an issue and to be done with it.”

Struble said the commissioners were not the only ones frustrated. He said law enforcement is still frustrated as well.

McCurley said this hasn’t been an isolated incident.

“This is it. The buck stops here,” she said. “(There have been) multiple issues. (There have been) multiple complaints from staff in the building, from citizens.”

Martin also addressed the other issue Struble brought up. He said he did not know what happened as to why he didn’t show up for the hearings. The county attorney said it could have been due to a doctor’s appointment.

“I’m not sure. I’d have to look,” he said.

Martin said the hearings were standard motions and the state didn’t have any objections whether he was present or not.

“But anyway, I’m here to discuss the budget,” the county attorney said.

Waldschmidt asked what would happen if an employee didn’t show up for work in the private sector.

“Any other (county) employee, if they were not elected, would have been let go,” McCurley said. “And we don’t have that option (to fire the county attorney)

so then all we have is his salary.”

“I’m finished,” Waldschmidt said.

“Well ya’ll have a wonderful day,” Martin said as he got up to leave. “Well, if you guys actually want to have a conversation about how things actually work feel free to reach out.”

Martin, before he left, said he wanted to caution the commissioners that any “changes to the salary could result in not having a county attorney.”

“I’d rather go without at this point,” McCurley said.

Struble said the board would have to cross that bridge when it gets to it.

“I wouldn’t mind seeing you two please,” Martin said gruffly to Anthony Police Chief Kenny Hodson and

Harper County Sheriff Tracy Chance as he walked out of the room.

Another Option

While the county commission is limited to dealing only with the budget of elected officials, the board wanted residents to know they have the power to do more if they so choose.

In the state of Kansas an elected official can be removed from office by the electors of the county.

“The recall of a local officer is proposed by filing a petition with the county election officer of the county in which all or the greater part of the population of the election district of the local officer is located,” according to Article 43 of a 2019 state statute.

Wishing all the Harper County farmers a safe harvest season!



Anthony
Farmers
Cooperative

518 W. Main
Anthony, KS
620.842.3703

Locations In:
Anthony • Harper • Attica
Sharon • Duquoin
Shook • Spring

PROFESSIONAL DIRECTORY

To make changes to your professional directory call Jason Jump at (620) 896-7311 or email jjump@atticaindependent.com.

HOSPITALS

Patterson Health Center
485 N KS HWY 2
Anthony, KS 67003
620-914-1200
www.Pattersonhlc.org
24-7 Emergency Department
Inpatient Skilled Care

CLINIC SERVICES
• Telehealth Visits and Traditional Office Visits
• Preventative Health Care
• Annual Wellness Visits
• Sports Physicals • Immunizations
• Woman’s/Men’s Health
• Pediatric care • Routine Check-up
• Chronic Disease Management
• COPD • Diabetes • CHF
• Stroke • Arthritis
• Blood Pressure • Asthma
• Occupational Medicine
• DOT-Certified Exams
• Preemployment Physicals
• Blood Alcohol Testing • EKGs
• Workers’ Comp Assessments
• Drug Screens • Wound Care
• 3D Mammography

Outpatient Rehabilitation Services
• Cardiopulmonary Rehabilitation
• Physical Therapy
• Occupational Therapy
• Speech Therapy • Aquatic Therapy
• Counseling Services (youth/adult/seniors)
• Senior Adult Group Counseling
Specialty Clinic Services
• Cardiology • Podiatry
• Hematology/Oncology
• OB/GYN • Orthopedic
• General Surgery • Urology • MRI

CLINICS

Attica Rural Health Clinic
302 N Botkin St
Attica, KS
620-254-7272
Mondays 7 a.m. - 4 p.m.

ENTERTAINMENT

Main Street Golf and The Putting Room
Located at 907 Central in Harper – inside the Harper Advocate building.

• Indoor Golf Play & Practice
• Indoor Putting Practice
• Swing/Putting Lessons
• Speed Swing Training

Call or text (316) 226-0719 for tee times.

The Attica
Independent
Independent and unbiased pursuit of the truth in Attica and Harper County.

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