

Citizens of Bourbon County,

I was elected Bourbon County Clerk and started my official capacity on January 13, 2025. I am saddened that I am writing this notice due to the most recent vote of no confidence by some of the Republican committeemen and women regarding my job performance in the 2025 election as well as the most recent recall petition being circulated for the same. I am encouraged the following details surrounding the 2025 election will help clarify any misstatement of facts that can be proven. I do not dispute that a mistake took place as noted in the press release, I made on the evening of November 3, 2025.

According to K.S.A. 25-604, the same statute that the petition circulating to recall me, item (c) states “If any mistakes are discovered they shall be corrected without delay”. I wish I had been alerted earlier during early voting but the notification to myself as documented in a recorded phone call happened right before 12:00 PM on November 3, 2025, with a citizen.

The sequence of events on November 3, 2025, are as follows. I received a call from a citizen right before early voting stopped at noon explaining they thought the USD 235 ballots were incorrect and that they had always voted for every position in the past. At the time, I thought we had prepared the ballots correctly as they were certified to us by USD 235 by email that they had three open positions seats. I explained to the citizen that I thought they were correct since they were by position seat and that possibly it had been done incorrectly in the past. This conversation prompted me to pause and contact the previous clerk to help me research how USD 235 elections had been handled in the past. She explained to me about the different voting plans and I could not locate any documentation that would provide me with what voting plan USD 235 used as they had only certified that they had three open position seats.

The ballots were built on voting plan C when voting plan B should have been used and will be discussed further in this notice. These are the different voting plan options for school districts per K.S.A. 25-2005.

- Voting Plan A: Board members are voted on at large in both the primary and the general elections.

- Voting Plan B: Board members are voted by member districts in the primary and elected at large in the general election, and
- Voting Plan C: Board members are voted on by member district in both the primary and the general elections.

On November 3rd around 12:30 PM I contacted Vance Eden, Superintendent for USD 235 to explain the complaint we received about the ballots for USD 235. This call can be verified from the recorded conversation through our phone system. I asked him what voting plan USD 235 used. He wasn't sure what I was referring to so I explained the different plans that a school could use. I asked if he had a resolution that he could provide me with, that would indicate what plan they use. He said he would need to get back with me. Superintendent Eden said there was a lot of confusion the last time people voted also but he did not expand on what that confusion centered around.

I then contacted the Secretary of State to determine how I needed to handle the issue if in fact the wrong voting plan was used. I was instructed to have the district tell me what plan should have been used and if wrong, I should correct the ballots as soon as possible. I was also encouraged to call all mail in advance voters and offer them new ballots. I asked if early voters could cast new ballots and was advised the law did not allow for those who had voted during early voting to cast new ballots. There were 52 early voters who were not given the opportunity to vote on the corrected ballots.

Superintendent Eden contacted my office, and the previous clerk spoke with him, and he explained they couldn't find any resolution in their office, and he said he would contact KASB and he stated the previous Board Clerk told him she was confident it was Plan B they followed. Mr. Eden called back a third time and spoke to me and told me that he was fairly certain they used Plan B. I asked him to please forward any resolution if he was able to locate one for future elections.

The Deputy Clerk immediately started working with the county's election vendor, Clear Ballot, to set up an entirely new election in our election software as we were unable to change the current election since people had completed early voting. Setting up an election generally takes two to three weeks due to several different ballot styles. The

Deputy Clerk was able to get this done in a few hours on the afternoon of November 3, 2025.

I reported back to the Secretary of State that we needed to reprint roughly 2,600 ballots and that we would have to set up a new election for just USD 235 voting residents. I explained we had 52 early voters, and we would try to reach out to them and let them know what had happened if time permitted. He noted that the best thing that could happen is that there would be a wide margin in the results and to contact him after the election if there was not a large margin. No further discussion took place with the Secretary of State due to the final election result spread not having a large margin.

Advance mail in voters had the opportunity to revote as their envelopes were still sealed and I could have them come in and vote on a new ballot or take a ballot to them to revote giving them back their original ballot. I reached out to as many advanced mail in ballot residents to see if they wanted to revote. Six individuals took my call and the calls are recorded. I went to two residents to hand deliver a new ballot and return their original since they had not been opened yet – the remaining residents either could not be reached by phone or were satisfied with how they voted as noted on our calling list.

At 3:00 PM on 11/3/25, we had our election school for poll workers, and I explained the ballot situation and how we were correcting the issues. I also explained that the only resolution for USD 235 would be to run a separate election and combine the results at the end resulting in two voting machines being necessary at their polling location and that I would hand deliver the ballots in the morning for chain of custody security purposes.

That evening at 6:45 PM I sent out a press release to all media outlets regarding the ballot situation. The press release read as follows:

November 3, 2025

FOR IMMEDIATE RELEASE

To: Bourbon County Residents Residing in the U235 School District

From: Susan E. Walker, County Clerk/Election Officer

This media release is for Bourbon County residents residing in the USD 235 School District area only. School district boards are required by law to run their elections by selecting a voting plan. Voting plan C was used to build the ballots for early voting which only listed precinct nominations. Voting Plan B should have been used which would include all USD 235 seats for residents to cast their vote. This error has been corrected and new ballots have been created with all board member seats listed on each ballot for election day. I am dedicated to operating honest, fair, and just elections in Bourbon County and I appreciate your understanding as we move forward. Please contact me with any questions or concerns.

Seakan Printing was contacted to provide the proper ballot paper and the deputy clerk and I started printing the 2,600 new ballots ensuring they were bundled properly by precinct until about 1:00 AM on November 4, 2025.

On election day, November 4, 2025, I met the poll workers at Uniontown City Hall around 6 AM to further go into detail on how to handle the USD 235 voters and which machine they would need to put their ballots through. An additional voting machine was taken to the polling place to accommodate the new ballot styles.

Due to running two elections in our voting software, our office worked from 6 AM on 11/4/26 to 7 AM on 11/05/26 (25 hours straight) as we had to combine results into one election. Unofficial results were posted and we carefully examined the U235 outcomes. These results were as follows:

USD 235 Position 4 (Vote for 1)	Brian Ray Stewart	267
USD 235 Position 4 (Vote for 1)	[Write-in] Jeff Reed	8
USD 235 Position 4 (Vote for 1)	[Write-in] Wes Warren	8
USD 235 Position 4 (Vote for 1)	[Write-in] Brock Shelton	3
USD 235 Position 4 (Vote for 1)	[Write-in] Clint Johnson	2
USD 235 Position 4 (Vote for 1)	[Write-in] Doug Coyan	2
USD 235 Position 4 (Vote for 1)	[Write-in] Chad McKinnis	1
USD 235 Position 4 (Vote for 1)	[Write-in] Dale Griffiths	1
USD 235 Position 4 (Vote for 1)	[Write-in] Blank	1
USD 235 Position 4 (Vote for 1)	[Write-in] Johnny K. Speer Sr	1
USD 235 Position 4 (Vote for 1)	[Write-in] Megan Stewart	1
USD 235 Position 4 (Vote for 1)	[Write-in] Mickey Mouse	1
USD 235 Position 4 (Vote for 1)	[Write-in] Pamela K. Speer	1
USD 235 Position 4 (Vote for 1)	[Write-in] Pamela Speer	1
USD 235 Position 4 (Vote for 1)	[Write-in] Schotze Griffiths	1
USD 235 Position 4 (Vote for 1)	[Write-in] Terry Nading	1
USD 235 Position 4 (Vote for 1)	[Write-in] Tony Bradbury	1
USD 235 Position 4 (Vote for 1)	[Write-in] Wess Warren	1
USD 235 Position 5 (Vote for 1)	Mike Mason	184
USD 235 Position 5 (Vote for 1)	Edward Ramsey	51
USD 235 Position 5 (Vote for 1)	[Write-in] Wes Warren	91
USD 235 Position 5 (Vote for 1)	[Write-in] Wess Warren	2
USD 235 Position 5 (Vote for 1)	[Write-in] Anyone but Mike	1
USD 235 Position 5 (Vote for 1)	[Write-in] Brent Smith	1
USD 235 Position 5 (Vote for 1)	[Write-in] Bugs George	1
USD 235 Position 5 (Vote for 1)	[Write-in] Blank	1
USD 235 Position 5 (Vote for 1)	[Write-in] Jamie Holeman	1
USD 235 Position 5 (Vote for 1)	[Write-in] West Warren	1
USD 235 Position 6 (Vote for 1)	Kolby Stock	200
USD 235 Position 6 (Vote for 1)	Kyle Knight	77
USD 235 Position 6 (Vote for 1)	Brent M. Smith	58
USD 235 Position 6 (Vote for 1)	[Write-in] Wes Warren	6

There were 52 early voters and 412 votes cast in the U235 race. There were not any complaints expressed during canvassing for final results to me. Official results after the canvassing board met are as follows:

Bourbon County City School 2025 General Election

November 4, 2025 Final Results

Total Ballots Cast 2,262

All precincts, all districts, all counter groups, all scan stations, all contests, all boxes condensed write-ins

Contest	Choice	Votes	% of Votes Cast
Uniontown Mayor (Vote for 1)	[Write-in] Jess Ervin	3	10.00%
Uniontown Mayor (Vote for 1)	[Write-in] Richard Allen	3	10.00%
Uniontown Mayor (Vote for 1)	[Write-in] Doug Workman	2	6.67%
Uniontown Mayor (Vote for 1)	Write-in	3	10.00%
Total Votes Cast		30	100.00%
USD 234 Board Member At-Large (Vote for 5)	Nick Barrows	1,164	22.07%
USD 234 Board Member At-Large (Vote for 5)	David J. Stewart	1,100	20.86%
USD 234 Board Member At-Large (Vote for 5)	Mike Miles	860	16.31%
USD 234 Board Member At-Large (Vote for 5)	Rory Chaplin	856	16.23%
USD 234 Board Member At-Large (Vote for 5)	Phil Jackson	803	15.23%
USD 234 Board Member At-Large (Vote for 5)	Robert Harrington	429	8.14%
USD 234 Board Member At-Large (Vote for 5)	Write-in	61	1.16%
Total Votes Cast		5,273	100.00%
USD 235 Position 4 (Vote for 1)	Brian Ray Stewart	272	88.03%
USD 235 Position 4 (Vote for 1)	Write-in	37	11.97%
Total Votes Cast		309	100.00%
USD 235 Position 5 (Vote for 1)	Mike Mason	191	55.85%
USD 235 Position 5 (Vote for 1)	Edward Ramsey	51	14.91%
USD 235 Position 5 (Vote for 1)	[Write-in] Wes Warren	95	27.78%
USD 235 Position 5 (Vote for 1)	Write-in	5	1.46%
Total Votes Cast		342	100.00%
USD 235 Position 6 (Vote for 1)	Kolby Stock	205	58.57%
USD 235 Position 6 (Vote for 1)	Kyle Knight	78	22.29%
USD 235 Position 6 (Vote for 1)	Brent M. Smith	61	17.43%
USD 235 Position 6 (Vote for 1)	[Write-in] Wes Warren	6	1.71%
Total Votes Cast		350	100.00%
USD 248 Position 6 (Vote for 1)	Kelly Peak	0	100.00%
Total Votes Cast		0	100.00%
USD 346 Position 6 (Vote for 1)	Ketturah "Kitty" Rhynerson	14	100.00%
Total Votes Cast		14	100.00%

Approved by the Board of Canvassers on the 18 day of November, 2025.



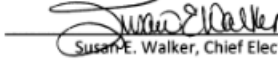
 David Beerbower, Chairman of the Board



 Samuel Tran, County Commissioner



 Amber Page, Deputy Election Clerk



 Susan E. Walker, Chief Election Officer



Chapter III. Canvassing for election standards explains the canvassing process.

“The canvassing process includes counting ballots, tabulating votes by election district and certifying the results of all official primary and general elections and question submitted elections held pursuant to federal or state law. It is the process which produces official election results, whether it is the official number of valid votes cast for each candidate for each elected office, or the official number of valid Yes and No votes cast on

an issue in a question submitted election. For local elections, there are always two canvasses: the original canvass and the final canvass. Canvassing begins with the counting of ballots on election night and culminates with the county canvass or the state canvass, depending on the election.”

Final Canvass

In local elections for which the county board of canvassers conducts the final canvass, the certified results are official and final. They may not be changed except: (1) by court order as the result of an election contest in a general election, or (2) as the result of an objection to a primary nomination.

No Authority to Order a Re-vote

The principal duty of the board of county canvassers is to “do what is necessary to obtain an accurate and just canvass of the election” and to certify its “authenticity and accuracy.” [KSA 25-3107(a)] In some situations the board may conclude that it is unable to accomplish this due to inaccuracies resulting from ballot distribution errors, uncertainty over voter intent, and the like. There is, however, no statutory authority granted to the board of county canvassers to order a re-vote. [AG Opinion 2012-31].

This opinion reinforced a decision by the state board of canvassers in a 2012 election in which a county board of canvassers had ordered a partial re-vote in a race involving a Kansas House of Representatives District. The county certified two sets of vote totals to the state—the totals from the initial canvass and the totals from the re-vote. The state board of canvassers rejected the totals from the re-vote and accepted the original figures.

Election Contests

An election contest, along with a recount, is one of the two statutory remedies whereby a candidate or voter may cause the results of an election to be reviewed. [KSA 25-1435]. A contest is a district court proceeding, in which a wide range of issues may be reviewed.

1. Grounds for Filing an Election Contest

- (1) the contestee is ineligible to hold the office
- (2) one or more eligible voters were deprived of the right to vote, and their votes could have changed the outcome of the election
- (3) illegal votes were received, or legal votes were rejected, and the votes in question could have changed the outcome of the election
- (4) errors or fraud occurred in computing the results of the election which could change the outcome of the election
- (5) the contestee bribed an election officer Kansas Election Standards III - 26
- (6) any other cause showing that a different candidate should have won or that the results of a question submitted election should have been different.

Note: These grounds are specified in the statutes governing contests, and they are also the grounds for filing objections to nominations. (See Section IV d.) [KSA 25-1436, 25-308(e)]

What Elections may be Contested

Election contests are allowed for any

- (1) official state or local question submitted election or
- (2) general election for state, county, township, city offices, and school offices.

Contests are not allowed for

- (1) local jurisdictions not listed above;
- (2) for elections of federal officers: presidential/vice presidential electors, U.S. Representative or U.S. Senator. [KSA 25-1435], or
- (3) for primary elections; the prescribed method of reviewing the outcome of a primary is an objection (See Section IV d.). [KSA 25-1434, 25-308]

Who may file an Election Contest

Any registered voter who was eligible to vote in the election may file a contest. [KSA 25-1435] The person who files a contest is called the contestant. The candidate whose election is being contested is called the contestee. [KSA 25-1437]

When to file an Election Contest

The deadline to file a contest of a candidate election is five days after the certificate of election is issued. The term “issued” is construed as “mailed” because mailing is the most common method of transmitting certificates to winning candidates. [KSA 25-1439] The deadline to file a contest in a question submitted election is five days after certification of the results, or, in the case of statewide questions, five days after the certified results are published in the Kansas Register. [KSA 25-1440]

Procedure for an Election Contest

The contestant must file a written notice of contest specifying the grounds upon which the contest is based. [KSA 25-1437] Once a contest is filed, it is in the hands of the court and there is little the CEO or anyone else can do to affect the outcome except respond promptly to court requests for information pertaining to the case.

In contests of state legislative offices and statewide question submitted elections, statutes provide specific rules regarding notice of the contest, answers to notices of contest, court proceedings, and appeals of court decisions. [KSA 25-1439, 25-1440]

Election officers should note that the law specifically allows a party to a contest to request permission to inspect all ballots and voting machines. [KSA 25-1447] In making its final determination, the court may order a new election, affirm the election of the contestee, or revoke the election certificate of the contestee and order the election officer to issue a new certificate to another candidate. In a question submitted election, the court issues an order stating its findings. The county board(s) of canvassers is not required to recertify election results after a contest; the court’s ruling becomes the official results. Note: KSA 19-3424(a)(5), a statute which applies only to election commissioners (Johnson, Sedgwick, Shawnee and Wyandotte counties), states that the election commissioner serves as the clerk of the court for contested elections in county and local races. The statute directs contestants to file their contests with the election commissioner. It is unclear if this statute has ever been used, and questions on its interpretation and application should be directed to the county/district attorney or counselor.

Costs of an Election Contest

The court has the authority to waive the costs, but costs also may be assessed against the contestant if the results of the election do not change as a result of the contest. The contestee may be assessed costs if found responsible for any actions specified in the grounds for contest. [KSA 25-1452, AG Opinion 95-66

Cited: <https://www.sos.ks.gov/elections/election-standards/Kansas-Election-Standards-Chapter-III-Canvassing.pdf>

In closing, the recall petition states I did not act promptly to correct the issue in a timely manner. I refute this statement.

My staff and I did respond promptly and fixed the issue as quickly as we could before election day on November 4, 2025. Furthermore, I took extra steps to pull and review two weeks of phone calls for every employee in my office and there was not a single complaint made to our office during that period. The only complaint I received was on 11/3/25 ten minutes before early voting ended. Thankfully, that citizen did his civic duty and contacted me with this concern. No other citizen directly contacted me about any concerns.

The petition also states that the ballots had been printed from official forms provided by the school district. This statement was later contradicted by testimony of the superintendent of USD 235.

The information provided by the school district did not provide the voting plan as demonstrated in the email sent to my office which is what is used for ballot preparation. K.S.A. 25-2017(a) states the clerk of the board of education of every school district shall certify to the county election officer of the home county of the school district a list of all school offices to be voted upon at each school election, any boundary changes of member districts since the last preceding election and the voting plan to be used as defined in K.S.A. [25-2005](#), and amendments thereto, not later than May 1 of each odd-numbered year. A copy of the above information shall

be furnished to the county election officer of every county in which a part of the territory of the school district is located.

I completed a KORA request on the Sponsors and Circulators of Voting History to see if they voted during the General Election in 2025.

The sponsors of the petition voting history for the General Election 2025:

- Kyle Parks – voted during early voting
- Lyle “Pete” Owenby – voted on election day
- Kevin Wagner – Did not vote

Those carrying the petition who did not vote in the General Election 2025 and are circulators of the petition:

- Patricia Love
- Tony Bradbury
- Rachel Wagner
- Joshua Jones
- Aaron Judy

I am very sympathetic and apologetic to the 52 early voters in the USD 235 school district who were not provided with the correct ballot due to the mistake on the voting plan used for the ballots and were unable to cast a new vote.

I want to thank the previous clerk for her assistance, and the deputy clerk for fixing the mistake as quickly as she did.

Our intent is always to run a fair and just election and correct any human errors made as quickly as possible, and in this particular instance we did. I trust the citizens of Bourbon County will determine their signing of any petition based on all the facts provided not personal vendettas and conjecture.

I have served this community for over twenty years in several governmental positions, committees, and civic services. Bourbon County Citizens I respectfully ask to please evaluate the facts and if you have questions about me or my office, please reach out to us at 620.223.3800 x 191.