



Office of the District Attorney  
18<sup>th</sup> Judicial District of Kansas

For Immediate Release  
December 20, 2007

District Attorney Nola Foulston announces the results of an investigation into an allegation that the City of Wichita's Board of Appeals for Plumbers and Gas Fitters (the Board) violated provisions of the Kansas Open Meetings Act (KOMA) during a regularly scheduled meeting on August 22, 2007. The investigation has culminated in the filing of a consent judgment in the Eighteenth Judicial District Court finding that the City of Wichita violated two separate provisions of KOMA.

The Court found that the City violated K.S.A. 2006 Supp. 75-4319(a) when the Board moved to adjourn into executive session without stating the justification for the closed meeting or the subjects to be discussed. The Court further found that the City violated K.S.A. 2006 Supp. 75-4329(b) because the subjects discussed during the closed session were not subjects lawfully authorized for discussion under KOMA.

Since the time of the violations, the City has undertaken several remedial measures to prevent the occurrence of future violations of KOMA including improved training of board members on KOMA requirements, drafting of procedural rules for the operation of the board, and the attendance of City legal staff at Board meetings.

Under the terms of the judgment, the City is required to pay a \$100 fine and costs of the action by January 15, 2008.

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*18<sup>th</sup> Judicial District of Kansas*