

# Information Network of Kansas Board Meeting Minutes

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## June 2021 INK Board Meeting June 3, 2021

### Opening

A meeting of the INK Board was called to order via online videoconference in Microsoft Teams at 10:00 a.m. by INK Board Chair Tom Sloan with the following members present:

Kate Butler, representing the Kansas Bar Association  
Jennifer Cook, representing the Secretary of State  
Jim Haugh, representing the Secretary of Commerce  
Vicky Ortiz, representing the Kansas Library Association  
Kristy Wilson, representing the Kansas Association of Independent Insurance Agents  
Glen Yancey, representing the Executive Branch Chief Executive Technology Officer

### Others Present

Tim Shultz, INK Board Counsel; Duncan Friend, Information Network of Kansas; Nolan Jones, Ashley Gordon, and James Adams, Kansas Information Consortium, LLC.

### Consent Agenda

The Consent Agenda for the meeting included the draft minutes for the May 6, 2021 INK regular board meeting, the May 2021 Network Manager Report, and a contract for an over-the-counter service (KanPay Counter) to allow government agency constituents to pay for government services using credit cards at government agency locations and receive confirmation of payment for the Ness County Attorney's Office.

**Note:** The Consent Agenda was treated as two separate items, so approved in two separate motions.

**Action Taken:** Yancey moved to approve the draft minutes and Network Manager report, seconded by Haugh. There was no discussion. The motion was unanimously approved.

**Action Taken:** Cook moved to approve the KanPay Counter contract for the Ness County Attorney's Office, seconded by Yancey. There was no discussion. The motion was unanimously approved.

### Regular Agenda

#### *Regular Business*

#### 1) 2021 INK Business Plan Initiatives: State Home Page Update

Jones updated the Board on progress on the State Home Page refresh. He noted that the work that had occurred had been balanced with other work for agency customers. They were now in the content development phase. They were focused on providing context, rather than "just a link farm". And, they are incorporating feedback they have gotten on an ongoing basis from phone calls and surveys. He wanted to be able to take a few more weeks to be in a good position for launch, so he proposed targeting mid-July for the launch, maybe a little sooner. They don't want to walk away from it at the point, however, but continue to build on that foundation.

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Sloan asked the members if they had any questions for Jones. Seeing none, he said that he had a couple questions. When Jones talked about the mid-July launch, Sloan agreed that it would be helpful for Board members to look at it as well, so it would be helpful if he and Friend would send out a link periodically with status so the members could go take a look. He then asked Jones about how they intended to keep the event listing current. Jones responded that they had been talking a lot about that. He said he would turn it over to Adams to discuss as he was passionate about that functionality as it is frequently of interest to people.

Adams said they were just intending to provide a platform to show some events. They weren't trying to replicate anything on Public Square or on TravelKS.com. What they were trying to do was provide some events that they've cherry-picked from around the state – maybe 18-20 events in total. It is not supposed to be a one-stop shop. The purpose is to pique user interest and move them along their way, as there are other sites that have a lot more to provide in terms of events. Adams added that the updates are very quick to do. Sloan stated that his question was more one of how they were getting the information and how they were updating it. He then asked if the members had additional questions.

Sloan then asked to confirm that Jones and Adams have the feedback that they'd like pictures of the Governor and Lt. Governor without masks and they said that they did, as well as the issue with the image for Business being an establishment selling alcohol. They indicated they'd removed that – those were the issues he'd had. They agreed to send out periodic reminders to the Board to take a look, and Friend indicated he felt it was safe in terms of completion to reach out to the Governor's office soon for their feedback as well. He also indicated he had been reviewing the site, so to the degree that members did not get the chance, there is that activity occurring.

Sloan then asked if the public information officers from the cabinet agencies that are being linked to should also have some sort of an opportunity for feedback on the information about the agency's mission? Friend deferred to Jones, indicating there was a placeholder for this on the revised site. Jones said they will make sure they work with the PIO's on that. There was no further discussion.

**Action Taken:** None.

### 2) INK / KIC Contractual Matters

Sloan opened this agenda item by asking if the Board needed to go into Executive Session. Friend responded that he would defer to board counsel Shultz as he was not sure what he would recommend. Shultz recommended the Board adjourn into Executive Session to talk about legal aspects of the situation.

**Action Taken:** At 10:17 a.m., Yancey moved to recess the board meeting of the Information Network of Kansas into executive session. The subject of the executive session will be to discuss matters related to the master contract between the Information Network of Kansas and the Kansas Information Consortium, LLC, NIC, and Tyler Technologies and other matters of attorney-client privilege pursuant to K.S.A. §75-4319(b)(2) of the Kansas Open Meetings Act which authorizes consultation with attorneys on matters deemed privileged under the attorney-client privilege. The open meeting will be reconvened via the current Microsoft Teams video conference at 10:32 a.m. The attendees of the executive session shall be the board members or their proxy representatives, Board Counsel, and the Executive Director. Seconded by Cook. No further discussion. Motion passed unanimously.

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The Board returned to regular session at 10:32 a.m. There was no further discussion.

**Action Taken:** None.

### 3) Update on INK Legal Services Budget and Activities

Friend began with a brief recap of the history of INK's work with Shultz's firm as legal counsel. The relationship had begun in May of 2020 subsequent to a previous relationship the Board had with the general counsel of the Department of Administration. The Board at that time went with the existing annual budget, none of which had been used, of \$5,000, later raising it to \$10,000 and that is about what was used during that partial year. However, for the new year (2021), the Board had approved an increased budget of \$14,000. He remembered that, at the time, he had said that this may well not be enough – he did try to be judicious with it – but there were a number of upcoming legal matters he anticipated. The previous budget for outside legal counsel for the Board had been between \$60,000 to \$70,000 a year.

As of the May billing, they were going to go over \$14,000 – it is \$14,000 in expenses to-date including that billing. In a nutshell, Friend continued, what has happened is that this number has included everything from Shultz attending board meetings, there have been a number of contracts to review for places like Department of Revenue and Shawnee County. He has also been reviewing the templates for products going forward, as they really haven't been reviewed in a while – he has asked for that and Jones is also supportive of that getting done. Now there has been work related to the Tyler acquisition of NIC which wasn't anticipated and has taken some significant time.

Sloan asked Friend what he was asking for. Friend responded that he'd like to raise the budget to \$25,000 to provide some headroom to proceed. He had been trying to be conservative, but he thought it was very possible that the board would spend more than that. He indicated he would be more comfortable if they went to \$30,000, he just wasn't sure what the Board's pleasure was.

Sloan asked the members for comment. Yancey indicated he was fine with estimating the expense for the remainder of the budget year. Friend said that, to be frank, it is hard for him to estimate without experience as he's not really worked with Shultz to estimate work that might be ahead with Tyler. Sloan asked Yancey if he was saying something more like \$40,000 looked reasonable. Yancey responded that, as Friend was saying that moving it to \$25,000 would buy him a couple of months, shouldn't they plan to increase it to what would get them through December and that sounds about right. Friend agreed, as did Yancey and Sloan. Friend stated that he didn't mean to be timid about it, but having gone through a situation where it had gone down to zero for quite a while under a previous board, he wanted to make sure everyone was comfortable with it.

**Action Taken:** Yancey moved to raise the budget for legal expenses to \$40,000 for 2021. Seconded by Haugh. There was no further discussion. The motion was unanimously approved.

### 4) Grant Program: Proposals for Consideration, Update on Activities

Friend recapped the grant process and the amount dedicated for the year, noting that he had sent the two proposals they'd received out in advance of the meeting for the members' review. The evaluation / ranking process had changed recently at the Board's request to move from having a committee do that to the Chair and Executive Director performing that role. However, all grant applications ultimately come to the Board

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and they make the decision.

Two grant applications were received within the May window from the Kansas Biological Survey. This was an organization that Sloan and he had previously contacted to solicit their interest in line with INK's exploration of opportunities in environmental data. The first relates to something called the Nested Hexagon Framework, the second is developing a statewide "noise map." Friend summarized both of the proposed projects. He then added that he had also been connected by Ortiz to the assistant city manager for Dodge City and that she also had planned to submit a grant proposal related to some kiosks they wanted to deploy to deliver public information. However, she had been delayed in finalizing the proposal while waiting for some cost estimates. She had let him know that in advance and the grant proposal arrived the night before the Board meeting. So, he was proposing that the Board consider that as well, but wait until July after it had been ranked and sent out for their review.

The Board members then discussed the two projects. Friend noted that the first did score as exceeding the expectations for the grant criteria overall and the second did not, primarily due to unanswered questions and perhaps a narrower scope for which the use and broader benefits were unclear. There was some discussion of the public interest in "quality of life" indicators such as these (water quality and noise) and the breadth of the projects proposed. One member noted that awarding both of the proposals would constitute a significant amount of the entire year's budget, so this was something to consider in terms of funding availability for other proposals that might lie ahead – although it is over two years. Sloan added that this is also relevant given that they have been reaching recently to new groups who may have proposals upcoming.

**Action Taken:** Cook moved to approve the funding requested for the first grant considered, the Nested Hexagon Framework and to not approve the grant request for the Noise Level map. Yancey seconded. There was no discussion. The motion was approved unanimously.

Friend asked to be recognized so that he might explain what came next. He would draft a letter for signature by the chair that conveyed the decision of the Board. He did want to note that there was a slight difference here. Normally in the case of a grant, say, to Seaman, he would send the letter and then they would go ahead and execute the project and seek funds on a reimbursement basis. However, in this case, the university goes through their Center for Research, and, even though the Board is not paying overhead, they normally want an agreement signed that memorializes the relationship. So, the INK Board will need to sign an agreement with them that confirms what is going to be done. He is going to assume that the motion means that he will go off with Counsel to do what needs to be done to get that done, and then bring the contract back to the Board when it is ready to sign. But, he wanted to let the members know that is the upcoming process as they wouldn't have seen it before.

### 5) Network Manager Report

Jones said he wanted to use this time at the meeting to provide some background on himself as well as two other members of his management team, James Adams and Ashley Gordon. He realized that he references them all the time, and they may have heard them speaking, but it would be a good idea to introduce them a little further. He started with himself. He lives in Eudora and has been with NIC for about 15 years, coming up. He did start up their Louisiana operation prior to coming to INK, but he had been at the corporate office in Olathe for many years prior to that. They live in a very old house, from 1876, so there is a lot of work keeping that up. And, they take care of senior dogs with medical conditions – they currently have six of those right now. He does have a strong passion for government – prior to joining NIC, he was with the State of Colorado Department of Revenue for nearly 10 years in a variety of roles, including CIO for the agency and head of titles and registration, a hearing officer, and the chief investigator for the DMV.

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He continued, now speaking about Ashley Gordon, their Director of Portal Operations. That means she does some of everything, sort of like an air traffic controller while flying a plane at the same time. She has been with the Kansas operation now for ten years. She does everything from writing the new content for the new website to handling customer calls to make sure they are all staffed – it is a new job every day for her and she does an exceptionally good job with that. He concluded by discussing James Adams' role. In many portals, the DOO and Director of Technology are fairly separate. But, here in Kansas, he is lucky that, long before he got here, they had fostered a really tight working relationship, so they are involved in everything. So, even though Adams is on the technology side, he is just involved in the business side as Gordon is on the technology side, and they can both complete each other's sentences. He is also the president of the Seaman School Board – next month, he will have been with INK for 17 years. He is also the only one of them that doesn't rotate on call – if there's an emergency or a problem, he is always on call, including every Amber Alert.

Sloan then asked Jones about the senior citizen “version” of the Amber Alert and if they handled that, too. Jones said that they did, but it is a little different than Amber Alert, and he handed over to Adams to explain in more detail. Adams indicated they were a little more manual-driven, unlike the highly automated Amber Alerts. But, they both involved the KBI. The Silver Alerts come out via a listserv that anyone can subscribe to. Sloan asked if there were any additional questions – seeing none, they moved on to the next agenda item.

**Action Taken:** None.

### **New Business**

#### **6) State Agency Return to In-Person Work (INK/KIC)**

Friend explained that the state had recently issued a memo regarding a return to in-person work by state employees. It is a fairly large memo and Friend did not send it out. But, to summarize, starting a week from this coming Monday, employees would start to the degree possible returning to in-person work. A variety of different aspects were outlined and it deferred to agencies, based on the nature of the work and situation, to decide on the approach going forward. Friend noted that INK had been through the whole pandemic so far, from when the state had been closed down for a month to today. Because this is occurring, it suited him that it would be a good time to approach the Board to talk through his own status, the approach to INK Board meetings going forward, and that of the Kansas Information Consortium as it related to this.

Friend continued that, for his purposes, he has been working from home for the most part since the end of last March. While he has been meeting with external parties through Zoom / Microsoft Teams or by phone, recently he has booked a meeting with KDHE to come to their staff meeting to talk about the grant program, and he had also met in-person with Jones and Sloan – he is certainly open to doing that, although he would still be wearing a mask. This relates primarily to risks around his wife's health condition as a transplant recipient, and he expanded upon those details in his discussion. He then noted that he'd talked with Sloan about this, as well as how to approach the Board meetings going forward, and then with Jones on the situation with KIC, so he would stop there and turn it back to the Board for any comments or discussion, then go through the other scenarios.

Jones offered that he could talk about KIC's plans. Friend deferred to the chair, who asked Jones to proceed. Jones continued that he felt the situation with working remotely had been very effective and that things had been working very well, including work with Friend who he talked with almost every day. He said that he was in discussion with the landlord on new space in the building where they were at. And, of course, with

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that, they would be investing in all new furniture and many other things, and they are working through those logistics. While they are going through that, he is encouraging his folks to work remotely as they don't want the disruption from that and it is working well. They have a lot on their plate and they don't want to do anything to disrupt that. They do come in for meetings or to meet with agencies, and typically that has been their model anyway – they go to the agency rather than have them come in. They're able to go back to the office when needed, but for now they are trying to keep them out of the way while they consider the new space and how they want to move everything there.

Sloan stated that he had been thinking - and talked with Friend about - having a face-to-face meeting of the Board for the August meeting. He noted to Ortiz that he wasn't sure that driving in from Dodge City for an hour-and-a-half or two-hour meeting made a lot of sense, so they would have Microsoft Teams meeting availability as well. But, they have also talked about having a strategic planning discussion. And, for that, that would be an all-day or most of the day event. So, he wanted to suggest to the Board for evaluation, that maybe they would plan on a more full-day meeting for their August meeting. The Board would first take care of its normal agenda, then basically adjourn into strategic planning. If they were to do that, then this month, Friend would send out information about INK's mission, some information about the previous strategic plan, and the business plan, and then the members would then use that as a starting point for the August discussion. He added that if they were able to do something like that, then the Board would pay for hotel, mileage and subsistence related to that for those that have to come in from out of town. He asked the board for their thoughts.

Cook responded that she thought it was a great idea. It would be helpful for the Board to do some strategic planning, particularly because they've been a little "disconnected" in the past year, and she thought doing that in person would be helpful. Yancey agreed, saying he thought it sounded great – he would really like to get to meet the new board members in person. Hearing no further discussion, Sloan said that they would then plan on that and asked Friend to start pulling things together for the members to review. There is still some time to decide where to do that, maybe over at KDOT where the meetings had previously been held.

Sloan then indicated he wanted to return to Friend's situation. He asked if there were any objective to him continuing to work from home for the most part – basically to protect his wife? Several members voiced that they had no objection and Sloan thanked them for their thoughts. Friend expressed his appreciation to the Board and said he would try to make himself available as much as possible. He then went back to address Sloan's earlier statement about the August meeting and noted that the Board did have a meeting scheduled for July 1. This has always been problematic as it is the meeting near the July 4 weekend, so he just wanted to call it to everyone's attention – the holiday is on the following Monday – and so he would put some time on the agenda for that meeting to continue to move forward on discussing strategic planning as well as the logistics for the meeting. He also noted that he knew Sloan had experience with strategic planning, so he would be looking to him for some guidance on approach. Yancey added that Friend might be interested as part of planning in looking at two rooms, Curtis 530 and Landon 509 that are large rooms that have been renovated to be multimedia capable – and they are also large enough to allow for social distancing within the confines of a meeting. Friend thought this was a great idea and agreed to look into them. For those that had met at KDOT before, the room is not bad for this, but he hadn't seen it and didn't yet know if they'd updated the technology to easily facilitate bringing in people remotely. He would look into this as well. Sloan then asked if there were additional comments or discussion. Seeing none, he moved on to the final item on the agenda.

**Action Taken:** None.

### 7) INK 30th Anniversary Initiative

Friend said that the statute that created INK was dated in 1990, but they had to go out and bid the Network, so, from what archival information he had available, they started business in January 1992. He said that he would defer to Jones to talk about an approach, but he wanted to add that he had a lot of information on INK's history that had been put together for a booth in the Capitol last March that could help with this. So, there will be a lot available regarding the history to address the past, and, maybe with the strategic planning effort, there will be some about the future that can be included, too. He thought there was a lot to celebrate – Kansas is really the birthplace of e-government in terms of this model, and it has been replicated in at least half the states.

Jones said that in addition to celebrating this milestone, which is really of a national level, looking at the history might be helpful in strategic planning. Today, he wanted to mention just a couple things about that. The idea really got its start back in 1987 by a person named Brad Bradley. He was an attorney working outside Topeka and had to drive four hours each way to get documents needed for his practice. There was also a whole industry of people who pulled court records to deliver it to them. So, he talked to the Kansas Bar Association to look into how to get better access to court records. They did some feasibility studies and began talking with state agencies similar to what INK grants do now. However, some of them, while supportive, felt like they couldn't take it on as it exceeded their statutory authority. The focus of the efforts was to enable electronic access to records while also relieving some of the burden on agencies. Jones then briefly recounted the history of the legislation and emphasized that, from the beginning, it has always been about working together between the public and private sector to make government information more available.

Friend then asked if the members were generally OK with the idea of celebrating this – he deferred back to the chair to lead any discussion. Sloan asked when they would have an outline for the Board to look at. Friend responded that he thought they could have something for the July 1 meeting – and Jones agreed. Friend emphasized that, as agencies and others would need to be approached in the run up to next year, it could help in spreading awareness of INK – the planning itself could aid in getting buy-in, versus just dropping it on everyone as a surprise. And, of course, they would solicit the Board's ideas, too.

**Action Taken:** None.

Sloan asked if there were any other business. Friend noted that he planned to take vacation the following week and also that Butler had now been added to all the bank accounts so they would be able to start moving forward there, too.

**Adjournment:** Haugh moved to adjourn the meeting. The motion was approved unanimously and the meeting adjourned at 10:35 a.m.