
Information Network of Kansas Board Meeting Minutes

October 2019 INK Board Meeting October 3, 2019

Opening

A meeting of the Information Network of Kansas Board of Directors was called to order at 10:00 a.m. on Thursday, October 3, 2019 at 700 SW Harrison, 2nd Floor Conference Room, Topeka, Kansas by Chair Aaron Kite, representing the Kansas Bar Association, with the following members present:

Mark Burghart, Secretary of Revenue

Doug Gaumer, representing the Kansas Bankers Association (Vice Chair) *(by phone starting at 11:07am)*

Lucas Goff, representing the Kansas Association of Counties (Secretary)

Jennifer Cook, representing the Kansas Secretary of State

Glen Yancey, representing the Executive Branch Chief Executive Technology Officer

Gregg Wamsley, representing the Kansas Library Association (Treasurer)

Others Present

Joe Mandala, Chief Information Officer, Kansas Bureau of Investigation; Duncan Friend, Information Network of Kansas; Nolan Jones, Ashley Gordon - Kansas Information Consortium, LLC.

Consent Agenda

The consent agenda for the meeting included the draft September 2019 INK Board meeting minutes, the September 2019 Network Manager report, and three contracts: Kansas Insurance Department for KanSite (no charge service); Greenwood County Register of Deeds and Linn County Register of Deeds, both for KanPay counter service (a fee service).

Action Taken: Burghart moved to approve the consent agenda, Cook seconded. There was no further discussion. The motion was unanimously approved.

Regular Agenda

Regular Business

1) Kansas Bureau of Investigation Scrap Metal Repository Project Status

Friend introduced Joe Mandala, the Chief Information Officer for the Kansas Bureau of Investigation (KBI) and noted that he had not attended the presentation of this project as part of the grant request in July. Friend noted that he would defer to Jones and Mandala, but he felt that there were some things the Board needed to consider as far as the status of where things were on the Scrap Metal project going forward. He reminded the Board that how it was left was that KBI came with a grant proposal. The Board did not approve the grant, but approved a motion that KIC modify the Business Plan to include it and then there would be a contract with KBI to pay \$30,000 a year maintenance that could help recoup some of that plus maintenance. There had been subsequent discovery in discussions about scope and other details – so they were back today to talk over the status on where things are. Also, the motion capped KIC at \$60,000 for development, based on Jones' estimate of the project cost, at Gaumer's request. Friend indicated that was a little unusual and that, were that to stand, he would have to get reports of KIC's hours to make sure they did not exceed. The attempt was, of course, to restrict the scope so that it didn't exceed the original planned budget. Friend continued that it was his recommendation to reopen that consideration based on what had been discovered,

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but not necessarily for a motion in today's meeting. He stated that as of 90 days from that Board meeting in July, there is still not a contract and the scope of work is still being elaborated. Friend deferred to Jones to continue the discussion.

Jones said the project was tricky, as from KBI's side, it wasn't a normal fit – as it was a civilian one and it is different for KIC. So, they have been working the logistics and they have been learning a lot about KBI processes for security. They have also been discussing the storage of the data and providing access to law enforcement. The reason they do not have a contract is that they need to get that figured out and into the requirements and they are still going back and forth. He deferred to Mandala for additions.

Mandala stated that the reason that they were there talking about this is because of the way it was dealt with previously with the motion. It put some restrictions on the approach moving forward and they are looking at the details for how this has to move forward from a technical and business perspective, along with security. It has become apparent that those restrictions are limiting the way they can move forward. So, the “ask” for the Board is to give them some flexibility on how they proceed, particularly the limitations on KIC. Going forward, KBI is going to end up holding the data and looking at the structure of it, KIC isn't in a position to hold and protect the data. And, KBI already has a platform in place to handle access for law enforcement. So, a large portion of the system is going to be housed at the KBI – Friend added that that was not the situation anticipated in the previous discussion nor in the materials presented. Mandala continued that, from the KI perspective, there wasn't really the value there for the \$30,000/year maintenance charge in the out years. In his view, they would be looking at \$30,000 maintenance for a single application for the scrap metal dealers. The position they are in is that the Legislature has mandated KBI do this and they would like the partnership to work. But, they sort of have a straitjacket on them, as does KIC.

Yancey asked for more elaboration. What he understood he heard was the KBI didn't want INK to build it because they can't do it the way it needs to be done, but KBI needs more money to build it? Friend answered – not to speak for Mandala – from his perspective, one aspect is law enforcement access. It had been described in the grant materials as if there would be one KBI agent who would have access. Now, it looks like a lot of law enforcement agents will need access. And, if they are looking at a suspect across multiple scrap yards, that's going to require PII (personally identifiable information) so that they can ID the person of interest. So now, a) they're in a world where they're starting to retain PII in a database, and b) now they're in a world where they're starting to authenticate law enforcement. At first, they understood INK would be the repository, but now upon further review, it looks like it should be at KBI. Yancey said that he understood that, he just needed to understand the bottom line. The parameters weren't going to meet their needs – so, what does that mean? Friend indicated he didn't think they knew that. Mandala said that they were working together to define those – there is not an anticipated action today. It was to let the Board know that what was assumed earlier was not accurate. But, they are working hard to keep the scope of what KIC will do within the bounds of what was assumed. Everything else will be assumed by the KBI. And, Mandala continued, as they go forward, the more KBI assumes, the harder it is to justify paying a maintenance fee at that level.

Friend added that his issue about the \$30,000 is that, in and of itself, it didn't mean anything when expressed in dollars. For example, if it were \$30,000 an hour, they would be entitled to only one hour of maintenance. So, they really needed to look at the hours expected for maintenance based on what's to be implemented and then price that out. In addition, KBI may now need a source of funds for the work they didn't anticipate, so it involves calculating that as well, as it may need to come from the same scrap metal funds. Mandala said the purpose was just to let the Board know where they were, and the hope was the

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contract would be brought to the board for the next meeting for review / approval. Friend asked if they still felt together that it could be done in time. Mandala responded that there was a legislative mandate, so it will be completed.

Yancey asked that, in terms of funding it, if making this part of the Business Plan is predicated on the fact that INK would have a significant ongoing role in the build and operation of it. It is sounding like that is not really what KBI wants to have happen – it doesn't fit as part of the ongoing design discussion. Friend said the front end would be handled by KIC, with the backend by KBI. Jones said there was still ongoing discussion on that. Yancey said there was a little confusion on his part about what they were being warned about – it sounded like there were going to be different amounts of money spent different ways as a part of this. Jones responded that his assumption was that due to the increased costs on KBI, they wouldn't want to pay the \$30,000 to the Board for maintenance, and they would need to complete the contract. Friend emphasized that his understanding was – Mandala concurred – that it wasn't simply not paying the \$30,000, but that the database and other costs the KBI now needed to assume were unbudgeted, so they might need some of that money themselves.

Kite asked to confirm that INK was funding the project and that they'd allocated funds for the project. Jones said not really. Friend said he would try to be as succinct as he could in answering. KIC has 20 people basically working there, so they only have X number of developers. Let's say they have 7 developers, so (x 2080 hours) the most they can offer is 14,000 hours a year. Let's say 80% of that is maintenance – everything from KDOR apps to Secretary of State apps, to no charge things like Amber Alert. So, what's above that is what the Board has available is to be allocated to new things. There is nothing in the contract that allows INK to say "Nolan, I need you to hire 25 more people". The business plan can request those resources, but the contract doesn't really have the mechanisms to require it. So, KIC is receiving through sort of a blended income from various fees to provide this portfolio. For example, the fees made from Revenue are not fully used to support Revenue applications, likely true also of Secretary of State, etc. So, what is happening here is that the Board is saying that they will take some of this and - just like if KIC were redoing an application or building one that there is no charge for – there was one on the agenda that day for KanSite for the Insurance Department that is no charge - they are going to take part of that pool. But, INK doesn't have detailed visibility into that. Jones indicated they just don't know at present. Friend continued that when they come to the Board and say it is going to cost \$60,000 to build, that really doesn't tell him anything as he needs to know the rate and the hours – is there overhead in it?

That was Friend's other issue with the motion. There is not a problem limiting it to \$60,000 – he said he gets the concern – but it is not the kind of thing he can manage unless it is converted into hours. Kite said that they had agreed to limit it to \$60,000. Friend agreed, but he didn't know how it could be managed to that number – is it time and materials rate? That would be around 700 hours? Jones said that on these types of projects, they don't go into high detail. Friend responded that unless they manage their hours, they will never know how many are available to them, or anyone else – in his opinion. Jones said that his opinion was that it was not an exact science and they try to just get it knocked out. Friend indicated it was limited to \$60,000 – they can't spend more on it internally. Yancey said yes and no. Friend didn't understand how he could limit it to \$60,000. Yancey talked about fixed price estimates. Friend said that wasn't the motion – that would have been a motion like "You'll do whatever you need to for \$60,000". But, what the motion said was "Don't spend more than \$60,000." Yancey said he looked at it like "You have a \$60,000 check book, don't spend more than that, manage that." and that KBI was OK with doing that if the cost was less than \$60,000. Then KIC needs to go decide what they are required to deliver and if they can do it for that cost. Yancey said that he didn't think the Board wanted to get into their hours and developers assigned.

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Friend responded that then KIC should be requested to do it for a flat amount and tell them the Board doesn't care what it costs them – then that can be the motion.

Action Taken: None

(Mandala left the meeting)

2) **Kansas Business One-Stop Presentation (including Secretary of State KBOS contract approval)**

Jones talked about the Business One Stop. It is a collaborative effort by five government agencies, with more likely to come: The Departments of Revenue, Labor, Commerce, Agriculture, and the Secretary of State's office. No one entity is running it, so there is only the State of Kansas Logo. He summarized the goals of the site to help start and run a business in Kansas and displayed the current online version while walking through the services offered. The new website is available online at: <https://ksbiz.kansas.gov/>.

The site is scheduled to go live on October 23. The first phase was 90 days. Phase 2 will be a “wizard” that walks a user through asking very basic questions to refine the information available and at the end produces a list of what it required for that particular business (60 days). The third phase is a “toolkit” that assembles the forms needed to open a specific type of business (subsequent 60 days). There is also a fourth phase that would involve single sign-on that grants access to the systems involved in starting and running a business – this is not in the contract that was before the Board, but would be something down the road.

Jones then mentioned the integration of the chatbot, Agent Kay as another feature of the One-Stop and confirmed that live chat would not be included. He closed by noting that the working group has been meeting roughly every two weeks for about 90-120 minutes and there has been perfect attendance / representation from all of the agencies involved. It has been a very collaborative effort.

Friend asked Jones to discuss the contract for this work that was before the Board for approval. Jones said that they sent out a project charter to make sure everyone was on the same page. There is a contract with the INK Board, but instead of trying to get all five agencies to sign, Secretary of State has agreed to be the signatory to that. There would need to be a vote on this. The contract is to authorize INK to build the Kansas Business One Stop website for no charge. Friend followed on that the agreement is essentially the type that would be on the consent agenda to develop the Kansas Business One Stop website for the Secretary of State and their partners.

Action Taken: Wamsley moved to approve the agreement, seconded by Yancey. There was no further discussion. The motion was approved unanimously.

3) **Status: Current review / efforts re: rollout of no-charge Public Access to Court Records and INK Impact**

Friend opened by recapping the discussion about this item at the previous Board meeting. There had been an agenda item to approve the 2nd quarter INK financial reports. But, he had associated with that the topic of the 2019 Revenue Outlook. When he went back to do the minutes, he saw that the discussion was closer to 40 minutes, most of it about revenue – including WebTags, but one of the items was the District Court Record Search service that the Judicial Branch was moving to make free of charge and host themselves as part of a new project. There were comments by the Board members about how INK might find a way to still be involved with delivering this service, and suggestions, for example, about talking with INK's current

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customers. So, when he and Jones had talked about it, he felt like it would be important to come back and talk about what they were learning and what they did.

Jones then provided a brief overview of the Judicial project. It was rolled out in “chunks” by district court regions, and so the anticipated revenue would be reduced as each one went live over time. The first region, which has already been implemented, would have about a \$60,000 negative impact on revenue - it already has. He continued that one of the questions brought up previously was whether there was still a service INK could provide for court records. That is still to be determined. However, there are policies in place now that are more restrictive on the records that can be accessed. And, Judicial is not able to provide an export to sync expungements with the historical data INK has, so those courts needed to be taken down in the INK system as they cut over to the new system.

He continued that Judicial has presented the option of INK entering into an NDA (non-disclosure agreement) with the vendor, Tyler Technologies, and it is under legal review, that would result in gaining access to more information to assess what is provided in the new system and what services might be possible. Friend continued that Jones had done a comparison of the public interface for the two systems, but gaining access to the API would complete the picture. At that point, they could do an estimate of what it would cost to modify the system to deliver records from the new system and a decision could be made about options and ROI at that point. He also stated that while the traditional approach is that INK would sign this, Judicial’s agreement with their vendor is that (KIC) would need to sign it. So, there have been some discussions with legal at KIC and INK. Jones closed by talking about the order of rollout of the new system to the courts and discussed the corresponding reductions in revenue over time, eventually totaling \$1.6MM a year.

Secretary Burghart asked what percent this overall loss represented of INK revenue. Jones responded that it was \$1.6MM and Friend answered that it was about 20% of the revenue to the Board – so it is very significant. Jones added that it was an equal amount lost to the counties. Yancey expressed concern that counties may not understand that they were going to be losing this revenue and that as he understood it, many of them depended on it. Friend said that the Judicial Branch was very likely to be aware of the impact of the loss of this revenue to the counties and that INK needed to pursue a “soft touch” strategy given that they didn’t want to get in between OJA policy and the counties in this area. Yancey asked Goff if they were aware at his county. Goff said that the Cowley County chief judge was aware, and Goff was aware of the budget impact, but it’s not a “No, please don’t” situation, it’s an “OK, let’s prepare,” Jones closed the discussion by stating that negotiation / completing the NDA was the next step.

Action Taken: None.

4) Public / Agency / Legislative Relations Update

Jones began by discussing the Kansas Memory project and that they’d been contacted about it by the Historical Society to discuss development. Friend noted that this is a grant project. Jones then talked about the Kansas Insurance Department website project – the Insurance Commissioner had reached out to the public for input, and they are facing a deadline to move away from the vendor that had been hosting the Securities Commission website that is now part of their organization. There have been ongoing discussions with Department of Commerce about Payment Processing. They were also talking with the State Fair about payment processing and other functionality. Friend noted that Jones had the Network Manager report where some of this was usually discussed, but that this part of the agenda, in talking with Kite, was originally to address efforts INK/KIC were making to reach out to agencies and decision makers to rebuild awareness of

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INK. He has been talking with the GIS people at the state Data Access and Support Center as he had referenced previously, but the most recent meeting of the GIS Policy Board has been cancelled. He also has had conversations with the ITEC IT Security Council about common interests they have and opportunities for investment in IT security by INK that can help both organizations. He had met with the Chief Information Technology Architect about INK's potential funding of the State Strategic Information Management (SIM) Plan – but the CITA has recently left. And, he is still working on a committee with the current head of KPERs, a former Secretary of Administration, a commissioner from the KCC and a couple of people including a representative from the Department of Administration involving a possible project for the Governor's office, but it is preliminary and he cannot discuss it publicly at present, but it is taking some of his time, and the meetings have been held at the KIC offices. He hoped to be able to brief something about that in the next several weeks.

Action Taken: None.

(Gaumer joined the meeting by phone)

5) Network Manager Report - Jones

Update on recent Network Manager activities

Jones opened the report by showing a photo of Secretary Burns-Wallace, serving as Chief Information Technology Officer for the Executive Branch, accepting the award for INK and the state for 5th place nationally at the Government Experience Awards in Denver the previous week. He talked a little about the conference and the benefits to government and noted that Indiana won first place, but they had been trying to win the award for 16 years. Kansas had not been on the “also mentions” for a number of years, so this was a significant achievement. The Kansas Real Estate Commission won a national award for their Alexa app. Jones indicated he would attend the AAMVA (DMV organizations) regional meeting later in the month and that KDOR would be sending people, too. There are several relevant issues including Real ID. He completed his report by talking about work they had been doing for the Kansas Dental Board, including lowering the price for military dentists and enabling on-line filing.

Action Taken: None.

Portal Security Overview (*Executive Session*)

Friend talked about the mechanics for Executive Session. This topic had been tabled at the last meeting, but the topic came from a question that Gaumer raised about whether or not INK needed cybersecurity insurance. There is an exemption in the Kansas Open Meeting Act for discussion of security and information systems. The discussion would be around “ransomware” as it had been talked about at the previous meeting. If the topic starts to stray to something not covered in the Open Meeting Act exemption, he said, then the chair can bring the meeting back into open session. Friend then asked Gaumer to call back into his phone, as he believed the process was to close the phone bridge to ensure only the people asked to attend did.

Action Taken: Kite made the following motion at 11:20 am:

The meeting of the Information Network of Kansas Board of Directors be recessed for a closed executive meeting for the purposes of discussion of security measures related to information systems of an agency pursuant to K.S.A. § 75-4319(b)(12)(c) and that the Information Network of Kansas resume the open meeting at 700 SW Harrison, Topeka, Kansas, 66603, 2nd Floor Conference Room at 11:35 am and that this motion, if adopted, be recorded in the minutes of the Information Network of Kansas and be maintained as a part

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of the permanent records of the Board and that the board members and their proxies in attendance, including by phone, along with Jones and Friend attend. Seconded by Wamsley. Motion passed unanimously.

The Board came out of executive session at 11:35 am and returned to executive session for the same purpose for another 15 minutes until 11:50 am authorized by the following motion:

Action Taken: Wamsley made the following motion at 11:35 am:

The meeting of the Information Network of Kansas Board of Directors be recessed for a closed executive meeting for the purposes of discussion of security measures related to information systems of an agency pursuant to K.S.A. § 75-4319(b)(12)(c) and that the Information Network of Kansas resume the open meeting at 700 SW Harrison, Topeka, Kansas, 66603, 2nd Floor Conference Room at 11:35 am and that this motion, if adopted, be recorded in the minutes of the Information Network of Kansas and be maintained as a part of the permanent records of the Board and that the board members and their proxies in attendance, including by phone, along with Jones and Friend attend. Seconded by Cook. Motion passed unanimously.

The Board exited Executive Session at 11:48 am. No minutes are taken for Executive Session.

6) Strategic Planning – High Level Goals

Friend stated that one of their goals in planning had been to try to get more integrated with state IT planning – as he referenced previously, he had talked to the since-departed CITA and was now wanting to get copies / information of the 3-year IT plan submission by state agencies and was hoping Yancey could help with that. Next, they were looking to break down the Big 6 mission items in the INK statutes into buckets that could be used for deliverables. Then, in the background, he is going to work with Jones to perform what he is calling an “operational review” of the major areas of INK to get on the same page with where things are and then focus on alignment / realignment with those six items. Finally, they could come back to the Board in November with some of that breakdown and what they were seeing, with an eye toward a Business Plan being submitted on December 1.

New Business:

- 1) **Sedgwick County Payment Processing (discussed earlier in the meeting as part of the Court Access update).** Jones noted as an aside during the discussion of public access to court data that Sedgwick County had put out an RFP out for bid for their payment processing in the middle of 2018. INK currently provides over-the-counter payment processing for them. INK bid – there were probably 15 bidders - but the RFP was awarded to a company called Gila. So, Jones had received news that in March 2020, Sedgwick County wanted to stop INK’s payment processing service and put in Gila. It is a pretty big hit – about \$500,000 a year – in lost revenue. Friend noted that 15% of that would go to the Board, so this can be added to the recent losses. Overall, this can serve to reduce the resources available to the Board for projects over time.

Action Taken: None.

Adjournment: Yancey moved to adjourn the meeting, seconded by Wamsley. Approved unanimously. Meeting adjourned at 11:58 pm.