

Information Network of Kansas Board Meeting Minutes

December 2021 INK Board Meeting December 2, 2021

Opening

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

Mark Burghart, Secretary of Revenue
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
Glen Yancey, representing the Executive Branch Chief Executive Technology Officer
(*Attended 10:00 am – 10:07 a.m.; 10:53 a.m. – Noon*)

Others Present

Susan Mauch, INK Board Counsel; Sheila Shockey, Shockey Consulting (*attended 10:05 a.m. - 10:18 a.m.*); Duncan Friend, Information Network of Kansas; Nolan Jones, James Adams, and Ashley Gordon, Kansas Information Consortium, LLC.

Consent Agenda

The Consent Agenda for the meeting included the November 2021 Network Manager Report. The draft minutes for the regular Board meetings on October 6, 2021 and November 4, 2021 were not yet complete and removed from the agenda at the meeting.

Action Taken: Secretary Burghart moved to approve the Consent Agenda, without the October 6 and November 4, 2021 meeting minutes, seconded by Haugh. There was no discussion. The motion was approved unanimously.

Regular Agenda

Regular Business

There was a delay at the beginning of the meeting for a few minutes before Shockey arrived, so the chair asked to begin the meeting with the second agenda item while waiting.

2) KBI Scrap Metal Project Change Order

Jones said they had expected to have a signed copy of this change order available for the meeting. There haven't been any issues with the project or with this change order, but it is not yet ready to sign. As an update to the Board, he added that they were close to completion of the work for the second change order as it was set to go-live on December 14. The key elements of it were for law enforcement to get more information about the scrap metal dealers and removes a record cap on the amount of data they can pull in. The 3rd project is expected to have an option to allow them to search by vehicle year, for example, and the key ability is for the KBI to deactivate dealers more quickly / easily in the system. Sloan asked Jones if, to accommodate the KBI, there would need to be a special board meeting to approve the agreement or could the

Information Network of Kansas Board Meeting Minutes

Board wait until the January meeting? Jones said KBI was OK with waiting until January and, if it did become an urgent matter, he would work with Friend to see if that could happen.

Friend said that he had two things to add. He provided a quick background of the project and noted its size and that there had been significant back and forth in the run up to the original contract. The project had probably cost INK somewhere around \$200,000 and there were two annual maintenance payments that they received going forward. As Friend had talked with them as part of coordinating some issues with one of those maintenance payments, it came up that the overall contract was set to expire in January 2022. Jones will work with them on that, but because INK built it, it isn't really like they can take it in house, so he assumes the sentiment of the Board would be to move forward with a renewal. So, he assumes that is something that may also come before the Board in January.

<Yancey departed the meeting at 10:07 a.m.>

The other thing he wanted to note is that in the course of this, he talked with Leslie at the KBI and she mentioned something. He asked Sloan if he had any conversations with KBI Director Thompson over the past few months. Friend continued that she had said that Director Thompson had spoken with Sloan about renewing their contract. Sloan said that the last contact he had had with him was when the Board was going to approve a contract and he just wanted to make sure that there were not going to be any problems. He continued, saying he had not talked to him lately, but he could reach out. Friend responded that, no, that was fine, he just wanted to make sure they were on the same page as they are talking about renewing it.

Action Taken: None.

1) INK Strategic Planning

Friend reintroduced Sheila Shockey who had an agreement with the Board for a strategic planning initiative before the board for review today. He noted that, while the minutes were not yet available, she had asked several questions of the Board at the last meeting and he had transcribed and shared the input he received with her. Friend continued, saying that at the last meeting while it had been left that a proposal might be ready to be presented to the Board by the 19th, it was just in the last few days that it was in final form and ready for their review. In parallel, even though they recognized that the Board might not choose to move forward with Shockey, he had been working with her and the attorney to review their contract and identify any issues in parallel to speed things if they did choose to move forward.

The proposal had been sent out to the Board several days prior. He wanted to note that there were some references included and he did call them. He received one call back so far that provided a glowing reference from Overland Park. He closed by deferring to Sloan to continue as he saw fit – Shockey was also on the call but without any formal presentation, to answer questions.

Sloan deferred to Shockey to make whatever comments she wanted to. She said that she had worked with Friend and the process they proposed was very similar to what had been presented at the last Board meeting. She then summarized the proposal briefly. Friend added that he was happy to take suggestions on the Expert Panel that was included. Shockey pointed out the fee schedule that was included and then said she was open for questions.

Information Network of Kansas Board Meeting Minutes

Sloan asked how close things were to having a contract that could be reviewed. Friend responded that he would describe the situation – Board counsel (Mauch) was on the call and Shockey had sent what was kind of her “boilerplate”, Mauch had then reviewed that as had Friend. Then, they sent back a redline copy, Shockey returned a copy which didn’t take all of their “redline” changes. Friend then conferred with Mauch about that and sent it back to Shockey. He thought that Shockey was reviewing it, so, depending on the outcome, he felt, if there were a motion, he’d ask that the Board remand that matter to Board counsel and him to work out the details. There were various things to be resolved, like ownership of materials. The number of hours left to work this out were few, but he wasn’t sure about the run time to complete it as it will also involve Shockey and Mauch’s availability – and what Shockey is willing to commit to.

Shockey added that she didn’t see any issues with the remaining changes, so they’d just need to agree on the language and should be ready to sign the agreement in the next several days. Mauch said that if the changes were made they would be in an excellent position to move forward and sign the contract.

Sloan asked the members if there were any questions. Hearing none, he asked the Board whether they wanted to approve moving forward and having Friend execute the contract when available, or wait have the contract finalized before the Board did or didn’t approve it. Butler said she was fine with approving it and having Friend execute the contract when blessed by Counsel. She thought having to come back would just slow things down and she felt like they had been talking about strategic planning for most of the year, so it might be good to just go full speed ahead.

Action Taken: Butler moved that the Board approved entering into an agreement with Shockey Consulting Services, LLC as outlined in the proposal before the Board and authorize the Executive Director to execute a contract on behalf of the Board when it is finalized with Board Counsel, seconded by Ortiz. Sloan asked if there were any discussion of the motion. Friend noted that while the agreement was for consulting services, the proposal anticipated work by the Board members as well, including a number of meetings outside the board meetings. The motion was approved unanimously by the members then in attendance (*Yancey had not yet returned to the meeting*).

<Shockey left the meeting at 10:18 a.m.>

3) Executive Session: Attorney Consultation on Financial and Personnel Matters

Sloan asked if Yancey needed to be in attendance for the discussion. Friend responded that he didn’t think so as there wasn’t a lot to report for the Personnel committee. Sloan asked for a motion to move into Executive Session.

Action Taken: Haugh moved that the meeting of the Information Network of Kansas Board of Directors be recessed for a closed executive meeting beginning at 10:19 a.m. for two purposes - pursuant to K.S.A. § 75-4319(b)(2) for consultation with an attorney for the public body which would be deemed privileged in the attorney-client relationship involving the Kansas Open Meetings Act; K.S.A. § 75-4319(b) and (2) personnel matters of non-elected personnel involving the Executive Director, and K.S.A. § 75-4319(b) and that the Information Network of Kansas Board of Directors resume the open meeting at the current Zoom video conference at 10:49 a.m. 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 will include all members of the Board, their representatives, Board counsel

Information Network of Kansas Board Meeting Minutes

and the Executive Director. Seconded by Secretary Burghart. No further discussion. Motion passed unanimously.

The Board returned from Executive Session at 10:49 a.m.

Action Taken: None.

4) INK 2022 Business Plan

5) Update on Agency Outreach Initiative

Friend presented a combined update for these two agenda items reflecting the idea that he and Jones felt that the recent agency outreach efforts should be incorporated in the Business Plan going forward <A copy of the presentation is attached>. During the presentation, Sloan noted that the slide that depicted the status of the effort incorrectly indicated that the group had not met with the Board of Technical Professions. In fact, they had met but did not have a need for INK services at that time. He also observed that he felt it was important that when they have meetings with the agencies and they come up with proposed projects that they're interested in that they regularly follow up so that they know where we are on progress. Friend suggested this reporting could best be accomplished through the monthly Network Manager report going forward and Sloan agreed, indicating his principal interest was where things were on follow up.

<Yancey rejoined the video conference at 10:53 a.m., about 5 minutes after the presentation began>

Sloan asked where things were on the State Home page and the board skipped to this agenda item.

Action Taken: None.

7) 2021 Business Plan Initiatives: State Home Page Refresh Status

Jones responded to Sloan's question indicating that they had completed the work they felt was necessary for the launch of the website. They committed to Secretary Burns-Wallace that they would do a follow up with her before taking next steps. Jones said that he sent an email on Tuesday to Yancey and Samir Arif, the Department of Administration Public Information Officer with the link to the site and information about what had been changed and asked that they consult with her regarding next steps for the launch of that site.

Sloan asked Jones why he had sent the email instead of Friend. Friend responded that he asked Jones to do that. It was going to Yancey and Arif and he was cc'd on it – he could explain in more detail, but he felt that was appropriate. He noted that he had drafted the email. Sloan then said that in the last board meeting, he was under the impression that they were going to send a message to all the public information officers asking them to review their parts of the site. Friend responded that this had already occurred – he asked Jones if he wanted to address that. He continued that this was not the conversation that had occurred with Secretary Burns-Wallace. Jones said that there were two types of agency CIOs – one for Executive Branch agencies and those for elected officials. In a previous iteration they had reached out to the PIOs on content related to their respective elected officials. Friend went on to explain his understanding of what had happened for the Board – it was all documented. Originally, Friend understood that when they had sent it out before they sent the link to the Board and the Secretary had an issue with it, that KIC had contacted all the PIOs, not just those of elected officials – but that did not happen. Then, she asked that question and, in the intervening time before a meeting could be set up, KIC reached out to PIOs from elected officials but also to those from

Information Network of Kansas Board Meeting Minutes

cabinet agencies. Jones agreed – so all those PIOs were reached out to at that time. Friend continued that his understanding was that since that time, all they have done is essentially reduce content and rearrange it. What the Secretary said when they'd met was that – he indicated that Yancey or Jones who were both there could help him on that – she could take care of getting the PIOs to get us an answer. She'd said to send it back to her and she would take a look at it and once that happened, if we wanted feedback from the PIOs, she could help get that for us. Friend asked Yancey or Jones if they recalled her saying that. Jones agree – for the Executive Branch. Friend said that was fine, they could handle elected officials as they'd already talked with them. So, he concluded, that's what occurred and that's the approach used in Jones's email.

Yancey added that he was meeting with Arif early the following week on this topic with the intent of reviewing where things are and then briefing the Secretary with the idea to either gather her feedback or broker a discussion with her directly on the topic. Sloan asked Yancey if, bottom line, they were not likely to launch the new site this calendar year. Yancey said he didn't think that was necessarily true. Arif wanted to meet and walk through where things were. Yancey continued that one thing the Secretary had talked about was being able to broker feedback from Executive Branch agency communications offices, so it would be helpful if Jones or Friend could let him know if there had been any that they had difficulty getting feedback from that they could help with. Jones responded that since they'd been through that first round, and, as Friend pointed out, they really had just cut more than anything, they can definitely do that outreach, but they didn't want to go around the process that had been established – first through the Secretary and then out to the communication offices. Friend said to Yancey that he and Jones could get them some more information if he or Arif needed it anytime.

Sloan suggested they send the link to the current version out to the board member. Friend said he was happy to do so after the meeting. Sloan asked if there were any other questions on agenda items 4, 5, and 7.

Return to Business Plan presentation (Agenda Item 4/5). Butler asked if they had completed the Business Plan presentation. Friend agreed that they had not and that a slide remained to present on the 30th Anniversary. He displayed the slide and Jones talked about ideas and approaches for celebrating INK's 30th Anniversary. He noted that on the Tyler side, they wouldn't do anything without approaching INK first to discuss it – but he did think there was excitement on that side as well. After Jones had completed his overview, Friend added that, like Strategic Planning, the 30th Anniversary effort, on its own, could be a significant effort. By that he meant that they would want to coordinate with the Board members and not get too far ahead, but also that Nolan's parent company did have a commercial interest in promoting Kansas as the home of eGovernment. This was the kind of thing that, in the old days, could have warranted an article in Government Technology magazine. With the previous board, for the 25th anniversary, which there was a big celebration for by the state partners, Kansas did not do anything to recognize it. He felt that if they really wanted to leverage it and coordinate the roles of Jones/KIC/NIC/Tyler, and the Board and others' roles, it might require the Board to even establish a committee. It may not start until later in the year, but there has been talk several times about approaching the Governor's office – Friend asked who they saw as doing that. These are the details that need to be answered as there has essentially been the same discussion about this effort for the past three months, but it is in the draft 2022 Business Plan now and will require resources along with Strategic Planning, Agency Outreach, and the other projects.

Sloan asked what timeframe they had in mind for the celebration. He assumes that it is not this spring. Friend said that he'd had that conversation with Jones – maybe toward May or so. But, he asked Jones what he thought about that. Jones responded that it was an anniversary for a full year, so they have lots of room to work through that. He felt that, obviously, the earlier in the year the better. Friend asked Yancey to confirm,

Information Network of Kansas Board Meeting Minutes

as he recalled that Yancey, Don Heiman the former CITO and some other people had their picture taken for an eGovernment proclamation from the Governor previously. Friend continued that this framed proclamation sat outside Jones' office today, so this kind of thing really used to receive that level of support in the past, and it made these kinds of things made outreach much easier.

Action Taken: None.

6) 2022 Board Officer Nominations / Nominating Committee

Friend summarized the approach that had been taken in the past to officer nominations, where the Board had convened a nominating committee who would solicit interest from members in serving in one of those positions and then present a slate of three candidates at the January meeting. The current officers were Tom Sloan, Chair, Kate Butler, Vice Chair, and Vicky Ortiz, Secretary. This year, the election occurred in a special board meeting around the middle of April as, at that point, the members who had been serving as officers had all left the board. The agreement at that time was that these officers would serve the remainder of the year in those positions and then, as required in the by-laws, an election for the officers for the next year would be held. As he had said, traditionally, a committee would have proposed a slate of three members who had agreed to serve and then there would be a vote.

Because there had been some discussion recently about the need to avoid serial meetings, it struck Friend that the process that he had described, almost by definition, could result in a serial meeting, where a couple board members were talking with a couple board members about an issue before the board – the election. He added that there actually had been a KOMA case before the Attorney General that involved a board member contacting other board members outside the meeting about remaining an officer. So, he talked with Board counsel, as he didn't understand how they were able to do that, but it didn't seem like that would work. While he knew there were other state boards that nominated and elected officers from their membership, he was not sure what that process was. So, after talking with Counsel, he was going to suggest that members would send their nominations to himself, then he would just bring them to the January meeting. If it turned out that there were multiple people who wanted to serve in a position, then it could just be worked out in an open meeting and thus avoid the issues with a nominating committee. He concluded that, of course, he was not the "decider", he just wanted to provide an overview of how it had worked and the potential issues that could occur by using a nominating committee that had not occurred to him before.

Sloan said that one of the other boards on which he'd served did something similar to that. Each member was asked to indicate if they were interested in serving and, if so, in what role or roles. Then, that list was compiled. Friend said he could do that. He added that someone had mentioned to him that if they were going to do it that way, if a person nominated someone else, he should check with them to see if they were OK to be nominated for that position. So, he would also do that part of the process so that people don't get surprised. Sloan confirmed that members would self-nominate or nominate others. Friend said he would send out a call for nominations prior to the January 6 meeting so he would have that list for the meeting. Yancey recapped his understanding of the process as described and Friend agreed.

Friend then provided a brief update regarding the status of the nominations currently at the Governor's office. The Kansas Library Association had been contacted and were working on a slate of nominees for Ortiz's position, as her term had expired, and that slate would go directly to the Governor's office. And, he had sent over the nominees right after the last board meeting for the position occupied by Wilson. He had not

Information Network of Kansas Board Meeting Minutes

heard back on either position, but he thought it might be relevant to the election as there is a possibility that one or both of these members may not be renominated to the board and thus unable to serve as an officer.

Action Taken: None.

8) Network Manager Report

Jones said that they were finishing up work on changes to tax filing applications for the Department of Revenue, WebFile and Homestead. There had been a lot of changes to WebFile this year and he explained several improvements focused on usability. Both are on track to launch on January 3rd based on KDOR's approval. He then explained that he went to the American Association of Motor Vehicle Administrators (AAMVA) Region 3 and it was the first in-person conference of that group since the pandemic. Each of the jurisdictions presented on something innovative there were doing. One nice thing that had occurred there was that David Harper, the director of the Division of Vehicles at KDOR presented on the Alexa app for practice driver exams that had been developed by INK. He took a lot of notes and learned some things from other groups that were presenting there – they even had a follow up call with Harper and his people based on some things that were discussed there.

The last item he wanted to discuss was KIC's new office space. They had been in their current office space for over two decades and it looked that way. They signed a lease in the same building but on a different floor. They are doing a complete rebuild of that area, really focusing on an open office plan. In the old days, they had to have a server room, for example, as they hosted the state there at the office. It is at Topeka Townsite Tower. They expect to have it completed by the first week in January. It will have a large meeting room for internal and agency meetings.

Sloan asked Jones if any of the presentations or ideas that he got from Indianapolis were NIC products. Jones confirmed that they were. Wisconsin talked about their new online registration system. Sloan asked if there was anything that could easily be transported here. Jones said yes, although not necessarily easily. He needed to be careful talking about it as there was an open procurement, but there was some discussion with KDOR and the Wisconsin folks about how they could better assist with the Telegov product they were using now with large offices. He added that one of the most innovative things he heard was not an NIC product. The State of Ohio was printing a list of any recalls that applied to a vehicle on their renewal notices.

Action Taken: None.

Friend confirmed that there was no new business. But he wanted to let the Board know that he is working with Board counsel on both the KSU contract and the contract with Shockey Consulting. And that there would be an item coming up on the January agenda regarding a grant to the State Historical Society. He wasn't sure all who had been at the meeting last spring when this was discussed. But, they had an issue where they had lost the code being developed for the project by a consultant who took the code with them. They have a back bill that they would present to INK for that work, but they don't have anything to show for it. So, they worked with the consulting firm and Division of Purchases to get the project restarted. However, it has taken a long time. They have been making progress but will likely ask that the grant period be extended again so they can get it completed – so there may be a presentation. Seaman is also likely to finally close out their grant as complete.

Adjournment: Cook moved to adjourn the meeting at 11:59 a.m. The motion was approved unanimously.