

TRANSPARENCY ADVISORY BOARD MEETING MINUTES

August 30, 2011
States Capitol Building
Room 415 – 8:00 a.m.

Attendance:

John Reidhead, Chairman of the Board, Director of Finance
LeGrand Bitter, Utah Association of Special Districts
Ron Bigelow, Governors Office of Planning and Budget
Senator Wayne Niederhauser
Stephen Fletcher, CIO/Executive Director, Dept. of Technology Services
Robert Kirk, Utah County Treasurer, First Vice President of Utah Association of Counties
Mayor Mia Love, Saratoga Springs
(Absent) Jonathan Ball, Legislative Fiscal Analyst
(Absent) Representative Ken Sumsion

1. Welcome and elect chair and vice chair:
2. John Reidhead welcomed everyone to the meeting. The Board introduced themselves.

According to the statute, annually it is required to elect a chair and vice chair for the Transparency Advisory Board. John opened up the nominations by nominating Ron Bigelow for chair, it was seconded. Stephen Fletcher nominated John Reidhead for a second term, it was seconded.

Ron Bigelow made an amendment to the motion, he withdrew his nomination.

There was a vote to nominate John Reidhead for another term as chair. The vote passed unanimously.

John Reidhead nominated Senator Niederhauser as Vice Chair; it was seconded and passed.

3. Review of March 22, 2011 Meeting Minutes:

John Reidhead made a motion to approve the minutes; it was seconded and the minutes were approved.

4. Update on Website Status

- a) Usage statistics

Michael Rice from Utah Interactive reported how the website had been running over the last 27 months. He presented a chart of the website traffic and explained the spikes in

traffic on the site. There was a spike at the beginning when the website went live, and there are spikes in traffic in May and Sept. when new data is added. There have been 45,000 visitors over the last two years, and about a 36% bounce rate. The majority of the visitors are repeat visitors. The number of visitors to the website has been consistent during the week and drops off on the weekends. The average time visitors spend on the website is 10 min. The majority of the countries in the world have visited the website.

Michael Rice reported that there are 44 million records of transaction currently on the website. He said the State of Utah has 18 million records, Cities combined have 2.8 million records, Counties have 1.4 million records, Higher Ed. has 13 million records, and K-12 has 8 million records.

Michael Rice was asked if there was a way of tracking what types of records are most requested and he will compile those records and bring them to the next meeting.

Michael Rice is going to send the Board a pivot table report that has all of the base data on it.

b) Website Inquiries

Brenda Lee said that Falcon Research asked for specific records with Utah Interactive. She said there were two inquiries about Weber State's payroll data, Joel Campbell from the Salt Lake Tribune asked about the grade that the website received, Brenda asked him to contact her directly for information so they can get information to him sooner. There was a large request from Visible Government Online wanted the whole population of the website. There was a request from someone from Stanford with the California Common Sense Group for some large amounts of data. A corporate strategy group from United Health Group asked for information from certain departments in the state. Brenda said they have been able to give most of the requests they have received the information they wanted. Utah's Right has requested payroll information, (agenda item 5. b)

Brenda said they are still working on a minimal charge for large downloads.

There was a discussion about a reasonable fee for the super users.

Senator Niederhauser wants the public information to be as free as possible.

Ron Bigelow feels that there are other solutions that could be put in place instead of charging for the information. He feels that they should wait until the problem gets bigger.

5. Status of Participating Entities

a) 2010 Entities

Darrell Swensen explained the current status of the 2010 entities. He said that 97% have posted on the official website the expense and revenue data. He explained the reason why

some of the entities had not complied. Some have not responded and other are having difficulty formatting their data. He said the State Office of Education is encouraging all schools to comply.

There was a discussion on ways to get all entities to comply without imposing penalties. There was also a discussion on penalties if they don't comply.

Senator Niederhauser said we may need a policy to address those entities who do not comply.

It was decided that Brenda will draft a letter to the oversight entity of those entities that have not complied. The letter should encourage them to participate, but may also state that there may be some punitive actions that will follow if they choose to not to comply. Senator Niederhauser will sign the letter.

Most Charter Schools have not provided data for the website. Darrell is continuing to work with them.

Darrell said that because of a federal law the State Office of Education has put more benefit information on the website than they had previously submitted.

b) 2011

Darrell Swensen said that there have been 84 % of the 2011 entities with a budget of 1 million dollars or greater on the official website. He said that he feels that all the entities will post their data on the website. Some Special Service Districts may take a little longer but they will comply. He said that he will continue to work with the entities that are having some issues posting their data. He said the state uploads monthly, all entities are required to upload quarterly and compensation is uploaded annually.

6. Other Issues

a) Gunnison Valley Hospital variance request

LeGrand Bitter presented to the Board a spreadsheet showing the rural hospitals that are Special Service Districts or city owned. He explained how they assess fees and how they are managed and their concerns about having their information on the website. The concern is posting salaries that could possibly lead to losing staff to other hospitals.

Mr. Bitter said that Gunnison Valley Hospital has asked for an exemption, but a delay would be appropriate if the Board has further questions.

Senator Niederhauser made a motion to have the Chairs of the Transparency Board meet with the Gunnison Hospital to discuss their specific concerns and then at the next meeting Board Meeting come up with a recommendation that would appropriately deal with their request. The motion was seconded and passed. LeGrand Bitter will set up the meeting.

b) Local Government Employee Compensation files to Utahsright.com

Brenda said that at the last meeting there was a discussion about automating some of the payroll information where entities like UtahsRight.com would be able to get all the information they need from the website. Some of the information they requested needs to have manually intervention. The website shows payroll records in multiple pieces per person, it shows wages, overtime, benefits in separate records.

Ron Bigelow feels that it is not Government responsibility to create the records in the exact format that UtahsRight wants.

Brenda explained that there is a unique records identifier that tells the website who the person is so the website can add up the records and give a total. The unique identifier is not public so when they do the download they don't get the unique number and that makes it difficult to add up the records by person.

There was a discussion about supplying the information in the format that UtahsRight wants. They want to be able to roll up the information by employee.

Ron Bigelow said that you have to be consistent and fair with all entities. You treat everyone the same.

Senator Niederhauser agreed that we need to be consistent, fair and practical. The transparency legislation was to give some relief to local governments, charter schools and state agencies in having to process GRAMA requests. He feels that they may need a policy so if the information is available on the website the entities don't need to process a GRAMA request they could refer them to the website.

Brenda feels that there are enough requests for the employee data that the website should be automated in a way to get a number that's unique to each employee but that is not private. And until this is done the Board needs to decide how to help UtahsRight to get the information they need.

Brenda explained that they could change the website to not show detailed records by employee, and then they would not need the employee number. Then they would have one record per employee with total compensation and benefits. She said there would not be a cost to automate the payroll data.

Ron Bigelow asked Brenda to formulate a proposal and bring back to the Board what she feels would be the most efficient way of getting the payroll data. So every entity would be able to get the data in the same way.

Senator Niederhauser said that compensation is benefits and wages. He thinks a proposal is a good idea.

Brenda Lee said that until the payroll data is automated they need to look into a confidentiality agreement. Or convert the employee numbers to a non-private number and charge UtahsRight for the time involved in doing this.

John Reidhead invited the people representing Utahsright.com to explain to the Board what they are requesting.

Tony Semerad, Scott Sherman, and Jessica Miller from the Salt Lake Tribune are all representing Utahsright.com.

Tony Semerad an advisor to UtahsRight said that they are asking for a field in the database that allows them to interpret data that would otherwise be useless. He said they are asking for a key so they can understand the data this would be a tool that could be used for all requesting entities.

This field in the database would not be in place for this year's data, but they have been working with Brenda on a confidentiality agreement that would give them the ability to look at the data and be able to understand it, this would help them until the automation was complete.

Mr. Semerad explained that UtahsRight initially received a base salary number for employees. Now agencies format data to show benefits and other expenditures for all employees because it is required for the Transparency Website.

Scott Sherman from the Salt Lake Tribune gave examples how the unique identifier would help them separate individual employees.

Brenda Lee said that they are working on this issue with UtahsRight and hope to have it resolved soon.

7. Public Comment

No public comment.

8. Discuss Next Board Meeting Date

No specific date was scheduled.

There was a motion to adjourn, it was voted on and passed. The meeting was adjourned.