

## Utah Transparency Advisory Board Meeting Minutes

September 17, 2013  
State Capitol Building  
Room 415 – 10:00 a.m.

### Attendance:

Senator Deidre Henderson – Chair, Utah State Senate  
John Reidhead – Vice Chair, Director, Division of Finance, Dept. of Administrative Services  
Evan Curtis, Utah Governor’s Office of Management and Budget  
Jonathan Ball, Legislative Fiscal Analyst, Utah State Legislature  
Representative Steve Eliason, Utah State House of Representatives  
Mark VanOrden, State CIO, Utah Department of Technology Services  
Patricia Smith-Mansfield, Utah State Archivist  
Gary Williams, City Attorney for Ogden City  
Lex Hemphill, State Records Committee  
Phillip Windley, Public Board Member  
Jason Williams, Public Board Member

### 1. Welcome and introduction of board members.

Senator Henderson called the meeting to order. She welcomed everyone to the meeting and wished everyone a happy Constitution Day, and introduced the two new board members, Phil Windley and Jason Williams.

### 2. Review of September 17, 2013 Meeting Minutes.

Mark VanOrden moved to adopt the minutes from the meeting held on Sept. 17, 2013. John Reidhead seconded the motion. Senator Henderson asked if there was a discussion to the motion.

Lex Hemphill suggested adding an explanation and page numbers in parenthesis of the second paragraph on page 2 of the minutes, where the board voted to move to item # 5 on the agenda, Dianne Meppen’s presentation. Barbara will add Mr. Hemphill’s suggest to the minutes to read as follows: (The Board moved to item #5 on the agenda, Dianne Meppen’s presentation *Smarter eGovernment: The Benefits of Online Services for Utah Businesses and The Economics of Online Services in Utah*, the study the Center for Public Policy & Administration, at the University of Utah, conducted on [Utah.gov](http://Utah.gov) and the benefits of online services, pages 4-7 of the minutes.) There was no other discussion on the motion to adopt the minutes.

A vote was taken to approve the minutes with the changes Mr. Hemphill suggested. The motion passed unanimously.

### 3. Results of survey to local governments.

Brenda Lee, Asst. Director, Division of Finance, said that the survey went to 700 people, with 200 responding. She reviewed the handouts with a summary of the closed-end responses in the first handout, and the open-ended responses in the second handout.

The first closed-end question asks if any of the most requested information is already available online. The response to the question was split evenly, with half saying it is already online and half saying it was not.

The next closed-end question, number 5 in the handout; asks what data formats they were currently using to make records available to the public. A PDF format was the most used format, with HTML second and third was the native application format such as Word or Excel.

Question number 6 of the survey, asked entities to rate barriers that affect the posting of public records online.

Ms. Lee stated when you add together the respondents that selected Moderate Barrier, Large Barrier, and Significant Barrier; there are a high percentage of entities that indicate that “Lack of time”, “Lack of Funding”, and “Perceived cost-benefit” are the biggest barriers that affect them when posting public records online. Refer to #6 of the handout.

Those are the three questions on the survey where you can see statistics, all the rest of the questions on the survey are open-ended questions.

Ms. Lee explained the other handout (spreadsheet with blue on it) with the compiled list of the open-ended questions and answers from the survey. The answers were sorted by entity type. They summarized the most common answers to the questions.

Board, Council or Commission meeting minutes was one of the most requested records for most of the entity types and respondents.

In addition to minutes the following items were most requested:

1. Charter Schools and School Districts: budgets, financial reports, and compensation data.
2. Cities and Towns: building and zoning ordinances and police and other reports.
3. Counties: tax records and delinquencies, sales tax information, marriage licenses, deeds of record, and contracts/agreements.
4. Interlocal governments, and Local and Special Service Districts: few or no requests.
5. State agencies: specific items relating to their agency.
6. Unidentified: compensation and entity-specific assistance.

The entities that receive few or no requests were added up and there were 57 out of 199, or approximately 29 % that received few or no requests. About half of the entities that were sent the survey did not identify themselves. We were able to determine what type of entities some of these were, by the answers to the questions.

Senator Henderson asked Brenda to list by specific entity type, those that received few or no requests.

In response to the above question, Brenda emailed the following information to Senator Henderson and the board after the board meeting:

Below is a summary and count of the types of entities that said they get no or few GRAMA requests:

Unidentified: 21  
Local/Special Service District: 19  
Charter Schools: 5  
School Districts: 4  
Inter-locals: 5  
Cities: 1  
State agency: 1  
Component Unit: 1

Total of 57 entities or 29% of respondents

The survey was sent to state Public Information Officer's, and financial contacts at each of the entities that Finance has worked with to upload data to the transparency website. There was a discussion about question #8 of the survey on the estimated costs for the entities to prepare and upload to the State's transparency website. Charters schools said that they typically spend \$500, per year; school districts averaged \$600-\$10,000, per year. Interlocals reported their costs between \$0-\$2,000, Counties did not reply, state agencies were none to minimal, those not identified said their costs were between \$100-\$5,000. Refer to the handout.

Senator Henderson said there are costs related to GRAMA requests and would like to know if the cost that entities incur posting to the website is more, or less than the costs they incur not putting information online.

Jason Williams said that every entity that responded listed funding or more resources as a request for making things accessible online. Only state agencies did not list funding as an issue, but asked for more technology and coordination.

John Reidhead said that there is not a cost associated for state agencies to put their financial data online, because Finance is already bearing that cost.

Brenda Lee said that the detail comments in the survey show that the respondents feel that it would be cheaper for entities who don't have many requests to not put them online, but more efficient for those entities that receive a lot of requests to make them available online. John Reidhead stated that the question on the cost in the survey was only for the financial transparency website.

Darrell Swensen, the Transparency Coordinator, said the initial cost associated with getting data uploaded to the transparency website was substantial for larger entities. Smaller entities were provided with an Excel spreadsheet that eliminated their technical costs. Once online someone from each entity would create the file and upload it to the website monthly or quarterly. Payroll information is uploaded yearly. He thinks it would take most entities 30 min. or less to upload the data.

There were comments about the new Office of the State Auditor's requirement for a consistent chart of accounts. Entities were concerned about the cost associated with the requirement.

Brenda continued reviewing the summary of the survey and again said one of the most common requests from local and special service districts, interlocal entities, some cities & towns, and charter schools, was for board meeting minutes. Most of these entities are not currently required

to post minutes to the Public Notice Website, but cities and towns will be required to do so by Jan1, 2015.

When reviewing the detail recommendations, most entities asked to keep things simple without mandates that are not funded. They were asked to make sure there was a cost benefit to the entity, and if there was really a need for the information being online.

Senator Henderson stated that at the last meeting there was a presentation from the University of Utah that showed significant cost benefits of making information available online. We want to make sure we put things online in a strategic way, where the information is really needed.

John Reidhead said the presentation from the U of U addressed services the state has available online as opposed to records. Online services are an economic benefit as well as a cost-savings for the state.

Senator Henderson would like to see what the cost is to entities for some of the requests. She would like to know what the cost is for entities that receive a lot of requests that are not online and what the cost to the entity would be to have them available online.

Brenda Lee asked the Board to review the detail answers and comments to the survey.

Jonathan Ball suggested looking at the searches from [Utah.gov](http://Utah.gov) to see if that would provide insight to what people are looking for.

Mark VanOrden said that Dave Fletcher from DTS would be able to provide that information. Mr. Fletcher will come to the next board meeting and present his findings from the [Utah.gov](http://Utah.gov) searches.

Dave Fletcher from the Dept. of Technology Services reported that they keep statistics on incoming searches from external search engines as well as searches on internal search engines on [Utah.gov](http://Utah.gov). The DTS internal search engine includes data on 650 sites. He will report on the searches for which information was not found on [Utah.gov](http://Utah.gov), at the next meeting.

Michael Rice said they would put link to the survey results on the transparency website.

Patricia Smith-Mansfield said that many requests at Archives were about local governments, from people requesting meeting minutes, ordinances, etc. This is what people want from their own area. Ms. Mansfield said people can subscribe to the Public Notice Website to get the local information they are looking for. She does not feel that people would go to [Utah.gov](http://Utah.gov) for their local information.

Senator Henderson said that as the board reviews the survey there may be follow-up questions that will be sent out.

Patricia Smith-Mansfield and Lex Hemphill would like to do a survey on UPN for Archives' website.

Jonathan Ball said that the Legislature's site has a comment box where they receive complaints and questions; he feels it gives them good information about what people are looking for. He suggests contacting local governments, maybe the League of Cities and Towns, the Public

Notice Website, and the Transparency Website about comments they receive. Mr. Ball will see if Shelly Day the legislature's webmaster is available to report their findings at the next board meeting.

4. Discussion on CFO certification of transparency data.

Dean Lundell, Finance Director for Pleasant Grove City, President of the UGFOA (Utah Government Finance Officers Association), addressed the Board about the CFO certification and expressed a concern about the large amount of raw data on the transparency website. He explained how the certification is done on his financial statements. He stated that it takes a full year to close-out their financial ledgers. They take a couple of months to put in the adjusting entries, then a month or so for the auditor to put it together. They also have a lot of people who look at their statement over approximately a six month period. He feels that he can then certify their data is accurate and correct.

Mr. Lundell said that Pleasant Grove uploads data to the transparency website quarterly. The last quarter of data they entered was from April 1, 2013 – June 30, 2013, it was all their transactions during that time period. He is certain there would be adjustments made to the data because they don't do a full close-out every quarter. He isn't aware of any cities that do a full cycle of closing their books every quarter. He does not feel he could certify that this data is complete. He also feels nervous about how the data gets from their general ledger to State's system.

In Pleasant Grove they use Caselle software; this is the software most cities use. The Cities have worked with Caselle to develop a process for the cities to upload their data to the site. Pleasant Grove has not upgraded to Caselle Clarity, so they pay someone for \$250 a quarter to upload their data. Mr. Lundell said that he can certify that his file is complete, but he can't certify how that information is getting into the website.

Mr. Lundell contacted the financial officers from some Utah cities for suggestions for the language in the certification. They would like the certification language to say to the best of our knowledge the data they are uploading to the Transparency Website is complete and accurate at the date it was submitted. Also, it was suggested to add that the data is unaudited and subject to change due to voided transactions or adjustments and to the best of their knowledge the data is a complete record of transactions between the dates of that particular quarter. He feels the financial officers would agree to the certification with this added language.

John Reidhead will work with Mr. Lundell to draft the language for the certification. It also needs to be decided how many times an entity will be required to certify the data and how the certification will be presented on the website.

Mr. Lundell asked about the Office of the State Auditor requiring CPA firms to audit the transparency website.

John Reidhead explained that the Office of the State Auditor has this requirement in their compliance manual. The CPA firms will be checking to see if entities are complying with the state requirements to post to the transparency website. However, it is highly unlikely that the CPA firm will audit what is posted for accuracy or completeness.

Representative Eliason likes the way the certification is written. He feels it is straight forward and simple.

Gary Williams commented that the language in the certification is important to the financial officers who are nervous about certifying the data, but also important to the users who get documents to use to change government action. It is important to know this data is in draft form.

5. Utah Open and Public Meetings Act. Training.

Ed Lombard from the Utah Attorney General's Office presented the power point presentation of the Utah Open and Public Meeting Act training for 2013. This is a yearly required training for State Boards. He reviewed each slide of the presentation to the Board. The Utah Transparency Advisory Board is subject to the Open and Public Meeting Act.

Barbara Sutherland will send the power point presentation to the board members.

John Reidhead thanked Mr. Lombard for taking the time to present this training to the Board.

6. Follow up items from presentation by Dianne Meppen, Research Associate with the Center for Public Policy & Administration, University of Utah, from the last Board Meeting.

Brenda Lee reviewed the memo that was in the handouts from Dianne Meppen about the questions that the board asked her to provide additional details for.

Q. What are the Utah services used in the study to get the cost avoidance figure?

They included Commerce, Office of Education, and Tax Commission. (Refer to handout for complete list included in the study)

Q. How the cost avoidance was calculated.

The total cost avoidance is the product of the number of online transactions demanded, times the cost avoidance per transaction as reported by each agency. (Refer to handout)

Q. If Job Referrals were used in the calculation.

It was not included in the calculation. Workforce Services said there is no clear way to accurately estimate the number of offline transactions in the year prior to going online. (Refer to handout)

Q. What recommendations did they get from the study about other items that should be offered online?

Ms. Meppen has not sent Brenda Lee this information.

7. Update and Status

- Usage statics

Michael Rice with Utah Interactive reported that the transactions last month on the website continued to increase. Compared to last year, August is 43% higher and July was also 30% higher than last year. This is the for the financial transparency site. They average about 100 users per day. In the past the average was around 60-70 users per day.

Rep. Eliason asked about the growth in usage of the website.

Mr. Rice said he does not know what has prompted the increase in usage, but that it could be because of an article in the Salt Lake Tribune, or more board meetings being held.

Mark VanOrden said they have seen a similar increase on the Utah.gov website as well.

- Website inquiries

Darrell Swensen reported that there have 6 inquiries to the transparency website since the last meeting. Two asked about the status of Utopia posting data to the website. Mr. Swensen continues to work with Utopia to get their data uploaded to the site. One request asked when last year State of Utah employee compensation would be posted to the website is. This data has been posted since the request. One asked how to define the break out of the tax allocations, and Education expenses. He referred this person to the CAFR. Two inquiries asked how to set up a user account on the website. He will help them with this.

- Status of Participating Entities

Mr. Swensen said there have not been any significant changes on the status of the participating entities since the last meeting.

- Status of Gunnison Valley Hospital & other hospitals

There has not been any change with the status of Gunnison Valley Hospital or other hospitals.

8. Public Comment. No public comment.

9. Discuss Next Board Meeting Date.

The next meeting will be held on Oct. 9, 2013 at 1:00 p.m. Senator Henderson would like to form working groups at that meeting on Oct. 9<sup>th</sup>.

John Reidhead moved to approve the date and time for the next meeting. There was a second and a vote, all Board Members approved, motion passed unanimously.

There was a motion to adjourn, it was seconded and passed.