



NEBRASKA STATE RECORDS BOARD

ANNUAL REPORT

Neb. Rev. Stat. § 84 - 1205.05

2016

MEMBERS

Neb. Rev. Stat. §§ 84 - 1203 and 1204 (2), (3)

John A. Gale, Secretary of State, State Records Administrator, Chairperson
Pete Ricketts, Governor or designee
Doug Peterson, Attorney General or designee
Charlie Janssen, Auditor of Public Accounts or designee
Don Stenberg, State Treasurer or designee
Byron Diamond, Administrator, Department of Administrative Services or designee
Crystal Wichita, representing Banking groups
Tony Ojeda, representing Insurance groups (Replacing Scott Keene, September, 2016)
Brian Buescher, representing Law groups
Brenda Ealey, representing Library groups
Greg Osborn, representing the General Public
Angela Stenger, representing Media groups (Replacing Mike Konz, September, 2016)

Meetings were held on March 16, 2016, May 11, 2016, July 13, 2016, September 28, 2016 (revised), and December 7, 2016. All meetings were held in the Nebraska State Capitol, Room 1507, Lincoln, Nebraska, commencing at 9:00 a.m. Following are the agendas and minutes of each meeting. NOTE: The minutes included for the meeting held on December 7, 2016 are in *draft* form. The minutes will be approved at the March 1, 2017 meeting.



John A. Gale
Secretary of State
State Records Board Chair



NEBRASKA STATE RECORDS BOARD

MINUTES

Meeting of March 16, 2016

Agenda Item 1. CALL TO ORDER, ROLL CALL

The meeting of the Nebraska State Records Board was called to order by Chairman John A. Gale at 9:05 A.M. on March 16, 2016 in Room 1507 of the State Capitol, Lincoln, Nebraska.

A Roll Call was taken. The following Board members were present:

John Gale, Secretary of State, State Records Administrator and Chairman;
Mike Foley, Lt. Governor, representing the Governor;
Phil Olsen, representing the Auditor of Public Accounts;
Scott Keene, representing the Insurance Industry;
Brenda Ealey, representing Libraries;
Leslie Donley, representing the Attorney General;
Byron Diamond, Director of Administrative Services;
Brian Buescher, representing the Legal Profession;
Don Stenberg, State Treasurer;
Crystal Wichita, representing the Banking Industry

Absent:

Mike Konz, representing the Media;
Greg Osborn, representing the General Public

Staff in attendance:

Colleen Byelick, Legal Counsel
Tracy Marshall, Recording Clerk

Agenda Item 2. ANNOUNCEMENT OF NEBRASKA OPEN MEETINGS ACT

Chairman Gale announced that in accordance with the Nebraska Open Meetings Act, reproducible written materials to be discussed at the open meeting and a copy of the Nebraska Open Meetings Act are located to the left of the public seating area.

Agenda Item 3. NOTICE OF HEARING

Chairman Gale announced public notice of the meeting was duly published in the Lincoln Journal Star January 29, 2016 and on the state's website Public Meeting Calendar. The public notice and proof of publication relating to the meeting will be attached to and made a part of the meeting minutes.

Agenda Item 4. ADOPTION OF AGENDA

Mr. Stenberg moved to adopt the agenda as presented; seconded by Mr. Keene.

Voting For:	Buescher	Diamond	Ealey	Foley	Gale
	Keene	Olsen	Donley	Stenberg	Wichita

Voting Against: None

Absent: Konz Osborn

The motion carried.

Agenda Item 5. APPROVAL OF MINUTES

Chairman Gale asked for a motion to approve the minutes of the December 9, 2015 meeting. Ms. Donley moved to approve the minutes; seconded by Mr. Stenberg.

Voting For: Buescher Diamond Ealey Foley Gale
Keene Olsen Donley Stenberg Wichita

Voting Against: None

Absent: Konz Osborn

The motion carried.

Agenda Item 6. PUBLIC COMMENT

Chairman Gale asked the members of the audience if anyone wished to come forward to provide public comment on anything other than items listed on the agenda. No audience member indicated a desire to provide public comment.

Agenda Item 7. CHAIRMAN'S REPORT

Agenda Item 7.a. AGREEMENTS & ADDENDA

Mr. Brent Hoffman, General Manager, Nebraska Interactive, LLC introduced the following Agreements and Addenda:

Agenda Item 7.a.1. Electronic Government Service Level Agreements between Nebraska Interactive, LLC, the NE State Records Board and the City of Alma, the City of Fairfield, the City of Gibbon, the Village of Giltner, the City of Oakland and the City of Wood River. Signed by Chairman Gale pursuant to Board Authority.

Agenda Item 7.a.2. Addenda (PayPort) (Local) to the Electronic Government Service Level Agreements between Nebraska Interactive, LLC, the NE State Records Board and the City of Alma, the City of Fairfield, the City of Gibbon, the Village of Giltner, the City of Oakland and the City of Wood River. Signed by Chairman Gale pursuant to Board Authority.

Agenda Item 7.a.3. Addenda (Event Registration) to the Electronic Government Service Level Agreements between Nebraska Interactive, LLC, the NE State Records Board and the Nebraska Emergency Management Agency and the Nebraska Supreme Court – Public Guardian. Signed by Chairman Gale Pursuant to Board Authority.

Agenda Item 7.a.4. Addendum 8 (Special Designated License Payments) to the Electronic Government Service Level Agreements between Nebraska Interactive, LLC, the NE State Records Board and the Liquor Control Commission. Mr. Diamond moved to approve Addendum 8; seconded by Ms. Wichita.

Voting For: Buescher Diamond Ealey Foley Gale
Keene Olsen Donley Stenberg Wichita

Voting Against: None

Absent: Konz Osborn

Agenda Item 7.a.5. Addendum 3 (On-line Boiler Inspection) to the Electronic Government Service Level Agreement between Nebraska Interactive, LLC, the NE State Records Board and Department of Labor. Mr. Hoffman introduced Christopher Cantrell, Safety Division Director and Chief Boiler Inspector for the Department of Labor to speak about the process and impact of having this information available online. Mr. Cantrell gave a brief presentation regarding the need for the service. Mr. Buescher moved to approve Addendum 3; seconded by Mr. Olsen.

Voting For:	Buescher Keene	Diamond Olsen	Ealey Donley	Foley Stenberg	Gale Wichita
Voting Against:	None				
Absent:	Konz	Osborn			

The motion carried.

Agenda Item. 7.b. Review and Approve revised EGSLA, Statement of Work and Addendum Templates and Authorize Chairman of the Board to sign. Ms. Byelick, Legal Counsel provided a revised electronic government service level agreement (EGSLA), statement of work, and addendum documents and went over why the new documents were needed to be consistent with the new contract with Nebraska Interactive, LLC. Ms. Byelick said she had contacted the Portal Operations Subcommittee via email and asked for feedback which she incorporated into the documents. Mr. Stenberg stated concerns about 14.b.i. in relation to State Statute 81-118.01. A discussion ensued and concluded with Mr. Stenberg indicating that he would request an Attorney General Opinion about the matter. Mr. Hoffman, General Manager with Nebraska Interactive, LLC agreed that he would not provide swipe machines to state agencies until the matter was resolved. Mr. Diamond moved as follows:

I move to approve the template Electronic Government Service Level Agreement, Statement of Work, and Addendum documents as presented to the Board and authorize the Chairman of the Nebraska State Records Board to sign Electronic Government Services Level Agreements and Statements of Work agreements if the approved template is used and report signed Electronic Government Service Level Agreements and Statements of Work to the Board at its next regularly scheduled meeting.

The motion was seconded by Ms. Donley.

Voting For:	Buescher Keene	Diamond Olsen	Ealey Donley	Foley Stenberg	Gale Wichita
Voting Against:	None				
Absent:	Konz	Osborn			

Mr. Stenberg moved that the board seek the Attorney General’s opinion concerning what an agency may charge in processing a credit card transaction on-site; seconded by Mr. Keene.

Voting For:	Buescher Keene	Diamond Olsen	Ealey Donley	Foley Stenberg	Gale Wichita
Voting Against:	None				
Absent:	Konz	Osborn			

Ms. Ealey left at 10:40 A.M. and returned at 10:43 A.M.

Agenda Item 7. c. NEBRASKA INTERACTIVE, LLC Outage reports on September 20, 2015 and November 7, 2015. Ms. Byelick explained the letters from Nebraska Interactive, LLC. With respect to the November 7, 2015 outage, Ms. Byelick did confirm with Ed Toner, OCIO that it was a fault with the State’s Network, not a function that Nebraska Interactive had any control over and relief was warranted. Ms. Byelick had asked Ms. Donley, Assistant Attorney General to analyze the outage from September 20, 2015 to see if a penalty should be applied. Mr. Stenberg moved to approve the recommendation of the OCIO for the outage from November 7, 2015, and that no penalty be given to Nebraska Interactive LLC due to force majeure; seconded by Mr. Diamond.

Voting For:	Buescher	Diamond	Ealey	Foley	Gale
	Keene	Olsen	Donley	Stenberg	Wichita
Voting Against:	None				
Absent:	Konz	Osborn			

The motion carried.

Mr. Buescher moved to postpone determination of the September 20, 2015 outage and submit to the Portal Operations for review and recommendation for penalty to be applied. Mr. Diamond recommended that Nebraska Interactive provide the Portal Operations Subcommittee a count of how many transactions may have been affected by the outage. Mr. Buescher accepted a friendly amendment to the motion to include information be provided to the Subcommittee; seconded by Ms. Wichita.

Voting For:	Buescher	Diamond	Ealey	Foley	Gale
	Keene	Olsen	Donley	Stenberg	Wichita
Voting Against:	None				
Absent:	Konz	Osborn			

The motion carried.

The Board took a brief recess at 11:05 A.M and reconvened at 11:20 A.M.

Agenda Item 7.d. NSRB Cash Fund Balance Report

Ms. Byelick presented the October 2015 through December 31, 2015 Cash Fund Balance Report for the second quarter of the fiscal year. She explained that due to an error on the previous reports that the Board was being presented with a new report for the first fiscal quarter of the year as well. Mr. Keene moved to approve the Cash Fund Balance Report as reported for two quarters; seconded by Mr. Diamond.

Voting For:	Buescher	Diamond	Ealey	Foley	Gale
	Keene	Olsen	Donley	Stenberg	Wichita
Voting Against:	None				
Absent:	Konz	Osborn			

The motion carried.

Agenda Item 7.e. Grant Update and Discussion.

Chairman Gale explained to the Board that in the course of the deficit process, a transfer of one million dollars from the Records Management Cash Fund had been proposed. Eventually, the amount was reduced to \$500,000. Chairman Gale indicated this transfer would still allow the Board to operate and to hire an Executive Director for the Board who would focus full time on the Board and the relationship with

Nebraska Interactive but was uncertain if any money would be available for grants. Ms. Byelick stated that we would have a better picture of the financial situation by the summer meeting. Chairman Gale also asked that the Portal Operation Subcommittee be involved with the interview process of the Executive Director.

Agenda Item 7.f. GIS Workshop Update. (This agenda item was presented earlier in the meeting, but for the purpose of these minutes, this item will be discussed as listed on the Agenda.) Chairman Gale introduced and welcomed Joe Heieck – Owner & CEO – GIS Workshop, LLC. Mr. Heieck spoke about what his company does and who they work with, and the steps he has taken to resolve issues that have occurred in the past with communications between the Counties, the Board and OCIO office and what has been done since he bought the company in January 2015.

Agenda Item 8. NEBRASKA.GOV REPORTS

Agenda Item 8.a. State Payment Processing Transition

Mr. Stenberg stated that they had started the implementation of the transition beginning March 1, 2016, and continuing on every Tuesday of the month so that all processing would be transitioned by April 1, 2016.

Agenda Item 8.b. General Manager’s Report

Mr. Brent Hoffman, General Manager, Nebraska.gov presented the 4th Quarter 2015 General Manager’s Report.

Mr. Foley left at 11:51 A.M. and returned at 11:53 A.M.

Agenda Item 8.c. Project Priority Report

Mr. Hoffman presented the Project Priority Report. Ms. Donley moved to approve the Project Priority Report; seconded by Ms. Ealey.

Voting For:	Buescher Keene	Diamond Olsen	Ealey Donley	Foley Stenberg	Gale Wichita
Voting Against:	None				
Absent:	Konz	Osborn			

The motion carried.

Agenda Item 12. DATE FOR NEXT MEETING


Chairman Gale announced the next NE State Records Board meeting will be held on Wednesday, May 11, 2016 at 9:00 A.M., Room 1507, NE State Capitol, Lincoln, NE.

Agenda Item 13. ADJOURNMENT

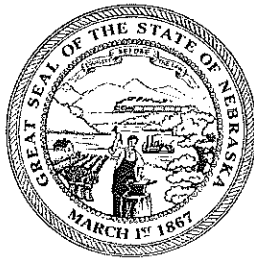
Mr. Stenberg moved to adjourn the meeting; seconded by Mr. Olson. All members present signified agreement by saying “aye”. Chairman Gale declared the meeting adjourned at 12:02 P.M.



John A. Gale
Secretary of State
State Records Administrator
Chairman, State Records Board



Date



NEBRASKA STATE RECORDS BOARD

MINUTES

Meeting of May 11, 2016

Agenda Item 1. CALL TO ORDER, ROLL CALL

The meeting of the Nebraska State Records Board was called to order by Chairman John A. Gale at 9:07 A.M. on May 11, 2016 in Room 1507 of the State Capitol, Lincoln, Nebraska.

A Roll Call was taken. The following Board members were present:

John A. Gale, Secretary of State, State Records Administrator and Chairman;
Mike Foley, representing the Governor;
Phil Olsen, representing the Auditor of Public Accounts;
Scott Keene, representing the Insurance Industry;
Brenda Ealey, representing Libraries;
Leslie Donley, representing the Attorney General;
Byron Diamond, Director of Administrative Services;
Brian Buescher, representing the Legal Profession;
Don Stenberg, State Treasurer;
Greg Osborn, representing the General Public
Mike Konz, representing the Media;
Crystal Wichita, representing the Banking Industry

Absent: None

Staff in attendance:

Colleen Byelick, Legal Counsel
Tracy Marshall, Recording Clerk

Agenda Item 2. ANNOUNCEMENT OF NEBRASKA OPEN MEETINGS ACT

Chairman Gale announced that in accordance with the Nebraska Open Meetings Act, reproducible written materials to be discussed at the open meeting and a copy of the Nebraska Open Meetings Act are located to the left of the public seating area.

Agenda Item 3. NOTICE OF HEARING

Chairman Gale announced public notice of the meeting was duly published in the Lincoln Journal Star on April 11, 2016 and on the state's website Public Meeting Calendar. The public notice and proof of publication relating to the meeting will be attached to and made a part of the meeting minutes.

Chairman John A. Gale presented Scott Keene and Mike Konz with a Citation for their six years of service to the Nebraska State Records Board and they also received a medallion with the Nebraska State Seal.

Agenda Item 4. ADOPTION OF AGENDA

Mr. Stenberg moved to adopt the agenda as presented; seconded by Mr. Keene.

Voting For:	Buescher	Diamond	Donley	Ealey	Foley
	Gale	Keene	Konz	Olsen	Osborn
	Stenberg	Wichita			
Voting Against:	None				
Absent:	None				

The motion carried.

Agenda Item 5. APPROVAL OF MINUTES

Chairman Gale asked for a motion to approve the minutes of the March 16, 2016 meeting. Mr. Stenberg moved to approve the minutes; seconded by Mr. Osborn.

Voting For:	Buescher	Diamond	Donley	Ealey	Foley
	Gale	Keene	Olsen	Stenberg	Wichita
Not Voting	Konz	Osborn			
Voting Against:	None				
Absent:	None				

The motion carried.

Agenda Item 6. PUBLIC COMMENT

Chairman Gale asked the members of the audience if anyone wished to come forward to provide public comment on anything other than items listed on the agenda. No audience member indicated a desire to provide public comment.

Agenda Item 7. CHAIRMAN'S REPORT

Agenda Item 7.a. Mr. Toner, Chief Information Officer for the State of Nebraska was scheduled at this time, this item was delayed until he arrived at the meeting.

Mr. Toner explained that he has been meeting with Nebraska Interactive on a regular basis and how they have worked together to find the best solutions for coordinating technology for the State of Nebraska. He further discussed the Service Agreement with the OCIO that was signed in 2014, but had not been fulfilled during the previous administration. He said it was a good service to provide, but wanted a discussion about changes that he would like to see in this Service Agreement, as far as having the ability to charge the Board for the time spent by the OCIO project managers' time only on project that have been brought to the Board for approval.

Chairman Gale gave a brief discussion on the history of this agreement, and the budget allotment for the Board. Mr. Toner went on to say that if they worked together with Nebraska Interactive, they could reach the entire State of Nebraska instead of a smaller portion. The Lt Governor also let the Board know that the Governor would like to see this happen.

Mr. Stenberg asked for a ball park estimate on the cost that they would be asking for, Mr. Toner said it would be around \$100,000 to \$200,000 to create and maintain the services.

Mr. Stenberg made a motion: First, that the Portal Operations Sub Committee meet with the CIO and propose a new OCIO Service Agreement for services that would be provided free of charge to the Board; and, secondly, that any proposal for fee services to the Board by the OCIO would be presented separately as a specific contract for consideration by the Portal Operations Subcommittee and by the Board, seconded by Mr. Diamond.

Voting For:	Buescher	Diamond	Donley	Ealey	Foley
	Gale	Keene	Konz	Olsen	Osborn
	Stenberg	Wichita			

Voting Against: None

Absent: None

Agenda Item 7.b. AGREEMENTS & ADDENDA

Mr. Brent Hoffman, General Manager, Nebraska Interactive, LLC introduced the following Addendum:

Agenda Item 7.b.1. Addendum 4 (Elevator Inspection) to the Electronic Government Service Level Agreements between Nebraska Interactive, LLC, the NE State Records Board and the Department of Labor. After explanation, there were questions and the Board would like to have representation of the Department of Labor, which was unable to attend today's meeting. Mr. Diamond made the motion to table this item until the July meeting, seconded by Mr. Olsen.

Voting For:	Buescher	Diamond	Donley	Ealey	Foley
	Gale	Keene	Konz	Olsen	Osborn
	Stenberg	Wichita			

Voting Against: None

Absent: None

The motion carried.

Agenda Item 7c. Cash Fund Balance Report

Ms. Byelick presented the Cash Fund Balance Report, there was a miscellaneous adjustment of \$12,165 in February 2016 to adjust the fund balance from an error that was in the report, it shows as revenue, but it is just an adjustment. The unencumbered fund does not include the \$500,000 transfer that will be moved to the OCIO on June 30, 2016 but is referenced in the footnotes. Ms. Donley made the motion to approve the Cash Fund Balance, seconded by Mr. Osborn

Voting For:	Buescher	Diamond	Donley	Ealey	Foley
	Gale	Keene	Konz	Olsen	Osborn
	Stenberg	Wichita			

Voting Against: None

Absent: None

The motion carried.

Mr. Keene left at 10:58 and returned at 11:07.

Agenda Item 7d Update on the Executive Director position. Chairman Gale explained that 37 applications were received and they had interviewed 4 candidates and would be interviewing the 5th applicant later today. The hope is to have the Executive Director position filled by June, 2016.

Mr. Buescher left at 11:28 returned at 11:32.

Agenda Item 7.e. Report and recommendation from Portal Operations Subcommittee regarding September 20, 2015 outage. Ms. Byelick explained that the Portal Operations Subcommittee met and decided to recommend that the Board assess the maximum amount of \$20,000. Lt. Governor Foley explained that the Subcommittee agreed to the maximum penalty due to the fact that the switchover appears to not be working. Mr. Diamond requested that Mr. Hoffman give more detail on the testing of the switchover.

Ms. Donley moved to assess Nebraska Interactive LLC a \$20,000 penalty due to the outages which occurred on Sunday, September 20, 2015, the penalty being within the Boards authority to assess pursuant to Section 3.bb of the Master Contract between the Board and Nebraska Interactive LLC in effect at the time of the outage, seconded by Mr. Foley.

Voting For:	Buescher	Diamond	Donley	Ealey	Foley
	Gale	Keene	Konz	Olsen	Osborn
	Stenberg	Wichita			

Voting Against: None

Absent:

The motion carried.

Additional matter, Mr. Diamond made a motion to send a memorandum to Nebraska Interactive LLC requesting the following two separate discussions, 1) a more detailed recap of a state active environment, what occurred during this outage that caused it to hang and not cut over to the back-up facility, and 2) would be in regards to business continuity Disaster Recovery testing and certification, have a discussion regarding the last 12 months' worth of disaster recovery test and exercise from the cut over from production sight to backup sight which is designated within Nebraska Interactive's IT environment, to include what is the typical cut over time, is it milliseconds? Is it seconds? Is it minutes? Or, is it hours? So we have an expectation of what should that recovery time be when it comes back up from the backup site, seconded by Mr. Buescher.

Voting For:	Buescher	Diamond	Donley	Ealey	Foley
	Gale	Keene	Konz	Olsen	Osborn
	Stenberg	Wichita			

Voting Against: None

Absent:

Motion carried.

Agenda Item 7.f. Update regarding AG Opinion requested related to PayPort for State Agencies. Mr. Stenberg explained what was requested about the payment processing and costs of internet fees. A copy of the request will be emailed to the members of the Board.

Agenda Item 8. NEBRASKA.GOV REPORTS

Agenda Item 8.a. General Manager's Report

Mr. Brent Hoffman, General Manager, Nebraska.gov presented the 1st Quarter 2016 General Manager's Report. Mr. Hoffman brought up the subject of putting all the documents on-line so each of the Board members could receive an electronic devise and use at the meeting instead of paper. The consensus of the Board were positive to this idea. Chairman Gale made a comment that paper copies would still have

to be made for the public. He also suggested that the Board may have the funds to purchase for the Board. Chairman Gale requested a small committee, consisting of Ms. Wichita and Mr. Osborn would get together to provide a recommendation to the Board on the next steps to procuring electronic devices to the members.

Agenda Item 8.b. Update regarding EGSLA signing of the new approved Template from the March 16, 2016 meeting. Mr. Brent Hoffman, General Manager, Nebraska Interactive, LLC explained that they were in the process of getting all EGSLA's updated and have received 17 signed EGSLA's so far, the priority is working with State Agencies first, 63 Agencies need to have new EGSLA's and their goal is to have them completed by the end of May, 2016.

Agenda Item 8.c. Project Priority Report

Mr. Hoffman presented the Project Priority Report. Mr. Foley moved to approve the Project Priority Report, seconded by Mr. Konz.

Voting For:	Buescher	Diamond	Donley	Ealey	Foley
	Gale	Keene	Konz	Olsen	Osborn
	Stenberg	Wichita			

Voting Against: None

Absent:

The motion carried.

Agenda Item 9. DATE FOR NEXT MEETING

Chairman Gale announced the next NE State Records Board meeting will be held in July, no date has been set at this time.

Agenda Item 10. ADJOURNMENT

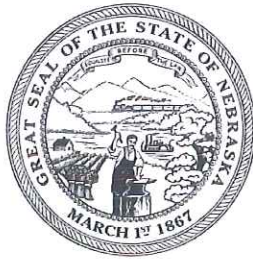
Mr. Konz moved to adjourn the meeting; seconded by Mr. Osborn. All members present signified agreement by saying "aye". Chairman Gale declared the meeting adjourned at 11:59 A.M.



 John A. Gale
 Secretary of State
 State Records Administrator
 Chairman, State Records Board

7/14/16

 Date



NEBRASKA STATE RECORDS BOARD

MINUTES

Meeting of July 13, 2016

Agenda Item 1. CALL TO ORDER, ROLL CALL

The meeting of the Nebraska State Records Board was called to order by Chairman John A. Gale at 9:08 A.M. on July 13, 2016 in Room 1507 of the State Capitol, Lincoln, Nebraska.

A Roll Call was taken. The following Board members were present:

John A. Gale, Secretary of State, State Records Administrator and Chairman;
Mike Foley, Lt. Governor, representing the Governor;
Phil Olsen, representing the Auditor of Public Accounts;
Scott Keene, representing the Insurance Industry;
Brenda Ealey, representing Libraries;
Leslie Donley, representing the Attorney General;
Byron Diamond, Director of Administrative Services;
Brian Buescher, representing the Legal Profession;
Don Stenberg, State Treasurer;
Greg Osborn, representing the General Public
Mike Konz, representing the Media;
Crystal Wichita, representing the Banking Industry

Absent: Scott Keene, representing the Insurance Industry;

Staff in attendance:

Steven Chase, Executive Director
Colleen Byelick, Agency Counsel
Tracy Marshall, Recording Clerk

Agenda Item 2. ANNOUNCEMENT OF NEBRASKA OPEN MEETINGS ACT

Chairman Gale announced that in accordance with the Nebraska Open Meetings Act, reproducible written materials to be discussed at the open meeting and a copy of the Nebraska Open Meetings Act are located to the left of the public seating area.

Agenda Item 3. NOTICE OF HEARING

Chairman Gale announced public notice of the meeting was duly published in the Lincoln Journal Star on June 13, 2016 and on the state's website Public Meeting Calendar. The public notice and proof of publication relating to the meeting will be attached to and made a part of the meeting minutes.

Agenda Item 4. ADOPTION OF AGENDA

Mr. Diamond moved to adopt the agenda as presented; seconded by Mr. Osborn.

Voting For:	Buescher	Diamond	Donley	Ealey	Foley
	Gale	Wichita	Konz	Olsen	Osborn
	Stenberg				

Voting Against: None

Absent: Keene

The motion carried.

Agenda Item 5. APPROVAL OF MINUTES

Chairman Gale asked for a motion to approve the minutes of the May 11, 2016 meeting. Mr. Stenberg made a correction to page three, paragraph 7.b.1 of the minutes and then moved to approve the minutes; seconded by Ms. Wichita.

Voting For:	Buescher	Diamond	Donley	Ealey	Foley
	Gale	Olsen	Stenberg	Wichita	Konz
	Osborn				

Voting Against: None

Absent: Keene

The motion carried.

Agenda Item 6. PUBLIC COMMENT

Chairman Gale asked the members of the audience if anyone wished to come forward to provide public comment on anything other than items listed on the agenda. No audience member indicated a desire to provide public comment.

Agenda Item 7. CHAIRMAN’S REPORT

Agenda Item 7.a. Portal Operations Subcommittee update on Service Agreement with the Office of the Chief Information Officer (OCIO). Ed Toner, the Administrator of the OCIO appeared and provided testimony to the Board regarding the two interagency agreements (Agenda Items 7.a.1 and 7.a.2) between the Board and the OCIO.

Agenda Item 7.a.1. Interagency Agreement between Nebraska State Records Board and OCIO regarding Portal Management Support Services. Mr. Toner stated that the agreement would promote better cooperation between Nebraska Interactive, the OCIO and the Board regarding any issues that involve portal services. Along with the agreement, the new executive director has been included in monthly meetings with the OCIO and Nebraska Interactive. Mr. Osborn moved to approve the agreement; seconded by Mr. Foley.

Voting For:	Buescher	Diamond	Donley	Ealey	Foley
	Gale	Stenberg	Konz	Olsen	Osborn
	Wichita				

Voting Against: None

Absent: Keene

The motion carried.

Agenda Item 7.a.2. Interagency Agreement between Nebraska State Records Board and OCIO regarding Enterprise Wide Funding Requests. The agreement would give the OCIO the ability to

request funding from the board outside of the grant program for specific projects. By allowing OCIO to make such requests, Mr. Toner indicates that such an agreement provide an expedited route in funding that would reduce costs and improve quality standards for customers. The aspects of a specific fund request would be considered on a case-by-case basis. Mr. Buescher moved to approve the agreement; seconded by Mr. Stenberg.

Voting For:	Buescher Gale Wichita	Diamond Stenberg	Donley Konz	Ealey Olsen	Foley Osborn
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Voting Against: None

Absent: Keene

The motion carried.

Agenda Item 7.b. Resume Grant Program;

Mr. Chase stated the grants subcommittee met on July 6, 2016, and supports the revival of the grant program, commencing with this meeting. The budget for the program will be \$150,000.00. The application requirements would remain the same as previously approved by the Board. The maximum grant amount will remain at \$25,000.00. The grant deadline will be September 15, 2016, and grant approval will be at the December 7, 2016 meeting. Mr. Osborn stated that applications should contain requirements to carry Nebraska.gov pay portal links. Mr. Hoffman provided additional information regarding Nebraska.gov links. Board members raised concerns regarding budgeting and requirements for grants by the board. Mr. Osborn moved to approve the agreement; seconded by Ms. Donley.

Voting For:	Donley Wichita	Ealey	Gale	Konz	Olsen
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Voting Against:	Foley	Diamond	Stenberg	Buescher	Osborn
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Absent: Keene

The motion carried.

At 10:28 A.M. Chairman Gale ordered a break. The meeting reconvened at 10:40 A.M.

Agenda Item 8. Nebraska.gov Reports

Agenda Item 8.a. Service Outage Report: Item 8a was brought before the Board at this time because the speaker on behalf of Nebraska Interactive, Jeff Shaw, the Vice President of NIC, Inc., needed to leave the meeting by 11:30 A.M. On May 23, 2016, Chairman Gale issued a letter to Nebraska Interactive with two questions regarding a September 20, 2015 portal service outage. The letter was distributed to the Board members along with a written response by Nebraska interactive. Mr. Shaw spoke to the Board regarding the cause of the outage, how it address the problem, and steps taken to avoid service outages in the future, such as evaluating and updating disaster recovery programs, relying more on cloud services.

Agenda Item 7.c. AGREEMENTS & ADDENDA

Agenda Item 7.c.1. Mr. Chase introduced the Electronic Government Service Level Agreements between Nebraska Interactive, LLC, the Nebraska State Records Board and 43 agencies, including: Abstractors Board of Examiners, Accountability & Disclosure Commission, Administrative Services, Aeronautics, Agriculture, Athletic Commission, Auditor of Public Accounts, Barbers Examiner Board, Brand Committee, Chief Information Officer, Coordinating Commission for PostSecondary Education, Correctional Services, City of Curtis, Deaf & Hard of Hearing Commission, Village of Eagle, Engineers & Architects Board, Fire Marshal, Foster Care Review Office, Grape & Winery Board, Governor, Industrial Relations Commission, Insurance, Investment Council, Labor, Law Enforcement & Criminal Justice Commission, Legislative Council, Liquor Control Commission, Motor Vehicle Industry Licensing Board, Motor Vehicles, Natural Resources, Nebraska Emergency Management Agency, Safety Council, State Patrol, Power Review Board, Problem Gambling Commission, Secretary of State Supreme Court, Tax Equalization & Review Commission, Tourism Commission, Veterans' Affairs, Volunteer Service Commission (ServeNebraska) and Workers' Compensation Court, signed by Chairman Gale pursuant to Board authority:

Agenda Item 7.c.2. Mr. Chase introduced Addendum 1 to the Electronic Government Service Level Agreement between Nebraska Interactive, LLC, the Nebraska State Records Board and the City of Curtis, the Village of Eagle. The Addendum was signed by Chairman Gale pursuant to Board Authority.

Agenda Item 7.c.3. Mr. Chase introduced Addendum 1 to the Electronic Government Service Level Agreement between Nebraska Interactive, LLC, the Nebraska State Records Board and the Tourism Commission. The Addendum was signed by Chairman Gale pursuant to Board Authority.

Agenda Item 7.c.4. Mr. Chase introduced Addendum 15 to the Electronic Government Service Level Agreement between Nebraska Interactive, LLC, the Nebraska State Records Board and the Nebraska Supreme Court. The Addendum was signed by Chairman Gale pursuant to Board Authority.

Agenda Item 7.c.5. Mr. Chase introduced a Statement of Work between Nebraska Interactive, LLC, Board, the Nebraska State Records Board and the Commission on Law Enforcement and Criminal Justice. The Statement of Work was signed by Chairman Gale pursuant to Board Authority.

Agenda Item 7.c.6. Addendum 4 (Elevator Inspection) to the Electronic Government Service Level Agreements between Nebraska Interactive, LLC, the Nebraska State Records Board and the Department of Labor. Katie Thurber, Agency Legal Counsel, and Christopher Cantrell, safety director appeared regarding the proposal that the Nebraska Department of Labor (NDOL) to reduce paper payments and allow electronic payments for the elevator permit fees. In the payment method proposed in the Addendum 4 originally submitted to the Board on May 11, 2016, allowed customers to make electronic payments with a processing of \$3.00 and the NDOL would reimburse Nebraska Interactive for any transaction fee not covered under the service agreement. The Board rejected the proposed Addendum 4 in favor of an alternative plan where the NDOL would charge customers a flat fee of \$3.00 and the customer would also pay any transactional fee not covered by Nebraska Interactive under the service agreement. Mr. Buescher made the motion to approve the alternative agreement, seconded by Mr. Konz.

Voting For:	Buescher Stenberg	Diamond Konz	Ealey Olsen	Foley Osborn	Gale Wichita
Voting Against:	Donley				
Absent:	Keene				

The motion carried.

Agenda Item 7.d. Board of Geologist: Sandra Weaver, the business manager for the Board of Geologist spoke on behalf of the Board of Geologist for its need to secure an online payment provider by October, 2016 when its contract expires with its current provider. Because the Board of Geologist is required to capture information as a part of its license renewal process, it was unable to create a system by the October, 2016 deadline with Nebraska Interactive. The Board of Geologist has renewed its contract with the current vendor, and the Treasurer has no objection to this agreement. The Board does not need to approve the agreement, only to approve fees according to Neb. Rev. Stat. §§84-1204 and 12-1205.02. Mr. Stenberg made the motion to approve the fee, seconded by Mr. Diamond.

Voting For:	Buescher Stenberg Donley	Diamond Konz	Ealey Olsen	Foley Osborn	Gale Wichita
Voting Against:	None				
Absent:	Keene				

The motion carried.

Agenda Item 7.e. Electronic Tablets: Greg Osborn presented testimony that other boards use electronic devices for meetings instead of presenting members with paper documents. This would require the purchase of electronic devices, having Wi-Fi available in the meeting room, and applications to review documents. Mr. Osborn also recommended that any closed discussions would be provided by paper and the documents would be destroyed after the meeting. The Board believed that as an entity promoting improving technology, it should move to electronic documentation for its meetings and purchase devices. Members Crystal Wichita and Greg Osborn shall work with the executive director and the OCIO to find appropriate devices. The Board would aim to go “paperless: by the first meeting of 2017. Mr. Buescher made the motion to authorize members Ms. Wichita and Mr. Osborn together with Executive Director Mr. Chase, to agree on a purchase plan for tablets and to accomplish it, seconded by Mr. Osborn.

Voting For:	Buescher Konz	Ealey Olsen	Foley Osborn	Gale Wichita	Stenberg Donley
Not Voting:	Diamond				
Voting Against:	None				
Absent:	Keene				

The motion carried.

Agenda Item 7.f. NSRB Cash Balance Report

Chairman Gale presented the Cash Fund Balance Report. Mr. Olsen believed the cash balance was off by \$5,000.00 to \$6,000.00 and requested to have the fund balance reviewed. Agency Counsel Byelick agreed to review it. Mr. Konz made the motion to approve the cash balance report, seconded by Mr. Olsen.

Voting For:	Buescher	Diamond	Ealey	Foley	Gale
	Stenberg	Konz	Olsen	Osborn	Wichita
	Donley				

Voting Against: None

Absent: Keene

The motion carried.

Agenda Item 8. Nebraska.gov Reports

Agenda Item 8.b. Website Content Fees. Discussion was initiated regarding Nebraska Interactive website content management fees and documentation was provided to the Board. Mr. Hoffman of Nebraska Interactive explained the \$80.00 rate charged by Nebraska Interactive to agencies for maintenance work and how it compares to definitions and rates in the Request for Proposal (RFP) and the Optional Service Matrix. No objection was made by the Board regarding fees charged by Nebraska Interactive regarding website maintenance or content management, permitting Chairman Gale to sign the various templated statements of work using the \$80.00 fee.

Mr. Buescher exited the meeting at 12:37 P.M

Agenda Item 8.c. Project Priority Report

Mr. Hoffman indicated that that a majority of projects are occurring in a timely manner. There is a small handful of projects that have not been completed, but nothing critical and delays are on the report. Nebraska Interactive reviews the priority report with the OCIO, and since July 2014, there has been a 146 percent increase in services requested from Nebraska Interactive. Ms. Donley made the motion to approve the Project Priority report, seconded by Mr. Konz.

Voting For:	Ealey	Foley	Diamond	Gale	Stenberg
	Konz	Olsen	Osborn	Wichita	Donley

Voting Against: None

Absent: Keene Buescher

Agenda Item 8.d. Update regarding signing of new EGLA's. Mr. Hoffman stated that 62 percent of the state agencies have signed the agreements. Mr. Hoffman also expects that the state agencies should be completed soon and the next wave of agreements from the counties will be executed in the next few months.

Agenda Item 8.e. General Manager's Report. Mr. Hoffman indicated the documents provided to the board can be reviewed by the Board. Nebraska Interactive did outline how citizens can engage with online payment services through Nebraska.gov.

Agenda Item 9. DATE FOR NEXT MEETING

Chairman Gale announced the next NE State Records Board meeting will be held on September 28, 2016, at 9:00 a.m., in Room 1507 of the State Capitol.

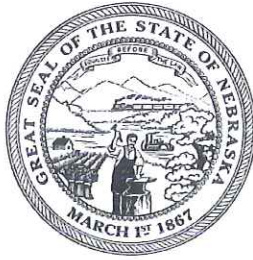
Agenda Item 10. ADJOURNMENT

Mr. Stenberg moved to adjourn the meeting. All members present signified their agreement by saying "aye". Chairman Gale declared the meeting adjourned at 12:47 P.M.



John A. Gale
Secretary of State
State Records Administrator
Chairman, State Records Board

9-28-2016
Date



NEBRASKA STATE RECORDS BOARD

MINUTES

Meeting of September 28, 2016

Agenda Item 1. CALL TO ORDER, ROLL CALL

The meeting of the Nebraska State Records Board was called to order by Chairman John A. Gale at 9:12 A.M. on September 28, 2016 in Room 1507 of the State Capitol, Lincoln, Nebraska.

A Roll Call was taken. The following Board members were present:

John A. Gale, Secretary of State, State Records Administrator and Chairman;
Mike Foley, Lt. Governor, representing the Governor;
Craig Kubicek, representing the Auditor of Public Accounts;
Tony Ojeda, representing the Insurance Industry;
Brenda Ealey, representing Libraries;
Leslie Donley, representing the Attorney General;
Byron Diamond, Director of Administrative Services;
Brian Buescher, representing the Legal Profession;
Don Stenberg, State Treasurer;
Angela Stenger, representing the Media;
Crystal Wichita, representing the Banking Industry

Absent: Greg Osborn, representing the General Public

Staff in attendance:

Steven Chase, Executive Director
Tracy Marshall, Recording Clerk

Agenda Item 2. ANNOUNCEMENT OF NEBRASKA OPEN MEETINGS ACT

Chairman Gale announced that in accordance with the Nebraska Open Meetings Act, reproducible written materials to be discussed at the open meeting and a copy of the Nebraska Open Meetings Act are located to the left of the public seating area.

Agenda Item 3. NOTICE OF HEARING

Chairman Gale announced public notice of the meeting was duly published in the Lincoln Journal Star on June 13, 2016, and on the state's website Public Meeting Calendar. The public notice and proof of publication relating to the meeting will be attached to and made a part of the meeting minutes.

Agenda Item 4. ADOPTION OF AGENDA

Lt. Governor Foley moved to adopt the agenda as presented; seconded by Mr. Diamond.

Voting For: Buescher Diamond Donley Ealey

	Foley Stenger	Gale Stenberg	Kubicek Wichita	Ojeda
Voting Against:	None			
Absent:	Osborn			

The motion carried.

Agenda Item 5. APPROVAL OF MINUTES

Chairman Gale asked for a motion to approve the minutes of the July 13, 2016 meeting. Ms. Ealey moved to approve the minutes; seconded by Ms. Donley.

Voting For:	Buescher Gale Wichita	Diamond Kubicek	Donley Ojeda	Ealey Stenger	Foley Stenberg
Voting Against:	None				
Absent:	Osborn				

The motion carried.

Agenda Item 6. PUBLIC COMMENT

Chairman Gale asked the members of the audience if anyone wished to come forward to provide public comment on anything other than items listed on the agenda. No audience member indicated a desire to provide public comment.

Agenda Item 7. CHAIRMAN'S REPORT

Agenda Item 7.a. AGREEMENTS & ADDENDA

Agenda Item 7.a.1. Mr. Chase introduced the Electronic Government Service Level Agreements between Nebraska Interactive, LLC, the NE State Records Board, the State Electrical Division, the City of Fairbury, the Department of Health & Human Services, the State Historical Society, Hooker County, the Military Department, the Board of Pardons and the Public Service Commission. Signed by Chairman Gale pursuant to Board Authority.

Agenda Item 7.a.2. Mr. Chase introduced Addendum 1 to the Electronic Government Service Level Agreement between Nebraska Interactive, LLC, the Nebraska State Records Board and the City of Fairbury and Hooker County Treasurer. The Addenda were signed by Chairman Gale pursuant to Board Authority.

Agenda Item 7.a.3. Mr. Chase introduced Addendum 2 to the Electronic Government Service Level Agreement between Nebraska Interactive, LLC, the Nebraska State Records Board and the Tourism Commission (Event Registration Management). The Addendum was signed by Chairman Gale pursuant to Board Authority.

Agenda Item 7.a.4. Mr. Chase introduced a Statement of Work between Nebraska Interactive, LLC, Board, the Nebraska State Records Board and the Accountability & Disclosure Commission, the Attorney General, Banking & Finance, the Blind & Visually

Impaired, the Deaf & Hard of Hearing Commission, the Education Department-Assistive Technology Partnership, the Electric Division, the Board of Engineers & Architects, the Fire Marshal, the Insurance Department, the Investment Council, the Motor Vehicle Industry Licensing Board, Natural Resources, the Board of Parole, the Professional Practices Commission, the Tax Equalization & Review Commission, and the Volunteer Service Commission (ServeNebraska). The Statement of Work was signed by Chairman Gale pursuant to Board Authority.

Agenda Item 7.a.5. Addendum 4 (Conceal and Carry Weapons Permit Renewals) to the Electronic Government Service Level Agreements between Nebraska Interactive, LLC (NI LLC), the Nebraska State Records Board and the Nebraska State Patrol (NSP). Appearing on behalf of the NSP was Attorney David Babcock and researcher Jeff Avey. Also appearing was Brent Hoffman from NI LLC. Because Mr. Babcock needed to leave early, the matter was heard before Action Item 5. The parties presented an Addendum to allow individuals who have been approved to carry concealed weapons to renew permits online by paying a \$50.00 fee along with a \$4.50 user fee.

Mr. Babcock left at 9:30 A.M. Mr. Avey remained to represent the NSP.

Mr. Buescher stated that although he supported the program, he believed the user rate estimate at 30 percent was too low to justify the \$4.50 portal fee. Mr. Buescher motioned for a \$3.00 fee that was seconded by Mr. Stenberg.

The vote for the Mr. Buescher's motion was as follows:

Voting For:	Buescher	Foley	Kubicek	Stenberg	Stenger
Voting Against:	Diamond	Donley	Ealey	Gale	Wichita
Not Voting	Ojeda				
Absent:	Osborn				

The motion did not pass.

Ms. Donley motioned to accept the addendum as written which was seconded by Ms. Wichita.

The vote for the Ms. Donley's motion was as follows:

Voting For:	Diamond	Donley	Ealey	Gale	Wichita
Voting Against:	Buescher	Foley	Kubicek	Stenberg	Stenger
Not Voting	Ojeda				
Absent:	Osborn				

The motion did not pass.

Tony Ojeda left at 10:07 A.M. and returned at 10:13 A.M.

A break occurred at 10:45 A.M. The meeting resumed at 11:05 A.M.

Mr. Diamond made a subsequent motion to reconsider his vote for the \$3.00 portal fee. Mr. Buescher seconded the motion.

Voting For:	Buescher Kubicek	Diamond Stenger	Donley Stenberg	Foley	Gale
Voting Against:	Wichita	Ealey			
Not Voting	Ojeda				
Absent:	Osborn				

The motion carried.

Mr. Stenberg made the motion to allow a portal fee of \$3.00. Lt. Governor Foley seconded the motion. Should the NSP and NI LLC agree on the \$3.00 portal fee, Chairman Gale could sign the addendum without further action by the Board. Otherwise, the NSP is free to return and present evidence in support of a higher portal fee.

Voting For:	Buescher Gale	Diamond Kubicek	Donley Stenger	Ealey Stenberg	Foley Wichita
Voting Against:	None				
Not Voting	Ojeda				
Absent:	Osborn				

Agenda Item 7.a.6. Addendum 2 (Suite of Services – Inspection Mobile Application & NBC Headquarters Interface & Database) between Nebraska Interactive, LLC, the NE State Records Board and the Brand Committee. John Widdowson, vice chair of the Nebraska Brand Committee (NBC) presented an addendum creating an automated cattle-inspection system requires all users to pay the \$1.00 inspection fee and \$0.06 portal fee. Widdowson stated the fee was within the NBC's statutory authority and necessary for the NBC to launch the site by July 1, 2017. Although the proposed system did not meet Office of the Chief Information Office (OCIO) requirements, Ed Toner, Chief Information Officer stated the OCIO approved the current project direction under the condition that NI LLC commits to move all devices to Android or an OCIO compliant operating system to coincide with the initial device refresh.

Mr. Stenberg motioned to accept the NBC Addendum, which was seconded by Brian Buescher.

Voting For:	Buescher Gale	Diamond Kubicek	Donley Stenger	Ealey Stenberg	Foley Wichita
Voting Against:	None				
Not Voting	Ojeda				
Absent:	Osborn				

The motion carried.

Agenda Item 7.b. PRICEWATERHOUSECOOPERS ANNUAL AUDIT OF NEBRASKA INTERACTIVE, LLC; DECEMBER 31, 2015 AND 2014: Lt. Governor Foley , as the chair of the finance subcommittee, made a motion to receive the audit and noted the amount earned by NI LLC and the amounts paid to the Nebraska State Records Board Cash Fund in a separate document provided to the Board. The motion was seconded by Mr. Ojeda.

Voting For:	Buescher	Diamond	Donley	Ealey	Foley
	Gale	Kubicek	Ojeda	Stenger	Stenberg
	Wichita				

Voting Against: None

Absent: Osborn

The motion carried.

Agenda Item 8. Executive Director's Report

Agenda Item 8.a. Cash Fund Balance update: The Cash Fund Balance is not reported for this meeting because the third quarter is not complete and will be reported at the next meeting on December 7, 2016. In the next Cash Fund Balance will include the ECM balance of \$5,795.99.

Agenda Item 8.b. Tablets: The Executive Director acquired a Dell Venue 8 Pro 5855 tablet through the OCIO on a trial basis and was used at the meeting.

Agenda Item 8.c. As of September 15, 2016, the Board received 19 grant requests totaling \$391,281.00. Chairman Gale noted that the number of applications verified that there is an interest for the grant program when funding is available. Lt. Governor Foley made a motion on behalf of Governor Ricketts that in light of state budgetary needs, the Board's grant program be suspended for one year. The Board would also follow the advice of the counsel for the Department of Administrative Services on whether existing applications would be denied or retained for further consideration. Lt. Governor Foley Motion was seconded by Mr. Stenberg.

Voting For:	Buescher	Diamond	Donley	Ealey	Foley
	Gale	Kubicek	Ojeda	Stenger	Stenberg
	Wichita				

Voting Against: None

Absent: Osborn

The motion carried.

Agenda Item 8.d. Technical Advisory Committee: Because the grant program was suspended, the Board requested that the Technical Advisory Meeting set on October 12,

2016, is cancelled.

Agenda Item 9. Nebraska.gov Reports

Agenda Item 9.a. Subscriber Fees. Mr. Brent Hoffman of NI LLC requested that it be allowed to increase its subscriber fees from \$50.00 per 10 users to \$95.00 per 10 users to support additional customer services, such as online help and live telephone help. Mr. Buescher and Mr. Ojeda stated that they would not be supportive of the fee request as presented, but recommend providing information on revenue impact, specific details on how NI LLC would use the increase income, and what users (one-time users versus frequent users) would be affected by the increase.

Ms. Donley made a motion to table the fee request to the next meeting; which was seconded by Mr. Ojeda.

Agenda Item 9.b. Project Priority Report

Mr. Hoffman was joined by Carmen Easley from Nebraska Interactive LLC. Both Easley and Hoffman explained the project priority system was created, ranked, and implemented. Mr. Toner indicated that the program priority system has been reviewed and approved by the OCIO and would continue to suggest modifications to the system. Mr. Hoffman indicated that it would provide an updated version of the report by the December 7, 2016 meeting.

Mr. Stenberg made the motion to approve the Project Priority report, seconded by Ms. Wichita.

Voting For:	Buescher	Diamond	Donley	Ealey	Foley
	Gale	Kubicek	Ojeda	Stenger	Stenberg
	Wichita				

Voting Against: None

Absent: Osborn

Mr. Buescher exited the meeting at 12:30 P.M and returned at 12:35 P.M.

Agenda Item 8.c. Update regarding signing of new EGLA's. Mr. Hoffman stated that almost all the state agencies have signed the agreements. Mr. Hoffman also expects that the state agencies should be completed soon and the next wave of agreements from the counties will be executed in the next few months.

Agenda Item 8.d. General Manager's Report. Mr. Hoffman indicated the documents provided to the board can be reviewed by the Board which includes enhancements to its offices in Lincoln, Nebraska and increasing staff as a result in the increase of projects.

Agenda Item 10. DATE FOR NEXT MEETING

Chairman Gale announced the next NE State Records Board meeting will be held on December 7, 2016, at 9:00 a.m., in Room 1507 of the State Capitol.

Agenda Item 11. ADJOURNMENT

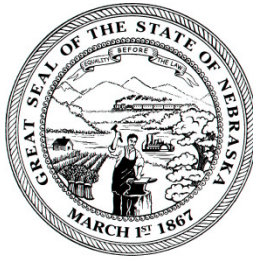
Mr. Stenberg moved to adjourn the meeting. All members present signified their agreement by saying "aye". Chairman Gale declared the meeting adjourned at 12:47 P.M.



John A. Gale
Secretary of State
State Records Administrator
Chairman, State Records Board



Date



NEBRASKA STATE RECORDS BOARD

MINUTES

Meeting of December 7, 2016

Agenda Item 1. CALL TO ORDER, ROLL CALL

The meeting of the Nebraska State Records Board was called to order by Chairman John A. Gale at 9:12 A.M. on December 7, 2016 in Room 1507 of the State Capitol, Lincoln, Nebraska.

A Roll Call was taken. The following Board members were present:

John A. Gale, Secretary of State, State Records Administrator and Chairman;
Mike Foley, Lt. Governor, representing the Governor;
Phil Olsen, representing the Auditor of Public Accounts;
Tony Ojeda, representing the Insurance Industry;
Brenda Ealey, representing Libraries;
Leslie Donley, representing the Attorney General;
Byron Diamond, Director of Administrative Services;
Brian Buescher, representing the Legal Profession;
Don Stenberg, State Treasurer;
Angela Stenger, representing the Media;
Crystal Wichita, representing the Banking Industry
Greg Osborn, representing the General Public

Staff in attendance:

Steven Chase, Executive Director
Colleen Byelick, Agency Legal Counsel
Tracy Marshall, Recording Clerk

Agenda Item 2. ANNOUNCEMENT OF NEBRASKA OPEN MEETINGS ACT

Chairman Gale announced that in accordance with the Nebraska Open Meetings Act, reproducible written materials to be discussed at the open meeting and a copy of the Nebraska Open Meetings Act are located to the left of the public seating area.

Agenda Item 3. NOTICE OF HEARING

Chairman Gale announced public notice of the meeting was duly published in the Lincoln Journal Star on November 7, 2016, and on the state's website Public Meeting Calendar. The public notice and proof of publication relating to the meeting will be attached to and made a part of the meeting minutes.

Agenda Item 4. ADOPTION OF AGENDA

Mr. Chase indicated that there was no modification to the agenda but there were minor alterations to the summary attached to Addendum 4 to the Electronic Government Service

Level Agreement between the Nebraska State Patrol and Nebraska Interactive LLC. Mr. Stenberg moved to adopt the agenda as presented; seconded by Lt. Governor Foley.

Voting For:	Diamond Ojeda Wichita	Donley Olsen	Ealey Osborn	Foley Stenger	Gale Stenberg
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Voting Against: None

Absent: Buescher

The motion carried.

Brian Buescher appeared at 9:10 a.m.

Agenda Item 5. APPROVAL OF MINUTES

Chairman Gale asked for a motion to approve the minutes of the September 28, 2016 meeting with the correction to Agenda Item 7.a.5. (page four) which showed Ms. Ealey as voting for and against motion to revise Addendum 4 to the Electronic Government Service Level Agreement between the Nebraska State Patrol and Nebraska Interactive LLC. The minutes will be modified to show that Ms. Donley voted for the motion and Ms. Ealey voted against the motion. Lt. Governor Foley also moved to correct the language of Agenda Item 8.c. from “Lt. Governor Foley made a motion on behalf of Governor Ricketts that all grant programs of all boards and commissions be suspended in light of state budgetary needs” to read “Lt. Governor Foley made a motion on behalf of Governor Ricketts that in light of state budgetary needs, the Board’s grant program be suspended for one year.” Lt. Governor Foley moved to approve the minutes with the above-mentioned corrections, seconded by Ms. Stenger.

Voting For:	Buescher Gale	Diamond Ojeda	Donley Stenger	Ealey Stenberg	Foley Wichita
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Voting Against: None

Abstaining Olsen Osborn

The motion carried.

Agenda Item 6. PUBLIC COMMENT

Chairman Gale asked the members of the audience if anyone wished to come forward to provide public comment on anything other than items listed on the agenda. No audience member indicated a desire to provide public comment.

Agenda Item 7. CHAIRMAN’S REPORT

Agenda Item 7.a. AGREEMENTS & ADDENDA

Agenda Item 7.a.1. Mr. Chase introduced the Electronic Government Service Level Agreements between Nebraska Interactive, LLC, the NE State Records Board, and the Village of Beaver Crossing, the Village of Brainard, the Village of Douglas, the Department of Education, the Village of Fairmont, Harlan County Health Systems, Industrial Relations

Commission, the City of Saint Edwards, and the City of Waverly. Signed by Chairman Gale pursuant to Board Authority.

Agenda Item 7.a.2. Mr. Chase introduced Addendum 1 to the Electronic Government Service Level Agreement between Nebraska Interactive, LLC, the Nebraska State Records Board and the Village of Beaver Crossing, the Village of Brainard, the Village of Douglas, Harlan County Health Systems, and the City of Waverly. Signed by Chairman Gale pursuant to Board Authority.

Agenda Item 7.a.3. Mr. Chase introduced Addendum 2 to the Electronic Government Service Level Agreement between Nebraska Interactive, LLC, the Nebraska State Records Board and the City of Lyons, and the Problem with Gambling Commission. Signed by Chairman Gale Pursuant to Board Authority.

Agenda Item 7.a.4. Mr. Chase introduced the Addendum Template (PIN Debit) between Nebraska Interactive, LLC, and the Nebraska State Records Board. The PIN Debit template is based on a pilot program with Sarpy County as outlined in Addendum 8, to the Sarpy County Electronic Government State Level Agreement (EGSLA) in the Nebraska State Records Board on December 8, 2015. The portal fee is \$2.95 per transaction, which is the same as in Sarpy County Addendum 8. Appearing on behalf of Nebraska Interactive LLC (NI LLC) was general manager, Brent Hoffman. Because the technology has not been developed yet by NI LLC, the system is only for over-the-counter payments. Mr. Stenberg moved to adopt the Addendum Template for local government only; and the motion was seconded by Lt. Governor Foley.

Voting For:	Buescher	Diamond	Donley	Ealey	Foley
	Gale	Ojeda	Olsen	Osborn	Stenger
	Stenberg	Wichita			

Voting Against: None

The motion carried.

Agenda Item 7.a.5. Mr. Chase introduced Addendum 10, Nebraska Department of Motor Vehicles (Commercial License Renewal/Replacement) to the Electronic Government Service Level Agreements with Nebraska Interactive, LLC (NI LLC), the Nebraska State Records Board and the Nebraska Department of Motor Vehicles (DMV). Addendum 10 would allow those who hold Commercial Driver’s Licenses (CDLs) to renew licenses online. Because the process requires CDL holders to provide proof of citizenship and medical certification, the system must allow individuals a method to send digital images of certifications to the DMV. The Addendum requires a portal fee of \$4.00 for CDL renewals and a \$1.25 fee for replacement licenses or permits. Appearing on behalf of the DMV was director Rhonda Lahm, who indicated that the system would aid the transportation industry in limiting the time needed to renew licenses. Mr. Ojeda moved to adopt Addendum 10 as presented; and seconded by Mr. Diamond.

Voting For:	Buescher	Diamond	Donley	Ealey	Foley
	Gale	Ojeda	Olsen	Osborn	Stenger
	Stenberg	Wichita			

Voting Against: None

The motion carried.

Agenda Item 7.a.6. Addendum 4 (Conceal and Carry Weapons Permit Renewals) to the Electronic Government Service Level Agreements with Nebraska Interactive, LLC (NI LLC), the Nebraska State Records Board and the Nebraska State Patrol (NSP). Appearing on behalf of the NSP was Attorney David Babcock, Research Manager, Jeff Avey and Captain Kevin Knorr. Also appearing was Brent Hoffman from NI LLC. The addendum would create an online concealed carry weapon renewal system that would allow users to renew concealed carry permits online. The portal fee for the system was \$4.50 portal fee for users paying either with electronic check or credit card. The board originally heard Addendum 4 in its September 28, 2016 meeting. The board supported the project but not the \$4.50 portal fee. The board stated that it approved Addendum 4 with a \$3.00 portal fee and allowed the NSP and NI LLC to submit a modified addendum that could be approved by Chairman Gale without further review by the board.

The NSP returned indicating that two additional services would be funded under the \$4.50 portal fee. The first is that any replacement permit, name or address change would be provided free of charge to the user as required by statute. The second is the creation of a calendar system that would allow the NSP to schedule fingerprint scanning for concealed carry applicants. In support of the request, the NSP submitted a letter from the National Rifle Association and a chart of transportation costs for users under the current system. If the addendum would be approved, Mr. Avey indicated not only would it create savings among users but would also perform the work of 3.7 full-time employees over a five year period. Avey also indicated that the NSP received a bid from another provider which was considerably more than services offered by NI LLC. Avey further stated that if the Addendum funding the calendar is not approved, other NSP projects could be delayed. Ms. Donley moved to adopt Addendum 4 as presented; and seconded by Ms. Wichita.

Voting For:	Buescher	Diamond	Donley	Ealey	Foley
	Gale	Ojeda	Olsen	Osborn	Stenger
	Stenberg	Wichita			

Voting Against: None

The motion carried.

Agenda Item 7.a.7. Addendum 2, Board of Geologist (On-line Renewal) to the Electronic Government Service Level Agreements between Nebraska Interactive, LLC (NI LLC), the Nebraska State Records Board and the Nebraska Board of Geologist (BOG). The BOG has provided an online license renewal system for its members through Official Payments since 2013 in which the BOG paid the merchant fees for all users. The BOG was able to fund the payment of fees through its cash fund comprised almost entirely of license and examination fees. Through its addendum, BOG requests NI LLC to create an online payment system

funded by a \$3.25 portal fee. As part of the system, the BOG will also cover all merchant fees for users. Appearing on behalf of the BOG is Sandra Weaver, Business Manager, and Jean Lais, Administrative Assistant. Mr. Ojeda moved to adopt Addendum 2 as presented; and seconded by Mr. Osborn.

Voting For:	Buescher	Diamond	Donley	Ealey	Foley
	Gale	Ojeda	Olsen	Osborn	Stenger
	Stenberg	Wichita			

Voting Against: None

The motion carried.

Agenda Item 8. Executive Director’s Report

Agenda Item 8.a. Cash Fund Balance update: Mr. Chase presented the Nebraska State Records Board Cash Fund Balance update. In the September 28, 2016 meeting, the board requested that a \$6,000.00 amount designated for Enterprise Content Management (ECM) services be reflected in the Cash Fund Balance update. The Cash Fund Balance displays the amount applied from ECM services and has been approved by the Auditor of Public Accounts. Mr. Olsen motioned to approve the Cash Fund Balance as presented, and seconded by Ms. Ealey.

Voting For:	Buescher	Diamond	Donley	Ealey	Foley
	Gale	Ojeda	Olsen	Osborn	Stenger
	Stenberg	Wichita			

Voting Against: None

The motion carried.

Agenda Item 8.b. Tablets: The board directed at its meeting on July 13, 2016, to replace paper documents with electronic tablet, resulting in a savings of approximately \$2,000.00 per meeting. The board directed Mr. Chase, under the supervision of members Greg Osborn and Crystal Wichita, to find suitable tablets. Mr. Chase indicated that he had a quote for Samsung Galaxy Tab A tablets with a 10.1 inch monitor, Android 6 operating system, 16 GB hard drive, stylist, case, and two-year service agreement for \$5,962.95 or \$397.53 per unit. Both Mr. Osborn and Ms. Wichita approved the quote and the purchase of the Samsung Tab A tablets. Mr. Osborn made a motion to approve the purchase, and seconded by Ms. Wichita.

Voting For:	Buescher	Diamond	Donley	Ealey	Foley
	Gale	Ojeda	Olsen	Osborn	Stenger
	Stenberg	Wichita			

Voting Against: None

The motion carried.

A break occurred at 10:42 a.m. The meeting resumed at 11:02 a.m. All members were present when the meeting resumed except Ms. Donley, who returned at 11:30 a.m.

Agenda Item 9. Nebraska.gov Reports

Agenda Item 9.a. Subscriber Fees. In the September 28, 2016 meeting, Nebraska Interactive LLC (NI LLC) requested that its subscriber fees be increase from \$50.00 to \$95.00. In its request, NI LLC stated that the fees had not been increased since 1995. If the Board would approve the increase, NI LLC would use the funds to increase customer service functions. The Board tabled matter until the meeting on December 7, 2016, so that NI LLC could provide additional information. Appearing on behalf of NI LLC was Brent Hoffman who presented additional evidence on proposed additional staff and technology to handle customer service requests. Rhonda Lahm, director of the Nebraska Department of Motor Vehicles stated that it did not approve or oppose of the fee increase but would want to ensure that the services continue because it ultimately save the DMV on staffing. Jennifer Rasmussen, Deputy State Court Administrator, also appeared and indicated that the courts did not take a position on the matter but also does not oppose an increase in fees to ensure customer service continues. Lt. Governor Foley indicated opposition to the request because it was not raised in the portal contract that was approved in April, 2016. Mr. Buescher made a motion to deny the request for an increase in subscriber fee, and seconded by Lt. Governor Foley.

Voting For: Buescher Diamond Ealey Foley Olsen
 Stenger Olsen Stenberg Wichita

Voting Against: Donley Gale Ojeda

Agenda Item 9.b. Project Priority Report. Mr. Brent Hoffman from NI LLC updated the Board on the launching of the Department of Agriculture’s nursery plate program, and the Trial Court e-filing program as well as clarifying NI LLC’s project priority ranking system. Mr. Osborn made a motion to approve Project Priority Report, and seconded by Mr. Diamond.

Voting For: Buescher Diamond Donley Ealey Foley
 Gale Ojeda Olsen Osborn Stenger
 Stenberg Wichita

Voting Against: None

Agenda Item 9.c. Update regarding signing of new EGSLA’s. Mr. Hoffman stated that all replacement state agencies have signed the agreements. Mr. Hoffman also expects that any further agreements will be for new agreements with agencies.

Agenda Item 9.d. General Manager’s Report. Mr. Hoffman indicated the documents provided to the board can be reviewed by the Board which includes business development, increase in staffing, and improved quality of services.

Agenda Item 10. DATE FOR NEXT MEETING

Chairman Gale announced the next NE State Records Board meeting will be held on March 1, 2017, at 9:00 a.m., in Room 2102 of the State Capitol.

Agenda Item 11. ADJOURNMENT

Mr. Stenberg moved to adjourn the meeting. All members present signified their agreement by saying "aye". Chairman Gale declared the meeting adjourned at 12:34 P.M.

John A. Gale
Secretary of State
State Records Administrator
Chairman, State Records Board

Date