



NEBRASKA STATE RECORDS BOARD

2022

ANNUAL REPORT

Neb. Rev. Stat. § 84 - 1205.05

MEMBERS

Neb. Rev. Stat. §§ 84 - 1203 - 84-1204

Robert B. Evnen, 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
John Murante, State Treasurer or designee
Jason Jackson, Administrator, Department of Administrative Services or designee
Tony Ojeda, representing the Insurance Industry
Bob Sullivan, representing the Legal Profession
David Richards, representing the Libraries
Water Weir, representing the General Public
Angela Stenger, representing Media groups
Cody Gerlach, representing Media groups (appointed October 11, 2022).

ACTIVITIES

Neb. Rev. Stat. §§ 84 - 1205 - 84-1205.03

Meetings were held on April 6, 2022, June 10, 2022, September 29, 2022, and December 13, 2022. All meetings were held in the 2nd floor conference room of the Center on "N" Street, located at 12th and N Street, Lincoln, Nebraska. Minutes of each meeting are attached.

Respectfully submitted,

Robert B. Evnen
Secretary of State
State Records Board Chairperson



NEBRASKA STATE RECORDS BOARD

MINUTES

Meeting of April 6, 2022

Agenda Item 1. CALL TO ORDER, ROLL CALL. The meeting of the Nebraska State Records Board (“NSRB”) was called to order by Chairperson Robert B. Evnen at 9:00 a.m. on April 6, 2022.

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

Robert Evnen, Secretary of State, State Records Administrator and Chairperson
Lt. Governor Mike Foley, representing the Governor
Jason Jackson, the Director of Administrative Services
Leslie Donley, representing the Attorney General
John Murante, representing the State Treasurer
Russ Karpisek, representing the Auditor
Walter Weir, representing the General Public
Tony Ojeda, representing the Insurance Industry
Angela Stenger, representing the Media
Bob Sullivan, representing the Legal Profession

Vacant member positions:

Representative of the Libraries
Representative the Banking Industry

Staff in attendance:

Libby Elder, Executive Director, Nebraska State Records Board
Tracy Marshall, Recording Clerk
Colleen Byelick, Chief Deputy Secretary of State and General Counsel

Agenda Item 2. ANNOUNCEMENT OF OPEN MEETINGS ACT. After confirming that a quorum was present, the Chairperson 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 were located to the left of the Chairperson or to the right of the public seating area.

Agenda Item 3. NOTICE OF MEETING. The Chairperson announced that public notice of the meeting was duly published in the Lincoln Journal Star on March 16, 2022, and on the State’s public meeting calendar website. The public notice and proof of publication relating to the meeting would be attached to and made a part of the meeting minutes.

Agenda Item 4. ADOPTION OF AGENDA. The Chairperson brought the NSRB’s attention to the adoption of the agenda.

Ms. Stenger moved to approve the agenda as presented. Mr. Sullivan seconded the motion.

Voting For:	Evnen Stenger	Donley Karpisek	Weir Murante	Ojeda Jackson	Foley Sullivan
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Voting Against: None

Voting Abstain: None

Absent: None

The motion carried.

Agenda Item 5. APPROVAL OF MINUTES. The Chairperson asked for a motion to approve the minutes of the December 16, 2021 meeting.

Mr. Foley moved to approve the minutes as presented. Ms. Donley seconded the motion. There was no further discussion.

Voting For:	Evnen Stenger	Donley Karpisek	Weir Murante	Ojeda Jackson	Foley Sullivan
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Voting Against: None

Voting Abstain: None

Absent: None

The motion carried.

Agenda Item 6. APPROVAL OF FINANCIAL REPORT. Libby Elder, Executive Director for the NSRB provided a summary of the December 31, 2021 Cash Fund Balance Report.

Mr. Foley moved to approve the report. Mr. Weir seconded the motion. There was no further discussion.

Voting For:	Evnen Stenger	Donley Karpisek	Weir Jackson	Murante Foley	Ojeda Sullivan
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Voting Against: None

Absent: None

The motion carried.

Agenda Item 7. PUBLIC COMMENT.

The Chairperson asked if anyone wished to provide public comment to the NSRB. Jennifer Rasmussen, Deputy Administrator, Information Technology, Administrative Office of the Courts (“AOC”) provided comment. Ms. Rasmussen provided a summary of the AOC’s history with Nebraska Interactive, LLC (“Nebraska Interactive”), shared goals of the AOC for the future, and encouraged the NSRB to work with Nebraska Interactive and the parent company Tyler Technologies on a plan to position Nebraska Interactive for stability and managed growth. There was discussion regarding the availability of the Office of the Chief Information Officer to assist with agency information technology projects, application rationalization, the benefits of custom application development, and use of Agile development methodology. There was also discussion regarding grant funding provided through the Nebraska State Patrol to support certain AOC projects relating to criminal history records.

Agenda Item 8. EXECUTIVE DIRECTOR’S REPORT

Ms. Elder introduced Mr. Bob Sanders, Vice President of State Enterprises, NIC Division of Tyler Technologies who was visiting from Arkansas. Ms. Elder also informed the NSRB that subscriber payments will now have to be mailed to a lockbox address in St. Louis, Missouri due to a change in services provided by Nebraska Interactive’s bank.

Agenda Item 8.a. Review of Template Agreements: Ms. Elder provided a list of the Electronic Government Service Level Agreements (“EGSLA”), Business Payment Processing Addendums, PayPort Addendums, and Statements of Work (“SOW”) and SOW amendments that were signed pursuant to NSRB authority.

Agenda Item 8.b. Review of Project Status Report: Ms. Elder presented information related to the status of various active projects based upon feedback from the state agency partners. Discussion took place regarding projects Nebraska Interactive is working on for the Nebraska Accountability and Disclosure Commission, the Administrative Office of the Courts, the Assistive Technology Partnership, and the Village of Bennet.

Agenda Item 9. NEW BUSINESS**Agenda Item 9.a. Approve Department of Motor Vehicles Addendum 17:**

Ms. Elder provided a summary of Addendum Seventeen as it relates to a project that Nebraska Interactive plans to complete for the Nebraska Department of Motor Vehicles (“DMV”) relating to the 24/7 Sobriety Program Act. The 24/7 Sobriety Program Act was signed into law in May of 2021. It is a program that is an alternative to incarceration for offenses that involve operating a motor vehicle while under the influence of alcohol or other drugs. Participants are allowed to apply for a 24/7 driving permit, which would allow them to continue to drive to school, work, and the testing facility during the pendency of their DUI case. Nebraska Interactive will be adding the Sobriety Program permit to DMV’s online Driver’s License System to allow drivers to apply for the permit online. Additionally, interfaces will be added to other services that are affected by the new permit. Addendum 17 proposes a \$3.00 portal fee (Electronic Check or Credit Card) on top of the statutory fee (\$45.00 for initial permit and \$11.00 for replacement permits).

Ms. Rhonda Lahm, Director of the DMV provided additional information regarding Addendum 17 and the Sobriety Program permit. Ms. Lahm indicated that DMV estimates 500-550 users per year. There was discussion regarding what threshold of users there should be in order have a portal solution and DMV’s desire to maintain online options for users.

Mr. Ojeda moved to approve Addendum Seventeen, which was seconded by Mr. Sullivan.

Voting For:	Evnen	Donley	Weir	Murante	Ojeda
	Stenger	Karpisek	Jackson	Foley	Sullivan

Voting Against: None

Absent: None

The motion carried.

Agenda Item 9.b. Approve Department of Insurance Revised Addendum 4:

Ms. Elder provided a summary of Revised Addendum 4 as it relates to a project for the Department of Insurance (“DOI”) that is nearing completion by Nebraska Interactive. DOI administers provisions of the Nebraska Hospital-Medical Liability Act pertaining to surcharges levied on qualified health care providers under the Excess Liability Fund (“Fund”), which provides health care providers with medical liability coverage.

Currently, the health care provider, or their insurance agent, submits proof of liability insurance coverage for a provider, or providers, to the DOI along with a check payment of the Fund surcharge. Nebraska Interactive has been working on a system to allow health care providers to participate in the Excess Liability Fund and make payments online. This project was originally considered by the NSRB at the April 10, 2019 meeting and Addendum 4 was approved. Development of the system was paused for a period of time but is now nearing completion.

The original Addendum 4, refers to “Medical Malpractice Renewals,” and fees to be charged for renewals. However, the System includes functionality to do more than renewals. The System includes three different payment functionalities: initial participation, renewals, and adjustments. There was discussion regarding the total number of anticipated annual transactions, and whether the number of anticipated transactions has changed since Addendum 4 was originally approved by the NSRB in 2019.

Mr. Sullivan moved to approve Revised Addendum 4, which was seconded by Mr. Ojeda.

Voting For:	Evnen	Donley	Weir	Murante	Ojeda
	Stenger	Karpisek	Jackson	Foley	Sullivan

Voting Against: None

Absent: None

The motion carried.

Agenda Item 9.c. Approve Fourth Amendment to Master Contract – Website Content Management.

Ms. Elder explained that the purpose of the Fourth Amendment to the Master Contract between the State and Nebraska Interactive is to make a clarification regarding website content management. Nebraska Interactive hosts some websites on the Dreamweaver platform, and other websites on the Meadowlark or Drupal platform. The current Master contract refers to the rate for Content Management as “Content Management – Meadowlark Websites.” To clarify that the content management rate of the Master Contract applies to all website content management, regardless of platform, the Fourth Amendment removes the word “Meadowlark” and there are no changes to the fees presented.

Ms. Stenger moved to approve the Fourth Amendment to the Master Contract, which was seconded by Mr. Karpisek.

Voting For:	Evnen	Donley	Weir	Murante	Ojeda
	Stenger	Karpisek	Jackson	Foley	Sullivan

Voting Against: None

Absent: None

The motion carried.

Agenda Item 10. TECHNICAL INFRASTRUCTURE UPGRADES.

Mr. Jackson, Chairperson of the Technical Infrastructure Subcommittee provided an update on the subcommittee’s review of Nebraska Interactive’s progress toward completion of technical infrastructure upgrades. The first meeting of the subcommittee was held on March 23, 2022. Mr. Jackson, Mr. Weir, Ms. Byelick, Ms. Elder, and the Nebraska Interactive team were in attendance. Mr. Sullivan, who is also on the subcommittee, was not able to attend. Mr. Jackson shared that the subcommittee ratified the subcommittee’s scope of responsibilities, which includes oversight of the progress of the upgrade initiative, customer satisfaction, stakeholder communication, and impact to other Nebraska Interactive business. The subcommittee requested that Nebraska Interactive prepare communication to be provided to partner agencies. Such communication should include, at a minimum, (1) executive level communication and (2) technical level communication to the technical points of contact at each agency, which should occur at the start and end of each upgrade project and should provide information to contact Ms. Elder with matters for the NSRB. Survey methodology may be used in the future to assess agency satisfaction. The subcommittee further directed Nebraska Interactive to articulate criteria to inform their order of priority for upgrade projects.

The subcommittee anticipates meeting 1-2 times in between NSRB meetings, with the next meeting to be held in May. Mr. Jackson also reported that Nebraska Interactive has contracted with a consultant to assist with challenges that may arise as upgrades are completed in the Grails open-source framework. Chairperson Evnen expressed appreciation for Nebraska Interactive’s cooperation with the subcommittee. Chairperson Evnen inquired as to the completion date for the upgrades and indicated the importance of Nebraska Interactive’s completion of the upgrades as quickly and efficiently as possible. Mr. Jackson commented on the completion dates and indicated this was anticipated to be an 18-month project and could extend to a 24-month project. The start date of the 18-month period was discussed, and Mr. Sloan indicated that the start date was January 1, 2022. Mr. Sloan further indicated that the degradation of service is only for 2022, and then Nebraska Interactive will return their team to new

development, even though upgrades may take longer.

Agenda Item 11. NEBRASKA INTERACTIVE REPORTS.

Agenda Item 11.a. Nebraska Interactive, LLC, Review Electrical Division Permitting System Outage:

Mr. Hoffman provided a letter to the NSRB regarding the loss of functionality of a low volume application for the Nebraska Electrical Division. The period of the loss of functionality was a total of three and a half hours. The Chairperson indicated that the penalty that may be assessed by the NSRB is two thousand dollars (\$2,000) per hour for each hour the application was not fully functional after the first two-hour period. The penalty is to be assessed at the discretion of the NSRB. There was discussion regarding prior penalties assessed, the time it took to restore the functionality, and the effect on the Nebraska Electrical Division. Mr. Hoffman clarified that this is the first time a single application had an outage.

Mr. Foley moved to waive assessment of the penalty to Nebraska Interactive, LLC, which was seconded by Mr. Sullivan.

Voting For:	Donley	Weir	Murante	Ojeda	Stenger
	Karpisek	Jackson	Foley	Sullivan	
Voting Against:	Evnen				
Absent:	None				

The motion carried.

Agenda Item 11.b.1. Nebraska Interactive, LLC, Project Priority Revised Format:

Mr. Sloan presented information on the status of various active projects, which were discussed due to feedback received from the state agency partners. There was discussion regarding how agencies make decisions regarding the development and maintenance of their websites.

Mr. Sloan discussed projects completed in the fourth quarter of calendar year 2021, or to be completed soon, including a jail query report prepared for the Crime Commission and online brand renewal functions for the Nebraska Brand Committee.

Mr. Sloan presented information on the revised format of the Project Priority Report. Mr. Sloan indicated that instead of an initial target date, there is now an anticipated month of completion. There was also discussion regarding the new project status score (a tier system), and information on how the tier is determined. The Chairperson asked how Nebraska Interactive will prioritize projects within the tiers. Nebraska Interactive indicated they meet with partners monthly and identify partner availability to work on projects. There was discussion regarding changes to the anticipated month of completion. Mr. Sloan indicated such changes would be noted on the report.

Mr. Foley moved to approve the Project Priority Report revised format, which was seconded by Mr. Ojeda.

Voting For:	Evnen Stenger	Donley Karpisek	Weir Jackson	Murante Foley	Ojeda Sullivan
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Voting Against: None

Absent: None

The motion carried.

Agenda Item 11.b.2. Nebraska Interactive, LLC, Project Priority Report:

Mr. Sloan referenced information on the current Project Priority Report, which was discussed as part of item 11.b. 1. There was no further discussion by the NSRB.

Ms. Stenger moved to approve the Project Priority Report, which was seconded by Ms. Donley. There was no further discussion.

Voting For:	Evnen Stenger	Donley Karpisek	Weir Jackson	Murante Foley	Ojeda Sullivan
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Voting Against: None

Absent: None

The motion carried.

Agenda item 11.c. General Manager’s Report:

Mr. Hoffman reported on the following items for the fourth quarter of 2021:

- 1) Nebraska Interactive met several of their enterprise business goals by making investments in staff by sending them through the State’s Center for Operational Excellence and providing access to online courses and continuing education opportunities.
- 2) A Systems Security Administrator has been hired, increasing the network’s security footprint.
- 3) Nebraska Interactive implemented a student intern program.
- 4) Nebraska Interactive reorganized their development teams to meet partner needs and demands.
- 5) Nebraska Interactive expanded payment processing to include cash and remote payments using PromptPay and CheckFreePay.
- 6) Nebraska Interactive’s growth during the quarter was 5%. There has been a decrease in commercial record demand affecting revenues.
- 7) Nebraska Interactive continued to balance time on revenue and non-revenue services. 69% of time was spent on non-revenue services and enhancing services with no new income, 14% was spent on time and materials projects with the remaining time being grant funded work.
- 8) Development teams launched 31 projects, including several projects for the State Fire Marshal.

- 9) Customer satisfaction ratings have a 25% engagement rate, and feedback continues to be positive with 4.5 – 5-star ratings for the 14 services currently being tracked.
- 10) Regarding staffing, Nebraska Interactive currently has 27 staff members and can fund 30 staff in addition to Mr. Hoffman. They are attending job fairs and have been successful in attracting new talent.
- 11) The current market is indicating \$10,000 - \$15,000 increase in salaries from hiring rates pre-pandemic.
- 12) Nebraska Interactive would like to explore how to have an inflation mechanism within the funding for the future to meet salary demands. Nebraska Interactive is requesting guidance from the NSRB, instead of proposing ideas and missing the mark on what would be acceptable to the NSRB.

There was discussion regarding Nebraska Interactive’s ability to fund three additional open positions, which could help with the backlog of projects. There was also discussion regarding inflation, whether there is a need for collaboration and evaluation of portal fees, and whether the Technical Infrastructure Subcommittee may be useful in coming up with ideas or addressing some of these issues.

Chairperson Evnen indicated that he would agree that a collaborative model is preferred, but to have a collaborative model, the NSRB will also need complete information on Nebraska Interactive’s revenue.

Mr. Foley indicated that, as he has heard today, there is an 18-month problem, and there doesn’t seem to be a need to radically restructure because when the upgrades are completed, Nebraska Interactive will have 30 people available to work on projects. Mr. Hoffman indicated that he isn’t seeking a radical restructuring, but that this is a public-private partnership and the NSRB needs to be part of the solution.

Agenda Item 12. DATE FOR NEXT MEETING. The Chairperson announced the next NSRB meeting date will be in June and is anticipated to be held at the 12th and N Street location.

Agenda Item 13. ADJOURNMENT.

The meeting adjourned at 11:06 AM.



Robert B. Evnen
 Secretary of State
 State Records Administrator
 Chairperson, State Records Board



Date



NEBRASKA STATE RECORDS BOARD

MINUTES

Meeting of June 10, 2022

Agenda Item 1. CALL TO ORDER, ROLL CALL. The meeting of the Nebraska State Records Board (“NSRB”) was called to order by Chairperson Robert B. Evnen at 9:10 a.m. on June 10, 2022.

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

Robert Evnen, Secretary of State, State Records Administrator and Chairperson

Matt Miltenberger, representing the Governor

Jason Jackson, the Director of Administrative Services

Leslie Donley, representing the Attorney General

Russ Karpisek, representing the Auditor

Walter Weir, representing the General Public

Tony Ojeda, representing the Insurance Industry

Angela Stenger, representing the Media

Bob Sullivan, representing the Legal Profession

Absent at Roll Call:

John Murante, representing the State Treasurer

Vacant member positions:

Representative of the Libraries

Representative the Banking Industry

Staff in attendance:

Libby Elder, Executive Director, NSRB

Tracy Marshall, Recording Clerk

Colleen Byelick, Chief Deputy Secretary of State and General Counsel

Agenda Item 2. ANNOUNCEMENT OF OPEN MEETINGS ACT. After confirming that a quorum was present, the Chairperson 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 were located to the left of the Chairperson or to the right of the public seating area.

Agenda Item 3. NOTICE OF MEETING. The Chairperson announced that public notice of the meeting was duly published in the Lincoln Journal Star on May 20, 2022, and on the State’s public meeting calendar website. The public notice and proof of publication relating to the meeting would be attached to and made a part of the meeting minutes.

Agenda Item 4. ADOPTION OF AGENDA. The Chairperson brought the NSRB’s attention to the adoption of the agenda.

Ms. Stenger moved to approve the agenda as presented. Mr. Jackson seconded the motion.

Voting For:	Evnen Stenger	Donley Karpisek	Weir Jackson	Ojeda Sullivan	Milttenberger
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Voting Against: None

Voting Abstain: None

Absent: Murante

The motion carried.

Agenda Item 5. APPROVAL OF MINUTES. The Chairperson asked for a motion to approve the minutes of the April 6, 2022, meeting.

Mr. Ojeda moved to approve the minutes as presented. Mr. Karpisek seconded the motion. There was no further discussion.

Voting For:	Evnen Stenger	Donley Karpisek	Weir Jackson	Ojeda Sullivan	Milttenberger
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Voting Against: None

Voting Abstain: None

Absent: Murante

The motion carried.

Agenda Item 6. APPROVAL OF FINANCIAL REPORT. Libby Elder, Executive Director for the NSRB provided a summary of the March 31, 2022, Cash Fund Balance Report.

Mr. Sullivan moved to approve the financial report. Ms. Donley seconded the motion. There was no further discussion.

Voting For:	Evnen Stenger	Donley Karpisek	Weir Jackson	Ojeda Milttenberger	Sullivan
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Voting Against: None

Absent: Murante

The motion carried.

Agenda Item 7. PUBLIC COMMENT.

The Chairperson asked if anyone wished to provide public comment to the NSRB.

Mr. Murante arrived 9:17 a.m.

Nathan Arentsen provided public comment regarding a public records request that he made to the Nebraska Department of Health and Human Services for Cisco WebEx instant messages. Mr. Arentsen stated that he was informed the search would cost over \$5,000 and take nine months to complete. Mr. Arentsen paid an initial deposit of \$1,378.51. Mr. Arentsen stated that he believes the contract for Cisco WebEx instant messaging violates the Nebraska public records statutes as it does not provide for reasonable access to WebEx instant messages.

Agenda Item 8. EXECUTIVE DIRECTOR'S REPORT

Ms. Elder reported that the independent audit of Nebraska Interactive, LLC ("NIC Nebraska" or "NIC") has been received and forwarded to the Finances Review Subcommittee for review.

Agenda Item 8.a. Review of Template Agreements: Ms. Elder provided a list of agreements signed pursuant to NSRB authority, including Electronic Government Service Level Agreements ("EGSLA"), a Citizen Payment Processing Addendum, PayPort Addendums, and a Statement of Work ("SOW").

Agenda Item 8.b. Review of Project Status Report: Ms. Elder presented information related to the status of various active projects based upon feedback from the state agency partners. Discussion took place regarding projects NIC is working on for the Nebraska Accountability and Disclosure Commission, the Administrative Office of the Courts, and Cass County.

Agenda Item 9. NEW BUSINESS

Agenda Item 9.a. Records Board Rules and Regulations – Title 431: Ms. Elder explained that there are some regulations currently in place relating to the NSRB that should be updated. These regulations are in Title 431, Chapters 1 and 2.

Ms. Elder explained that Chapter 1 pertains to organization of the NSRB and most of the items covered by this regulation are addressed in statute. The statute indicates that the NSRB shall meet upon call of the Administrator or in accordance with its regulations. It was proposed that Chapter 1 be updated to only address meetings of the NSRB.

Ms. Elder explained that Chapter 2 pertains to practice and procedure of the NSRB. The Attorney General has promulgated model rules of procedure, and Neb. Rev. Stat. §84-909.01 provides that agencies adopt as many of the model rules as practicable. It was proposed that the current rules of practice and procedure be replaced with the Attorney General's model rules, which would be adopted by reference.

Ms. Elder requested that the NSRB take action to allow the Executive Director to proceed to issue a public notice and hold a public hearing on these draft rules and regulations and bring any information from the public hearing back to the NSRB for review.

Mr. Karpisek moved to authorize and direct the Executive Director of the NSRB to publish notice and proceed to public hearing on the proposed Title 431 regulations, which was seconded by Mr. Miltenberger.

Mr. Jackson left at 9:27 and returned at 9:29

Voting For:	Evnen	Sullivan	Weir	Murante	Ojeda
	Stenger	Karpisek	Jackson	Miltenberger	

Voting Against: None

Abstain: Donley

Absent: None

The motion carried.

Agenda Item 9.b. Discussion and Consideration of Network Manager Request for Proposal (RFP):

Ms. Elder explained that the term of the Master Contract between the NSRB and NIC is April 1, 2019, through March 31, 2024. It provides for a renewal for one additional two-year period. Ms. Elder referenced minutes of the September 12, 2018, meeting of the NSRB, where a decision was made to sole source the contract to NIC.

Ms. Elder reported that the Portal Operations Subcommittee met earlier this month to initiate discussion regarding whether to initiate a procurement process for the network manager contract, or to anticipate a renewal of the agreement with NIC. The reason for starting these conversations now is that the procurement process can be lengthy. Ms. Elder explained that although this item was listed as an action item on the agenda, instead of proposing action at this time, the Portal Operations Subcommittee will continue to review this matter and report back to the NSRB.

Mr. Weir requested to be included on the Portal Operations Subcommittee.

Agenda Item 9.c. Grails Subcontract.

Mr. Jackson moved to go into closed session for the limited purpose of discussion of the Grails subcontract and indicated that the closed session was necessary for the protection of the public interest and prevention of needless injury to the reputation of an individual. Chairperson Evnen stated that this matter will involve discussion of performance and vulnerability issues relating to operation of the state portal. The motion for closed session was seconded by Ms. Stenger.

Voting For:	Evnen	Donley	Weir	Murante	Ojeda
	Stenger	Karpisek	Jackson	Miltenberger	
	Sullivan				

Voting Against: None

Absent: None

The motion carried.

Chairperson Evnen restated the motion, which was to go into closed session for the limited purpose of discussion of the Grails subcontract as necessary for the protection of the public interest and prevention of needless injury to the reputation of an individual. The board went into closed session at 9:35 AM.

At 11:01 AM, Mr. Jackson moved that the NSRB reconvene in open session having completed discussion of the Grails subcontract. Mr. Jackson stated that no other matters were discussed in the closed session. The motion was seconded by Mr. Ojeda.

Voting For:	Evnen Stenger Sullivan	Donley Karpisek	Weir Jackson	Murante Miltenberger	Ojeda
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Voting Against: None

Absent: None

The motion carried.

The Chairperson asked whether any member of the NSRB wanted to bring anything forward on Agenda Item 9.c. No motions were made. The Chairperson indicated this matter would be further addressed with NIC.

Agenda Item 10. TECHNICAL INFRASTRUCTURE UPGRADES.

Mr. Jackson, Chairperson of the Technical Infrastructure Subcommittee provided an update on the subcommittee’s May 4, 2022, meeting. The meeting included (1) reviewing a summary of the prior meeting; (2) reviewing NIC’s communication to partners that explains the purpose and value of the upgrades and that will be sent at project kickoff and project wrap up (and tailored as appropriate to be sent to both executive level and technical contacts); and (3) reviewing NIC’s Grails Progress Report and Drupal Progress Report. Mr. Jackson stated that NIC indicated that they were considering contract with their Grails consultant to assist in completion of upgrades but did not indicate that additional funding would be required to effectuate that partnership. NIC affirmed that completion dates may adjust as they move forward, but that they would complete upgrades within the eighteen (18) month timeline originally planned, and that upgrades to be completed after that date would roll into their regular maintenance work. Ms. Elder added that copies of the Grails and Drupal progress reports are in the NSRB materials for review. Ms. Elder also stated that NIC had made her aware of NIC’s interest in seeking funding from the NSRB and that she requested an opportunity to review the concept before NIC shared it with the subcommittee.

The NSRB took a break: 11:10 a.m. – 11:15 a.m.

Agenda Item 11. NEBRASKA INTERACTIVE REPORTS.

Agenda Item 11.a. Nebraska Interactive, LLC, Project Priority Report:

Mr. Sloan presented information on the status of various active projects. Mr. Sloan discussed the modernization projects for the Administrative Office of the Courts, which should be fully deployed in the next week. Mr. Sloan discussed that the DOI Medical Malpractice project has delayed progress in completion of Grails upgrades. NIC was on-site at the DMV supercenter in Omaha working on the status forms project, and it was a near flawless roll out.

Ms. Donley moved to approve the Project Priority Report, which was seconded by Ms. Stenger.

Voting For:	Evn Stenger Sullivan	Donley Karpisek	Weir Jackson	Murante Miltenberger	Ojeda
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Voting Against: None

Absent: None

The motion carried.

Agenda item 11.b. General Manager’s Report:

Mr. Hoffman reported on the following items for the first quarter of 2022:

1. NIC has been awarded a cooperative contract with National Association of State Procurement Officers through a competitive RFP for a citizen engagement platform. This contract is anticipated to continue through 2027 and can be seen on the DAS Materiel website by searching for Tyler.
2. NIC has returned to the office two days a week, with all staff present on Wednesdays, and staff choosing one additional day to be in the office.
3. NEMA was seeking a more streamlined website, and following launch, the website was awarded the Hermes Creative Gold Award within the government website category.
4. From a financial standpoint, NIC is running at 7% in revenues as driver history records have flattened. Instant government access has been flat as well.
5. NIC is working with Treasurer’s office to determine reasons why merchant fees are seeing a 25% overall increase for the last quarter. It is being driven by Elavon, the processor. Elavon’s fees increased in February 84% over the prior year and 54% in March over the prior year. NIC knew a price increase was coming in April, but this was prior to April. Although more dollar volume was processed, there were fewer transactions than last year.
6. 44% of NIC’s time was spent on services that generate no revenue.
7. NIC had a great hiring run over the last few months and made retention investments in valued staff.
8. Customer service satisfaction ratings continue to have high engagement rate over 20 percent, and 77% of respondents in last quarter gave a 5-star rating across 17 applications.

- 9. DOI continues to deploy the wholesale excise tax reporting system. This is an extremely complicated process, and Nebraska is one of two states that has the functionality to accept an excise tax online.
- 10. NIC launched the Nebraska Brand Committee customer portal, which allows for renewing brands online and viewing inspection information.
- 11. Revenues are limited by number of people in the state. All court e-filing is now mandatory, Nebraska Brand Committee’s brand inspections are online, DMV services are online, the Nebraska State Patrol has 95% adoption for their online services, the Board of Public Accountancy has its services online. Nebraska was an early adopter of online government, and there is a need to collaborate and be creative moving forward.

Agenda Item 12. RECOGNITION FOR SERVICE TO NSRB – Tony Ojeda and Angela Stenger. The Chairperson recognized, congratulated, and thanked Angela Stenger and Tony Ojeda for service to the NSRB from 2016 to 2022.

Agenda Item 13. DATE FOR NEXT MEETING. The Chairperson announced the next regular meeting of the NSRB will be in September and is anticipated to be held at the 12th and N Street location. The Chairperson also announced that, in addition, a special meeting may be called prior to the September meeting.

Agenda Item 14. ADJOURNMENT.
Mr. Karpisek moved to adjourn, seconded by Mr. Sullivan.

The meeting adjourned at 11:30 AM.



Robert B. Evnen
Secretary of State
State Records Administrator
Chairperson, State Records Board

9/29/2022

Date



NEBRASKA STATE RECORDS BOARD

MINUTES

Meeting of September 29, 2022

Agenda Item 1. CALL TO ORDER, ROLL CALL. The meeting of the Nebraska State Records Board ("NSRB") was called to order by Chairperson Robert B. Evnen at 9:10 a.m. on September 29, 2022.

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

Robert Evnen, Secretary of State, State Records Administrator and Chairperson
Lt. Governor Mike Foley, representing the Governor
Lee Will, representing the Director of Administrative Services
Leslie Donley, representing the Attorney General
Jason Walters, representing the State Treasurer
Walter Weir, representing the General Public
Tony Ojeda, representing the Insurance Industry

Absent:

Angela Stenger, representing the Media
Russ Karpisek, representing the Auditor
Bob Sullivan, representing the Legal Profession
David Richards, representing the Libraries

Vacant member positions:

Representative the Banking Industry

Staff in attendance:

Libby Elder, Executive Director, NSRB
Tracy Marshall, Recording Clerk
Colleen Byelick, Chief Deputy Secretary of State and General Counsel

After confirming that a quorum was present, the Chairperson announced that David Richards is a new appointee to the State Records Board, representing the Libraries.

Agenda Item 2. ANNOUNCEMENT OF OPEN MEETINGS ACT. The Chairperson 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 were located to the left of the Chairperson or to the right of the public seating area.

Agenda Item 3. NOTICE OF MEETING. The Chairperson announced that public notice of the meeting was duly published in the Lincoln Journal Star on August 29, 2022, and on the State’s public meeting calendar website. The public notice and proof of publication relating to the meeting would be attached to and made a part of the meeting minutes.

Agenda Item 4. ADOPTION OF AGENDA. The Chairperson brought the NSRB’s attention to the adoption of the agenda. Mr. Foley moved to approve the agenda as presented. Mr. Ojeda seconded the motion. There was no further discussion.

Voting For: Evnen Donley Weir Ojeda Will
Walters Foley

Voting Against: None

Voting Abstain: None

Absent: Stenger, Sullivan, Richards, Karpisek

The motion carried.

Agenda Item 5. APPROVAL OF MINUTES. The Chairperson asked for a motion to approve the minutes of the June 10, 2022, meeting. Mr. Ojeda moved to approve the minutes as presented. Mr. Foley seconded the motion. There was no further discussion.

Voting For: Evnen Donley Weir Ojeda Will
Walters Foley

Voting Against: None

Voting Abstain: None

Absent: Stenger, Sullivan, Richards, Karpisek

The motion carried.

Agenda Item 6. APPROVAL OF FINANCIAL REPORT. Libby Elder, Executive Director for the NSRB provided a summary of the June 30, 2022, Cash Fund Balance Report. Mr. Foley moved to approve the financial report. Mr. Ojeda seconded the motion. There was no further discussion.

Voting For: Evnen Donley Weir Ojeda Will
Walters Foley

Voting Against: None

Absent: Stenger, Sullivan, Richards, Karpisek

The motion carried.

Agenda Item 7. PUBLIC COMMENT.

The Chairperson asked if anyone wished to provide public comment to the NSRB. No member of the public indicated a desire to provide public comment.

Agenda Item 8. EXECUTIVE DIRECTOR'S REPORT

Agenda Item 8.a. Review of Template Agreements: Ms. Elder provided a list of agreements signed pursuant to NSRB authority, including Electronic Government Service Level Agreements, a Citizen Payment Processing Addendum, PayPort Addendums, an Event Registration Addendum, and a Termination Agreement.

Ms. Elder stated that the Termination Agreement was with the City of Syracuse and was signed due to a decision by Syracuse to have all utility billing management in one place, and that no concerns or issues were shared regarding the services provided by Nebraska Interactive, LLC dba NIC Nebraska ("NIC").

Agenda Item 8.b. Review of Project Status Report: Ms. Elder presented information related to the status of various active projects based upon feedback from the state agency partners. Discussion took place regarding projects NIC is working on for the Village of Hoskins, Kimball County, the Administrative Office of the Courts, and the Department of Insurance.

Agenda Item 9. TECHNICAL INFRASTRUCTURE UPGRADES**Agenda Item 9.a. Review Progress**

Ms. Elder presented the Grails and Drupal progress reports. Since preparation of the Grails report, the Nebraska State Patrol Criminal History Request System is in progress. Additionally, the Secretary of State's Voter Registration System finished testing and was scheduled to be deployed the week of September 26, 2022.

Ms. Elder reported that the Technical Infrastructure Subcommittee met on July 28, 2022. Jason Jackson (Subcommittee Chairperson), Walter Weir (Subcommittee Member), Brent Hoffman, Jay Sloan, and Bruce Rice (NIC), Lee Will (DAS), Colleen Byelick and Libby Elder (SOS Office/NSRB) were in attendance.

The subcommittee: (1) reviewed NIC's communication to partners regarding the Technical Infrastructure Upgrades and agreed that similar language would be used to communicate with agencies regarding Drupal upgrades; (2) reviewed the Technical Infrastructure Progress Report for Grails and NIC reported that all development teams were engaged in Grails upgrade work; and (3) reviewed the Technical Infrastructure Progress Reports for Drupal and NIC reported that the first migrations were out in production. NIC indicated that it has been difficult to estimate the time it would take to complete the upgrades, but that the service level degradation would not be extended beyond the original 12-18 months.

The subcommittee discussed a written comment submitted by a staff member of the Nebraska Brand Committee and discussed information regarding security and security audits.

Ms. Elder reported that following the subcommittee meeting, a meeting was coordinated by NIC, which included Brent Hoffman, Jay Sloan, Bruce Rice, members of the NIC Security Team, Walter Weir, and Libby Elder. The NIC Security Team answered questions and provided information regarding their security audits. Mr. Weir agreed to use his technical expertise to further review this information and report to the Portal Operations Subcommittee.

Mr. Will added that there was discussion regarding the completion dates that have moved forward, and the need for the completion dates to be realistic.

Agenda Item 9.b. Discussion of Grails Subcontract

Mr. Karpisek arrived 9:25.

Ms. Elder reported that NIC has continued to work with Object Computing, Inc. (“OCI”), and has obtained quotes on 20 Grails applications. The total cost estimate, produced by OCI to complete the upgrades on the 20 applications, is projected between \$1.2 million and 1.5 million, and would take an estimated 715 developer days. NIC further worked with OCI to find consistencies in applications and then to narrow the list of applications proposed to be completed by OCI to 12 applications totaling \$726,364 and 501 developer days.

After NIC worked with OCI to narrow the list to 12 applications, a meeting took place between with NIC and their representatives, including Brent Hoffman, Jay Sloan, Bob Sanders (Vice President of State Enterprises at Tyler Technologies), Secretary Evnen, Colleen Byelick, and Libby Elder. At this meeting, there was discussion of the subcontract, and other options or potential sources of funding for the portal or to assist in funding subcontract costs, including the possibility of legislation.

Ms. Elder stated that NIC will develop and provide a plan and options, which will be presented to the Portal Operations Subcommittee, and if appropriate, brought before the board at the December meeting.

Mr. Foley stated that there is language in the contract with NIC stating that the obligation to upgrade software rests with NIC. Mr. Evnen stated that NIC is working on a concrete proposal which will include information as to how these upgrades could be funded. Mr. Ojeda discussed the value of the grant program, and the potential to use the Records Management Cash Fund for grants.

Agenda Item 10. NEW BUSINESS

Agenda Item 10.a. Accept the Ernst & Young LLP Audit for Nebraska Interactive:

Mr. Foley stated that the contract requires NIC to provide audited financial statements. Ernst & Young LLP prepared the audit. The Finances Subcommittee met. NIC’s profits have increased, funds to the state and funds to the parent company have increased. Mr. Foley stated that the subcommittee unanimously moved to accept the audit.

Voting for:	Evnen	Donley	Weir	Ojeda	Will
	Karpisek	Foley	Walters		
Voting Against:	None				

Absent: Stenger, Sullivan, Richards

The motion carried.

Agenda Item 10.b. Adopt Records Board Rules and Regulations – Title 431:

Ms. Elder stated that the public hearing on the amended rules and regulations was held September 13, 2022, at 10:00 AM. There were no public comments received, and the rules and regulations were unchanged from what was presented and approved at the June NSRB meeting. Ms. Elder requested that the NSRB adopt Title 431, Chapters 1 and 2 and authorize the Chair of the State Records Board to sign a certificate of adoption. Ms. Elder stated that the regulations would then be sent to the Attorney General’s office for review.

There was discussion regarding the changes to Title 431, Chapters 1 and 2.

Mr. Ojeda moved to adopt Title 431 Chapters 1 and 2, which was seconded by Mr. Weir.

Voting For: Evnen Weir Ojeda Will Karpisek
Foley Walters

Voting Against: None

Abstain: Donley

Absent: Stenger, Sullivan, Richards

The motion carried.

Agenda Item 11. NEBRASKA INTERACTIVE REPORTS.

Agenda Item 11.a. Nebraska Interactive, LLC, Project Priority Report:

Mr. Sloan presented information on the status of various active projects, including work that is continuing for the Administrative Office of the Courts and work for partners which have begun using NIC’s payment processing services. Mr. Sloan indicated that the report for the next meeting of the NSRB, the NSRB will see that several partners are moving to the online liquor license renewal service managed by the Nebraska Liquor Control Commission. Mr. Sloan indicated that NIC completed the DMV DLS Dataforms project moving a paper form to online format, which can also be completed on a tablet at the DMV, saving time for constituents and DMV staff. Mr. Sloan stated that the DOI Medical Malpractice project will be discontinued following a mutual decision between DOI and NIC.

Ms. Donley moved to approve the Project Priority Report, which was seconded by Mr. Will.

Voting For: Evnen Donley Weir Ojeda Will
Karpisek Foley Walters

Voting Against: None

Absent: Stenger, Sullivan, Richards

The motion carried.

Agenda item 11.b. General Manager’s Report:

Mr. Hoffman reported on the following items for the second quarter of 2022:

- NIC’s work has resulted in eight awards in 2022, recognizing the efforts of state agencies from an electronic presence standpoint.
- NIC did not have any downtime to report for any services or networks in the second quarter of 2022.
- From a financial aspect, NIC has had eight percent growth, which is under their five-year trend. Merchant fees increased in April and are one-third of NIC’s entire expense. NIC anticipates merchant rates will be in the \$3 million dollar range by 2023. NIC’s expenses are down by 6 percent.
- From a satisfaction rating aspect, applications have had a 4.5 average star rating out of 5 stars. Many services have increased in rating over the last quarter.
- NIC relocated their lockbox services for receipt of mailed payments but have not received any delay or issues regarding that change.
- NIC partnered with the University of Nebraska’s capstone project, and they are working on a customer support project for NIC. It will be a nine-month project.
- DMV has hired a records inspector to assist with protection on DMV driver’s license record information.

Mr. Sloan reported that NIC has added a staffing report to the General Manager’s report to keep the NSRB informed of staffing changes.

Agenda Item 13. DATE FOR NEXT MEETING. The Chairperson announced the next regular meeting of the NSRB will be in December and is anticipated to be held at the 12th and N Street location.

Agenda Item 14. ADJOURNMENT.

Mr. Foley moved to adjourn, seconded by Mr. Weir.

The meeting adjourned at 10:00 AM.



Robert B. Evnen
Secretary of State
State Records Administrator
Chairperson, State Records Board

12/13/2022

Date



NEBRASKA STATE RECORDS BOARD

MINUTES

Meeting of December 13, 2022

Agenda Item 1. CALL TO ORDER, ROLL CALL. The meeting of the Nebraska State Records Board ("NSRB") was called to order by Chairperson Robert B. Evnen at 9:02 a.m. on December 13, 2022.

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

Robert Evnen, Secretary of State, State Records Administrator and Chairperson
Lt. Governor Mike Foley, representing the Governor
Jason Jackson, Director of Administrative Services
Leslie Donley, representing the Attorney General
Russ Karpisek, representing the Auditor of Public Accounts
John Murante, State Treasurer
David Richards, representing the Libraries
Walter Weir, representing the General Public

Absent:

Tony Ojeda, representing the Insurance Industry
Cody Gerlach, representing the Media

Vacant member positions:

Representative the Banking Industry
Representative the Legal Profession

Staff in attendance:

Libby Elder, Executive Director, NSRB
Tracy Marshall, Recording Clerk
Colleen Byelick, Chief Deputy Secretary of State and General Counsel

After confirming that a quorum was present, the Chairperson introduced David Richards, a new appointee to the NSRB, representing the Libraries.

The Chairperson announced that Cody Gerlach has been appointed to the NSRB as the representative of the Media, and his attendance is anticipated at the next meeting of the NSRB.

Agenda Item 2. ANNOUNCEMENT OF OPEN MEETINGS ACT. The Chairperson 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 were located to the left of the Chairperson or to the right of the public seating area.

Agenda Item 3. NOTICE OF MEETING. The Chairperson announced that public notice of the meeting was duly published in the Lincoln Journal Star on November 11, 2022, and on the State’s public meeting calendar website. The public notice and proof of publication relating to the meeting would be attached to and made a part of the meeting minutes.

Agenda Item 4. ADOPTION OF AGENDA. The Chairperson brought the NSRB’s attention to the adoption of the agenda. Mr. Foley moved to approve the agenda as presented. Mr. Weir seconded the motion. There was no further discussion.

Voting For:	Evnen Murante	Donley Richards	Foley Weir	Jackson	Karpisek
Voting Against:	None				
Voting Abstain:	None				
Absent:	Gerlach, Ojeda				

The motion carried.

Agenda Item 5. APPROVAL OF MINUTES. The Chairperson asked for a motion to approve the minutes of the September 29, 2022, meeting. Mr. Foley moved to approve the minutes as presented. Mr. Weir seconded the motion. There was no further discussion.

Voting For:	Evnen Richards	Donley Weir	Foley	Karpisek	Murante
Voting Against:	None				
Voting Abstain:	Jackson				
Absent:	Gerlach, Ojeda				

The motion carried.

Agenda Item 6. APPROVAL OF FINANCIAL REPORT. Libby Elder, Executive Director for the NSRB provided a summary of the September 30, 2022, Cash Fund Balance Report. Mr. Karpisek moved to approve the financial report. Ms. Donley seconded the motion. There was no further discussion.

Voting For:	Evnen Murante	Donley Richards	Foley Weir	Jackson	Karpisek
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Voting Against: None

Absent: Gerlach, Ojeda

The motion carried.

Agenda Item 7. PUBLIC COMMENT.

The Chairperson asked if anyone wished to provide public comment to the NSRB. No member of the public indicated a desire to provide public comment.

Agenda Item 8. EXECUTIVE DIRECTOR’S REPORT

Agenda Item 8.a. Review of Template Agreements: Ms. Elder provided a list of agreements signed pursuant to NSRB authority, including Electronic Government Service Level Agreements and PayPort Addendums.

Agenda Item 8.b. Review of Project Status Report: Ms. Elder presented information related to the status of various active projects based upon feedback from local government partners, including Bellevue, Gothenburg, Prague, and Wauneta.

Agenda Item 8.c. Status of Rules and Regulations – Title 431 – Chapters 1 and 2: Ms. Elder provided an update on the status of Title 431 – Chapters 1 and 2, which were adopted by the NSRB at the September 2022 meeting. The adopted rules and regulations have been submitted to the Nebraska Attorney General’s Office for review.

Agenda Item 9. TECHNICAL INFRASTRUCTURE UPGRADES

Agenda Item 9.a. Review Progress: Ms. Elder stated that progress reports for the Grails and Drupal work were included in the meeting materials. Nebraska Interactive, LLC dba NIC Nebraska (“NIC”) is continuing to make progress, although more slowly than anticipated. Dates reflected in red on the progress reports indicate a change from original completion dates. NIC has completed six Grails projects (1 was a migration/rewrite). NIC has not completed any Drupal migrations yet, but initial progress has been made on each website.

The Technical Infrastructure Subcommittee had an online meeting on December 7, 2022, with NIC to discuss progress on the Drupal work. Mr. Weir and Ms. Elder were in attendance, along with Jay Sloan, Bruce Rice, and David Clang with NIC. NIC has decided to complete the same step on each website, and then the next step on each website, rather than completing one website at a time from start to finish.

Ms. Elder stated that NIC is migrating to a new primary operating system, and that this change in approach to the Drupal work allows NIC to be able to continue to make progress that could otherwise be impacted by the migration of the operating system.

Agenda Item 10. PORTAL OPERATIONS SUBCOMMITTEE REPORT AND RECOMMENDATIONS

Agenda Item 10.a. Funding for Grails Subcontract: Ms. Elder reported that at the June meeting of the NSRB, the NSRB reviewed Nebraska Interactive's initial request for funding for a subcontract with a proposed subcontractor, Object Computing, Inc. ("OCI"). OCI is an organization that offers dedicated support to users on behalf of the Grails Foundation (the non-profit group that manages the open-source Grails framework).

The original estimate to subcontract work to OCI was between \$500,000 and \$750,000 for 15-20 applications. NIC worked with OCI to get more detailed quotes and a timeline on 20 applications, then further narrowed their request for funding to 12 applications. At the September NSRB meeting, it was reported that NIC was continuing to develop a plan and options which would be brought before the NSRB at the December meeting, if appropriate. NIC submitted a proposal requesting funding for 8 applications at a cost of \$432,636 plus 15% for overages, which would be close to \$500,000.

The Portal Operations Subcommittee met on October 19, 2022, and December 5, 2022, to discuss Nebraska Interactive's proposal and options for moving forward. The subcommittee considered funding a portion of NIC's request and reviewed proposed legislation which could provide funding for the subcontract work. Ms. Elder reported that the subcommittee members did not reach a consensus regarding a recommendation to be provided to the NSRB.

The Chairperson stated that NIC has indicated that project development for partners has to be throttled back so that NIC can devote energy to the upgrades. However, progress on the upgrades does not appear to be impressive, and no member of the subcommittee is pleased to be in this position of having to choose between upgrades and new development.

The Chairperson stated that he had proposed to the subcommittee that the NSRB agree to pay for up to fifty percent (50%) of the cost of the upgrades, and that there be completion dates that must be met in order to receive reimbursement, and the agreement would include language to prevent diminishment of new development in the future. However, the other position is that these upgrades are the responsibility of NIC, and the NSRB should not have to pay for it. The majority of the subcommittee took the position that the subcontract not be funded, and the minority of the subcommittee took the position that some amount of funding be provided to help offset the cost of subcontracting with OCI.

Mr. Weir stated that he has been in the IT business for more than 40 years, and that this situation is like being in between a rock and a hard place. There is customized software developed for users, and NIC has no control over these upgrades as the company that created the platforms have upgraded and now NIC must implement those upgrades. NIC has completed application rationalization and determined what could be rewritten or could be no longer used. However, if we continue with customized applications, we may face this again in the future.

The Chairperson referenced the NSRB back to the Cash Fund Balance Report and mentioned that the NSRB has funding available if the NSRB wants to provide funding for the subcontract. However, pursuant to the contract, it is the responsibility of the vendor to keep the platforms up to date, at the vendor's expense.

Mr. Foley stated that the Chairperson provided an accurate and honest appraisal of the subcommittee meeting. NIC is doing very well, with record profits. Upgrading software is the responsibility of NIC, and there are many references in the contract regarding NIC being responsible for keeping the applications current. NIC is in the best position to know if upgrades need to be completed.

Mr. Weir stated that he would like to know what NIC will do to avoid this happening again in the future. The Chairperson asked NIC to address it as part of Agenda Item 11.

Ms. Donley made a motion to table the discussion, and Mr. Richards seconded the motion. The motion and second were withdrawn, with no objections. There was no further discussion.

Agenda Item 10.b. Nebraska Interactive, LLC Contract Renewal (Closed Session): Mr. Foley made a motion to go into closed session for the limited purpose of discussion of the Nebraska Interactive, LLC contract renewal which will involve performance and vulnerability issues relating to operation of the state portal. The closed session is necessary for the protection of the public interest and prevention of needless injury to the reputation of an individual. The motion for closed session was seconded by Mr. Murante.

Voting For: Evnen Donley Foley Jackson Karpisek
Murante Richards Weir

Voting Against: None

Absent: Gerlach, Ojeda

The motion carried.

Chairperson Evnen restated the motion to go into closed session. The NSRB went into closed session at 9:47 a.m.

A break was taken from 10:15 – 10:20 a.m.

At 10:20 a.m., Mr. Foley moved that the NSRB reconvene in open session having completed discussion of the Nebraska Interactive, LLC contract renewal, which involved performance and vulnerability issues relating to operation of the state portal. The motion was seconded by Ms. Donley.

Voting For: Evnen Donley Foley Jackson Karpisek
Murante Richards Weir

Voting Against: None

Absent: Gerlach, Ojeda

The motion carried.

Mr. Foley moved to offer Nebraska Interactive, LLC a 2-year contract renewal under the existing contract terms and conditions. The motion was seconded by Mr. Karpisek.

Voting For:	Evnen	Donley	Foley	Jackson	Karpisek
	Murante	Richards	Weir		

Voting Against: None

Absent: Gerlach, Ojeda

The motion carried.

Chairperson Evnen stated that the current termination is March 31, 2024, and the renewal would continue the contract term through March 31, 2026.

Agenda Item 10.c. Resolution to Resume Nebraska State Records Board Grant Program:

The Chairperson stated that there is a resolution document included in the meeting materials, the purpose of which is to resume the NSRB grant program. A subcommittee would be established by invitation of the Chairperson. The subcommittee would develop criteria and materials necessary to resume the grant program, which would be brought back to the NSRB for review.

Mr. Murante moved to adopt the resolution to resume the Nebraska State Records Board Grant Program, which was seconded by Mr. Karpisek.

Mr. Foley stated that he is willing to serve on the grant subcommittee. Mr. Foley also stated that the NSRB should consider issuing a request for information (RFI) to determine if there are vendors capable of doing web development work for partner agencies. There was discussion regarding previous uses of the grant program.

Voting For:	Evnen	Donley	Foley	Jackson	Karpisek
	Murante	Richards	Weir		

Voting Against: None

Abstain: None

Absent: Gerlach, Ojeda

The motion carried.

Agenda Item 11. NEBRASKA INTERACTIVE REPORTS

Agenda Item 11.a. Nebraska Interactive, LLC Business Plan for 2023: Mr. Hoffman stated that NIC’s 2023 Business Plan was due 30 days prior to the December meeting of the NSRB. However, financials had not been approved by Tyler, and therefore the 2023 Business Plan was not submitted by the due date. The 2023 Business Plan is a non-action item to allow the NSRB additional time for review and consideration of approval at the next meeting. The 2023 Business Plan provides that NIC will

continue to work on Grails upgrades and Drupal migrations, in addition to some potential business development activities. There was discussion of NIC staffing numbers.

Agenda Item 11.b. Project Priority Report: Prior to addressing the Project Priority Report, Mr. Sloan expressed appreciation for the two-year renewal of the contract with NIC. Additionally, in response to Mr. Weir’s prior question, Mr. Sloan stated that NIC has a plan in place for 2023 and forward that proactively monitors software upgrades when they come along to avoid disruption as the result of upgrades. NIC will share that plan with the Technical Infrastructure Subcommittee, or the full NSRB, as appropriate.

Regarding the Project Priority Report, Mr. Sloan stated that Nebraska Liquor Control Commission is moving to a new backend system. Since the middle of June of 2022, NIC has completed 42 local installations (allowing renewal of local liquor licenses online), and 10 more local installations are in progress.

Mr. Sloan reported that NIC is reaching the end of the first of three legs of the NCHIP grant with the Nebraska State Patrol. Under the grant program, state information based on misdemeanor crime and domestic violence is supplied to the federal government to enforce firearm laws. The next leg of the grant will address felony convictions and then mental health convictions.

NIC completed the DMV data forms project, which is an online scheduling tool, which tells users that they can complete their renewal online. NIC tracks the number of users redirected to complete the renewal online instead of in the office. This service was developed at no cost to the State of Nebraska.

Mr. Foley moved to approve the Project Priority Report, which was seconded by Mr. Richards.

Voting For:	Evnen	Donley	Foley	Jackson	Karpisek
	Murante	Richards	Weir		

Voting Against: None

Abstain: None

Absent: Gerlach, Ojeda

The motion carried.

Agenda item 11.c. General Manager’s Report: Mr. Hoffman reported on the following items for the third quarter of 2022:

- From a security posture, distributed denial-of-service (DDoS) attacks were taking place in many states in October and November. Nebraska did not suffer downtime due to the attacks. NIC closely monitors DDoS attacks and has mitigation strategies in place.
- For the third quarter of 2022, NIC continued to see a high percentage of engagement (25% to 27%) in customer satisfaction surveys and an average of 4.5 star rating out of 5 stars.

- NIC has a total of 28 staff, with two open positions. One position is a developer position, which is currently posted, and the other is a quality assurance position, which will be filled at a later date.

Agenda Item 13. DATE FOR NEXT MEETING. The Chairperson announced the next regular meeting of the NSRB will be in March and is anticipated to be held at the 12th and N Street location.

Agenda Item 14. ADJOURNMENT.

Mr. Murante made a motion to adjourn, which was seconded by Mr. Foley.

Voting For:	Evnen	Donley	Foley	Jackson	Karpisek
	Murante	Richards	Weir		

Voting Against: None

Abstain: None

Absent: Gerlach, Ojeda

The motion carried.

The meeting adjourned at 10:45 AM.

Robert B. Evnen
 Secretary of State
 State Records Administrator
 Chairperson, State Records Board

4/17/2023

Date