

NEBRASKA STATE RECORDS BOARD

MINUTES

Meeting of February 5, 2014

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 9:00 A.M. on February 5, 2014 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;
Michael D. Foley, Auditor of Public Accounts;
Don Stenberg, State Treasurer;
Scott Keene, representing the Insurance Industry;
Gerry Oligmueller, Acting Director of Administrative Services;
Julie A. Beno, representing Libraries;
Brian Buescher, representing the Legal Profession;
Leslie S. Donley, representing the Attorney General;
Brenda L. Decker, representing the Governor;
Ryne D. Seaman, representing the Banking Industry

Absent:

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

Staff in attendance:

Cathy Danahy, Executive Director;
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 January 3, 2014 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

Ms. Danahy, Executive Director, NE State Records board announced the location of today's meeting was changed from the NE State Education Association, 605 S. 14th street, Lincoln, NE to Room 1507. Ms. Decker moved to adopt the agenda as presented; seconded by Ms. Beno.

Voting For:	Beno Gale	Buescher Keene	Decker Oligmueller	Donley Seaman	Foley Stenberg
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 November 6, 2013 meeting. Ms. Donley moved to approve the minutes; seconded by Mr. Seaman.

Voting For:	Beno Gale	Buescher Keene	Decker Oligmueller	Donley Seaman	Foley Stenberg
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 any of the agenda items. No audience member indicated a desire to provide public comment.

Agenda Item 7. CHAIRMAN'S REPORT

Agenda Item 7.a. Agreements & Addenda

Brent Hoffman, General Manager, Nebraska Interactive, LLC introduced the following addenda:

Agenda Item 7.a.1. Electronic Government Service Level Agreements between Nebraska Interactive, LLC, the NE State Records Board and the City of Clay Center, Clay County, the City of Lyons, the City of Neligh and the Nebraska Department of Motor Vehicles. Signed by Chairman Gale pursuant to Board authority.

Agenda Item 7.a.2. Addenda (PayPort) to the Electronic Government Service Level Agreements between Nebraska Interactive, LLC, the NE State Records Board and the City of Clay Center (Addendum 1), Clay County (Addendum 1), the City of Lyons (Addendum 1), the City of Neligh (Addendum 1) and Red Willow County (Revised - Addendum 1). Signed by Chairman Gale pursuant to Board authority.

Agenda Item 7.a.3 Addenda (Real Estate Property Tax) to the Electronic Government Service Level Agreement between Nebraska Interactive, LLC, the NE State Records Board and Dawson County Treasurer (Addendum 2). Signed by Chairman Gale pursuant to Board authority.

Agenda Item 7.a.4. Web/Online PayPort for State Agencies. Addenda to the Electronic Government Service Level Agreement between Nebraska Interactive, LLC, the NE State Records Board and the Nebraska Department of Agriculture (Addendum 8), the Nebraska Fire Marshal (Addendum 4) and the Liquor Control Commission (Addendum 7). Signed by Chairman Gale pursuant to Board Authority.

Brent Hoffman, General Manager, Nebraska Interactive, LLC and Ms. Rhonda Lamb, Director, NE Department of Motor Vehicles introduced the following addenda:

Agenda Item 7.a.5 Addendum One to the Electronic Government Service Level Agreement between Nebraska Interactive, LLC, the NE State Records Board, and the Department of Motor Vehicles – Portal Fees for Driver and Vehicle Records. Mr. Oligmueller moved to approve Addendum One; seconded by Mr. Keene.

Voting For:	Beno Gale	Buescher Keene	Decker Oligmueller	Donley Seaman	Foley Stenberg
Voting Against:	None				
Absent:	Konz	Osborn			

The motion carried.

Agenda Item 7.a.6. Addendum Two to the Electronic Government Service Level Agreement between Nebraska Interactive, LLC, the NE State Records Board and the Department of Motor Vehicles – Portal Fees for Driver Licensing Services. Ms. Decker moved to approve Addendum Two; seconded by Ms. Beno.

Voting For:	Beno Gale	Buescher Keene	Decker Oligmueller	Donley Seaman	Foley Stenberg
Voting Against:	None				
Absent:	Konz	Osborn			

The motion carried.

Agenda Item 7.a.7. Addendum Three to the Electronic Government Service Level Agreement between Nebraska Interactive, LLC, the NE State Records Board and the Department of Motor Vehicles – Portal Fees for Financial Responsibility Division. Ms. Donley moved to approve Addendum Three; seconded by Ms. Decker.

Voting For:	Beno Gale	Buescher Keene	Decker Oligmueller	Donley Seaman	Foley Stenberg
Voting Against:	None				
Absent:	Konz	Osborn			

The motion carried.

Agenda Item 7.a.8. Addendum Four to the Electronic Government Service Level Agreement between, Nebraska Interactive, LLC, the NE State Records Board and the Department of Motor Vehicles – Portal Fees for Motor Carrier Services Division. Mr. Seaman moved to approve Addendum Four; seconded by Mr. Keene.

Voting For:	Beno Gale	Buescher Keene	Decker Oligmueller	Donley Seaman	Foley Stenberg
Voting Against:	None				

Absent: Konz Osborn

The motion carried.

Agenda Item 7.b. OCIO Contract for Network Manager Request for Proposal (RFP)

Ms. Colleen Byelick, Legal Counsel, introduced the Contract prepared by the OCIO and the Secretary of State staff. Mr. Foley requested Ms. Decker include information on how other states have structured their contracts both within the NIC family and states that have gone in other directions. Ms. Decker said that state CIOs across the country are having discussions about portal contracts. There is a group meeting on this subject and they will go out to all fifty states and ask them how they are doing portal management whether it is in-house, using another contractor other than NIC or if using NIC, asking for copies of the contracts. An agenda item will be added regarding a report on this information. Mr. Stenberg moved to approve the contract; seconded by Ms. Donley.

Voting For:	Beno Keene	Buescher Oligmueller	Donley Seaman	Foley Stenberg	Gale
Voting Against:	None				
Not Voting:	Decker				
Absent:	Konz	Osborn			

The motion carried.

Agenda Item 8. PRICEWATERHOUSECOOPERS ANNUAL AUDIT OF NEBRASKA INTERACTIVE, LLC DECEMBER 31, 2012 AND 2011.

Mr. Foley, Chairman of the Finances Review Subcommittee, reported the subcommittee (Mr. Foley, Mr. Keene and Mr. Seaman) met this morning to review the audit report. He said it was the subcommittee's unanimous recommendation that the full board accept the audit. He reported there was a \$1.3 million dividend from Nebraska Interactive to the parent corporation during the calendar year 2012 as stated on page 11, paragraph 2 of the audit which states: *On June 1, 2012 and 2011, the Company declared noncash dividends to NICUSA totaling \$1,329,840 and \$1,330,492, respectively. As a result of these dividends, the Company relieved NICUSA of \$1,329,840 and \$1,330,492 in amounts due from affiliated companies during 2012 and 2011, respectively, and treated these items as dividend distributions.* Mr. Foley moved to receive the audit report for calendar year 2012; seconded by Mr. Buescher.

Voting For:	Beno Gale	Buescher Keene	Decker Oligmueller	Donley Seaman	Foley Stenberg
Voting Against:	None				
Absent:	Konz	Osborn			

The motion carried.

Agenda Item 9. EXECUTIVE DIRECTOR'S REPORT

Agenda Item 9.a. NSRB Cash Fund Balance Report (September, 2013 – Corrected)

Ms. Danahy presented the corrected September, 2013 Cash Fund Balance report. The Prior Year September, 2012 Grant Encumbrances and Prior Year Unencumbered Funds were corrected to \$268,109.44 and \$459,589.82 respectively. Mr. Keene moved to approve the corrected report; seconded by Ms. Decker.

Voting For:	Beno Gale	Buescher Keene	Decker Oligmueller	Donley Seaman	Foley Stenberg
Voting Against:	None				
Absent:	Konz	Osborn			

The motion carried.

Agenda Item 9.c. NSRB Cash Fund Balance Report

Ms. Danahy presented December, 2013 Cash Fund Balance Report. Mr. Oligmueller moved to accept the cash fund balance report; seconded by Ms. Beno.

Voting For:	Beno Gale	Buescher Keene	Decker Oligmueller	Donley Seaman	Foley Stenberg
Voting Against:	None				
Absent:	Konz	Osborn			

The motion carried.

Agenda Item 9.c. NSRB State/Local Grant Project Status Report

Ms. Danahy presented December, 2013 State/Local Grant Project Status Report.

Agenda Item 9.d. Final Grant Reports

Ms. Danahy presented the following final grant reports for Dixon County, the City of Lexington, Nance County and York County.

Mr. Foley left the meeting at 10:14 A.M.

Mr. Foley returned to the meeting at 10:20 A.M.

**Agenda Item 10. ORIENTATION AND POLICIES/GUIDELINES
SUBCOMMITTEE**

Ms. Beno reported the Grant Review Subcommittee (Ms. Beno, Mr. Keene and Mr. Osborn) recommends suspending the grant awards so the Grant Review Committee can meet to clarify award criteria. Ms. Beno moved NE State Records Board postpone the grant program cycle for no more than one year to give the Grant Review Committee of the Orientation and Policies/Guidelines Subcommittee time to clarify what the NSRB will fund or not fund; seconded by Ms. Decker.

Voting For:	Beno Gale	Buescher Keene	Decker Oligmueller	Donley Seaman	Foley Stenberg
Voting Against:	None				
Absent:	Konz	Osborn			

The motion carried.

Chairman Gale declared a recess at 10:25 A.M.

Chairman Gale reconvened the meeting at 10:40 A.M.

Agenda Item 11. NEBRASKA.GOV REPORTS**Agenda item 11.a. New VISA Transparency Rule – Update**

Meetings have taken place regarding security and cost impact of separating transactions. VISA has not yet finalized their rules.

Agenda Item 11.b. General Manager's Report

Mr. Brent Hoffman, General Manager, Nebraska.gov presented the 4th Quarter 2013 General Manager's Report. Ms. Carmen Easley, Director of Portal Operations, Nebraska.gov, reported on project & services subsidizing by the portal.

Mr. Foley left the meeting at 11:20 A.M.

Agenda Item 11.c. Project Priority Report

Mr. Hoffman presented the Project Priority Report. Mr. Buescher moved to approve the Project Priority Report; seconded by Ms. Beno.

Voting For:	Beno	Buescher	Decker	Donley	Gale
	Keene	Oligmueller	Seaman	Stenberg	
Voting Against:	None				
Absent:	Foley	Konz	Osborn		

The motion carried.

Mr. Buescher left the meeting at 11:27 A.M.

Mr. Buescher returned to the meeting at 11:40 A.M.

Agenda Item 11.d. Disaster Recovery Upgrade – (Final Report)

Mr. Jeff Shaw, Vice President of Technology, NIC, Inc. gave an update on the NIC upgrade investment plan. He reported the investment plan was completed before the end of 2013. NIC has hired a new director of infrastructure. Regarding processes, they enhanced a lot of their methodologies around incident management and notification regarding outages. In technology, Nebraska.gov has been moved to Vblock which includes network, compute and storage all in one. A Vblock has been installed in each datacenter (Virginia and Texas) which has increased transaction speed. Failover tests have been executed to confirm Nebraska may be switched between datacenters to run on the most effective location at the time. Nebraska now has its own virtual firewall. Government distributed denial of service attacks by other organizations occur continuously. NIC has contracted with AT&T for defense (D-DoS) protection service to monitor these attacks. NIC is moving to the future to speed transactions and replicate Nebraska.gov data in both datacenters. Mr. Stenberg asked if anything would change on a state agency website if NIC were to change from one credit card processor to another. Mr. Shaw said he did not believe it would, but will find out the answer and get back to Mr. Stenberg.

Mr. Seaman left the meeting at 11:43 A.M.

Agenda Item 11.e. 2014 Business Plan

Mr. Hoffman presented the 2014 Business Plan. Mr. Keene moved to approve the 2014 Business Plan; seconded by Ms. Beno.

Voting For:	Beno Keene	Buescher Oligmueller	Decker Stenberg	Donley	Gale
Voting Against:	None				
Absent:	Foley	Konz	Osborn	Seaman	

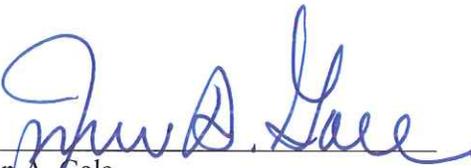
The motion carried.

Agenda Item 12. DATE FOR NEXT MEETING

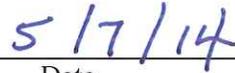
Chairman Gale announced the next NE State Records Board meeting will be held on Wednesday, May 7, 2014 at 9:00 A.M., Room 1507, NE State Capitol, Lincoln, NE.

Agenda Item 13. ADJOURNMENT

Ms. Decker moved to adjourn the meeting; seconded by Mr. Oligmueller. All members present signified agreement by saying "aye". Chairman Gale declared the meeting adjourned at 11:55 A.M.



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



Date