



NEBRASKA STATE RECORDS BOARD

MINUTES

Meeting of December 14, 2023

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 9:01 a.m. on December 14, 2023.

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

Robert Evnen, Secretary of State, State Records Administrator and Chairperson
Lt. Governor Joe Kelly, representing the Governor
Adam Kauffman, representing the Director of Administrative Services
Josh Shasserre, representing the Attorney General
Mike Foley, Auditor of Public Accounts
Tom Briese, State Treasurer
Walter Weir, representing the General Public

Absent: Cody Gerlach, representing the Media
David Richards, representing the Libraries
Beau Reid, representing the Insurance Industry

Vacant member positions:

Representative the Banking Industry
Representative the Legal Profession

Staff in attendance:

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

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 on the table by the entrance.

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 15, 2023, and on the State's public meeting calendar website. The public notice and proof of publication relating to the meeting would be 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. The Chairperson stated that he would like to adjust the order of discussion to discuss 8d. before 8c. Mr. Weir moved to approve the agenda with the agenda order adjusted to discuss item 8d before 8c. Mr. Shasserre seconded the motion. There was no further discussion.

Voting For: Evnen Shasserre Kauffman Briese Weir
Kelly

Voting Against: Foley

Absent: Gerlach, Richards, Reid

The motion carried.

Prior to moving to Item 5, Secretary Evnen introduced State Treasurer, Tom Briese, as a new member of the NSRB.

Agenda Item 5. APPROVAL OF MINUTES. The Chairperson asked for a motion to approve the minutes of the November 2, 2023, meeting. Mr. Weir moved to approve the minutes as presented. Mr. Shasserre seconded the motion.

Voting For: Evnen Shasserre Foley Kauffman Weir
Kelly

Voting Against: None

Absent: Gerlach, Richards, Reid

The motion carried.

Agenda Item 6. APPROVAL OF FINANCIAL REPORT. Libby Elder, Executive Director for the NSRB provided a summary of the September 30, 2023, Cash Fund Balance Report. Mr. Briese moved to approve the Cash Fund Balance Report. Mr. Kelly seconded the motion. There was no further discussion.

Voting For: Evnen Shasserre Foley Kauffman Briese
Weir Kelly

Voting Against: None

Absent: Gerlach, Richards, Reid

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, PayPort Addendums, a Statement of Work, and an amendment to a Statement of Work.

Agenda Item 8.b. Review of Project Status Reports: Ms. Elder presented information on the status of various active projects based upon feedback from local and state government partners.

Agenda Item 8.d. Presentation regarding the Portal and Electronic Government Services

The Chairperson introduced Agenda Item 8d and provided information on the revenue model that has been in place with the NSRB's vendor for many years. The revenue model provides funding for the Nebraska.gov website, which connects to state agency services. Many of those services are provided by the NSRB's vendor through no cost application development and hosting services for state agencies. The portal is funded by portal fees paid by individuals who complete transactions online. Customers can go into agency offices or utilize the online services. State agencies have the choice of whether to use the NSRB's vendor.

Mr. Foley stated that state agencies are increasingly not getting their work done for free, and the revenue model is breaking down. Further, state agencies do not have enough information on other options available to them.

Ms. Elder presented information regarding the responsibilities of the NSRB, the selection of the current network manager, the current network manager contract, the network manager's responsibilities, the self-funding nature of the portal, agency use the NSRB's contract/network manager's services, agency use of other vendors for services that involve customer interaction, and information regarding what other states are doing to provide online government services to their citizens. Ms. Elder presented options to the NSRB to consider when moving forward, including completion of the RFP process, extension of the contract with Nebraska Interactive, LLC dba Tyler Nebraska ("Tyler Nebraska") for up to 30 months, use of the OCIO office for some services, or exploring use of a National Association of State Procurement Officials ("NASPO") contract to obtain services.

The Chairperson stated that the NSRB would reserve time in March to discuss the revenue model and whether to proceed with a Request for Proposals ("RFP"). Mr. Foley stated that he has done some of this research as well. He indicated that a number of other states require that applications be hosted on their servers. There was discussion regarding the portal splits in other states and this being the appropriate time to begin discussing an RFP process.

Agenda Item 8.c. Status of Request for Information ("RFI") for Electronic Government Services Applications

The Chairperson explained in March, the NSRB adopted a resolution to issue an RFI. The RFI has been prepared in conjunction with DAS and has been provided to Mr. Foley for review. Several Mr. Foley's concerns were incorporated into the RFI. The RFI is ready for release, and it addresses questions regarding vendor ability to develop and host applications, and ability to develop applications on low-code or no-code platforms, like Tyler Technologies, Inc.'s Entellitrak platform.

Mr. Foley presented his concern with asking companies to share their knowledge of Entellitrak, as he wants companies to share what they can offer to the State of Nebraska.

The Chairperson stated that it is our understanding that there are third-parties certified to develop using Entellitrak. The RFI asks vendors to provide information on what they can provide to the State of Nebraska, in addition to inquiring about their ability to use Entellitrak.

There was no further discussion.

Break 9:50 ended 9:58

Agenda Item 9. NEBRASKA INTERACTIVE, LLC dba TYLER NEBRASKA REPORTS

Agenda Item 9.a. Project Priority Report

Natalie Erb provided a summary of the Project Priority Report for the 3rd quarter of 2023, highlighting projects in progress and projects completed, with emphasis on projects for the Department of Motor Vehicles, the University of Nebraska Medical Center, the Motor Vehicle Industry Licensing Board, and work modernizing the payment checkout using a Tyler Technologies, Inc. common checkout page, known as CCP.

There was discussion of the DMV’s use of Fast Enterprises, LLC as a backend vendor, and movement of the motor vehicle registration system from Tyler Nebraska to Fast Enterprises. Tyler Nebraska will still provide payment processing services for the DMV for such system.

There was also discussion of the Lexis Nexis Fraud Detection Service project for the DMV. Mr. Kelly moved to accept the Project Priority Report, seconded by Mr. Shasserre.

Voting For: Evnen Shasserre Foley Briese Weir
 Kelly Kauffman

Voting Against: None

Absent: Gerlach, Richards, Reid

The motion carried.

Agenda Item 9.b. Status of Technical Infrastructure Upgrades, Migrations and Enhancements

Mr. Hughes presented information on Tyler Nebraska’s modernization work in the last six weeks, which is currently on track. Tyler Nebraska is five percent (5%) complete with the overall Application Platform migration. The first Tyler Nebraska application platform project has been launched with the Department of Agriculture. Tyler Nebraska is currently ahead of schedule with the Application Platform work.

Tyler Nebraska is eight percent (8%) complete with the Engagement Builder work, and the first nine applications have been launched.

Regarding Pantheon, Tyler Nebraska has begun movement of websites to Cloud hosting through Pantheon.

Agenda Item 9.c. Business Plan

Mr. Hughes presented the 2024 Business Plan, beginning with a discussion of existing services. Tyler Nebraska plans to modernize to bring new value to State agencies. Tyler Nebraska will be updating payment processing devices and is prepared for compliance with the updated PCI standards. Mr. Hughes discussed staffing, indicating that Tyler Nebraska has a full staff. Ms. Erb will be taking on some of the project management responsibilities, with Mr. Sloan focusing more on marketing. Mr. Hughes discussed plans for portal growth including offering Tyler Technologies, Inc. products and services. The Business Plan does not include financial information due to Tyler Technologies, Inc. being publicly traded, but this information will be provided when available.

There was discussion of the use of the word “refactoring” and concern that it does not represent modernization and instead represents restructuring existing code.

There was discussion regarding how Tyler Nebraska decides whether to charge for work under a Statement of Work, and when the work is performed at no additional cost. The Chairperson stated he plans to fully develop that information at the next NSRB meeting.

There was discussion of Tyler Nebraska’s capital costs in updating the payment processing equipment.

Mr. Weir requested information regarding the use of the word “refactoring” in the Business Plan, and indicated it is not clear to him what is happening to each application to make them current.

Mr. Shasserre moved to accept the Business Plan with Tyler Nebraska’s commitment to provide financial information before the next NSRB meeting, seconded by Mr. Evnen.

Voting For: Evnen Shasserre Briese Kelly Kauffman

Voting Against: Foley

Not Voting: Weir

Absent: Gerlach, Richards, Reid

The motion failed.

There was discussion regarding the NSRB expectations of the Business Plan, as the NSRB has a responsibility to approve the Business Plan. Mr. Weir indicated that he was not comfortable with the use of the word refactoring, and did not believe that Tyler Nebraska has made it clear how they plan to upgrade applications, including details on writing code, redoing plug-ins, integration testing, user testing, etc. Mr. Weir agreed to meet with Tyler Nebraska in advance of the March NSRB meeting to work through any concerns.

Agenda Item 9.d. General Manager’s Report

Mr. Hughes presented information on the launch of the Application Platform application for the Department of Agriculture in November, along with several enhancements, which were added to the application. Mr. Hughes also presented information on an e-signature project for the Administrative Office of the Courts.

There was a discussion of information gathered through customer satisfaction surveys, and Tyler Nebraska following up on instances when scores are lower than desired.

There was discussion regarding the savings to the State of Nebraska in connection with the e-signature project.

Agenda Item 13. DATE FOR NEXT MEETING. The Chairperson announced the next regular meeting of the NSRB will be held in March 2024 at the 12th and N Street location.

Agenda Item 14. ADJOURNMENT.

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

Voting For: Evnen Shasserre Foley Briese Weir
Kelly Kauffman

Voting Against: None

Not Voting/Abstain: Gerlach, Richards, Reid

The motion carried.

The meeting adjourned at 11:17 AM.



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



Date