



## NEBRASKA STATE RECORDS BOARD

### MINUTES

Meeting of November 2, 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 9:03 a.m. on November 2, 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  
Jason Jackson, Director of Administrative Services  
Josh Shasserre, representing the Attorney General  
Mike Foley, Auditor of Public Accounts  
Jason Walters, representing the State Treasurer  
David Richards, representing the Libraries  
Walter Weir, representing the General Public  
Beau Reid, representing the Insurance Industry

Absent: 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

**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 October 5, 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. Mr. Jackson moved to approve the agenda as presented. Mr. Weir seconded the motion. There was no further discussion.

Voting For:	Evnen Richards	Shasserre Weir	Foley Kelly	Jackson Reid	Walters
Voting Against:	None				
Not Voting:	Gerlach				

The motion carried.

**Agenda Item 5. APPROVAL OF MINUTES.** The Chairperson asked for a motion to approve the minutes of the July 27, 2023, meeting. Mr. Kelly moved to approve the minutes as presented. Mr. Richards seconded the motion.

Voting For:	Evnen Weir	Shasserre Kelly	Foley Reid	Walters	Richards
Voting Against:	None				
Not Voting/Abstain:	Gerlach	Jackson			

The motion carried.

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

Voting For:	Evnen Richards	Shasserre Weir	Foley Kelly	Jackson Reid	Walters
Voting Against:	None				
Not Voting/Abstain:	Gerlach				

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, Statements of Work, and a Termination Agreement.

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

**Agenda Item 9. Accept the Ernst & Young LLP Audit of Nebraska Interactive, LLC – Years ended December 31, 2022, and 2021.**

Mr. Foley reported that the Finance Subcommittee reviewed the audit report, which was submitted in accordance with the NSRB’s contract with Nebraska Interactive, LLC dba Tyler Nebraska. The Finance Subcommittee recommended acceptance of the audit report for year ending December 31, 2022.

Voting For:	Evrnen Weir	Shasserre Kelly	Foley Reid	Walters Jackson	Richards
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Voting Against: None

Not Voting/Abstain: Gerlach

The motion carried.

**Agenda Item 10. Presentation by Nebraska Interactive LLC dba Tyler Nebraska**

Tyler Nebraska presented information on the progress of technical infrastructure upgrades, the application migration plan, and using Pantheon for cloud hosting.

Mr. Bob Sanders, Vice President of State Enterprises for Tyler Technologies reported that the NSRB would be seeing new technology, new processes, new engagement, and completion of new project work.

Mr. Tanner Hughes, General Manager for Tyler Nebraska, stated that Tyler Nebraska is invested in bringing new value to Nebraska, bringing in the voice of the customer, and having a flexible and feasible plan for moving forward with planned outcomes.

Mr. Jay Sloan, Director of Operations for Tyler Nebraska, provided an update on technical infrastructure upgrade work, including progress on moving the Department of Agriculture’s applications to Application Platform, powered by Entellitrak, in addition to adding enhancements. Mr. Sloan also presented information on Tyler Nebraska’s work with agencies to assist them in determining their path forward. Following a question-and-answer session, a majority of the agencies have decided to move forward with Application Platform, while Administrative Office of the Courts and the State Electrical Division are still considering options.

Mr. Sloan presented a report on the migration work and indicated that some project completion dates may need to be adjusted to incorporate enhancements in the work for these agencies.

Ms. Natalie Erb, Senior Project Manager, provided information on Nebraska Project Hub, a new system to be used to capture the voice of the customer to help ensure Tyler Nebraska understands project needs.

Mr. Sloan discussed progress on moving 112 applications from AppEngine to Engagement Builder. Tyler Nebraska again hosted a question-and-answer session with partner agencies to receive their questions and feedback. Tyler Nebraska has obtained blanket approval from the OCIO Cloud Board to move 77 of the 112 applications to Cloud hosting. The next group of applications will go individually through the OCIO Cloud Board.

Mr. Sloan discussed a new project for the DMV, using Engagement Builder, which will assist with managing the process for motorcyclists to document completion of a safety course to ride without a helmet.

Mr. Bruce Rice, Director of Development, discussed the history of Tyler Nebraska's use of Drupal and Tyler Nebraska's plan for improving website hosting and upgrades through use of Pantheon. Mr. Rice shared that Tyler Nebraska sought partner agency feedback. There was discussion of the security of Pantheon, and Tyler Nebraska's approval from the OCIO Cloud Board to move websites to the Cloud.

Mr. Hughes discussed the timeline for Tyler Nebraska's planned accomplishments, which has been developed to incorporate enhancements and to work around partner availability.

There was discussion of hosting in the AWS cloud, the difference between low-code/no-code solutions and custom development, and modifications that would be made to the written progress reports to align with Tyler Nebraska's planned accomplishments, including NSRB awareness of partner work that has been on hold.

*Break: 10:05 am – 10:12 am*

**Agenda Item 11. Request for Information (RFI)**

The Chairperson explained that the NSRB adopted a resolution at the March 2023 meeting to publish a request for information to determine what companies might be interested development of electronic government services applications. At that point, Tyler Nebraska was working on the Grails upgrade and there was a degradation in service for partner agencies. To address application needs, the NSRB would pursue the RFI and reinvigorate the grant process to help agencies pay for development.

The Chairperson explained that since that time, Tyler Nebraska has made many changes and has a plan for moving forward. The Chairperson stated that the course of action should be to allow Tyler Nebraska to prove out their plan, and not to pursue, in a rush, the RFI.

Mr. Foley stated that 25 years ago there were very few companies that knew how to build applications for the portal, but now hundreds and hundreds of companies do this work. Mr. Foley stated that he wants the NSRB to live up to the motion in March of 2023.

There was discussion of the need for redundant providers, and how many providers the NSRB would want to manage. There was also discussion of the distinction between determining who could perform all functions Tyler Nebraska performs and who else could build applications. It was clarified that the motion made in March of 2023 was for an RFI for development of electronic services applications.

The Chairperson stated that an RFI for application development would be issued, and a presentation would be given on the availability of electronic government services.

Mr. Foley stated that the RFI needs to be widely distributed and people should have a lengthy time to respond. The Chair stated the NSRB will follow customary practices in completion of the RFI.

There was discussion regarding the RFI covering all services, instead of just applications. The Chairperson indicated the motion passed by the NRSB was for a RFI for applications, and that is what would be prepared.

*Mr. Reid left 10:57 am returned 10:59 am*

**Agenda Item 12.a. Project Priority Report**

Jay Sloan provided a summary of the Project Priority Report for work completed in Quarter 2 of 2023. Mr. Sloan highlighted a project for the DMV, which assists in preventing fraud by verifying the identity of individuals completing actions regarding their driver's license. Mr. Sloan also highlighted a project for the Administrative Office of the Courts regarding electronic signing of orders. Mr. Kelly moved to accept the Project Priority Report, seconded by Mr. Shasserre.

Voting For:	Evnen	Shasserre	Foley	Walters	Richards
	Weir	Kelly	Reid	Jackson	

Voting Against: None

Not Voting/Abstain: Gerlach

The motion carried.

**Agenda Item 12.b. Review June 11-12, 2023, Payment Processing Outage and Determine Whether to Assess a Penalty to Tyler Nebraska**

Mr. Hughes referenced a letter regarding three outages in June. On June 11-12, Tyler Nebraska experienced a partial outage of payment processing for county and city users of certain over-the-counter payment processing equipment. The cause was an expired security certificate, which was the responsibility of Tyler Technologies, Inc. The total outage was 18 hours and 33 minutes. However, county and city offices are open at 8:00 AM on Monday morning, and if the certificate had been renewed prior to 8:00 AM, there would have been no issue. The Chairperson indicated that the services were out from 8:00 AM to 1:30 PM and suggested that Tyler Nebraska be assessed a fine for 5.5 hours at \$2,000 per hour for a total of \$11,000.

Mr. Reid made a motion to assess a \$2000 penalty for each hour, with such penalty totaling \$11,000, seconded by Mr. Weir.

Voting For:	Evnen	Shasserre	Foley	Walters	Richards
	Weir	Kelly	Reid	Jackson	

Voting Against: None

Not Voting/Abstain: Gerlach

The motion carried.

*Mr. Kelly left 11:08 am returned 11:11 am*

**Agenda Item 12.c. Review June 21, 2023, Site-to-Site Service Outage and June 28, 2023, Network Outage**

Mr. Hughes stated that on June 21<sup>st</sup>, Tyler Nebraska had a site-to-site VPN outage from 6:00 AM to 9:00 AM. It began during non-peak hours, so Tyler Nebraska had 3 hours to recover, and did so within that timeframe. The outage was resolved within the allocated timeframe so there was no action for the NSRB. The June 28, 2023, outage was summarized in the outage letter, but was not further discussed.

**Agenda Item 12.d. General Manager’s Report**

Mr. Hughes discussed bringing new value to the State of Nebraska. There was discussion of work for the Nebraska State Patrol.

Mr. Jackson requested information from Tyler Nebraska regarding Tyler’s approach to ESG due to increasing skepticism with companies involved in ESG at odds of shareholder or taxpayer return.

**Agenda Item 13. DATE FOR NEXT MEETING.** The Chairperson announced the next regular meeting of the NSRB will be held December 14, 2023, at the 12<sup>th</sup> and N Street location.

**Agenda Item 14. ADJOURNMENT.**

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

The Chairperson requested all in favor to say aye.

The motion carried.

The meeting adjourned at 11:15 AM.



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

12/14/2023

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Date