



NEBRASKA STATE RECORDS BOARD

MINUTES

Meeting of July 25, 2012

Agenda Item 1. CALL TO ORDER, ROLL CALL

The meeting of the Nebraska State Records Board was called to order by Chairman John A. Gale at 9:05 A.M. on July 25, 2012, 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;
Brenda L. Decker, representing the Governor;
Michael D. Foley, Auditor of Public Accounts;
Don Stenberg, State Treasurer;
Ryne D. Seaman, representing the Banking Industry;
Scott Keene, representing the Insurance Industry;
Carlos Castillo, Director of Administrative Services;
Julie A. Beno, representing Libraries;
Brian Buescher, representing the Legal Profession;
Mike Konz, representing the Media;
Timothy Loewenstein, representing the General Public

Absent:

Leslie S. Donley, representing the Attorney General

Staff in attendance:

Cathy Danahy, Executive Director;
Colleen Byelick, Legal Counsel;
Tracy Marshall, Recording Clerk

Chairman Gale announced the reappointment of Mr. Brian Buescher by the Governor to begin serving his first term which expires July 17, 2015.

Chairman Gale recognized and thanked Mr. Tim Loewenstein for his outstanding service during his term on the Board.

Chairman Gale welcomed and acknowledged guests Mr. Bill Van Asselt, Associate General Counsel, NIC and Mr. Scott Somerhalder, Regional Vice President, NIC, both of whom will appear later on the agenda.

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 right of the public seating area.

Agenda Item 3. NOTICE OF HEARING

Chairman Gale announced public notice of the meeting was duly published in the Lincoln Journal Star on June 25, 2012 and on the state's website Public Meeting Calendar. The public notice and proof of publication relating to the meeting will be attached to and made a part of the meeting minutes.

Agenda Item 4. ADOPTION OF AGENDA

Mr. Seaman moved to adopt the agenda as presented; seconded by Ms. Beno.

Voting For:	Beno	Buescher	Castillo	Decker	Foley
	Gale	Keene	Konz	Loewenstein	Seaman
	Stenberg				

Voting Against: None

Absent: Donley

The motion carried.

Agenda Item 5. APPROVAL OF MINUTES

Chairman Gale asked for a motion to approve the minutes of the April 11, 2012 meeting. Ms. Beno moved to approve the minutes; seconded by Mr. Loewenstein. Ms. Decker pointed out (on page 5) two typos regarding gender were in need of correction. **Chairman Gale and Ms. Danahy will make the necessary changes.**

Voting For:	Beno	Buescher	Castillo	Decker	Foley
	Gale	Keene	Konz	Loewenstein	
	Stenberg				

Not Voting: Seaman

Voting Against: None

Absent: Donley

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**

Agenda Item 7.a. 1. Electronic Government Service Level Agreements between Nebraska Interactive, LLC, the NE State Records Board and the following: NE Auditor of Public Accounts, NE Banking and Finance, City of Atkinson, City of Battle Creek, Greeley County, Nebraska Energy Office, NE Public Service Commission, Village of Pleasanton and the Village of Roca. Signed by

Chairman Gale pursuant to Board authority.

Mr. Brent Hoffman, General Manager, Nebraska Interactive, LLC explained the Electronic Service Level Agreements between Nebraska Interactive, LLC, the Nebraska State Records Board and the identified government agencies.

Agenda Item 7.a. 2. Addenda - PayPort Service - to the Electronic Government Service Level Agreements between Nebraska Interactive, LLC, the NE State Records Board for the following: City of Atkinson, City of Battle Creek, Greeley County Treasurer, Village of Pleasanton and the Village of Roca. Signed by Chairman Gale pursuant to Board authority. Mr. Hoffman explained the PayPort Service addenda.

Agenda Item 7.a. 3. Addendum Eleven to the Electronic Government Service Level Agreement between Nebraska Interactive, LLC, the NE State Records Board and the Nebraska Supreme Court – Waiverable Citation Payments. Mr. Hoffman explained the addendum.

Agenda Item 7.a. 4. Addendum Twelve to the Electronic Government Service Level Agreement between Nebraska Interactive, LLC, the NE State Records Board and the Nebraska Supreme Court – Access to court data records held in JUSTICE database – Credit Card. Mr. Hoffman explained the addendum.

Agenda Item 7.a. 5. Addendum Two to the Electronic Government Service Level Agreement between Nebraska Interactive, LLC, the NE State Records Board and the NE Real Estate Commission-Online Services. Mr. Hoffman explained the addendum. Mr. Stenberg moved to approve Addendum Two; seconded by Mr. Keene.

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

The motion carried.

Agenda Item 7.a. 6. Addendum Seventeen to the Electronic Government Service Level Agreement between Nebraska Interactive, LLC, the NE State Records Board and the Secretary of State-Uniform Commercial Code (UCC) and Corporations Interactive-Subscriber and Batch Services.

Mr. Hoffman explained the addendum. Ms. Decker moved to approve Addendum Seventeen; seconded by Mr. Seaman.

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

The motion carried.

Agenda Item 7.b. PORTAL OUTAGE REPORT

On February 8, 2012 the state’s portal (Nebraska.gov) experienced an outage for a period of 3 hours and 24 minutes. Mr. Loewenstein commented on NIC’s progress on guarantees to perform specific improvements in technologies and processes to better monitor and manage the risks associated with the loss of connectivity experienced in February. Mr. Hoffman and Mr. Somerhalder discussed NIC’s progress as well. Chairman Gale reminded the Board the original issue was one of penalties for zero tolerance per the contract.

Mr. Loewenstein moved to not utilize the allowance of the RFP (contract) at this time to impose fines on NIC for the outage based upon NIC’s exemplary remedial efforts; seconded by Ms. Beno. After further discussion, Mr. Stenberg moved to table the issue until the November 14, 2012 Board meeting when the Board will receive a report on the status of the remedial plan and will consider it again at that time; seconded by Mr. Foley.

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

The motion carried.

Chairman Gale asked if there were any objection to his entering into a discussion with Mr. Loewenstein regarding an independent contract relationship with him to provide services to the Board as needed. Chairman Gale would submit a proposal to the Board at the next meeting. No objections were heard.

Agenda Item 7.c. PRICEWATERHOUSECOOPERS ANNUAL AUDIT OF NEBRASKA INTERACTIVE, LLC DECEMBER 31, 2011 AND 2010

Chairman Gale announced the annual audit was received on July 26, 2012 and has been given to the Finances Review Subcommittee for their review and report back to the Board at the November 14, 2012 meeting.

Agenda Item 8. NETWORK MANAGER OPERATIONS REVIEW SUBCOMMITTEE REPORT (John Gale, Chair)

Chairman Gale gave a report summarizing the Subcommittee’s efforts over the last few months working with Mr. Hoffman to resolve transparency issues with the Sarpy County Treasurer payment portal template.

Agenda Item 8.b. MASTERCARD/VISA ANTTTURST SUIT

Mr. Bill Van Asselt, Associate General Counsel, NIC, spoke about the recent MasterCard and Visa Settlement. He said it may be months before the case is settled and the ramifications known. For the time being, he said it is critical NIC continue to comply with VISA rules. NIC will continue to monitor decisions in this case and keep the Board informed.

Mr. Castillo left the meeting at 10:20 A.M.
Mr. Castillo returned to the meeting at 10:25 A.M.

Ms. Decker left the meeting at 10:27 A.M.
Ms. Decker returned to the meeting at 10:30 A.M.

Agenda Item 8.a TRANSPARENCY OF NEBPAY FEE TRANSACTIONS ON SARPY COUNTY WEBSITE

Mr. Somerhalder gave a synopsis of the Network Manager Operations Review Subcommittee meeting held on July 10, 2012 attended by the subcommittee and Mr. Somerhalder, Mr. Van Asselt, Mr. Hoffman and Mr. Mukesh Patel, VP of Payment Services, NIC. Mr. Hoffman stepped through the changes NIC was able to make to provide more transparency to the user. After discussion, Chairman Gale summarized the modifications and clarifications requested by the Board members to the Sarpy County Treasurer website. Mr. Stenberg moved to approve for implementation the modifications and clarifications requested by the Board for online payments as demonstrated on the Sarpy County Treasurer website; seconded by Mr. Foley. Ms. Decker added a friendly amendment to the motion approving the concept of payment for additional websites as demonstrated on the Sarpy County Treasurer website. Mr. Stenberg and Mr. Foley accepted the friendly amendment.

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

The motion carried.

Chairman Gale declared a recess at 11:00 A.M.

Chairman Gale reconvened the meeting at 11:20 A.M.

Agenda Item 9. ORIENTATION AND POLICIES/GUIDELINES SUBCOMMITTEE

Agenda Item 9.a. GRANT REVIEW SUBCOMMITTEE GRANT FUNDING RECOMMENDATIONS

Ms. Beno explained the procedure and processes the Grant Review Committee performed to determine grant funding recommendations. After discussion, Mr. Loewenstein moved that the Nebraska State Records Board, after having reviewed the NSRB Grant Awards Recommendation Summary created by the Grant Review Committee, approve the funding of the twelve grants recommended for funding by the Grant Review Committee for a total award amount of \$250,000.00; seconded by Mr. Keene.

The list of approved grants includes:

<u>Agency</u>	<u>Title</u>	<u>Funding Amount</u>
Cass County	County WebGIS	\$20,706.50
Cheyenne County	County WebGIS	\$19,757.50
Dodge County	Assessor GIS and County WebGIS	\$23,742.00
Garfield County	Assessor GIS and County WebGIS	\$23,742.00
Greeley County	Assessor GIS and County WebGIS	\$23,742.00
Hitchcock County	Assessor GIS and County WebGIS	\$23,742.00
Plattsmouth Public Library	Digitization of Plattsmouth Newspapers	\$23,742.00
Saunders County	Assessor GIS and County WebGIS	\$23,742.00
Seward County	County WebGIS	\$ 7,300.00
Thayer County	County WebGIS	\$23,742.00

Voting For:	Beno	Buescher	Castillo	Decker	Foley
	Gale	Keene	Konz	Loewenstein	Seaman
	Stenberg				

Voting Against: None

Absent: Donley

The motion carried.

Ms. Beno asked the Board for permission to create a questionnaire to be sent to all Board members to gather responses to questions relating to larger grants. No objections were heard. Ms. Beno said a recommendation will be brought to the November 14, 2012 Board meeting.

Agenda Item 10. EXECUTIVE DIRECTOR’S REPORT

Agenda Item 10.a. NSRB Cash Fund Balance Report

Ms. Danahy presented the June 30, 2012 Cash Fund Balance report. Chairman Gale announced he will be recommending an increase in the Personal Services budget for the staffing in his office. He indicated he would be discussing this issue with Auditor Foley, Chair of the Finances Review Subcommittee. Mr. Seaman moved to approve the Cash Fund Balance Report; seconded by Ms. Beno.

Voting For:	Beno	Buescher	Castillo	Decker	Foley
	Gale	Keene	Konz	Loewenstein	Seaman
	Stenberg				

Voting Against: None

Absent: Donley

The motion carried.

Agenda Item 10.b. NSRB Grant Status Report

Ms. Danahy presented the June 30, 2012 State/Local Grant Project Status Report.

Agenda Item 10.c. 2011 Final Grant Reports

Ms. Danahy presented the final grant reports received for the following projects: OCIO NebraskaMAP – Geospatial Data Sharing and Web Services Network – II, Arthur County Website Creation, Buffalo County GIS, Cherry County GIS, Kimball County GIS, Keith County GIS, Madison County GIS, Pawnee County GIS, and Perkins County GIS.

Agenda Item 11. NEBRASKA.GOV REPORTS

Agenda Item 11.a. General Manager’s Report

Mr. Brent Hoffman, General Manager, Nebraska.gov presented the General Manager’s Report.

Agenda Item 11.b. Project Priority Report

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

Voting For:	Beno	Buescher	Castillo	Decker	Foley
	Gale	Keene	Konz	Loewenstein	Seaman
	Stenberg				

Voting Against: None

Absent: Donley

The motion carried.

Agenda Item 11.c. MindMixer Application

Mr. Hoffman gave a demonstration of the MindMixer Application. Mr. Loewenstein moved to approve the MindMixer disclaimer language presented to be utilized by Nebraska Interactive whenever the portal requires a link that takes a user outside of the portal's control; seconded by Ms. Decker.

Voting For:	Beno	Buescher	Castillo	Decker	Foley
	Gale	Keene	Konz	Loewenstein	Seaman
	Stenberg				

Voting Against: None

Absent: Donley

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, November 14, 2012 at 9:00 A.M. in Room 1507, State Capitol Building, Lincoln, Nebraska.

Agenda Item 13. ADJOURNMENT

Ms. Decker moved to adjourn the meeting; seconded by Ms. Beno. All members present signified by saying "aye". Chairman Gale declared the meeting adjourned at 1:00 P.M.



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

11/15/12

Date