



NEBRASKA STATE RECORDS BOARD

MINUTES

Meeting of December 12, 2018

Agenda Item 1. CALL TO ORDER, ROLL CALL.

The meeting of the Nebraska State Records Board (NSRB) was called to order by Acting Chairperson Colleen Byelick at 9:01 a.m. on December 12, 2018, in Room 1507 of the State Capitol, Lincoln, Nebraska.

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

Colleen Byelick, Agency Counsel and Deputy Secretary of State, Acting State Records Administrator and Chairperson;
Lt. Gov. Mike Foley, representing the Governor;
Phil Olsen, representing the Auditor of Public Accounts;
Ed Toner, Interim Director of Administrative Services
Tony Ojeda, representing the Insurance Industry;
Andrew J. Cano, representing the Libraries;
Leslie Donley, representing the Attorney General;
Brian Buescher, representing the Legal Profession;
Don Stenberg, State Treasurer;
M. John Steier, representing the Banking Industry
Walter Weir, representing the General Public
Angela Stenger, representing the Media

Absent:

John Gale, Secretary of State and Chairman

Staff in attendance:

Steven Chase, Executive Director
Tracy Marshall, Recording Clerk

Others in attendance

Brent Hoffman, Nebraska Interactive LLC (NI LLC), General Manager
Carmen Easley, Director of Operations & Marketing, NI LLC,
Scott Somerhalder, Vice President of Operations, NIC Inc.
Jayne Friedland Holland, Chief Security Officer, NIC Inc.
Dan Sweetwood, Executive Director, Nebraska Board of Public Accountancy

James Ohmberger, IT Manager II, Office of the Chief Information Officer (OCIO)
Terry Lowe, IT Applications Developer, OCIO

Agenda Item 2. ANNOUNCEMENT OF NEBRASKA OPEN MEETINGS ACT.

Chairperson Byelick 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.

Chairperson Byelick announced public notice of the meeting was duly published in the Lincoln Journal Star on November 7, 2018, 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. Chase indicated that there was no modification to the agenda. Treasurer Stenberg moved to adopt the Agenda as presented; seconded by Lt. Gov. Foley.

Voting For:	Buescher Olsen	Byelick Steier	Cano Stenberg	Donley Stenger	Foley Weir
Voting Against:	None				
Absent:	None				
Abstain	Ojeda	Toner			

The motion carried.

Agenda Item 5. APPROVAL OF MINUTES.

Chairperson Byelick asked for a motion to approve the minutes of the September 12, 2018 meeting. Mr. Weir moved to adopt the Minutes as presented; seconded by Mr. Cano.

Voting For:	Buescher Steier	Cano Stenberg	Donley Stenger	Foley Weir	Olsen
Voting Against:	None				
Absent:	None				
Abstain:	Byelick	Ojeda	Toner		

The motion carried.

Agenda Item 6. PUBLIC COMMENT.

Chairperson Byelick asked the members of the audience if anyone wished to come forward to provide public comment on anything other than items listed on the agenda. 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. Mr. Chase introduced the Electronic Government Service Level Agreements between Nebraska Interactive, LLC (NI LLC), and the City of Bellevue, Blaine County, Butler County, Cass County Water District #1, City of Fort Calhoun, Board of Examiners for Land Surveyors, Lower Big Blue NRD, City of Neligh, City of Ord, Racing Commission, City of Sargent, Thayer County, City of Tilden and Wheeler County. All agreements were signed by Chairman Gale pursuant to Board authority.

Agenda Item 7.a.2. Mr. Chase introduced the following Addenda to the Electronic Government Service Level Agreement between NI, LLC, the Nebraska State Records Board and the following entities: The City of Bellevue (REVISED), Blaine County Treasurer (REVISED), Butler County Treasurer (REVISED), Cass County Water District #1, City of Fort Calhoun (REVISED), Board of Examiners for Land Surveyors, Lower Big Blue NRD, City of Neligh (REVISED), City of Ord (REVISED), City of Sargent (REVISED), Thayer County Treasurer (REVISED), Wheeler County Treasurer (REVISED). All agreements were signed by Chairman Gale pursuant to Board authority.

Agenda Item 7.a.3. Mr. Chase introduced the following Real Estate Tax Payment Addenda to the Electronic Government Service Level Agreement between NI, LLC, the Nebraska State Records Board and the Butler County Treasurer (REVISED). All agreements were signed by Chairman Gale pursuant to Board authority.

Agenda Item 7.a.4. Mr. Chase introduced the following Citizen Payment processing Addenda to the Electronic Government Service Level Agreement between NI, LLC, the Nebraska State Records Board and the City of Tilden. All agreements were signed by Chairman Gale pursuant to Board authority.

Agenda Item 7.a.5. Mr. Chase introduced the Statement of Work agreements with Nebraska Interactive, LLC, the Nebraska State Records Board and the following entities: the State Board of Landscape Architects (Meadowlark Website), Power Review Board (Amendment 1), Board of Public Accountancy (CPA License Permit), Public Service Commission (Remittance System PiD3), and the Department of Revenue (Meadowlark Website). All agreements were signed by Chairman Gale pursuant to Board authority.

Agenda Item 7.a.6. Mr. Chase introduced the following Gov2Go Addenda to the Electronic Government Service Level Agreement between NI LLC, the Nebraska State Records Board and the Public Service Commission. The agreement was signed by Chairman Gale pursuant to Board authority.

Agenda Item 7.a.7. Addenda 5, Proposal for Certified Public Accountant License Permit Application between Nebraska Interactive LLC, the Nebraska Board of Public Accountancy (NBPA), and the NE State Records Board. Appearing on behalf of the NBPA was Executive Director Dan Sweetwood. Mr. Sweetwood stated the NBPA's original website and online Certified Public Accountant (CPA) application renewal process was provided through a grant by the Board in 2003. The NBPA has contracted with NI LLC for the new database through

the Statement of Work (see Agenda Item 7.a.5) which would provide an update to the database, online CPA application renewal system as well as create an online system for initial CPA applications. Mr. Sweetwood further said that the NBPA does not believe that it has the authority to charge a fee its' users and has not charged its users in the past for usage of the Portal. The current fee requested in Addendum 5 would also be paid by the NBPA for usage of the portal. The NBPA is requesting the Board approve a revised fee for the existing service. Treasurer Stenberg motioned to approve the Addenda, which was seconded by Mr. Ojeda.

Voting For: Buescher Byelick Cano Donley Foley
Ojeda Olsen Steier Stenberg
Toner Weir

Voting Against: None

Absent: None

Abstain: None

The motion carried.

Agenda Item 8. Executive Director's Report.

Agenda Item 8a. Cash Fund Balance: Mr. Chase presented the Nebraska State Records Board Cash Fund Balance update for the Third quarter of 2018. Mr. Chase also indicated that \$356,000.00 will be transferred on or before June 15, 2019 according to LB 327 and the Fund should be able to meet these requirements. .Lt. Gov. Foley moved to adopt the Cash Fund Balance, which was seconded by Mr. Olsen.

Voting For: Buescher Byelick Cano Donley Foley
Ojeda Olsen Steier Stenberg
Toner Weir

Voting Against: None

Absent: None

Abstain: None

The motion carried.

Mr. Buescher left the meeting at 9:48 a.m. and returned at 9:52 a.m.

Agenda Item 8b. Project Status Report: Mr. Chase presented a report on the projects performed by NI LLC. The report contained responses by the partner agencies and NI LLC as to the progress of the projects. Mr. Chase also indicated that NI LLC have devised a streamlined reporting system for the biweekly reporting of project status progression.

Agenda Item 8c. NCC Group Escrow Account Verification Proposal: Mr. Chase stated that the NCC Group Escrow, the company that holds the source code under the current portal agreement, submitted a verification proposal to the Board through the Executive Director. The proposal would verify the approximately 1000 applications at a cost of \$100,000.00. The matter was referred to the Office of the Chief Information Officer (OCIO), who responded that the proposal would not be cost effective. Based on this recommendation, Chairman Gale rejected the proposal.

Agenda Item 9. PORTAL MANAGER REPORTS.

Agenda Item 9.a. Project Priority Report: Mr. Hoffman presented the updated priority report for the third quarter of 2018. Mr. Hoffman noted that several online services for the Secretary of State and many of the final projects for the mobile inspection project for the Nebraska Brand Committee were completed in the third quarter. Ms. Stenger moved to adopt the Project Priority Report, which was seconded by Ms. Donley.

Voting For:	Buescher	Byelick	Cano	Donley	Foley
	Ojeda	Olsen	Steier	Stenberg	Stenger
	Toner	Weir			
Voting Against:	None				
Absent:	None				
Abstain:	None				

The motion carried.

Agenda Item 9.b. General Manager’s Report: Mr. Hoffman presented the General Manager’s report indicating that in the third quarter of 2018, NI LLC made 185 changes and deployed 205 205 services for state and local entities. Mr. Hoffman also noted that Nebraska agencies have won four awards for online innovations through projects with NI LLC. Mr. Hoffman also informed the Board that NI LLC’s management team has participated and completed the Nebraska Center for Excellence’s Six Sigma program with the Nebraska Department of Administrative Services. Mr. Hoffman has stated that the program will increase efficiencies in delivering services to the state.

Agenda Item 9.c. Cyber Security presentation: Jayne Friedland Holland, the Chief Security Officer of NI LLC’s parent company, NIC Inc. presented issues on cyber security. The presentation included problems in securing Personally Identifiable Information (PII), preventative policies and current laws affecting online security.

Ed Toner left the meeting at 10:13 a.m. and returned at 10:17 a.m.

A break occurred at 10:30 a.m. The meeting resumed at 10:43 a.m.

Agenda Item 10. PORTAL AGREEMENT.

At the September 12, 2018, NSRB meeting, the Board authorized that a sole source agreement be drafted between the Board and Nebraska Interactive, LLC. Mr. Chase stated that a draft of the Portal Agreement was available for the Board’s review with all of its appendices. Mr. Cano

motion for a closed session at 10:41 a.m. on December 12, 2018 for the limited purpose of discussing the Portal Agreement and Appendices. The closed session is necessary for the protection of the public interest. Lt. Gov. Foley seconded the motion.

Voting For:	Buescher Ojeda Toner	Byelick Olsen Weir	Cano Steier	Donley Stenberg	Foley Stenger
Voting Against:	None				
Absent:	None				
Abstain:	None				

The motioned carried and the Board went to a closed session.

Mr. Cano motioned that the Nebraska State Records Board adjourn from this closed session discussion of the Portal Agreement and Appendices at 11:11 a.m. on December 12, 2018 and return to the public meeting portion of the State Records Board. Treasurer Stenberg seconded the motion.

Voting For:	Buescher Ojeda Toner	Byelick Olsen Weir	Cano Steier	Donley Stenberg	Foley Stenger
Voting Against:	None				
Absent:	None				
Abstain:	None				

The motion carried and the Board resumed in open session.

Mr. Chase stated that in the closed session, he outlined that the contract was near finalization and most of the appendices have been approved by both sides. Mr. Buescher moved that the Contract Services Agreement and Appendices between the Nebraska State Records Board and Nebraska Interactive LLC be accepted and for the authorization of the Executive Director, Steven Chase and Agency Counsel Colleen Byelick to approve administrative changes to the agreement and to finalize the Agreement. Lt. Gov. Foley seconded the motion.

Voting For:	Buescher Ojeda Toner	Byelick Olsen Weir	Cano Steier	Donley Stenberg	Foley Stenger
Voting Against:	None				
Absent:	None				

The motion carried.

Agenda Item 11. NETWORK MANAGER DEFINITION OR DESIGNATION;

Lt. Gov. Foley motioned to direct the Portal Operations Subcommittee to study questions associated with the relationship between the State Records Board, the Office of the Chief Information Officer (OCIO), and the Board’s contractor, Nebraska Interactive LLC including the possibility of naming the OCIO as the “network manager.” The motion would also direct the Subcommittee to respond to the Board with a recommendation at its first meeting in 2019. Mr. Buescher seconded the motion.

Voting For:	Buescher	Byelick	Cano	Donley	Foley
	Ojeda	Olsen	Steier	Stenberg	Stenger
	Toner	Weir			
Voting Against:	None				
Absent:	None				
Abstain:	None				


The motion carried.

Agenda Item 12. DATE FOR NEXT MEETING

Chairperson Byelick announced the next NSRB meeting will be held on March 6, 2019, at 9:00 a.m., in Room 1507 of the State Capitol. Mr. Buescher indicated that he would be submitting a resignation to the Governor pending his appointment as a district judge to the United States District Court. Treasurer Stenberg also stated that he would also be retiring from his position as Treasurer and as a Board member. The Board commended both Mr. Buescher and Treasurer Stenberg for their years of service.

Agenda Item 13. ADJOURNMENT

Treasurer Stenberg moved to adjourn the meeting, which was seconded by Mr. Weir. All members present signified their agreement by saying “aye”. Chairperson Byelick declared the meeting adjourned at 11:23 a.m.



 Colleen Byelick
 Deputy Secretary of State
 Acting State Records Administrator
 Acting Chairperson, State Records Board

4-10-19

 Date