



## NEBRASKA STATE RECORDS BOARD

### MINUTES

Meeting of December 13, 2017

#### **Agenda Item 1. CALL TO ORDER, ROLL CALL.**

The meeting of the Nebraska State Records Board (NSRB) was called to order by Chairman John A. Gale at 9:03 a.m. on December 13, 2017, 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;  
Lt. Gov. Mike Foley, representing the Governor;  
Craig Kubicek, representing the Auditor of Public Accounts;  
Byron Diamond, Director of Administrative Services  
Tony Ojeda, representing the Insurance Industry;  
Brenda Ealey, 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

Absent:

Greg Osborn, representing the General Public  
Angela Stenger, representing the Media

Staff in attendance:

Steven Chase, Executive Director  
Colleen Byelick, Agency Counsel  
Tracy Marshall, Recording Clerk

Others in attendance

Brent Hoffman, Nebraska Interactive LLC (NI LLC), general manager  
Ed Toner, Chief Information Officer, Office of the Chief Information Officer (OCIO)  
Melody Benjamin, Vice President of Membership Services, Nebraska Cattlemen

**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 November 13, 2017, 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. Lt. Gov. Foley moved to adopt the Agenda as presented; seconded by Mr. Diamond.

Voting For:	Buescher	Diamond	Donley	Ealey	Gale
	Foley	Ojeda	Kubicek	Stenberg	Steier
Voting Against:	None				
Absent:	Osborn, Stenger				

The motion carried.

**Agenda Item 5. APPROVAL OF MINUTES.**

Chairman Gale asked for a motion to approve the minutes of the September 13, 2017 meeting. Mr. Ojeda moved to adopt the Minutes as presented; seconded by Lt. Gov. Foley.

Voting For:	Buescher	Diamond	Donley	Ealey	Gale
	Foley	Ojeda	Kubicek	Stenberg	Steier
Voting Against:	None				
Absent:	Osborn, Stenger				

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 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), the Nebraska State Records Board,

and, the Village of Bee, City of Bridgeport, Board of Engineers & Architects, City of Fullerton, Hayes County, City of Hickman, Village of Howells, Johnson County, Village of Leigh, Pawnee County, Department of Revenue, Scottsbluff County, Department of Transportation and the Upper Loup Natural Resources District. 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 Village of Bee (Addendum 1), City of Bridgeport (Addendum 1), Cass County Clerk (Addendum 3), City of Fullerton (Addendum 1), Hayes County Treasurer (Addendum 1), City of Hickman (Addendum 1), Village of Howells (Addendum 1), Johnson County Treasurer (Addendum 1), Village of Leigh (Addendum 1), Merrick County Treasurer (Addendum 1), Pawnee County Clerk (Addendum 2), Pawnee County Treasurer (Addendum 1), and the Upper Loup Natural Resources District (Addendum 1). All agreements were signed by Chairman Gale pursuant to Board authority.

**Agenda Item 7.a.3.** Mr. Chase introduced the following Event Registration Addenda to the Electronic Government Service Level Agreement between NI LLC, the Nebraska State Records Board and the Historical Society (Addendum 3), and the Commission on Deaf and Hard of Hearing (Addendum 1). All agreements were signed by Chairman Gale pursuant to Board authority.

**Agenda Item 7.a.4.** 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 Pawnee County Treasurer (Addendum 3). All agreements were signed by Chairman Gale pursuant to Board authority.

**Agenda Item 7.a.5.** 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 Hebron (Addendum 2). All agreements were signed by Chairman Gale pursuant to Board authority.

**Agenda Item 7.a.6.** Mr. Chase introduced the Statement of Work agreements with Nebraska Interactive, LLC, the Nebraska State Records Board and the following entities: the Athletic Commission (Meadowlark Website), and the Department of Education - Vocational Rehabilitation (Meadowlark Website). All agreements were signed by Chairman Gale pursuant to Board authority.

**Agenda Item 7.a.7.** Mr. Chase introduced the following Gov2Go Addenda to the Electronic Government Service Level Agreement between NI LLC, the Nebraska State Records Board and the following entities the Department of Agriculture, Commission for the Deaf and Hard of Hearing, Board of Geologist, Public Accountancy, and the State Patrol. The agreement was signed by Chairman Gale pursuant to Board authority.

**Agenda Item 7.b. ANNUAL AUDIT OF NEBRASKA INTERACTIVE, LLC, 2016**

The annual audit was provided to the Finance Subcommittee, which has reviewed the report in a meeting on December 1, 2017. Secretary Gale has appointed Mr. Tony Ojeda to the subcommittee to replace member Crystal Wichita. The subcommittee will meet again on December 15, 2017 for

further review of the audit. The Lt. Governor moved to table this matter until the next NSRB meeting, which was seconded by Treasurer Stenberg.

Voting For: Buescher Diamond Donley Ealey Gale  
Foley Ojeda Kubicek Stenberg Steier

Voting Against: None

Absent: Osborn, Stenger

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 2017. Mr. Chase indicated \$530,000.00 from the Cash Fund has been transferred as required under LB 327. An additional \$356,000.00 will be transferred on or before June 15, 2019. Mr. Chase said the Fund should be able to meet the 2019 requirements. Lt. Gov. Foley moved to adopt the Cash Fund Balance, which was seconded by Mr. Diamond.

Voting For: Buescher Diamond Donley Ealey Gale  
Foley Ojeda Kubicek Stenberg Steier

Voting Against: None

Absent: Osborn, Stenger

The motion carried.

**Agenda Item 8.b. Nebraska State Patrol - Addendum 4 (Update):** Mr. Chase reported an update to the Board for the online concealed carry handgun permit renewal project. Since the program was launched on September 12, 2017, there has been 1225 online permit renewal applications filed in less than three months from 40 different states and three foreign countries. Mr. Hoffman noted, approximately 76 percent of all services relating to the renewal of permits are being performed online because of the new program.

**Agenda Item 8.c. Nebraska Department of Health and Human Services (NDHHS) - Addendum 1:** In 1998, NI LLC and NDHHS entered into an agreement approved by the NSRB in which it would provide online access to birth certificates. The agreement also had no portal fee because NDHHS was receiving a grant which was used to pay NI LLC; which would pay all merchant fees. In 2016, NDHHS’s grant was discontinued but NI LLC has continued to pay the merchant fees without receiving a transaction fee. NI LLC continued to pay the merchant fees with the understanding that it would provide an updated solution for NDHHS and a new agreement would be signed with an established portal fee. However, NDHHS has decided not to contract with NI LLC and make a Request for Proposal (RFP). Brent Hoffman stated that NI LLC would like to start the process of either terminating Addendum 1 with NDHHS or finding another solution. Treasurer Stenberg indicated that even if the NDHHS made an RFP, it would still need to use the

state's credit card processor. Ed Toner, the CIO, indicated that any RFP or any project from NDHHS would need to be reviewed and approved by the OCIO. The Board indicated that it would consider this matter after further review by the OCIO.

**Agenda Item 8.d. Outage Report Update:** At the NSRB meeting on September 13, 2017, Nebraska Interactive presented conflicting information in the general manager's report regarding service issues and outages that occurred on Monday May 22, 2017 and Sunday, June 11, 2017. NI LLC has provided a response to these issues that has been forwarded to the office of the OCIO for review. The Executive Director has asked the OCIO to provide a written report for the next NSRB meeting. Mr. Toner indicated that the OCIO could not validate or disprove the outage times or transactions from the written report provided. However, the OCIO could review NI LLC's synthetic transactions (which is a common practice of generating a false transaction to show the website was operational) for the time periods in question to verify if the outage reports are correct. NI LLC has agreed to provide the synthetic transactions to the OCIO within a week of the meeting. The OCIO will then review the transactions and deliver its findings at the next NSRB meeting. Chairman Gale also requested that the Executive Director provide the Board members with a copy of the outage report.

**Agenda Item 8e. Review of Project Status Reports (PSRs):** As part of its efforts to review the status of NI LLC projects, the Executive Director will make quarterly inquiries to state and local agencies on the progress of such projects with NI LLC. The Executive Director has schedule regular PSR review meetings with the OCIO, which will be in addition to monthly meetings with the Executive Director, the OCIO and NI LLC. The OCIO will also receive the biweekly PSRs as part of its review. It is important to note that the PSRs are different than the Project Priority Reports in that the PSRs are internal documents as to the progress and status of a project. Mr. Diamond indicated that the Project Priority Report and the PSRs could be summarized better to serve the Board in providing information on both the priority and status of projects. Chairman Gale suggested that Mr. Diamond meet with the OCIO, NI LLC, and the Executive Director to devise revised reports for the Board.

A break occurred at 10:30 a.m. The meeting resumed at 10:40 a.m.

## **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 2017. Mr. Chase then raised the question of whether the PSRs should continue to be added to the General Managers Report now that the PSRs are being reviewed monthly by the Executive Director and the OCIO. Mr. Hoffman agreed that the PSRs would not be necessary and could be replaced by revised reports along with information provided through the Board's website. The Chairman agreed that it no longer needs the PSRs attached to the General Manager's report and assigned Mr. Diamond, Mr. Toner, Mr. Hoffman and Mr. Chase to review this matter and report its findings to the board at the next meeting. Ms. Donley moved to adopt the Project Priority Report, which was seconded by Mr. Diamond.

Voting For:	Buescher	Diamond	Donley	Ealey	Gale
	Foley	Ojeda	Kubiccek	Stenberg	Steier
Voting Against:	None				
Absent:	Osborn, Stenger				

The motion carried.

**Agenda Item 9.b. General Manager’s Report:** Mr. Hoffman updated the Board on the Nebraska Department of Motor Vehicles (NDMV) award-winning website as well as other new applications. Mr. Hoffman also spoke of NI LLC’s revenue and expenses. He indicated that NI LLC’s revenue increased by five percent but its expenses grew by six to seven percent. The expense increase was the result of hiring more staff and the recent relocation of NI LLC’s offices.

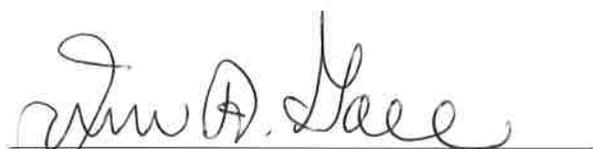
**Agenda Item 9.c. Nebraska Brand Committee (NBC) – Mobile Inspection Project – Addendum 4:** Mr. Hoffman stated that the inspection part of the project went live on December 1, 2017 and were receiving payments electronically. Mr. Chase attended the first NBC Inspector training in Kearney, Nebraska on December 8, 2017. He reported that this was one of four training sessions for inspectors across Central and Western Nebraska. More inspectors will be allowed to perform work in the field. The NBC will require that all inspectors perform all inspections electronically within the next 45 to 60 days. According to Mr. Hoffman, other issues such as completing the Brandabetical categorization system, the sale barns and feed lots are not complete. He also indicated that the whole project may not be complete until July 1, 2018; one year after the date stated in Addendum 4. Mr. Hoffman indicated that NI LLC is committed to completing the project, even though the scope of the project has expanded. Appearing on behalf of the Nebraska Cattlemen’s Association was Melody Benjamin, who said her association was supportive of this project because it is the first large modernization project in the industry in over 70 years.

**Agenda Item 10. DATE FOR NEXT MEETING**

Chairman Gale announced the next NSRB meeting will be held on March 7, 2018, at 9:00 a.m., in Room 1507 of the State Capitol.

**Agenda Item 11. ADJOURNMENT**

Mr. Ojeda moved to adjourn the meeting, which was seconded by Treasurer Stenberg. All members present signified their agreement by saying “aye”. Chairman Gale declared the meeting adjourned at 11:50 a.m.



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

3/7/18  
Date