



NEBRASKA STATE RECORDS BOARD

MINUTES

Meeting of June 12, 2018

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 8:58 a.m. on June 13, 2018, 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;
Jason Jackson, representing the Governor;
Phil Olsen, representing the Auditor of Public Accounts;
Andrew J. Cano, representing the Libraries;
Don Stenberg, State Treasurer;
M. John Steier, representing the Banking Industry
Greg Osborn, representing the General Public
Angela Stenger, representing the Media

Appearing After the Roll Call

Byron Diamond, Director of Administrative Services (9:02 a.m.)
Leslie Donley, representing the Attorney General (9:04 a.m.)

Not Appearing

Tony Ojeda, representing the Insurance Industry;
Brian Buescher, representing the Legal Profession;

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
Carmen Easley, Director of Operations & Marketing, NI LLC,
Scott Somerhalder, Vice President of Operations, NIC Inc.
James Ohmberger, IT Manager II, Office of the Chief Information Officer (OCIO)
Terry Lowe, IT Applications Developer, OCIO
David Hattan, IT Manager I, OCIO

Rhonda Lahm, Director, Nebraska Department of Motor Vehicles
Jennifer Rasmussen, Deputy Court Administrator for Information Technology, Nebraska
State Court’s Administrator’s Office.

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 May 16, 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. Ms. Stenger moved to adopt the Agenda as presented; seconded by Treasurer Stenberg.

Voting For:	Cano Stenger	Diamond Steier	Gale	Olsen	Stenberg
Abstaining	Jackson	Osborn			
Voting Against:	None				
Absent:	Buescher	Ojeda	Donley		

The motion carried.

Agenda Item 5. APPROVAL OF MINUTES.

Chairman Gale asked for a motion to approve the minutes of the March 7, 2018, meeting. Mr. Treasurer Stenberg moved to adopt the Minutes as presented; seconded by Mr. Diamond.

Voting For:	Cano Olsen	Diamond Osborn	Donley Stenberg	Gale Stenger	Jackson Steier
Voting Against:	None				
Absent:	Buescher	Ojeda			

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 7a. Agreements & Addenda:

Agenda Item 7a1. Mr. Chase introduced the Electronic Government Service Level Agreements (EGSLAs) with Nebraska Interactive, LLC (NI LLC), the Nebraska State Records Board, and the following entities: City of Broken Bow, Village of Holbrook, City of Humboldt, Department of Insurance, Lower Loup Natural Resources District (NRD), Village of Orchard, Village of Snyder, Southeast Community College, and the Village of Walthill. All agreements were signed by Chairman Gale pursuant to Board authority.

Agenda Item 7a2. Mr. Chase introduced the following PIN Debit Addenda to the Electronic Government Service Level Agreement between NI, LLC, the Nebraska State Records Board and the following local entities: the Village of Holbrook, City of Humboldt, Lower Loup NRD, Village of Snyder, and Village of Walthill. All agreements were signed by Chairman Gale pursuant to Board authority.

Agenda Item 7a3. Mr. Chase introduced the following PIN Debit Addenda to the EGSLA between NI, LLC, the Nebraska State Records Board and the following state agencies: Department of Insurance, Board of Parole and the Secretary of State. All agreements were signed by Chairman Gale pursuant to Board authority.

Agenda Item 7a4. Mr. Chase introduced the following Citizen Payment Addenda to the Electronic Government Service Level Agreement between NI, LLC, the Nebraska State Records Board and the following agencies: the Department of Agriculture and the Nebraska State Patrol. All agreements were signed by Chairman Gale pursuant to Board authority.

Agenda Item 7a5. Mr. Chase introduced the Statement of Work agreements with Nebraska Interactive, LLC, the Nebraska State Records Board and the following entities: the Nebraska Board of Public Accountancy and the Nebraska Liquor Control Commission. All agreements were signed by Chairman Gale pursuant to Board authority.

Agenda Item 7a.6. Mr. Chase introduced the Event Registration Addenda to the EGSLA with Nebraska Interactive, LLC, the Nebraska State Records Board and Southeast Community College. The agreement was signed by Chairman Gale pursuant to Board authority.

Agenda Item 7a.7. Mr. Chase introduced the following Gov2Go Addenda to the EGSLA with NI LLC, the Nebraska State Records Board and the Nebraska Liquor Control Commission. The agreement was signed by Chairman Gale pursuant to Board authority.

Agenda Item 7a.8. Mr. Chase introduced Addendum 14 to the Nebraska Department of Motor Vehicle EGSLA. Mr. Jackson, on behalf of the Governor, motioned that the addendum be tabled until the next meeting on September 12, 2018. The motion was seconded by Mr. Osborn.

Voting For:	Cano	Diamond	Donley	Gale	Jackson
	Olsen	Osborn	Stenberg	Stenger	Steier

Voting Against: None

Absent: Buescher, Ojeda

The motion carried.

Agenda Item 7a9. Mr. Chase introduced Amended Addendum 4 to the Nebraska State Patrol EGSLA. The original Addendum 4, which was approved by the Board on December 7, 2016, allowed Concealed Carry Permits (CCP) owners to renew their permits online. The original addendum allowed CCP holders to pay by electronic check or credit card but not by PIN Debit Card. The amended addendum modifies the program name to Concealed Handgun Permits (CHP) and adds the ability the renew permits by Pin Debit Card. Treasurer Stenberg motioned to make a single vote for both Addenda 4 and 6.

Agenda Item 7a10. Mr. Chase introduced Addendum 6 to the Nebraska State Patrol EGSLA. The addendum allows potential CHP candidates to submit their applications and payment online. Appearing on behalf of the Nebraska State Patrol was Jeff Avey, the Criminal Identification Division Director for the Nebraska State Patrol, along with Brent Hoffman, general manager of NI LLC. Mr. Avey said the State Patrol was able to use driver’s license information and photographs from the NDMV for CHP applications and renewals. Although permit applicants will need to be fingerprinted, applicants will be able to have the fingerprint appointment scheduled with the local trooper station to reduce the time applicants need to wait to process their requests and reduce the time spent by the state patrol processing requests. Applicants that do not want to apply online will still be able to apply in person at any of the Nebraska trooper stations. Treasurer Stenberg motioned to approve both addendums, which was seconded by Mr. Osborn.

Voting For: Cano Diamond Donley Gale Jackson
Olsen Osborn Stenberg Stenger Steier

Voting Against: None

Absent: Buescher Ojeda

Agenda Item 7b: Nebraska State Historical Society (NSHS) and EBSCO Publishing Agreement.

Mr. Chase introduced an agreement between the Nebraska State Historical Society (NSHS) and EBSCO Publishing Inc. (EBSCO). Appearing on behalf of the NSHS was David Bristow, the Historical Society Associate Director. Bristow explained that EBSCO charges libraries and other institutions a subscription fee so that its users can view documents such as the NSHS magazine. NSHS would receive a percentage payment based on the amount of material published by EBSCO. Ms. Donley indicated that even if the Board approved the agreement, it did not meet Nebraska law regarding jurisdiction and would need to be revised. Ms. Stenger then raised the question of whether this agreement was within the scope of authority of the Board. Colleen Byelick, the chief counsel for the Secretary of State, indicated that the EBSCO agreement may not fall under the Board’s jurisdiction according to Neb. Rev. Stat. §84-1205.03. Mr. Olsen agreed with Ms. Stenger, stating that board was only concerned with a specific fee from a specific agency and not a subscription rate paid by another entity that is not a state agency. Mr. Osborn made the motion to decline jurisdiction on the agreement and advise the NSHS to make revisions as advised by the Attorney General’s office to comply with state law, which was seconded by Mr. Jackson.

Voting For: Cano Diamond Donley Gale Jackson
 Olsen Osborn Stenberg Stenger Steier

Voting Against: None

Absent: Buescher Ojeda,

The motion carried.

Agenda Item 7c: Network Manager Agreement Renewal

The network manager agreement between the Nebraska State Records Board and Nebraska Interactive LLC will expire on March 31, 2019. The agreement has two one-year renewal periods. Chairman Gale stated that the Portal Operations subcommittee convened prior to the board’s meeting and recommended the board consider and approve a one-year renewal, which would extend the network manager agreement to March 31, 2020. Appearing in support of renewal period on behalf of the three major users of the portal were NDMV Director Rhonda Lahm, Jennifer Rasmussen from the Administrator of the Courts, and Secretary of State Agency Counsel Colleen Byelick. Appearing in support of the renewal period on behalf of NI LLC was Scott Somerhalder, Vice President of Operations, NIC Inc. Treasurer Stenberg motioned to approve the renewal of the network manager’s agreement, which was seconded by Ms. Donley.

Voting For: Cano Diamond Donley Gale Jackson
 Olsen Osborn Stenberg Stenger Steier

Voting Against: None

Absent: Buescher Ojeda,

The motion carried.

A break occurred at 10:30 a.m.

The meeting resumes at 10:45 a.m.

Agenda Item 7d. Annual audit of Nebraska Interactive, LLC, 2017

The annual audit dated April 27, 2018, was provided to the Finance Subcommittee, chaired by Lt. Gov. Foley. The subcommittee has reviewed the report in a meeting on June 4, 2018. Treasurer Stenberg, on behalf of Lt. Governor Foley motioned to accept the audit, which was seconded by Mr. Olsen.

Voting For: Cano Diamond Donley Gale Jackson
 Olsen Osborn Stenberg Stenger Steier

Voting Against: None

Absent: Buescher Ojeda

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 first quarter of 2018. Mr. Olsen moved to adopt the Cash Fund Balance, which was seconded by Ms. Stenger.

Voting For:	Cano	Diamond	Donley	Gale	Jackson
	Olsen	Osborn	Stenberg	Stenger	Steier

Voting Against: None

Absent: Buescher Ojeda

The motion carried.

Agenda Item 8b. OCIO-NSRB RFP Service Agreement: Mr. Chase presented the final draft of the OCIO-NSRB service agreement in which the OCIO would provide assistance in drafting the network manager RFP. Although the agreement has not been signed by Ed Toner, the Chief Information Officer at the time of the Board meeting, OCIO IT manager James Ohmberger stated that the agreement met with the OCIO's approval. Ms. Stenger moved to approve the agreement, which was seconded by Treasurer Stenberg.

Voting For:	Cano	Diamond	Donley	Gale	Jackson
	Olsen	Osborn	Stenberg	Stenger	Steier

Voting Against: None

Absent: Buescher Ojeda

The motion carried.

Agenda Item 8c. Project Status Report: Mr. Chase presented a report on the projects performed by NI LLC, which was reviewed by the OCIO. The report contained responses by the partner agencies and NI LLC as to the progress of the projects. The report indicates that the projects were, for the most part, proceeding as scheduled.

Mr. Jackson left the meeting at 11:00 a.m.

Agenda Item 9. PORTAL MANAGER REPORTS.

Agenda Item 9.a. Project Priority Report: Mr. Hoffman presented the updated priority report for the first quarter of 2018. The first page showed the items that were completed in the first quarter of 2018 and the second page displayed projects scheduled for completion. Chairman Gale noted that many of the projects had completion dates that were after the first quarter of 2018. Mr. Diamond indicated that the project priority report provided has an action completion date but does not have a target completion date. The targeted completion date is necessary, according to Mr. Diamond, to

determine whether NI LLC is meeting its expected completion dates. Mr. Diamond further stated that the project priority should be a simple, three-month recap from the previous quarter of what had been completed and should show the actual versus the projected target dates. Mr. Osborn motioned that the vote on the project priority report be tabled and NI LLC shall submit a revised project priority report for the first quarter of 2018, and a separate project priority report for the second quarter of 2018. The motion also required that the project priority reports meet the requirements as specified by Mr. Diamond. The motion was seconded by Ms. Stenger.

Voting For:	Cano Olsen	Diamond Osborn	Donley Stenberg	Gale Stenger	Jackson Steier
Voting Against:	None				
Absent:	Buescher	Ojeda			

The motion carried.

Agenda Item 9.b. General Manager’s Report: Mr. Hoffman presented the General Manager’s report. Ms. Easley provided a quarterly report of services, such as website redesign, for smaller state and local agencies. Ms. Easley and Mr. Hoffman also outlined other projects such as Gov2Go.

Agenda Item 10. DATE FOR NEXT MEETING

Chairman Gale announced the next NSRB meeting will be held on September 12, 2018, at 9:00 a.m., in Room 1507 of the State Capitol.

Agenda Item 11. ADJOURNMENT

Mr. Osborn moved to adjourn the meeting, which all members present signified their agreement by saying “aye”. Chairman Gale declared the meeting adjourned at 11:56 p.m.



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

9/12/18

 Date