



## NEBRASKA STATE RECORDS BOARD

### MINUTES

Meeting of March 1, 2017

#### **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 9:05A.M. on March 1, 2017 in Room 2102 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;  
Phil Olsen, representing the Auditor of Public Accounts;  
Tony Ojeda, representing the Insurance Industry;  
Brenda Ealey, representing Libraries;  
Leslie Donley, representing the Attorney General;  
Byron Diamond, Director of Administrative Services;  
Brian Buescher, representing the Legal Profession;  
Don Stenberg, State Treasurer;  
Angela Stenger, representing the Media;  
Crystal Wichita, representing the Banking Industry  
Greg Osborn, representing the General Public

Absent:

Mike Foley, Lt. Governor, representing the Governor;

Staff in attendance:

Steven Chase, Executive Director  
Tracy Marshall, Recording Clerk

Lt. Gov. Foley arrived at 9:12 A.M.

#### **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 February 1, 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 but there was a minor alteration to documents attached to Agenda Item 9d. Mr. Diamond moved to adopt the agenda as presented; seconded by Ms. Stenger.

Voting For:	Buescher Gale Stenberg	Diamond Ojeda Wichita	Donley Olsen	Ealey Osborn	Foley Stenger
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Voting Against: None

The motion carried.

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

Chairman Gale asked for a motion to approve the minutes of the December 7, 2016 meeting. Mr. Diamond moved to adopt the agenda as presented; seconded by Mr. Osborn.

Voting For:	Buescher Gale Stenberg	Diamond Ojeda Wichita	Donley Olsen	Ealey Osborn	Foley Stenger
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Voting Against: None

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:** In the past, copies of unsigned templates were attached to each agenda item identifying signed template agreements where the Board Chair was authorized to sign on behalf of the Board if agreements were approved template agreements. Chairman Gale expressed a concern that the Board was not being fully informed since they were not able to view the final signed template agreements. Chairman Gale requested that in the future, copies of all signed agreements and addenda based on approved templates are available to the members of the Board.

**Agenda Item 7.a.1.** Mr. Chase introduced the Electronic Government Service Level Agreements between Nebraska Interactive, LLC (NI LLC), the NE State Records Board, and, the City of Bloomfield, the City of Columbus, the Board of Geologist, the City of Hebron, the Village of Palmer, the Nebraska State Parole Board, and the City of Wilber. All agreements were signed by Chairman Gale pursuant to Board authority.

**Agenda Item 7.a.2.** Mr. Chase introduced Addendum 1 to the Electronic Government Service Level Agreement between NI, LLC, the Nebraska State Records Board and the City of

Bloomfield, the City of Hebron, the Village of Palmer, the City of Saint Edward, and the City of Wilber. All agreements were signed by Chairman Gale pursuant to Board authority.

**Agenda Item 7.a.3.** Mr. Chase introduced Addendum 2 to the Electronic Government Service Level Agreement between NI, LLC, the Nebraska State Records Board and the Nebraska State Historical Society. The agreement was signed by Chairman Gale pursuant to Board authority.

**Agenda Item 7.a.4.** Mr. Chase introduced the Statement of Work agreements between NI, LLC, the Historical Society (Meadowlark Website), the Department of Motor Vehicles (Meadowlark Website), the Power Review Board (Website Content Management), and the City of Waverly (Meadowlark Website). All agreements were signed by Chairman Gale pursuant to Board authority.

**Agenda Item 7.a.5.** Mr. Chase introduced an EGSLA template and an addendum template regarding the Gov2Go application to be offered free to users by NI LLC and its parent company, NIC Inc. Appearing on behalf of NI LLC was general manager, Brent Hoffman and Carmen Easley. Appearing on behalf of NIC was associate general counsel, David Greer who indicated that Gov2Go is a national platform where users create an account and can receive notifications, be redirected to state or local websites or potentially accept payments. The Board expressed concerns for the security of information gathered by Gov2Go and the potential conflicts with any automated payment systems and Nebraska law. Both NI LLC and NIC indicated that the information gathered would be limited by the master contract and not sold to third parties. NI LLC and NIC also stated that any payment system developed under Gov2Go would comply with state law. Mr. Stenberg moved to adopt the EGSLA and Addendum Template with the provision that all changes to the application is subject to the review of the Board. The motion was seconded by Greg Osborn.

Voting For:	Buescher Gale Stenberg	Diamond Ojeda Wichita	Donley Olsen	Ealey Osborn	Foley Stenger
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Voting Against: None

The motion carried.

**Agenda Item 7.a.6. Integrated Hardware Addendum:** Mr. Chase introduced an addendum that would expand PIN Debit and integrated hardware services to state agencies. With the addendum were two options. The first (7.a.6.i) would be in addition to the PIN Debit template for local entities that were approved by the Board on December 7, 2017. The second option (7.a.6.ii) would replace the PIN Debit template for local entities while allowing the same template to be used for state agencies. Mr. Stenberg moved to adopt the second option (7.a.6.ii) with the correction of the statute from “Neb. Rev. Stat. §81-118” to “Neb. Rev. Stat. §81-118.01,” and the motion was seconded by Greg Osborn.

Voting For:	Buescher Gale Stenberg	Diamond Ojeda Wichita	Donley Olsen	Ealey Osborn	Foley Stenger
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Voting Against: None

The motion carried.

**Agenda Item 7.b. LB 644:** Mr. Chase informed the Board that LB 644 would repeal Neb. Rev. Stat. §81-1205.01, which created the Technical Advisory Committee (TAC). The TAC was primarily used to review grant proposals from 2006 to 2013. Chairman Gale noted that when Portal Operations Review Subcommittee met on February 13, 2017, it had no objection to the elimination of TAC. Mr. Chase also indicated that the Board signed an agreement with the Office of Chief Information Officer (OCIO) to provide assistance on technical matters in the case Neb. Rev. Stat. §81-1205.01 is repealed.

**Agenda Item 8. Executive Director’s Report.**

**Agenda Item 8.a. Cash Fund Balance:** Mr. Chase presented the Nebraska State Records Board Cash Fund Balance update. Chairman Gale noted that over \$500,000.00 may be appropriated from the Cash Fund for the general fund. Mr. Olsen motioned to approve the Cash Fund Balance as presented, and seconded by Lt. Gov. Foley.

Voting For:	Buescher Gale Stenberg	Diamond Ojeda Wichita	Donley Olsen	Ealey Osborn	Foley Stenger
Voting Against:	None				

The motion carried.

Brenda Ealey left at 10:20 A.M. and returned at 10:25 A.M.

**Agenda Item 8.b. Tablets:** The Board directed at its meeting on December 7, 2016, to purchase 15 Samsung Tab A tablets to replace the use of paper documents at the meeting. The Executive Director hopes that changes to the Board’s website will be made soon to increase interactivity.

**Agenda Item 8.c. Nebraska Brand Committee Update:** Mr. Chase provided an update on Addendum 2 of the EGSLA with the Board, NI LLC and Nebraska Brand Committee (NBC). NI LLC plans to purchase Apple Ipads from Computer Hardware Inc. (CHI) located in Kearney Nebraska. Mr. Chase has received statements from representatives of the OCIO and the Department of Administrative Services (DAS). Both indicated that they have no objections NI LLC subcontracting as long as the Master Contract is followed.

**Agenda Item 8.d. Nebraska Department of Labor Update:** Mr. Chase provided an update with Addendum 4 to the EGSLA with the Board, NI LLC and the Nebraska Department of Labor (NDOL), which was to allow user to pay elevator permit fees online. The online system was to launch in late November, 2016. Because of a rare issue, the system did not deploy correctly. The system fix was introduced on December 11, 2016 and NI LLC worked to ensure all payments were complete. No further problems had been reported. Christopher Cantrell, the NDOL Director of Safety, stated that the problems have been resolved and requests no action from the Board.

**Agenda Item 9. Nebraska.gov Reports.**

**Agenda Item 9.a. Subscriber Fees:** In the September 28, 2016 and the December 7, 2016 meetings, NI LLC requested that its subscriber fees be increased. Appearing on behalf of NI LLC were Brent Hoffman and Carmen Easley. Additional options were provided by NI LLC to

accommodate previous information submitted to the Board. Mr. Hoffman said that they have continued to request additional fees to protect investments. The consensus of the Board discussion was that this issue should have been raised in the 2016 master contract discussions; that the subject should be addressed in the next public bidding for this contract if NI LLC, participates in the bidding; that relying on subscriber fees to support and sustain the customer support services across-the-board rather than just the subscriber customer services had not been the understanding of the Board. Mr. Ojeda commented that the Board should note NI LLC’s pre-tax and post-tax income if the fee-increase issue arises again. Lt. Governor Foley made a motion to deny the request for an increase in subscriber fees, and seconded by Mr. Diamond.

Voting For:	Buescher Gale Stenberg	Diamond Ojeda Wichita	Donley Olsen	Ealey Osborn	Foley Stenger
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Voting Against: None

**Agenda Item 9.b. Project Priority Report:** Mr. Brent Hoffman and Carmen Easley presented the updated priority report. Mr. Hoffman indicated that the project priority system has improved with the inclusion of the OCIO. The Board requested that the column titled “Actual End Date” be changed to “Revised End Date” in future reports. Mr. Chase indicated that Project Priority Report would be added to the Board’s website when upgraded.

Ms. Donley made a motion to approve Project Priority Report, and seconded by Mr. Ojeda.

Voting For:	Buescher Gale Stenberg	Diamond Ojeda Wichita	Donley Olsen	Ealey Osborn	Foley Stenger
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Voting Against: None

**Agenda Item 9.c. Business plans:** Business plans for 2016 and 2017 were offered by NI LLC. Mr. Chase indicated that NI LLC did not offer a timely business plan as required by the master contract for 2016. To correct this error, NI LLC submitted the 2016 business plan with its 2017 business plan. Appearing on behalf of NI LLC was Brent Hoffman and Carmen Easley. Both plans emphasize a desire to improve electronic services with Nebraska. The board also directed NI LLC to continue to present portal updates to the executive director on behalf of the board. Mr. Stenberg made a motion to approve both the 2016 and 2017 business plans, and seconded by Mr. Ojeda.

Voting For:	Buescher Gale Stenberg	Diamond Ojeda Wichita	Donley Olsen	Ealey Osborn	Foley Stenger
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Voting Against: None

**Agenda Item 9.d. General Manager’s Report:** Appearing on behalf of NI LLC were Brent Hoffman and Carmen Easley. NI LLC stated that the report, among other things, shows its revenue sources and expenses and its relationship with its parent company, NIC. Mr. Stenberg added that the payment statements listed in the appendix to the report shows not only revenue but also what sources produce revenue.

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

Chairman Gale announced the next NE State Records Board meeting will be held on June 14, 2017, 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 Mr. Diamond. All members present signified their agreement by saying "aye". Chairman Gale declared the meeting adjourned at 11:40 P.M.



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

6/14/17  
Date