



NEBRASKA STATE RECORDS BOARD

MINUTES

Meeting of March 7, 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 9:02 a.m. on March 7, 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;
Lt. Gov. Mike Foley, representing the Governor;
Phil Olsen, representing the Auditor of Public Accounts;
Byron Diamond, Director of Administrative Services
Tony Ojeda, representing the Insurance Industry;
Andrew Cano, representing the Libraries;
Leslie Donley, representing the Attorney General;
Don Stenberg, State Treasurer;
M. John Steier, representing the Banking Industry
Brian Buescher, representing the Legal Profession
Angela Stenger, representing the Media

Not Attending

Greg Osborn, representing the General Public:

Staff in attendance:

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

Others in attendance

Brent Hoffman, General Manager, Nebraska Interactive LLC (NI LLC),
Ed Toner, Chief Information Officer, Office of the Chief Information Officer (OCIO)
Rhonda Lahm, Director of the Nebraska Department of Motor Vehicles (DMV)
Carmen Easley, Director of Operations & Marketing, NI LLC,
Scott Somerhalder, Vice President of Operations, NIC Inc.

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 26, 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 the last modifications to the agenda were posted to the Board’s website at 4:09 p.m. on March 5, 2018. Lt. Gov. Foley moved to adopt the Agenda as presented; seconded by Treasurer Stenberg.

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

The motion carried.

Agenda Item 5. APPROVAL OF MINUTES.

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

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

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. Scott Somerhalder, Vice President of Operations at NIC Inc., appeared and offered a verbal statement in support of NI LLC and its performance of the portal contract.

Agenda Item 7. CONSIDERATION OF ONE OR MORE REQUESTS FOR PROPOSAL (RFP).

a.) Lt. Governor Foley motioned that the “Portal Operations Subcommittee of the State Records Board in cooperation with the Office of the Chief Information Officer (OCIO) immediately commence the process of drafting one or more requests for proposals (RFPs) for portal management services with the intent that such RFPs upon subsequent Board action, be published later this year.” Lt. Gov. Foley indicated that the motion was based on the Governor’s concern that the RFP process be started before the portal agreement expires on March 31, 2019. The motion was seconded by Mr. Ojeda. Chairman Gale expressed various concerns: whether it wouldn’t be appropriate to first consider granting the first of the two one-year contract renewal options allowed under the current portal contract with NI LLC, to allow sufficient time to consider one or more RFPs; whether the motion shouldn’t include the Department of Administrative Services (DAS) as well as the Chief Information Officer (OCIO); whether there was not a need for an Attorney General Opinion, whether the Records Management Act permits more than one portal network manager under the law; and whether it is feasible for the motion to expect the publication of one or more RFPs to be completed by December 31, 2018. Mr. Buescher indicated that the motion does not prevent the Board from approving a renewal or extension, if necessary. Mr. Buescher then offered amendments to the motion to read “the Portal Operations Subcommittee of the State Records Board in cooperation with the Office of the Chief Information Officer (OCIO) and the Department of Administrative Services (DAS) immediately commence the process of drafting one or more requests for proposals (RFPs) for portal management services with the intent that such RFPs upon subsequent Board action, be published as soon as reasonably possible”. The amended motion was seconded by Treasurer Stenberg.

Voting For:	Diamond	Buescher	Cano	Foley	Gale
	Olsen	Ojeda	Steier	Stenberg	Stenger
Voting Against:	Donley				
Absent:	Osborn				

The motion carried. Chairman Gale added that Lt. Gov. Foley would be appointed as chair of the Portal Operations subcommittee and the Executive Director would represent the Secretary of State.

b.) Because Agenda Item 7a was approved, the Board considered a motion authorizing the Executive Director to initiate negotiations with the OCIO for an agreement to assist in developing one or more RFPs; develop an estimate of probable costs for developing one or more RFPs including any service contracts with state agencies; and to act on behalf of the Board to plan and organize the steps to be taken to detail the process to develop one or more RFPs though an award to offer an Intent to Contract with the approved bidder(s). Mr. Ojeda offered the motion, which was seconded by Ms. Stenger.

Voting For:	Diamond	Buescher	Cano	Foley	Gale
	Olsen	Ojeda	Steier	Stenberg	Stenger
Voting Against:	Donley				

Absent: Osborn

The motion carried. Mr. Chase advised the Board that an appropriation of funds for the OCIO agreement may be a concern in the future.

Agenda Item 8. CHAIRMAN’S REPORT (Agenda Items 8b1. and 8b2. were heard ahead of other issues to accommodate DMV Director Lahm’s schedule).

Agenda Item 8b. Agreements & Addenda:

Agenda Item 8b1. Mr. Chase introduced Addendum 12 (Regional Driver’s License Service Center for DMV) to the Electronic Government Service Level Agreement between Nebraska Interactive, LLC, the NE State Records Board and the Department of Motor Vehicles. Addendum 12 involves state agencies usage of state-selected processor. Director Rhonda Lahm appeared on behalf of the Department of Motor Vehicles and Mr. Hoffman appeared on behalf of NI LLC. Ms. Lahm indicated that the DMV has restructured away from a county-based system into a regional-based system. Because of the change, there was a need to revise the processing options. The result was a change in how fees were collected with no change to fees itself. The project would also involve the creation of an online form that clients would be able to complete prior to requesting services; resulting in reduced transaction time or the need to increase staff. Mr. Hoffman indicated that the restructuring allows the addenda to be amended to add PIN Debit processing. Mr. Ojeda motioned to approve Addenda 12 and 13 in a single vote, which was seconded by Ms. Donley.

Agenda Item 8b2. Mr. Chase introduced Addendum 13 (Regional Driver’s License Service Center for DMV) to the Electronic Government Service Level Agreement between Nebraska Interactive, LLC, the NE State Records Board and the Department of Motor Vehicles. Director Rhonda Lahm appeared on behalf of the Department of Motor Vehicles and Mr. Hoffman appeared on behalf of NI LLC. Ms. Lahm stated that Addendum 13 would address counties collecting fees for titles and registrations that do not have regional centers at this time. All other aspects of Addendum 13 were the same as Addendum 12. Mr. Hoffman and Ms. Lahm addressed an error in the Addenda summary that the estimated market potential was 250,000. Ms. Lahm indicated that the market potential was revised to 125,000 but because of changes in the project launch date. Mr. Hoffman indicated that a revised summary would be provided to the Executive Director.

Voting For:	Diamond	Donley	Cano	Foley	Gale
	Olsen	Ojeda	Steier	Stenberg	Stenger
	Buescher				

Voting Against: None

Absent: Osborn

The motion carried.

A break occurred at 10:18 A.M.

The meeting resumed at 10:33 A.M.

Agenda Item 8a. ANNUAL AUDIT OF NEBRASKA INTERACTIVE, LLC, 2016

The annual audit was provided to the Finance Subcommittee, chaired by Lt. Gov. Foley, has reviewed the report in meetings on December 1, 2017 and on December 15, 2017. At the December 15, 2017 meeting, subcommittee members were able to direct questions regarding the audit to NIC Chief Financial Officer, Stephen Kowzan. The Finance Subcommittee reported it was satisfied with the audit and the responses by CFO Kowzan. Lt. Governor Foley motioned to accept the audit, which was seconded by Treasurer Stenberg.

Voting For:	Diamond	Donley	Cano	Foley	Gale
	Olsen	Ojeda	Steier	Stenberg	Stenger
	Buescher				

Voting Against: None

Absent: Osborn

The motion carried.

Agenda Item 9b. Outage Report Update (This item was moved ahead of other items to accommodate Mr. Toner’s schedule): At the last Nebraska State Records Board (NSRB) meeting on December 13, 2017, Nebraska Interactive presented information that the outage that occurred on Monday, May 22, 2017, consisted of 39 minutes of impairment to services and 79 minutes of complete outage of services. Furthermore, a service outage occurred early morning on June 11, 2017, where there was 10 minutes of service outage after a three-hour scheduled maintenance downtime. CIO Ed Toner agreed to review the synthetic transmissions for May 22, 2017 and June 10, 2017. Mr. Toner was able to verify that the information from NI LLC is accurate and that the outage did not exceed two hours. No action was taken by the Board.

Agenda Item 8b3. Mr. Chase introduced the Electronic Government Service Level Agreements between Nebraska Interactive, LLC (NI LLC), the Village of Clarks, City of Crete, Lewis & Clark NRD, Platte County, and Village of Utica. All agreements were signed by Chairman Gale pursuant to Board authority.

Agenda Item 8b4. 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 Clarks, City of Crete, Lewis & Clark NRD, Platte County Treasurer, and the Village of Utica. All agreements were signed by Chairman Gale pursuant to Board authority.

Agenda Item 8b5. Mr. Chase introduced the Statement of Work agreements with Nebraska Interactive, LLC, the Nebraska State Records Board and the following entities: the Electrical Division (Meadowlark Website), Health & Human Services (Website Project), Village of Walthill (Meadowlark Website) and the Lewis & Clark NRD (Meadowlark Website). All agreements were signed by Chairman Gale pursuant to Board authority.

Agenda Item 8a6. Mr. Chase introduced the following Gov2Go Addenda to the Electronic Government Service Level Agreement between NI LLC, the Board and the Chief Information Officer and the Department of Motor Vehicles. The agreement was signed by Chairman Gale pursuant to Board authority.

Agenda Item 8a7. Mr. Chase introduced Addendum 1 (Online Storefront) to the EGSLA with Nebraska Interactive, LLC, the Board and for the Nebraska Department of Transportation. On May 2, 2011, the NSRB approved Nebraska Department of Roads Addendum 1 which created an online storefront project. When the NDOR was absorbed into the NDOT, all agreements were assumed by the NDOT through Neb. Rev. Stat. 81-701.03. The addendum codifies NDOR Addendum 1 to the NDOT's EGSLA. Mr. Diamond motioned to approve the addendum, which was seconded by Mr. Olsen.

Voting For:	Diamond	Donley	Cano	Foley	Gale
	Olsen	Ojeda	Steier	Stenberg	Stenger
	Buescher				

Voting Against: None

Absent: Osborn

The motion carried.

Agenda Item 9. Executive Director's Report.

Agenda Item 9a. Cash Fund Balance: Mr. Chase presented the Board with the Cash Fund Balance update for the fourth quarter of 2017. Mr. Chase indicated \$356,000.00 will be transferred on or before June 15, 2019 as required under LB 327. Mr. Chase said the Fund should be able to meet the 2019 requirements. Mr. Olson motioned to accept the cash fund balance report, which was seconded by Mr. Cano.

Voting For:	Diamond	Donley	Cano	Foley	Gale
	Olsen	Ojeda	Steier	Stenberg	Stenger
	Buescher				

Voting Against: None

Absent: Osborn

The motion carried.

Agenda Item 9c. Review of Project Status Reports (PSRs): Mr. Chase reported that NI LLC provides biweekly PSRs of active projects to the Executive Director and to the OCIO for review. The OCIO and Executive Director have initiated a process to regular review of the progress of projects contained in the PSRs. The PSRs would be reviewed biweekly by a project manager from OCIO and the Executive Director for irregularities. If irregularities were found, then the OCIO and the Executive Director would perform further investigation. The OCIO and the Executive Director convenes the PSR Panel on a quarterly basis. The Panel reviews the projects with a representative

from NI LLC and ask questions regarding the status of the project and if there are any delays. Prior to the Panel meetings, the Executive Director would contact the agencies or entities with pending projects for their input on the status of the projects. The results are entered into a PSR Report along with agency responses. Chairman Gale stated that the PSR Report would be helpful to the board and requested that the report be provided to the members, but not made part of the meeting documents.

Agenda Item 10. PORTAL MANAGER REPORTS.

Agenda Item 10a. Project Priority Report: Mr. Hoffman presented an online dashboard that would enhance the Project Priority Report that NI LLC has provided to the Board in past meetings. The dashboard is available at a link on the Boards website and provides real-time updates on project priorities and status. The dashboard also incorporates requests made by the Director of Administrative Services regarding what projects have been started or completed. Mr. Hoffman then presented the updated priority report for the fourth quarter of 2017. The report is in a static format that would be used in the future so the Board can make a vote of approval. Mr. Diamond moved to adopt the Project Priority Report, which was seconded by Treasurer Stenberg.

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

The motion carried.

Agenda Item 10b. 2018 Business Plan: Mr. Hoffman presented the 2018 Business Plan for Nebraska Interactive LLC. Mr. Diamond indicated that three NI LLC staff members have agreed to enter the DAS’s green belt program to improve skills and communication with DAS. Ms. Stenger motioned to accept the plan, which was seconded by Mr. Cano.

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

The motion carried.

Agenda Item 10d. Proposed General Manager’s Dashboard and Presentation (this item was presented ahead of the general manager’s report): Mr. Hoffman presented an online dashboard that would replace the standard general manager’s report that NI LLC has provided to the Board in past meetings. Along with providing information on project priority and status, it would present monthly financial information, outage issues, manager staffing information and Google analytical reports.

Mr. Hoffman stated that he would like to replace the static general manager's report with the dashboard. Mr. Hoffman further indicated that if the Board wished more information to be provided, it could be added or enhanced to the dashboard.

Lt. Gov. Foley left the meeting at 11:45 a.m.

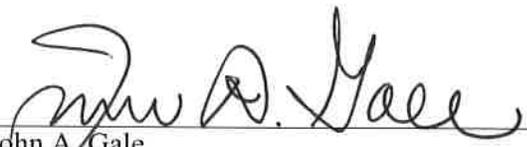
Agenda Item 10c. General Manager's report: Mr. Hoffman presented the General Manager's report and an annual report was provided by Ms. Easley. Mr. Somerhalder presented additional information regarding national trends affecting portal management with other states as it related to NI LLC. Mr. Hoffman noted there was a 15 minutes of impairment with services in October that did not cause a total outage of services. Ms. Easley also provided information on the projects completed and the number of free services provided by NI LLC.

Agenda Item 11. DATE FOR NEXT MEETING

Chairman Gale announced the next NSRB meeting will be held on June 13, 2018, at 9:00 a.m., in Room 1507 of the State Capitol. Members indicated that they would like an Outlook notification of the next meeting with the standard notice.

Agenda Item 12. ADJOURNMENT

Treasurer Stenberg moved to adjourn the meeting. All members present signified their agreement by saying "aye". Chairman Gale declared the meeting adjourned at 12:10 p.m.



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

6/12/18

Date