



## NEBRASKA STATE RECORDS BOARD

### MINUTES

#### Meeting of September 18, 2019

**Agenda Item 1. CALL TO ORDER, ROLL CALL.** The meeting of the Nebraska State Records Board (NSRB) was called to order by Chairperson Robert B. Evnen at 9:00 a.m. on September 18, 2019, in Room 1507 of the State Capitol, Lincoln, Nebraska.

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

Robert B. Evnen, Secretary of State, State Records Administrator and Chairperson;  
Lt. Governor Mike Foley, representing the Governor;  
Russ Karpisek, representing the Auditor of Public Accounts;  
Jason Jackson, the Director of Administrative Services  
Leslie Donley, representing the Attorney General;  
John Murante, State Treasurer  
Tony Ojeda, representing the Insurance Industry;  
Walter Weir, representing the General Public  
Angela Stenger, representing the Media .

**Absent**

M. John Steier, representing the Banking Industry

**Vacant member positions:**

Representative of the Legal Profession  
Representative of the Libraries

**Staff in attendance:**

Colleen Byelick, Chief Deputy and General Counsel, Secretary of State  
Tracy Marshall, Recording Clerk

**Agenda Item 2. ANNOUNCEMENT OF OPEN MEETINGS ACT.** After confirming that a quorum was present, the Chairperson 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 right of the public seating area.

**Agenda Item 3. NOTICE OF MEETING.** The Chairperson announced that public notice of the meeting was duly published in the Lincoln Journal Star on August 22, 2019, and on the state's public meeting calendar website. 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.** The Chairperson brought to the Board's attention the adoption of the agenda. Mr. Foley moved to adopt the Agenda as presented. Mr. Murante seconded the motion. There was no discussion on the adoption of the agenda.

Voting For:	Evnen Donley Weir	Foley Murante	Karpisek Ojeda	Jackson Stenger
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Voting Against: None

Absent: Steier

The motion carried.

**Agenda Item 5. APPROVAL OF MINUTES.** The Chairperson asked for a motion to adopt the minutes of the June 5, 2019 meeting. Mr. Ojeda moved to adopt the minutes. Ms. Stenger seconded the motion. Mr. Foley moved to strike the following sentence from page three of the draft minutes, "Guardians are not allowed to request under the current system." Mr. Ojeda and Ms. Stenger accepted Mr. Foley's amendment to the minutes as a friendly amendment. The Chairperson restated that the question to be voted on was the adoption of the minutes with the sentence, "Guardians are not allowed to request under the current system." stricken from page three of the draft minutes. There was no further discussion.

Voting For:	Evnen Donley Weir	Foley Murante	Karpisek Ojeda	Jackson Stenger
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Voting Against: None

Absent: Steier

The motion carried.

**Agenda Item 6. APPROVAL OF FINANCIAL REPORT.** Colleen Byelick, Chief Deputy and General Counsel for the Secretary of State provided an overview of the June 30, 2019 Cash Fund Balance report. Mr. Foley moved to approve the June 30, 2019 Cash Fund Balance report. Mr. Ojeda seconded the motion. There was no further discussion.

Voting For:	Evnen Donley Weir	Foley Murante	Karpisek Ojeda	Jackson Stenger
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Voting Against: None

Absent: Steier

**Agenda Item 7. PUBLIC COMMENT.** The Chairperson asked the members of the audience if anyone wished to come forward to provide public comment to the Board. No audience member indicated a desire to provide public comment.

**Agenda Item 8. OLD BUSINESS.**

**Agenda Item 8.a. Tabled Agreements & Addenda:**

**Agenda Item 8.a.1. Nebraska Department of Health and Human Services Addendum 12:** Nebraska Department of Health and Human Services Addendum 12 regarding vital records was considered at the June 5, 2019 meeting and was subsequently tabled to give the Board more time to review the addendum. Deputy Director Newmyer with the Nebraska Department of Health and Human Services was called upon to provide the current status of the addendum. Ms. Newmyer testified that the Department of Health and Human Services was withdrawing the addendum. The Chairperson stated that no further action was necessary as the matter had been previously tabled and there was no motion to take the matter off the table.

**Agenda Item 9. NEW BUSINESS.**

**Agenda Item 9.a. Revised Agreements & Addenda (No Fee Change)**

**Agenda Item 9.a.1. Nebraska State Fire Marshal Addendum 5:** The Chairperson explained Nebraska State Fire Marshal Addendum 5 and Addendum 6 together indicating that the purpose of these addenda was to transfer the services listed in the addenda from the Nebraska Department of Labor to the State Fire Marshal. There was no change other than the body that was performing the services and explained this was being done pursuant to a statutory change regarding responsibilities for elevators and boiler inspections. Mr. Foley moved to adopt Nebraska State Fire Marshal Addendum 5. Mr. Karpisek seconded the motion. There was no further discussion.

Voting For:	Evnen	Foley	Karpisek	Jackson	
	Donley	Ojeda	Murante	Stenger	Weir

Voting Against: None

Absent: John Steier

The motion carried.

**Agenda Item 9.a.2 Nebraska State Fire Marshal Addendum 6:** The Chairperson explained Nebraska State Fire Marshal Addendum 5 and Addendum 6 together as indicated above. A motion to adopt Nebraska State Fire Marshal Addendum 6 was made by Ms. Stenger. The motion was seconded by Mr. Ojeda. There was no further discussion.

Voting For: Evnen          Foley          Karpisek          Jackson  
Donley          Murante          Ojeda          Stenger          Weir

Voting Against: None

Absent: Steier

The motion carried.

**Agenda Item 9.b. Revised Agreements & Addenda (Clarification – Transaction Types)**

**Agenda Item 9.b.1. Nebraska Department of Motor Vehicles Revised Addendum 12:** The Chairperson indicated that the following two addenda were revised addenda which clarified additional transaction types being added to existing Department of Motor Vehicle services. Mr. Foley moved to adopt Department of Motor Vehicle Revised Addendum 12. Mr. Murante seconded the motion. There was no further discussion.

Voting For: Evnen          Foley          Karpisek          Jackson  
Donley          Murante          Ojeda          Stenger          Weir

Voting Against: None

Absent: Steier

The motion carried.

**Agenda Item 9.b.2. Nebraska Department of Motor Vehicles Revised Addendum 13:** The Chairperson indicated that this was the second addendum from the Department of Motor Vehicles which added additional transaction types to an existing Department of Motor Vehicle service. Mr. Karpisek moved to adopt Department of Motor Vehicles Revised Addendum 13. Mr. Weir seconded the motion. Mr. Foley asked about the swipe hardware that would be provided to the Department as it was difficult to discern from the copy of the Revised Addendum provided to the Board. Ms. Byelick indicated that 40 “FD-40” swipe devices were provided by Nebraska Interactive to the Department of Motor Vehicles pursuant to Revised Addendum 13. Mr. Foley also asked about the swipe devices related to Revised Addendum 12. Ms. Byelick indicated that 80 “Magtek DynaPads” swipe devices were provided by Nebraska Interactive to the Department of Motor Vehicles pursuant to Revised Addendum 12. There was no further discussion regarding Revised Addendum 13.

Voting For: Evnen          Foley          Karpisek          Jackson  
Donley          Murante          Ojeda          Stenger          Weir

Voting Against: None

Absent: Steier

The motion carried. The Chairman requested that the minutes reflect the discussion regarding the swipe devices.

**Agenda Item 9.c. New Services**

**Agenda Item 9.c.1. Nebraska Department of Motor Vehicles Addendum 15:** Rhonda Lahm, Director of the Department of Motor Vehicles testified regarding Addendum 15. Director Lahm indicated that the purpose of this addendum was to allow renewals of fleet vehicles. Director Lahm explained this service would allow motor vehicle owners who have between 25 to 2500 vehicles the ability to renew all vehicles in one group, instead of individually. Director Lahm indicated that several pricing models were considered but that .5% of the DMV fee was determined to be the best pricing model for a number of reasons. Director Lahm indicated that the DMV believed the proposed pricing model was the most fair, that it would lead to adoption of the service, that the fee was appropriate for the service provided and that the fleet renewal fee would be less expensive than if the owners were to renew each vehicle individually. The Board members asked several questions regarding the proposals. Walter Weir inquired as to whether there could be a quantification of savings, such as an impact statement showing possible savings for citizens or for the state. The Chairperson asked Director Lahm if she could provide further information in response to Mr. Weir’s inquiry if the Addendum was adopted. Mr. Murante moved to adopt Department of Motor Vehicle Addendum 15. Mr. Foley seconded the motion.

Voting For:	Evnen	Foley	Karpisek	Jackson	
	Donley	Murante	Ojeda	Stenger	Weir
Voting Against:	None				
Absent:	Steier				

The motion carried.

**Agenda Item 9.c.2. Nebraska Department of Motor Vehicles Addendum 16:** Rhonda Lahm, Director of the Department of Motor Vehicles testified regarding Addendum 16. Director Lahm explained that this service would give motor vehicle dealers the ability to title a vehicle at the time of purchase. She stated that motor vehicle dealers have been asking for this service. She indicated this would be a voluntary service for both the dealer and the purchaser. She further indicated that dealers would have to be approved to participate. She indicated the pricing for the proposed service was consistent with other online business filings. Director Lahm indicated a potential time savings for county treasurers if the title is issued at the dealership as opposed to at the county office. Ms. Donley moved to approve Department of Motor Vehicle Addendum 16. Mr. Murante seconded the motion.

Voting For:	Evnen	Foley	Karpisek	Jackson	
	Donley	Murante	Ojeda	Stenger	Weir
Voting Against:	None				
Absent:	Steier				

The motion carried.

**Agenda Item 10. EXECUTIVE DIRECTOR’S REPORT.**

**Agenda Item 10.a. Review of Template Agreements:** Ms. Byelick indicated two statement of work had by signed by the Chairperson pursuant to Board authority since the last meeting.

**Agenda Item 10.a.1 Nebraska State Patrol SOW:** Ms. Byelick presented the statement of work for the Nebraska State Patrol which was signed by Chairperson Evnen pursuant to Board authority.

**Agenda Item 10.a.2 Secretary of State SOW:** Ms. Byelick presented the statement of work for the Secretary of State which was signed by Chairperson Evnen pursuant to Board authority.

**Agenda Item 10.b. Review of Project Status Report:** Ms. Byelick presented the Project Status Report. Ms. Byelick indicated that all agencies with outstanding projects open at the end of the second quarter were contacted and asked to provide feedback regarding their projects with Nebraska Interactive. Ms. Byelick summarized the feedback that was received from the various state agency partners. Mr. Weir asked if the agencies could be requested to provide information on whether the project was within the initial cost estimate. Ms. Byelick clarified that this was for time and material projects and noted that the State Patrol MCDV project was the only time and material project in the current report.

**Agenda Item 11. NEBRASKA INTERACTIVE REPORTS.**

**Agenda Item 11a. Project Priority Report Q2:** Ms. Byelick indicated that the project priority report was as of August 6, 2019 and that the Board members could follow the progress of the projects on the Board’s website. In response to Mr. Weir’s questions regarding time and material work, Mr. Hoffman indicated that the State Patrol MCDV project was being funded by a federal grant and also indicated that if a time and material project would go over the initial estimate that an amendment to the statement of work would have to be submitted. Mr. Hoffman gave an update on the Project Priority Report for the second quarter. The Board did not have any questions regarding the report. Mr. Weir moved to approve the Project Priority Report, which was seconded by Mr. Karpisek. There was no further discussion.

Voting For:	Evnen	Foley	Karpisek	Jackson	
	Donley	Murante	Ojeda	Stenger	Weir

Voting Against: None

Absent: Steier

The motion carried.

**Agenda Item 11.b. General Manager’s Report:** Mr. Hoffman provided an overview of the General Manager’s Report for the second quarter. The Board members asked Mr. Hoffman several questions regarding the report.

**Agenda Item 12. DATE FOR NEXT MEETING.** The Chairperson announced the next NSRB

meeting will be held on December 11, 2019, at 9:00 a.m., in Room 1507 of the State Capitol.

**Agenda Item 13. ADJOURNMENT.** The Chairperson declared the meeting adjourned at 10:24 a.m.



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Robert B. Evnen  
Secretary of State  
State Records Administrator  
Chairperson, State Records Board



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Date