



NEBRASKA STATE RECORDS BOARD

MINUTES

Meeting of September 29, 2022

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 9:10 a.m. on September 29, 2022.

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

Robert Evnen, Secretary of State, State Records Administrator and Chairperson
Lt. Governor Mike Foley, representing the Governor
Lee Will, representing the Director of Administrative Services
Leslie Donley, representing the Attorney General
Jason Walters, representing the State Treasurer
Walter Weir, representing the General Public
Tony Ojeda, representing the Insurance Industry

Absent:

Angela Stenger, representing the Media
Russ Karpisek, representing the Auditor
Bob Sullivan, representing the Legal Profession
David Richards, representing the Libraries

Vacant member positions:

Representative the Banking Industry

Staff in attendance:

Libby Elder, Executive Director, NSRB
Tracy Marshall, Recording Clerk
Colleen Byelick, Chief Deputy Secretary of State and General Counsel

After confirming that a quorum was present, the Chairperson announced that David Richards is a new appointee to the State Records Board, representing the Libraries.

Agenda Item 2. ANNOUNCEMENT OF OPEN MEETINGS ACT. 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 were located to the left of the Chairperson or 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 29, 2022, and on the State’s public meeting calendar website. The public notice and proof of publication relating to the meeting would be attached to and made a part of the meeting minutes.

Agenda Item 4. ADOPTION OF AGENDA. The Chairperson brought the NSRB’s attention to the adoption of the agenda. Mr. Foley moved to approve the agenda as presented. Mr. Ojeda seconded the motion. There was no further discussion.

Voting For: Evnen Donley Weir Ojeda Will
 Walters Foley

Voting Against: None

Voting Abstain: None

Absent: Stenger, Sullivan, Richards, Karpisek

The motion carried.

Agenda Item 5. APPROVAL OF MINUTES. The Chairperson asked for a motion to approve the minutes of the June 10, 2022, meeting. Mr. Ojeda moved to approve the minutes as presented. Mr. Foley seconded the motion. There was no further discussion.

Voting For: Evnen Donley Weir Ojeda Will
 Walters Foley

Voting Against: None

Voting Abstain: None

Absent: Stenger, Sullivan, Richards, Karpisek

The motion carried.

Agenda Item 6. APPROVAL OF FINANCIAL REPORT. Libby Elder, Executive Director for the NSRB provided a summary of the June 30, 2022, Cash Fund Balance Report. Mr. Foley moved to approve the financial report. Mr. Ojeda seconded the motion. There was no further discussion.

Voting For: Evnen Donley Weir Ojeda Will
 Walters Foley

Voting Against: None

Absent: Stenger, Sullivan, Richards, Karpisek

The motion carried.

Agenda Item 7. PUBLIC COMMENT.

The Chairperson asked if anyone wished to provide public comment to the NSRB. No member of the public indicated a desire to provide public comment.

Agenda Item 8. EXECUTIVE DIRECTOR'S REPORT

Agenda Item 8.a. Review of Template Agreements: Ms. Elder provided a list of agreements signed pursuant to NSRB authority, including Electronic Government Service Level Agreements, a Citizen Payment Processing Addendum, PayPort Addendums, an Event Registration Addendum, and a Termination Agreement.

Ms. Elder stated that the Termination Agreement was with the City of Syracuse and was signed due to a decision by Syracuse to have all utility billing management in one place, and that no concerns or issues were shared regarding the services provided by Nebraska Interactive, LLC dba NIC Nebraska ("NIC").

Agenda Item 8.b. Review of Project Status Report: Ms. Elder presented information related to the status of various active projects based upon feedback from the state agency partners. Discussion took place regarding projects NIC is working on for the Village of Hoskins, Kimball County, the Administrative Office of the Courts, and the Department of Insurance.

Agenda Item 9. TECHNICAL INFRASTRUCTURE UPGRADES**Agenda Item 9.a. Review Progress**

Ms. Elder presented the Grails and Drupal progress reports. Since preparation of the Grails report, the Nebraska State Patrol Criminal History Request System is in progress. Additionally, the Secretary of State's Voter Registration System finished testing and was scheduled to be deployed the week of September 26, 2022.

Ms. Elder reported that the Technical Infrastructure Subcommittee met on July 28, 2022. Jason Jackson (Subcommittee Chairperson), Walter Weir (Subcommittee Member), Brent Hoffman, Jay Sloan, and Bruce Rice (NIC), Lee Will (DAS), Colleen Byelick and Libby Elder (SOS Office/NSRB) were in attendance.

The subcommittee: (1) reviewed NIC's communication to partners regarding the Technical Infrastructure Upgrades and agreed that similar language would be used to communicate with agencies regarding Drupal upgrades; (2) reviewed the Technical Infrastructure Progress Report for Grails and NIC reported that all development teams were engaged in Grails upgrade work; and (3) reviewed the Technical Infrastructure Progress Reports for Drupal and NIC reported that the first migrations were out in production. NIC indicated that it has been difficult to estimate the time it would take to complete the upgrades, but that the service level degradation would not be extended beyond the original 12-18 months.

The subcommittee discussed a written comment submitted by a staff member of the Nebraska Brand Committee and discussed information regarding security and security audits.

Ms. Elder reported that following the subcommittee meeting, a meeting was coordinated by NIC, which included Brent Hoffman, Jay Sloan, Bruce Rice, members of the NIC Security Team, Walter Weir, and Libby Elder. The NIC Security Team answered questions and provided information regarding their security audits. Mr. Weir agreed to use his technical expertise to further review this information and report to the Portal Operations Subcommittee.

Mr. Will added that there was discussion regarding the completion dates that have moved forward, and the need for the completion dates to be realistic.

Agenda Item 9.b. Discussion of Grails Subcontract

Mr. Karpisek arrived 9:25.

Ms. Elder reported that NIC has continued to work with Object Computing, Inc. (“OCI”), and has obtained quotes on 20 Grails applications. The total cost estimate, produced by OCI to complete the upgrades on the 20 applications, is projected between \$1.2 million and 1.5 million, and would take an estimated 715 developer days. NIC further worked with OCI to find consistencies in applications and then to narrow the list of applications proposed to be completed by OCI to 12 applications totaling \$726,364 and 501 developer days.

After NIC worked with OCI to narrow the list to 12 applications, a meeting took place between with NIC and their representatives, including Brent Hoffman, Jay Sloan, Bob Sanders (Vice President of State Enterprises at Tyler Technologies), Secretary Evnen, Colleen Byelick, and Libby Elder. At this meeting, there was discussion of the subcontract, and other options or potential sources of funding for the portal or to assist in funding subcontract costs, including the possibility of legislation.

Ms. Elder stated that NIC will develop and provide a plan and options, which will be presented to the Portal Operations Subcommittee, and if appropriate, brought before the board at the December meeting.

Mr. Foley stated that there is language in the contract with NIC stating that the obligation to upgrade software rests with NIC. Mr. Evnen stated that NIC is working on a concrete proposal which will include information as to how these upgrades could be funded. Mr. Ojeda discussed the value of the grant program, and the potential to use the Records Management Cash Fund for grants.

Agenda Item 10. NEW BUSINESS

Agenda Item 10.a. Accept the Ernst & Young LLP Audit for Nebraska Interactive:

Mr. Foley stated that the contract requires NIC to provide audited financial statements. Ernst & Young LLP prepared the audit. The Finances Subcommittee met. NIC’s profits have increased, funds to the state and funds to the parent company have increased. Mr. Foley stated that the subcommittee unanimously moved to accept the audit.

Voting for:	Evnen	Donley	Weir	Ojeda	Will
	Karpisek	Foley	Walters		
Voting Against:	None				

Absent: Stenger, Sullivan, Richards

The motion carried.

Agenda Item 10.b. Adopt Records Board Rules and Regulations – Title 431:

Ms. Elder stated that the public hearing on the amended rules and regulations was held September 13, 2022, at 10:00 AM. There were no public comments received, and the rules and regulations were unchanged from what was presented and approved at the June NSRB meeting. Ms. Elder requested that the NSRB adopt Title 431, Chapters 1 and 2 and authorize the Chair of the State Records Board to sign a certificate of adoption. Ms. Elder stated that the regulations would then be sent to the Attorney General’s office for review.

There was discussion regarding the changes to Title 431, Chapters 1 and 2.

Mr. Ojeda moved to adopt Title 431 Chapters 1 and 2, which was seconded by Mr. Weir.

Voting For: Evnen Weir Ojeda Will Karpisek
Foley Walters

Voting Against: None

Abstain: Donley

Absent: Stenger, Sullivan, Richards

The motion carried.

Agenda Item 11. NEBRASKA INTERACTIVE REPORTS.

Agenda Item 11.a. Nebraska Interactive, LLC, Project Priority Report:

Mr. Sloan presented information on the status of various active projects, including work that is continuing for the Administrative Office of the Courts and work for partners which have begun using NIC’s payment processing services. Mr. Sloan indicated that the report for the next meeting of the NSRB, the NSRB will see that several partners are moving to the online liquor license renewal service managed by the Nebraska Liquor Control Commission. Mr. Sloan indicated that NIC completed the DMV DLS Dataforms project moving a paper form to online format, which can also be completed on a tablet at the DMV, saving time for constituents and DMV staff. Mr. Sloan stated that the DOI Medical Malpractice project will be discontinued following a mutual decision between DOI and NIC.

Ms. Donley moved to approve the Project Priority Report, which was seconded by Mr. Will.

Voting For: Evnen Donley Weir Ojeda Will
Karpisek Foley Walters

Voting Against: None

Absent: Stenger, Sullivan, Richards

The motion carried.

Agenda item 11.b. General Manager’s Report:

Mr. Hoffman reported on the following items for the second quarter of 2022:

- NIC’s work has resulted in eight awards in 2022, recognizing the efforts of state agencies from an electronic presence standpoint.
- NIC did not have any downtime to report for any services or networks in the second quarter of 2022.
- From a financial aspect, NIC has had eight percent growth, which is under their five-year trend. Merchant fees increased in April and are one-third of NIC’s entire expense. NIC anticipates merchant rates will be in the \$3 million dollar range by 2023. NIC’s expenses are down by 6 percent.
- From a satisfaction rating aspect, applications have had a 4.5 average star rating out of 5 stars. Many services have increased in rating over the last quarter.
- NIC relocated their lockbox services for receipt of mailed payments but have not received any delay or issues regarding that change.
- NIC partnered with the University of Nebraska’s capstone project, and they are working on a customer support project for NIC. It will be a nine-month project.
- DMV has hired a records inspector to assist with protection on DMV driver’s license record information.

Mr. Sloan reported that NIC has added a staffing report to the General Manager’s report to keep the NSRB informed of staffing changes.

Agenda Item 13. DATE FOR NEXT MEETING. The Chairperson announced the next regular meeting of the NSRB will be in December and is anticipated to be held at the 12th and N Street location.

Agenda Item 14. ADJOURNMENT.

Mr. Foley moved to adjourn, seconded by Mr. Weir.

The meeting adjourned at 10:00 AM.



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

12/13/2022

Date