



NEBRASKA STATE RECORDS BOARD

MINUTES

Meeting of November 18, 2008

Agenda Item 1. SWEARING IN NEW BOARD MEMBERS. Chairman Gale swore in two new Board members, Ms. Julie Beno and Mr. Ryne Seaman. Ms. Beno represents Libraries and replaces Ms. Lauren Riedesel. Julie is the Public Services Manager for Lincoln City Libraries. Mr. Ryne Seaman represents the Banking Industry and replaces Mr. Jerry Catlett. Ryne is the President of the Cattle National Bank & Trust in Seward, NE. Both terms began August 6, 2008

Agenda Item 2. CALL TO ORDER, ROLL CALL. The meeting was called to order by Chairman John A. Gale at 9:10 A.M. on November 18, 2008, 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;
Leslie S. Donley, representing the Attorney General;
Michael D. Foley, Auditor of Public Accounts;
Perry Pirsch, representing the State Treasurer;
Ryne D. Seaman, representing the Banking Industry;
John P. Curry, representing the Insurance Industry;
Julie A. Beno, representing Libraries;
Timothy L. Loewenstein, Representing the General Public

Absent:

Brenda L. Decker, appearing later, representing the Director of Administrative Services (;
Thomas D. Freimuth, appearing later, representing the Legal Profession;

Excused:

Lauren L. Hill, representing the Governor;
Michael P. Edgcombe, representing the Media

Staff in attendance:

Josh Daws, IT Officer;
Kacey Nelkin Pedersen, Recording Clerk;
Ron Moravec, Legal Counsel;
Cathy Danahy, Executive Director

Agenda Item 3. ANNOUNCEMENT OF NEBRASKA OPEN MEETING ACT. Chairman Gale announced that in accordance with the Nebraska Open Meetings Act, reproducible written materials to be discussed at the open meeting are located in the back of the meeting room. Also, a copy of the Nebraska Open Meetings Act is located in the back of the meeting room.

Agenda Item 4. NOTICE OF HEARING. Chairman Gale announced public notice of the meeting was given by posting notice in the Lincoln Journal Star newspaper on October 17, 2008 and the state's website public meeting calendar. A copy of the Notice and Affidavit of Publication by the printer is included in the Board records. A current copy of the agenda has been kept in the Secretary of State's office listing the date, time and location of the meeting

Agenda Item 5. ADOPTION OF AGENDA. Mr. Foley moved to adopt the agenda; motion seconded by Mr. Loewenstein.

Voting For:	Beno Loewenstein	Curry Pirsch	Donley Seaman	Foley	Gale
Voting Against:	None				
Absent:	Decker	Edgecombe	Freimuth	Hill	

The motion carried.

Mr. Freimuth arrived at 9:15 A.M.

Agenda Item 6. APPROVAL OF MINUTES. Mr. Foley moved to approve the August 5, 2008 meeting minutes; motion seconded by Ms. Donley.

Voting For:	Donley Loewenstein	Foley Pirsch	Freimuth	Gale
Voting Against:	None			
Abstaining:	Beno	Curry	Seaman	
Absent:	Decker	Edgecombe	Hill	

The motion carried.

Agenda Item 7. PUBLIC COMMENT. Chairman Gale asked the members of the audience if anyone wished to come forward to provide public comment on any of the agenda items. No audience member indicated a desire to come forward.

Agenda Item 8. a., b. and c. GRANT REPORTS. Ms. Danahy indicated three grant reports were received in the first quarter; one report from the Nebraska Liquor Control Commission – Online Excise Tax Reporting & Payment System and a report from the Nebraska Accountability & Disclosure Commission - Online Campaign Statement Filings. Both grants projects are complete. An update report was received by the Nebraska Supreme Court – Automation for the NE State Library project. This project is due for completion in March, 2009.

Agenda Item 9. GRANT APPLICATIONS

Agenda Item 9. a. State Agency Grant *University of Nebraska – Lincoln, Nebraska Public Documents Digitization Project, Phase 2.* Ms. Danahy introduced State Agency Grant University of Nebraska – Lincoln, Nebraska Public Documents Digitization Project, Phase 2 in the amount of \$25,000 for converting microfilmed images to digital images for the purpose of public online access. This grant is the second request for this type of grant - Public Documents Digitization. The first grant in the amount of \$23,000 was requested and approved in September of 2005. Ms. Katherine Walter, Co-Director, Center for Digital Research in the Humanities and Professor and Chair, Digital Initiative & Special Collections, University of NE, Lincoln, NE; Ms. Beth Goble, NE Library Commission and Ms. Andrea Faling, NE State Historical Society all testified and answered questions from the Board.

Ms. Decker arrived at 9:35 A.M..

After discussion, Mr. Loewenstein moved to approve the grant; seconded by Mr. Foley.

Voting For:	Beno Freimuth	Curry Gale	Decker Loewenstein	Donley Pirsch	Foley Seaman
Voting Against:	None				
Absent:	Edgecombe	Hill			

The motion carried.

Agenda Item 9. b. State Agency Grant – *Volunteer Service Commission, ServeNebraska – Trainer/Trainee Online Database Search.* Ms. Danahy introduced State Agency Grant – Volunteer Service Commission, ServeNebraska – Trainer/Trainee Online Database Search in the amount of \$25,000. Mr. Greg Donovan, Program Officer – ServeNebraska – NE Volunteer Service Commission, Ms. Jennifer Rasmussen, Nebraska.gov, and Mr. Brent Hoffman, Nebraska.gov testified and answered questions from the Board. Mr. Loewenstein expressed concern the project estimation may be too high. Mr. Hoffman assured the Board if the cost is lower than \$25,000 the remaining money allotted to the project would not be used. He said if the project went over the estimated amount, Nebraska.gov would absorb the costs. After further discussion, Ms. Decker moved to approve the grant; seconded by Ms. Donley. Mr. Loewenstein proposed a friendly amendment to Ms. Decker and Ms. Donley. He requested they consider adjusting the grant to \$12,500. Ms. Decker said she would; Ms. Donley said she was not inclined to change her second. Chairman Gale suggested the Board vote and if it does not pass, a second motion would be considered.

Voting For:	Beno Pirsch	Decker Seaman	Donley	Freimuth	Gale
Voting Against:	Curry	Foley	Loewenstein		
Absent:	Edgecombe	Hill			

The motion carried.

Agenda Item 9. c. State Agency Grant – Department of Health and Human Services/Lincoln-Lancaster County Health Department – WorkWell Health Appraisal Survey and Administration. Ms. Danahy introduced State Agency Grant – Department of Health and Human Services/Lincoln-Lancaster County Health Department – WorkWell Health Appraisal Survey and Administration in the amount of \$25,000. Mr. Dan Cillessen, Administrator – Public Health Promotion, NE Dept HHS and Ms. Lisa Henning, WorkWell, Inc. testified and answered questions from the Board. After discussion, Mr. Foley moved to deny the grant; seconded by Mr. Curry.

Voting For:	Curry Freimuth	Foley Gale	Loewenstein Seaman	Decker
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Voting Against:	Beno	Donley	Pirsch
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Absent:	Edgecombe	Hill
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The motion carried.

Chairman Gale declared a recess at 10:55 A. M.

Chairman Gale reconvened the meeting at 11:15 A.M.

Chairman Gale announced he was going to rearrange the agenda unless there where an objection. He said Auditor Foley and Perry Pirsch, representing the Treasurer, both need to leave at 11:30 A.M. He said the Board would return to item 10, the closed session discussion as well as item 11. The Chairman's report can be done in their absence down through 11. c. He said once Bev Neth, Director of the Department of Motor Vehicles has arrived at the meeting, the Board would go to item 11.c. The Chairman moved to Item 12 for Auditor Foley's response.

Agenda Item 12. FINANCES REVIEW SUBCOMMITTEE. Mr. Foley, Chair of the Finances Review Subcommittee reported on the NI Pricewaterhouse Annual Audit Report. He indicated his staff is reviewing the audit and he hopes to convene his Subcommittee soon and have a report for the Board at the next Board meeting on January 28, 2009.

Agenda Item 11. CHAIRMAN'S REPORT

11. a. SIGNED ADDENDA. Chairman Gale reported the following addenda were signed by him: (1) Addendum One to the Interagency Agreement between the Nebraska Brand Committee and the NE State Records Board was signed on August 29, 2008. (2) Addendum Two the Interagency Agreement between the Nebraska State Foster Care Review Board and the NE State Records Board on August 21, 2008. (3) Addendum One to the Interagency Agreement between the Nebraska Commission on Public Advocacy and the NE State Records Board on August 28, 2008. Done (4) Addendum Seven to the Interagency Agreement between the Nebraska Supreme Court and the NE State Records Board on August 6, 2008. Mr. Hoffman explained the addenda. He indicated all addenda were for web services with the exception of Addendum Seven to the Interagency Agreement between the Nebraska Supreme Court. The Supreme Court is independent of the State Records Board.

11. c. AGREEMENTS

11. c. 1. and 2. Interagency Agreement Between the Nebraska Department of Motor Vehicles And the Nebraska State Records Board – International Registration Plan (IRP) and the Interagency Agreement Between the Nebraska Department of Motor Vehicles and the Nebraska State Records Board – Motor Vehicle Registration Renewal Payment Application (MVR).

Chairman Gale introduced the Interagency Agreement Between the Nebraska Department of Motor Vehicles and the Nebraska State Records Board – International Registration Plan (IRP) and the Interagency Agreement Between the Nebraska Department of Motor Vehicles and the Nebraska State Records Board – Motor Vehicle Registration Renewal Payment Application (MVR). Mr. Hoffman and Ms. Bev Neth, Director, NE Department of Motor Vehicles explained the agreements. Ms. Decker moved to approve the agreements; seconded by Ms. Beno.

Voting For:	Beno Decker	Curry Freimuth	Foley Gale	Loewenstein Seaman
Voting Against:	None			
Abstaining:	Pirsch			
Absent:	Donley	Edgecombe	Hill	

The motion carried.

11. c. 3. Interagency Agreement Between the Nebraska State Fire Marshal and the Nebraska State Records Board. Chairman Gale introduced the Interagency Agreement Between the Nebraska State Fire Marshal and the Nebraska State Records Board. Mr. Hoffman will explain the agreement. Mr. Loewenstein moved to approve the agreement and authorize Chairman Gale to sign the addendum; seconded by Ms. Decker.

Voting For:	Beno Decker	Curry Freimuth	Foley Gale	Loewenstein Seaman
Voting Against:	None			
Abstaining:	Donley	Pirsch		
Absent:	Edgecombe	Hill		

The motion carried.

Mr. Foley and Mr. Pirsch left the meeting.

11. b. 1. Addendum Eleven to the Interagency Agreement between the Nebraska Office of the Secretary of State and the NE State Records Board. Chairman Gale introduced Addendum Eleven to the Interagency Agreement between the Nebraska Office of the Secretary of State and the NE State Records Board. Mr. Hoffman explained the addendum. Mr. Freimuth motioned to approve the addendum and authorize Chairman Gale to sign the addendum; seconded by Mr. Loewenstein.

Voting For:	Beno Decker	Curry Freimuth	Donley Gale	Loewenstein Seaman
Voting Against:	None			

Absent: Edgecombe Foley Hill Pirsch

The motion carried.

Agenda Item 13. GENERAL COUNSEL'S REPORT

13. a. State/Local Grant Status, Reinvested Revenue and Cash Fund Balance Corrected Reports. Mr. Moravec introduced the corrected reports from the 4th Quarter (06/30/2008) for the State/Local Grant Status, Reinvested Revenue and Cash Fund Balance. Ms. Donley moved to approve the amended Cash Fund Balance Report as of June 30, 2008; seconded by Mr. Seaman.

Voting For: Beno Curry Donley Loewenstein
 Decker Freimuth Gale Seaman

Voting Against: None

Absent: Edgecombe Foley Hill Pirsch

The motion carried.

13. b. c. and d. State/Local Grant Status, Reinvested Revenue and Cash Fund Balance Reports. Mr. Moravec introduced the first quarter State/Local Grant Status, Reinvested Revenue and Cash Fund Balance Reports as of September 30, 2008. Ms. Donley motioned to approve the Cash Fund Balance Report; seconded by Mr. Loewenstein.

Voting For: Beno Curry Donley Loewenstein
 Decker Freimuth Gale Seaman

Voting Against: None

Absent: Edgecombe Foley Hill Pirsch

The motion carried.

Agenda Item 14. NEBRASKA.GOV REPORTS

14. a. General Manager's Report. Mr. Brent Hoffman presented the General Manager's report. He noted the receipt of the State Treasurer's waiver of remittance requirements provided under Neb. Rev. Stat. § 84-710 dated November 17, 2008. A copy of the waiver was also received by the Board. Mr. Hoffman explained the revenue/transaction funding model. He indicated this model provides the opportunity for any number of applications to be provided online as more and more transactions do not require a wet signature. This transaction funding model will help tip the scales back to balance. Mr. Curry asked Mr. Hoffman how the Board can help grow the revenue stream. Mr. Hoffman responded by requesting the continuance for the Board's pioneering vision and spirit and to continue with the current trends. Chairman Gale said NIC should have helped with the VISA issue, that their lack of assistance slowed income production.

14. b. Project Priority Report. Mr. Hoffman presented on the Project Priority Report. Mr. Curry moved to approve the Project Priority Report; seconded by Mr. Freimuth.

Voting For:	Beno Decker	Curry Freimuth	Donley Gale	Loewenstein Seaman
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Voting Against:	None
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Absent:	Edgecombe	Foley	Hill	Pirsch
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The motion carried.

Chairman Gale called a recess at 12:45 P.M.

Chairman Gale reconvened the meeting at 12:55 P.M.

Agenda Item 10. RFP DRAFTING SUBCOMMITTEE. Ms. Donley moved that the Board go into closed session for the purpose of receiving legal advice regarding a preliminary draft of the Request for Proposal for the Network Manager to manage the Nebraska.gov Network and for the protection of the public interest; seconded by Ms. Decker.

Voting For:	Beno Decker	Curry Freimuth	Donley Gale	Loewenstein Seaman
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Voting Against:	None
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Absent:	Edgecombe	Foley	Hill	Pirsch
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The motion carried.

Chairman Gale moved the Board into closed session at 12:57 P.M. seeing a vote of eight in favor and none against, for the limited purpose of receiving legal advice regarding a preliminary draft of the Request for Proposal for the Network Manager to manage the Nebraska.gov Network and for the protection of the public interest.

Ms. Donley moved to adjourn the Board from the closed session and reconvene the State Records Board in open session; seconded by Ms. Decker.

Voting For:	Beno Decker	Curry Freimuth	Donley Gale	Loewenstein Seaman
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Voting Against:	None
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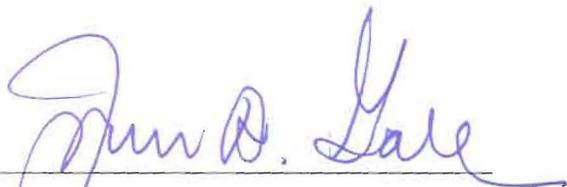
Absent:	Edgecombe	Foley	Hill	Pirsch
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The motion carried.

Chairman Gale reconvened the State Records Board in open session at 1:37 P.M.

Agenda Item 15. DATE FOR NEXT MEETING. Chairman Gale indicated there would be no need for a special meeting of the Board on December 16, 2008. He announced the date of the next Records Board meeting will be January 28, 2009.

Agenda Item 16. ADJOURNMENT. Mr. Loewenstein moved to adjourn the meeting; seconded by Mr. Freimuth. All members signified by saying "aye". Chairman Gale declared the meeting adjourned at 1:40 P.M.



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