

NEBRASKA STATE RECORDS BOARD

MINUTES

Meeting of February 13, 2013

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 9:05 A.M. on February 13, 2013, 4th Floor Board Room of the Nebraska State Education Association headquarters, 605 South 14th Street, Lincoln, Nebraska.

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

John A. Gale, Secretary of State, State Records Administrator and Chairman;
Michael D. Foley, Auditor of Public Accounts;
Don Stenberg, State Treasurer;
Scott Keene, representing the Insurance Industry;
Carlos Castillo, Director of Administrative Services;
Julie A. Beno, representing Libraries;
Brian Buescher, representing the Legal Profession;
Leslie S. Donley, representing the Attorney General;
Ryne D. Seaman, representing the Banking Industry;
Mike Konz, representing the Media;
Greg Osborn, representing the General Public

Absent: Brenda L. Decker, representing the Governor

Staff in attendance:

Cathy Danahy, Executive Director;
Colleen Byelick, Legal Counsel;
Tracy Marshall, Recording Clerk

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 January 11, 2013 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

Ms. Donley moved to adopt the agenda as presented; seconded by Mr. Seaman.

Voting For:	Beno	Buescher	Castillo	Donley	Foley
	Gale	Keene	Konz	Osborn	Seaman
	Stenberg				

Voting Against: None
 Absent: Decker

The motion carried.

Agenda Item 5. APPROVAL OF MINUTES

Chairman Gale asked for a motion to approve the minutes of the January 31, 2013 meeting. Mr. Keene moved to approve the minutes; seconded by Ms. Beno.

Voting For: Beno Buescher Castillo Donley Foley
 Gale Keene Konz Osborn Stenberg

Not Voting: Seaman

Voting Against: None

Absent: Decker

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 any of the agenda items. No audience member indicated a desire to provide public comment.

Agenda Item 7. CHAIRMAN'S REPORT

Agenda Item 7.a. AGREEMENTS & ADDENDA

Agenda Item 7.a.1. Electronic Government Service Level Agreements between Nebraska Interactive, LLC, the NE State Records Board and NE Legislative Council, City of Beaver City, Cass County, City of McCook, Keya Paha County, and Thayer County. Signed by Chairman Gale pursuant to Board authority. Mr. Brent Hoffman, General Manager, Nebraska Interactive, LLC explained the addenda.

Agenda Item 7.a.2. Addenda (PayPort Payment) to the Electronic Government Service Level Agreements between Nebraska Interactive, LLC, the NE State Records Board and the City of Beaver City, Cass County, City of McCook, Keya Paha County, Lancaster County Sheriff, Thayer County Treasurer, and Thayer County Clerk. Signed by Chairman Gale pursuant to Board authority. Mr. Brent Hoffman, General Manager, Nebraska Interactive, LLC explained the addenda.

Agenda Item 7.a.3. Addendum Four to the Electronic Government Service Level Agreement between Nebraska Interactive, LLC, the NE State Records Board and the Legislative Council – Lobbyist Registration. Signed by Chairman Gale pursuant to board authority. Mr. Brent Hoffman, General Manager, Nebraska Interactive, LLC explained the addendum.

Agenda Item 7.a.4 Addendum Five to the Electronic Government Service Level Agreement between Nebraska Interactive, LLC, the NE State Records Board and the State Electrical Division – Apprentice Electrician License Application. Mr. Brent Hoffman, General Manager, Nebraska Interactive, LLC explained the addendum. Mr. Osborn moved to approve Addendum Five; seconded by Ms. Donley.

Voting For:	Beno	Buescher	Castillo	Donley	Foley
	Gale	Keene	Konz	Osborn	Seaman
	Stenberg				

Voting Against: None

Absent: Decker

The motion carried.

Agenda Item 7.a.5 Addendum One to the Electronic Government Service Level Agreement between Nebraska Interactive, LLC, the NE State Records Board and the Department of Motor Vehicles – Registration Renewal. Mr. Brent Hoffman, General Manager and Ms. Carmen Easley, Director of Operations, Nebraska Interactive, LLC explained the addendum. Ms. Easley distributed an updated version of the Summary page to Addendum One and a chart titled *2012 Motor Vehicle Registration Renewal Estimate Revenue Breakout*. Mr. Konz moved to approve Addendum One; seconded by Mr. Osborn. After discussion, a vote was taken.

Voting For:	Castillo	Konz			
Voting Against:	Beno	Buescher	Donley	Foley	Gale
	Keene	Osborn	Seaman	Stenberg	
Absent:	Decker				

The motion failed.

Agenda Item 7.a.6 Addendum Seven to the Electronic Government Service Level Agreement between Nebraska Interactive, LLC, the NE State Records Board and the Department of Motor Vehicles – Interlock License Order, Renewal, and Duplicates. Mr. Brent Hoffman, General Manager, Nebraska Interactive, LLC, explained the addendum. Ms. Donley moved to approve Addendum Seven; seconded by Ms. Beno.

Voting For:	Beno	Buescher	Castillo	Donley	Foley
	Gale	Keene	Konz	Osborn	Seaman
	Stenberg				
Voting Against:	None				
Absent:	Decker				

The motion carried.

Agenda Item 7.a.7 Blanket Addenda (Real Estate Tax Payment) to the Electronic Government Service Level Agreements between Nebraska Interactive, LLC, and NE State Records Board. Mr. Brent Hoffman, General Manager, Nebraska Interactive, LLC, explained the addendum template which identifies the price structure to be as follows: 2.49% Nebraska.gov Portal fee for Credit Card payments and \$3.00 for Electronic Check payments. The State Records Board share for each transaction is 10% of the Nebraska.gov Portal Fee. The Chairman will have the authority to sign Real Estate Tax Payment addenda without a board vote. Mr. Buescher moved to approve the Real Estate Tax Payment Addendum template; seconded by Mr. Keene.

Voting For:	Beno Gale Stenberg	Buescher Keene	Castillo Konz	Donley Osborn	Foley Seaman
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Voting Against: None

Absent: Decker

The motion carried.

After the motion carried, Mr. Hoffman explained Polk, York and Sarpy County Treasurers addenda for Real Estate Tax Payments would be revised to reflect the reduction of Nebraska.gov portal fees for credit card transactions from 3.00% to 2.49%.

Agenda Item 7.a.8 Blanket Addenda (Event Registration) to the Electronic Government Service Level Agreements between Nebraska Interactive, LLC, and NE State Records Board. Mr. Brent Hoffman, General Manager, Nebraska Interactive, LLC, explained the addendum template which identifies the price structure to be as follows: 10.00% Nebraska.gov Portal fee for Credit Card payments and 10.00% for Electronic Check payments. The State Records Board share for each transaction is 10% of the Nebraska.gov Portal Fee. The Chairman will have the authority to sign Event Registration Addenda without a board vote. Mr. Buescher moved to approve the Event Registration Addendum template; seconded by Mr. Osborn.

Voting For:	Beno Gale	Buescher Keene	Castillo Osborn	Donley Seaman	Foley
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Voting Against: Konz Stenberg

Absent: Decker

The motion carried.

Chairman Gale declared a recess at 11:00 A.M.

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

Agenda Item 8. ORIENTATION AND POLICIES/GUIDELINES SUBCOMMITTEE (Julie Beno, Chair)

Chairman Gale announced the appointment of Greg Osborn to the Orientation and Policies/Guidelines Subcommittee which includes the Grant Review Committee.

Agenda Item 8.a. Grant Application proposed changes. Ms. Beno introduced Mr. Nathan Watermeier, State GIS Coordinator, Office of the Chief Information Officer, State of Nebraska GIS Council/NITC, representing Brenda Decker, CIO. Mr. Watermeier distributed discussion points to board members regarding the changes in the grant application for GIS projects. The proposed changes were identified in the Grant Application, the GIS Supplemental Questionnaire and a GIS Compliance Checklist to be used in evaluating GIS grant applications was introduced. After discussion, Ms. Beno moved to approve the changes in the grant application; seconded by Mr. Buescher.

Voting For:	Beno Gale Stenberg	Buescher Keene	Castillo Konz	Donley Osborn	Foley Seaman
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Voting Against: None

Absent: Decker

The motion carried.

Agenda Item 8.b. GIS Supplemental Questionnaire proposed changes. Ms. Beno moved to approve the changes in the GIS Supplemental Questionnaire; seconded by Mr. Buescher.

Voting For:	Beno	Buescher	Castillo	Donley	Foley
	Gale	Keene	Konz	Osborn	Seaman
	Stenberg				

Voting Against: None

Absent: Decker

The motion carried.

Agenda Item 8.c. GIS Compliance Checklist - New. Ms. Beno moved to adopt the *Compliance Checklist and Evaluation* form to be used by the Technical Advisory Committee of the NSRB for GIS grant compliance; seconded by Mr. Stenberg.

Voting For:	Beno	Buescher	Castillo	Donley	Foley
	Gale	Keene	Konz	Osborn	Seaman
	Stenberg				

Voting Against: None

Absent: Decker

The motion carried.

Agenda Item 8.d. Resume FY13-14 Grant Program. Ms. Beno moved, at the recommendation of the Grant Review Committee, to open the grant program for FY 2014 with the current \$25,000 maximum per grant and a budget of \$250,000.00 for the program and to direct Ms. Danahy to update the website to show the grant program has resumed and applications are being accepted through Monday, May 6, 2013 with awards to be recommended for Board approval at the July 31, 2013 State Records Board meeting; seconded by Mr. Seaman.

Voting For:	Beno	Buescher	Castillo	Donley	Foley
	Gale	Keene	Konz	Osborn	Seaman
	Stenberg				

Voting Against: None

Absent: Decker

The motion carried.

Agenda Item 9. EXECUTIVE DIRECTOR'S REPORT

Agenda Item 9.a. NSRB Cash Fund Balance Report

Ms. Danahy presented the December 31, 2012 Cash Fund Balance report. Mr. Keene moved to approve the Cash Fund Balance Report; seconded by Ms. Donley.

Voting For:	Beno	Buescher	Castillo	Donley	Foley
	Gale	Keene	Konz	Osborn	Seaman
	Stenberg				

Voting Against: None

Absent: Decker

The motion carried.

Agenda Item 9.b. NSRB Grant Status Report

Ms. Danahy presented the December 31, 2012 State/Local Grant Project Status Report.

Agenda Item 9.c. 2011 Final Grant Reports

Ms. Danahy presented the final grant reports received for the Pierce County Assessor, Cass County Assessor, Cheyenne County Assessor, and the Thayer County Assessor.

Agenda Item 10. NEBRASKA.GOV REPORTS

Agenda Item 10.a. Disaster Recovery Upgrade – (Progress update)

Mr. Hoffman gave an update on NIC’s progress toward improving technologies and processes of their Disaster Recovery program. Mr. Hoffman reported Mr. Jeff Shaw, NIC Vice President of Technology, will address the Board at the May 1, 2013 Board meeting providing updates and future plans for the Disaster Recovery program.

Agenda Item 10.b. Report on the cause for delayed payment transactions on September 30, 2012

Mr. Stenberg explained on September 30, 2012, for a period of 15-30 minutes, credit card transactions were processing but not being reported to the accounting system which created some balancing problems. Mr. Hoffman explained database scripts were being updated at the same time transactions were being processed which caused an out of sync error. It resulted in 65 items being put into a deposit file to the bank. Thirteen of those records involved state transactions. The resolution is any time NIC is doing a database deploy or change as part of a release for service, they are taking that system off-line while the change is rolled out. The new procedure has been implemented since September 30, 2012 and an incident has not occurred since.

Agenda item 10.c. New VISA Transparency Rule – Discussion

Mr. Stenberg explained as a result of a lawsuit involving Visa, Visa has changed some of their rules. He used the Sarpy County Property tax application as an example where you could not show the cost of the transaction, only the total cost. Visa’s new rule (explained briefly in a December 19, 2012 letter to Mr. Stenberg from Mark Sullivan, Client Relationship Executive, TSYS Merchant Solutions) states “The Visa sale and the Visa variable service fee must be submitted as two separate transactions; Clearly disclose the variable service fee to the consumer prior to the sale and allow the consumer to cancel the transaction before processing the sale and service fee”. Mr. Stenberg said the new rules will require the payment websites on Nebraska.gov to be changed to show the transaction fee and allow the consumer to cancel the transaction. Mr. Stenberg requested this item be added to future agendas since this will be an ongoing issue as Visa is still finalizing their rules.

Mr. Hoffman said NIC is very aware of these changes and recently had an industry teleconference with Visa. At this point in time, they believe today that the Visa rules do not have a positive or negative impact on Nebraska.gov. He understands the final Visa operating procedures are currently not published

but will be in early 2013. They do anticipate new rules coming out and he and Treasurer Stenberg have agreed to work together to determine the impact.

Chairman Gale said the board will leave the issue to Mr. Stenberg and Mr. Hoffman to bring final resolutions and proposals to the Board as they follow this issue outside of board meetings.

Carlos Castillo left the meeting at 12:03 P.M.

Carlos Castillo returned to the meeting at 12:05 P.M.

Agenda Item 10.d. General Manager's Report

Mr. Brent Hoffman, General Manager, Nebraska.gov presented the 4th Quarter 2012 General Manager's Report.

Agenda Item 10.c. Project Priority Report

Mr. Hoffman gave the Project Priority Report. Ms. Donley moved to approve the Project Priority Report; seconded by Mr. Osborn.

Voting For:	Beno Gale Stenberg	Buescher Keene	Castillo Konz	Donley Osborn	Foley Seaman
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Voting Against: None

Absent: Decker

The motion carried.

Brian Buescher left the meeting at 12:18 P.M.

Brian Buescher returned to the meeting at 12:19 P.M.

Agenda item 10.d. 2013 Business Plan

Mr. Hoffman presented the 2013 Business Plan. Mr. Konz moved to approve the 2013 Business Plan; seconded by Ms. Beno.

Voting For:	Beno Gale Stenberg	Buescher Keene	Castillo Konz	Donley Osborn	Foley Seaman
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Voting Against: None

Absent: Decker

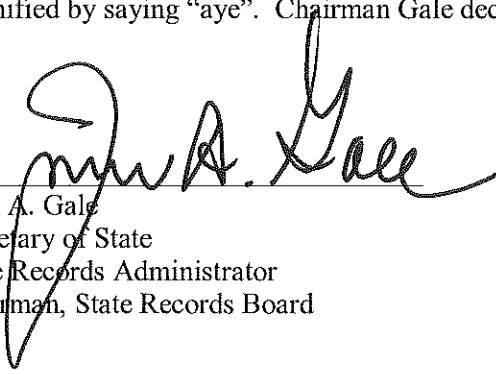
The motion carried.

Agenda Item 11. DATE FOR NEXT MEETING

Chairman Gale announced the next NE State Records Board meeting will be held on Wednesday, May 1, 2013 at 9:00 A.M. in Room 1507, State Capitol Building, Lincoln, Nebraska.

Agenda Item 12. ADJOURNMENT

Mr. Stenberg moved to adjourn the meeting; seconded by Ms. Donley. All members present signified by saying "aye". Chairman Gale declared the meeting adjourned at 12:25 P.M.



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

May 1, 2013
Date