



NEBRASKA STATE RECORDS BOARD

MINUTES

Meeting of November 6, 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 9:00 A.M. on November 6, 2013, 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;
Michael D. Foley, Auditor of Public Accounts;
Don Stenberg, State Treasurer;
Scott Keene, representing the Insurance Industry;
Gerry Oligmueller, Acting Director of Administrative Services;
Julie A. Beno, representing Libraries;
Brian Buescher, representing the Legal Profession;
Greg Osborn, representing the General Public

Absent:

Leslie S. Donley, representing the Attorney General;
Mike Konz, representing the Media;
Brenda L. Decker, representing the Governor;
Ryne D. Seaman, representing the Banking Industry

Staff in attendance:

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

Ms. Donley arrived at 9:03 a.m.

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 October 4, 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

Mr. Osborn moved to adopt the agenda as presented; seconded by Mr. Foley.

Voting For:	Beno Oligmueller	Buescher Stenberg	Foley	Gale	Keene
Voting Against:	None				
Not voting:	Donley	Osborn			
Absent:	Decker	Konz	Seaman		

The motion carried.

Agenda Item 5. APPROVAL OF MINUTES

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

Mr. Stenberg suggested an addition to page 3, **agenda item 9.a. Harry Herington, CEO & Chairman of the Board, NIC, Inc.** to include Mr. Herington's commitment to ultimately switching to the state's credit card processor with 2 conditions; 1. Resolving security issues and 2. Resolving double billing by VISA. After discussion, Mr. Buescher moved to amend the motion to approve the minutes by adding the following statement to page 3, **agenda item 9.a. Harry Herington, CEO & Chairman of the Board, NIC, Inc.** to be inserted after paragraph one: "Mr. Herington committed to investigating switching to the state credit card system upon the conditions stated in the record of the meeting"; seconded by Mr. Stenberg.

Following are the results of the motion to approve the minutes:

Voting For:	Beno Keene	Buescher Oligmueller	Donley Stenberg	Foley	Gale
Voting Against:	None				
Not voting:	Osborn				
Absent:	Decker	Konz	Seaman		

The motion carried.

Following are the results of the motion to approve the minutes as amended:

Voting For:	Beno Keene	Buescher Oligmueller	Donley Stenberg	Foley	Gale
Voting Against:	None				
Not voting:	Osborn				
Absent:	Decker	Konz	Seaman		

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.

Mr. Konz arrived at 9:15 a.m.

Agenda Item 7. CHAIRMAN’S REPORT

Agenda Item 7.a. Agreements & Addenda

Brent Hoffman, General Manager, Nebraska Interactive, LLC introduced the following addenda:

Agenda Item 7.a.1. Electronic Government Service Level Agreements between Nebraska Interactive, LLC, the NE State Records Board and Banner County, Health and Human Services, Rock County. Signed by Chairman Gale pursuant to Board authority.

Agenda Item 7.a.2. Addenda (PayPort) to the Electronic Government Service Level Agreements between Nebraska Interactive, LLC, the NE State Records Board and, Banner County (Addendum 1), Rock County (Addendum 1), York County (Addendum 2). Signed by Chairman Gale pursuant to Board authority.

Agenda Item 7.a.3 Addendum Nine (Event Registration) to the Electronic Government Service Level Agreement between the Department of Health & Human Services, Nebraska Interactive, LLC, and the NE State Records Board. Signed by Chairman Gale pursuant to Board authority.

Ms. Decker arrived at 9:35 a.m.

Agenda Item 7.a.4. Web/Online PayPort for State Agencies. Blanket Addenda to the Electronic Government Service Level Agreement between Nebraska Interactive, LLC, and the NE State Records Board. Mr. Hobert Rupe, Executive Director, NE Liquor Control Commission, testified in support of Web/Online PayPort for State Agencies. Ms. Beno moved to allow the chairman of the State Records Board, during the time period between Board meetings, to sign addenda with state government agencies for the use of “PayPort for Web/Online Only” programs at \$1.75 per electronic check and 2.49% for credit card transactions, with the Board receiving 10% of Nebraska Interactive’s portal fee for such services. Further, such signed addenda shall be reported to the Board at its next scheduled meeting for the Board’s review; seconded by Mr. Buescher.

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

Voting Against: None

Absent: Seaman

The motion carried.

Agenda Item 7.a.5 Addendum Seven to the Electronic Government Service Level Agreement between the NE Department of Agriculture, Nebraska Interactive, LLC, and the NE State Records Board – Online Licensing Services Suite. Mr. Buescher moved to approve Addendum Seven; seconded by Ms. Donley.

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

Voting Against: None

Absent: Seaman

The motion carried.

Agenda Item 7.a.6. Addendum Six to the Electronic Government Service Level Agreement between Sarpy County, Nebraska Interactive, LLC, and the NE State Records Board – **NebPay for Sarpy County STOP Program.** Mr. Osborn moved to approve Addendum Six; seconded by Mr. Keene.

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

Voting Against: None

Absent: Seaman

The motion carried.

Agenda Item 7.a.7. Addendum Seven to the Electronic Government Service Level Agreement between the NE State Electrical Division, Nebraska Interactive, LLC, and the NE State Records Board - **Electrician Exam Application.** Mr. Konz moved to approve Addendum Seven; seconded by Ms. Beno.

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

Voting Against: None

Absent: Seaman

The motion carried.

Chairman Gale declared a recess at 10:30 a.m.

Chairman Gale reconvened the meeting at 10:45 a.m.

Mr. Seaman arrived at 10:45 a.m.

Mr. Hoffman and Ms. Rhonda Lahm, Director, NE Department of Motor Vehicle introduced and explained the following addenda:

Agenda Item 7.a.8. Addendum One to the Electronic Government Service Level Agreement between the NE Department of Motor Vehicles, Nebraska Interactive, LLC, and the NE State Records Board - **Specialty License Plate Application.** Mr. Konz moved to approve Addendum One; seconded by Mr. Osborn.

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

Voting Against: None

The motion carried.

Agenda Item 7.a.9. Addendum Eight to the Electronic Government Service Level Agreement between the NE Department of Motor Vehicles, Nebraska Interactive, LLC, and the NE State Records Board - **Single Trip Fuel and Proration Permits**. Ms. Beno moved to approve Addendum Eight; seconded by Ms. Donley.

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

Voting Against: None

The motion carried.

Agenda Item 7.a.10. Addendum Nine to the Electronic Government Service Level Agreement between the NE Department of Motor Vehicles, Nebraska Interactive, LLC, and the NE State Records Board - **International Fuel Tax Agreement Services**. Mr. Oligmueller moved to approve Addendum Nine, seconded by Mr. Keene.

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

Voting Against: None

The motion carried.

Agenda Item 7.a.11. Addendum One to the Electronic Government Service Level Agreement between the NE Department of Motor Vehicles, Nebraska Interactive, LLC, and the NE State Records Board - **Motor Vehicle Registration Payment Application**. Ms. Donley moved to approve Addendum One; seconded by Ms. Beno.

Voting For:	Beno	Decker	Donley	Gale	Keene
	Konz	Oligmueller	Osborn	Seaman	Stenberg

Voting Against: Buescher Foley

The motion carried.

Agenda Item 7.b. BRIEFING ON POSSIBLE LEGISLATIVE CHANGES/RECORDS BOARD RESTRUCTURING

Ms. Decker addressed the Board in regards to an ongoing conversation regarding the consideration of the OCIO providing oversight of the portal management. After discussion, Chairman Gale sought Board consensus to move forward with considering the OCIO oversight concept by the Board hiring the OCIO to provide operational oversight of the portal on a temporary basis. If the concept is adopted, legislation would be drafted in late 2014 for introduction in the 2015 legislative session. An additional concept was to hire the OCIO staff to write the new RFP for a portal manager. After discussion, it was decided two separate contracts will be drafted; one will contain language regarding the portal operation management by the OCIO and the other will be a contract hiring the OCIO to write the next RFP to hire a portal manager. A January, 2014 board meeting may be scheduled to review these initial drafts.

Mr. Foley left the meeting at 12:14 p.m.
Mr. Foley returned to the meeting at 12:18 p.m.

Agenda Item 8. PRICEWATERHOUSECOOPERS ANNUAL AUDIT OF NEBRASKA INTERACTIVE, LLC DECEMBER 31, 2012 AND 2011.

Chairman Gale asked the Finances Review Subcommittee, chaired by Auditor Mike Foley, to review the audit and report back to the Board at the November 6, 2013 board meeting. Mr. Foley reported the process is not yet complete and suggested the Subcommittee report at the next board meeting in February, 2014. Mr. Foley moved to defer action on Agenda Item 8. to the next regular meeting of the board; seconded by Mr. Oligmueller.

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

Voting Against: None

The motion carried.

Agenda Item 9. EXECUTIVE DIRECTOR’S REPORT

Agenda Item 9.a. NSRB Cash Fund Balance Report

Ms. Danahy presented September, 2013 Cash Fund Balance report. Mr. Keene questioned the Prior Year September, 2012 Grant Encumbrances amount (\$22,338.70). Ms. Danahy said she would investigate this issue with Suzie Hinzman, Secretary of State’s Finance Officer, and report back to the board. Mr. Keene moved to defer the approval of the Cash Fund Balance to the next regular meeting of the board; seconded by Mr. Foley.

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

Voting Against: None

The motion carried.

Agenda Item 9.b. NSRB Grant Status Report

Ms. Danahy presented September, 2013 State/Local Grant Project Status Report. Ms. Danahy reported Johnson County has decided to decline the grant funds awarded to them in July, 2013 (\$4,900) because they felt they could not afford the ongoing maintenance fee once the project was completed.

Agenda Item 9.c. Final Grant Reports

Ms. Danahy presented the following final grant reports: The City of Alliance and Garden County.

Agenda Item 10. NEBRASKA.GOV REPORTS

Agenda item 10.a. New VISA Transparency Rule – Update

No report was given.

Agenda Item 10.b. General Manager's Report

Mr. Brent Hoffman, General Manager, Nebraska.gov presented the 3rd Quarter 2013 General Manager's Report.

Agenda Item 10.c. Project Priority Report

Mr. Hoffman presented the Project Priority Report. Mr. Keene moved to approve the Project Priority Report; seconded by Mr. Buescher.

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

Voting Against: None

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, February 5, 2014 at 9:00 A.M. at the NE State Education Association, 605 South 14th Street, 4th Floor Board Room, Lincoln, NE.

Agenda Item 12. ADJOURNMENT

Mr. Keene moved to adjourn the meeting. All members present signified 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

Date