



NEBRASKA STATE RECORDS BOARD

MINUTES

Meeting of February 10, 2010

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 February 10, 2010, in the Lower Level Conference Room, Executive Building, 501 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;
Brenda L. Decker, representing the Governor;
Michael D. Foley, Auditor of Public Accounts;
Trent Fellers, representing the State Treasurer;
John P. Curry, representing the Insurance Industry;
Thomas D. Freimuth, representing the Legal Profession;
Julie A. Beno, representing Libraries;
Timothy L. Loewenstein, Representing the General Public

Leslie S. Donley, appearing later, representing the Attorney General;
Carlos Castillo, Jr., appearing later, Director of Administrative Services;
Ryne D. Seaman, appearing later, representing the Banking Industry;

Absent:

Michael P. Edgecombe, representing the Media

Staff in attendance:

Cathy Danahy, Executive Director;
Kacey Nelkin-Pedersen, Recording Clerk;
Ron Moravec, Legal Counsel

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 are located in the back of the meeting room. Also, a copy of the Nebraska Open Meetings Act is posted in the back of the meeting room.

Agenda Item 3. NOTICE OF HEARING

Chairman Gale announced public notice of the meeting was given by posting notice in the Lincoln Journal Star newspaper on January 8, 2010 and on 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.

Agenda Item 4. ADOPTION OF AGENDA

A current copy of the agenda has been kept in the Secretary of State's office, located in the State Capitol Building. Mr. Loewenstein moved to adopt the agenda as presented; motion seconded by Ms. Beno.

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

The motion carried.

Mr. Seaman and Mr. Castillo arrived at the meeting at 9:05 A.M.

Agenda Item 5. APPROVAL OF MINUTES

Ms. Decker moved to approve the December 2, 2009 meeting minutes as presented; motion seconded by Mr. Fellers.

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

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. Addenda & Agreements**

Ms. Donley arrived at the meeting at 9:15 A.M.

Agenda Item 7.a.1. Addendum Seven to the Interagency Agreement between the Department of Health and Human Services, Division of Public Health and the Nebraska State Records Board. Mr. Freimuth motioned to approve the addendum; seconded by Ms. Beno.

Voting For:	Beno Fellers	Castillo Freimuth	Curry Gale	Decker Loewenstein	Donley Seaman
Voting Against:	Foley				
Absent:	Edgecombe				

The motion carried.

Agenda Item 7.a.2. Addendum Three to the Interagency Agreement between the Nebraska Department of Agriculture and the Nebraska State Records Board. Mr. Loewenstein moved to approve the addendum; seconded by Ms. Donley.

Voting For:	Beno Fellers	Castillo Freimuth	Curry Gale	Decker Loewenstein	Donley Seaman
Voting Against:	Foley				
Absent:	Edgecombe				

The motion carried.

Agenda Item 7.a.3. Addendum Two to the Interagency Agreement between the Nebraska State Electrical Division and the Nebraska State Records Board. Mr. Loewenstein moved to approve the addendum; seconded by Ms. Beno.

Voting For:	Beno Fellers	Castillo Freimuth	Curry Gale	Decker Loewenstein	Donley Seaman
Voting Against:	Foley				
Absent:	Edgecombe				

The motion carried.

Agenda Item 7.b. Board member visit for verification of Active/Active Datacenters for Nebraska.gov disaster recovery system capable of instant recovery of services.

Ms. Danahy explained 3 options to the Board to verify the operation of active/active datacenters. Mr. Loewenstein explained how verification would work with a visit to Ashburn, VA. Mr. Freimuth moved that the Nebraska State Records Board approve expenditures, not to exceed \$250.00, for the purpose of Board Member Timothy Loewenstein visiting, inspecting and consulting with members of NICUSA at its Ashburn, Virginia facility to determine compliance by Nebraska Interactive, LLCs Nebraska.gov portal management contract disaster recovery plan; seconded by Mr. Seaman.

Voting For:	Beno Fellers	Castillo Foley	Curry Freimuth	Decker Gale	Donley Seaman
Not Voting:	Loewenstein				
Voting Against:	None				
Absent:	Edgecombe				

The motion carried.

Agenda Item 8. FINANCES REVIEW SUBCOMMITTEE

Mr. Foley, Subcommittee Chair, gave the Finances Review Subcommittee Report. He reported the Subcommittee (Mr. Foley, Mr. Seaman and Mr. Curry) met with Mr. Hoffman and a person from the NICUSA headquarters in Kansas. Mr. Foley reported that the general and administrative expenses imposed on Nebraska Interactive by its parent corporation, NICUSA, have increased by 89% the past two years and that NICUSA made a \$367,000 cash transfer from Nebraska Interactive to NICUSA during the most recent fiscal year.

Agenda Item 9. COUNSEL'S REPORT**Agenda Item 9.a. Approve Escrow Agreement for Network Manager Contract**

Mr. Moravec explained the Escrow Agreement between the Nebraska State Records Board, Nebraska Interactive, LLC and Iron Mountain Intellectual Property Management, Inc. Mr. Curry moved that the Nebraska State Records Board approve and adopt the three-party Escrow Agreement between Nebraska Interactive, LLC, Nebraska State Records Board, and Iron Mountain Intellectual Property Management, Inc. which includes the authorization of the Chair to sign on behalf of the Board; seconded by Ms. Decker.

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

The motion carried.

Agenda Item 9.b. Source Code**Agenda Item 9.b.1. Report Receipt**

Mr. Moravec reported the Source Code was received by Ms. Danahy on February 1, 2010.

Agenda Item 9.b.2. Approve the adoption of the Policy on Release, Inspection or Use of Network Software and Source Code; request for Software Release Application; and Non-Disclosure Agreement.

Mr. Moravec explained the three draft documents for Board consideration. Board members engaged in a general discussion of release of network software and source code policy, taking no formal policy adoption action.

Agenda Item 9.b.3 Approve release of software to Ms. Brenda Decker, OCIO

Mr. Loewenstein moved to authorize the CIO (Chief Information Officer) as a member of the State Records Board to gain release of the CDs for her review on behalf of the State Records Board with regard to the content and requiring any and all documentation of confidentiality as a standard procedure followed by the CIO's Office and that until the adoption of a policy by the Board, no other requests for examination of these items shall be considered; seconded by Ms. Donley.

Voting For:	Beno Foley	Castillo Freimuth	Curry Gale	Donley Loewenstein	Fellers Seaman
Not Voting:	Decker				
Voting Against:	None				
Absent:	Edgecombe				

The motion carried.

Agenda Item 9.c. Master Contract Insurance/Bond Certificates

Mr. Moravec reported the new network manager contract went into effect on February 1, 2010. He also reported all the required insurance certificates and performance bond have been signed by the appropriate parties and submitted to the NE Department of Administrative Services.

Chairman Gale declared a recess at 10:40 A.M.

Chairman Gale reconvened the meeting at 10:55 A.M.

Agenda Item 10. EXECUTIVE DIRECTOR’S REPORT

Agenda Item 10. a. Thomas County Grant Update

Ms. Danahy reported the receipt of the Thomas County grant project completion report.

Agenda Item 10. b. State/Local Grant Status Report

Ms. Danahy presented the grant status report for the 2nd quarter of FY10.

Agenda Item 10. c. NSRB - Cash Fund Balance

Ms. Danahy presented the cash fund balance report for the 2nd quarter of FY10. Chairman Gale and Mr. Curry requested a comparison of the same period in the previous year be included in future Cash Fund Balance Reports. Ms. Danahy said this would be provided at future meetings. Mr. Loewenstein moved to accept the Cash Fund Balance Report; seconded by Mr. Fellers.

Voting For:	Beno	Castillo	Curry	Decker	Donley
	Fellers	Foley	Freimuth	Gale	
	Loewenstein	Seaman			

Voting Against: None

Absent: Edgecombe

The motion carried.

Agenda Item 10. d. Reinvested Revenue Report

Ms. Danahy presented the reinvested Revenue Report. She said this report will be deleted in quarterly reports since all funds for this program have been expended and the program itself concluded.

Agenda Item 11. NEBRASKA.GOV REPORTS

Agenda Item 11. a. General Manager's Report

Mr. Brent Hoffman, General Manager, Nebraska.gov gave the General Manager’s Report.

Agenda Item 11. b. Project Priority Report

Mr. Hoffman gave the Project Priority Report. Ms. Beno moved to approve the Project Priority Report; seconded by Mr. Freimuth.

Voting For:	Beno	Castillo	Curry	Decker	Donley
	Fellers	Foley	Freimuth	Gale	
	Loewenstein	Seaman			

Voting Against: None
Absent: Edgecombe

The motion carried.

Mr. Seaman left the meeting at 12:10 P.M.

Agenda Item 11. c. 2010 Business Plan

Mr. Hoffman presented the 2010 Business Plan. Mr. Curry requested Mr. Hoffman put some projection numbers on the Goals in the Business Plan for the end of the year (2010) so the Board can keep tabs on the revenue in order to help manage the business of Nebraska Interactive. Mr. Curry moved to approve the 2010 Business Plan; seconded by Mr. Freimuth.

Voting For: Beno Castillo Curry Decker Donley
Fellers Foley Freimuth Gale
Loewenstein

Voting Against: None

Absent: Edgecombe Seaman

The motion carried.

Agenda Item 11.d. State of the Portal

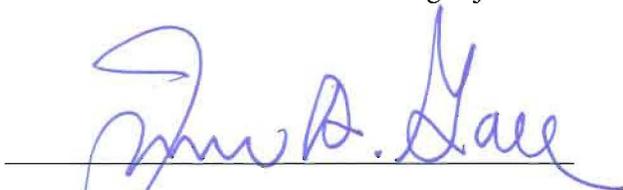
The State of the Portal was tabled until the next NE State Records Board meeting.

Agenda Item 12. DATE FOR NEXT MEETING

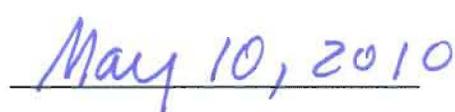
Chairman Gale announced the next NE State Records Board meeting will be held on Wednesday, May 5, 2010 at 9:00 A.M in Room 1507, State Capitol, Lincoln, Nebraska.

Agenda Item 13. ADJOURNMENT

Mr. Loewenstein moved to adjourn the meeting. All members present signified by saying "aye". Chairman Gale declared the meeting adjourned at 12:30 P.M.



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



Date