

Utilities Section Newsletter

League of Nebraska Municipalities

April 2018

Legislature affects municipal utility, public works departments

*By Lash Chaffin, Utilities
Section Director, LNM*

On April 18, the Nebraska Legislature adjourned sine die after completion of a 60-day session, which was the second session of the 105th Legislature.

Legislation enacted in 2018 becomes effective three calendar months after the end of the legislative session, unless the bill has an emergency clause or a different operative date. Unless otherwise noted, bills enacted in the 2018 legislative session take effect July 19, 2018.

For eight Senators, it was their last regular session. Six lawmakers are leaving the Legislature because of term limits, which limits a State Senator's service to two consecutive terms. The six include: Sen. Lydia Brasch of Bancroft; Sen. Burke Harr and Sen. Bob Krist of Omaha; Sen. Tyson Larson of O'Neill; Sen. Paul Schumacher of Columbus; and, Sen. Jim Smith of Papillion. Two Senators – Lincoln Sen. Roy Baker and Heartwell Sen. John Kuehn - have decided not to seek reelection to a second term. It is possible that the Legislature will lose two more lawmakers because Sen. Dan Watermeier of Syracuse is seeking a seat on the Public Service Commission and Sen. John Murante of Gretna is running for State Treasurer.

Some of the bills that might af-

fect your utility and public works operations are outlined below.

LB 993 is the first by-product of a Next Generation 911 Master Plan, recently conducted by the Nebraska Public Service Commission. LB 993 begins the process of amending the 911 Service System Act in order to move Nebraska forward in its implementation, coordination, operation, management, funding and modernization of an Emergency 911 service system. A Service System Advisory Committee will be created with statewide membership that will advise the Nebraska Public Service Commission in carrying out its E-911 responsibilities. Those responsibilities include establishing a mechanism to distribute funds to local governing bodies, for public answering safety points and for third-party service or infrastructure providers. This committee will have several municipal representatives.

LB 994 is designed to advance the discussion of enhanced broadband telecommunications service to unserved and under served areas in rural Nebraska. The bill will create a Rural Broadband Study Task Force. LB 994 also will require a change in contributions methodology to the Nebraska Uni-

2018 LEGISLATIVE SESSION



versal Service Fund. It will allow the Public Service Commission to consider a reverse auction program if current providers are not providing appropriate service to customers. LB 994 also will allow the Public Service Commission to maintain a registry of locations where there was a lack of coverage for wireless communications for use in determining where to award grants for the building of wireless towers.

LB 1009 authorizes the Nebraska Department of Transportation (NDOT) to use a streamlined approach to increasing speed limits on highways, freeways and expressways allowing for more consistent traveling speeds statewide. With passage, NDOT will use engineering and driver expectation research to bring uniformity to the system. Speeds on four-lane divided highways and designated stretches of two-lane highways will be approved up to 65 mph, while the maximum speed limit on four-lane expressways and potential future super-2 highways is authorized to increase to 70 mph.

LB 940 changes the Civic and Community Center Financing

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UTILITIES SECTION

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Lash Chaffin
Utilities Section Director
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Legislature affects municipal utility, public works departments

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(CCCF) Act in several ways. The changes include clarifying that any property that receives grants under the CCCF Act must be owned by the municipality and any property that receives these funds cannot be sold by the municipality for five years. LB 940 expands what properties are eligible for these funds to include historic districts. Historic buildings are already eligible, but some municipalities have designated entire historic districts within their communities and this bill will make those properties eligible for grant funds.

Several other important changes include that a municipality will be eligible for another grant under the CCCF Act within two years of receiving the last grant, as opposed to five years currently

allowed. Also, the amount of funds eligible to be requested by municipalities has been increased by 50 percent. Finally, the bill requires the Department of Economic Development to give priority to municipalities who have not received grant funds within the last 10 years. LB 940 was adopted with the emergency clause and was effective immediately upon passage.

Regrettably, **LB 854**, a bill that would help municipalities with vacant and abandoned properties through the broadening of a land bank program currently used in Omaha was adopted by the Legislature as a part of LB 873, but was vetoed by the Governor so this measure will not become law.

Also, the Legislature rejected **LB 389**, a bill that would have severely restricted the ability of a

municipality to regulate the placement of small cell technology.

While supportive of bringing small cell technology to Nebraska to enhance cell phone signal strength in urbanized areas, the League and others opposed LB 389 because the bill stripped away the ability of municipalities to provide basic regulation of location and appearance of small cell nodes, took away the ability of a government to obtain fair market value for the use of public right-of-way and created an unfair competitive advantage to other emerging technologies that might bring enhanced broadband and signal services to Nebraska.

The first session of the 106th Legislature is scheduled to convene Jan. 9, 2019. It will be a 90-day session, which means it will end in late May or early June.

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Construction zones: A collection of orange cones!

Norfolk is busy with several construction sites around town, including a new hospital facility, a multi-level office building, a YMCA addition with parking and extensions to the public library with new curbing and parking lot. The grand opening for the

library is scheduled for May 29, 2018.

David City has a major street and curbing project around the courthouse on the main city square in the business district. The **Papillion** Landing will be located at 96th and Lincoln Streets with the

projected cost at about \$48 million.

Community and Recreation Center Bonds: **Papillion** has approved a \$36 million bond issue for a community and recreation center. This bond issue joins two previous bond issues totaling \$25 million. All together, \$61 million will be bonded for the facility. The city also will receive a \$750,000 matching

grant from the Nebraska Department of Economic Development.

Park Solar Panels: The first installation of solar panels in an **Omaha** city park will be at Clarkson Park. Solar panels in a small park can be a practical option to provide electricity. The estimated cost is \$3,000 for the panels, with the majority paid for by a \$2,500 Mayor's grant.

Nebraska Breaktime Trivia "Just For Fun"

- Q-1.** What city in Nebraska celebrates an Apple Jack Festival and is known as "The Home of Arbor Day?"
- Q-2.** What city in Nebraska was once called the Golden Gate City?
- Q-3.** What city was Nebraska's first "Tree City USA?"



- Q-4.** Where in Nebraska this statue is located?

Answers on page 10.

Reminder: CDL license changes

New testing rules went into effect Jan. 1, 2018, and by April, the electronic logging device was in use.

The Department of Transportation (DOT) requires laboratory testing (49 CFR Part 40 Subpart F) for the following five classes of drugs: marijuana, cocaine, opiates-opium and codeine derivatives amphetamines and methamphetamines and phencyclidine (PCP). DOT drug and alcohol tests include: 1) pre-employment, 2) post-accident, 3) random, 4) reasonable suspicion,

5) return to duty and 6) follow-up.

Be sure to check on how or if these changes affect your CDL drivers. Your HHS-certified laboratory should be able to give guidance on the testing changes. The Federal Motor Carriers Safety Administration has information on emergency declarations, waivers, exemptions and permits.

More information can also be found at the following websites: <https://www.transportation.gov/sites/dot.gov> and <https://www.fmcsa.dot.gov>.

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Utilities Assistant. The Village of Elwood is accepting applications for a full-time Utilities Assistant. Duties include assisting with maintenance of streets, operation of sewer and water systems, park and swimming pool. Drug testing and a valid Nebraska driver's license are required. Salary is negotiable. A benefit package is offered with the position. Applications may be picked up at 304 Calvert Avenue, Elwood, NE 68937 or call 308-785-2480 for more information. E-mail requests for applications to villwood@atcjet.net. Please include a resume with your application. Applications will be accepted until the position is filled. The Village of Elwood is an Equal Opportunity Employer.

Water Operator Class I. The City of Tekamah is accepting applications for Water Operator Class I. State certification Grade IV and Sewer Grade I must be obtained with six months of hire. Pay rate \$16-\$21/hour depending on experience and qualifications. Drug test required. Applicants must be at least 18 years old and hold a valid Nebraska driver's license. Application and job description may be requested at:

City Office, 1315 K Street, Tekamah, NE 68061 or tekwater2@tekamah.net. Applications will be accepted until position is filled. Equal opportunity employer.

Assistant Utility Superintendent. The City of Ord is seeking applications for a full-time Assistant Utility Superintendent. Under direction, the successful applicant will perform a variety of supervisory, administrative, skilled, technical and maintenance work in the planning, construction, operation, repair and maintenance of the City's electrical system, light plant, water and wastewater systems, and streets. State certification is preferred for the operation of the drinking water and wastewater systems and must be obtained within a timeframe set by the City Council. Drug testing and a valid Nebraska driver's license are required. This person must be able to work in extreme weather conditions and be on call after hours for emergencies. This person will be required to work with other city departments when needed. This individual must have a minimum of 5 years experience in utility services. The City of Ord offers an excellent benefit pack-



age. Application may be obtained at the Ord City Office, 201 S 17th Street, Ord, NE 68862 or by calling 308-728-5791. Applications are due in the City Office by 5 p.m. June 15, 2018. EOE.

Utilities Section members only

Do you have equipment to sell or a position to fill? Place your ad in the Classifieds section of the *Utilities Section Newsletter* free. This service is a membership benefit.

Contact Brenda Henning at the League office at 402-476-2829, fax to 402-476-7052 or email your ad to brendah@lonm.org.



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Nebraska utilities history

The Utilities Section Newsletter will continue to feature histories of both utilities and associate members. Any historical data and/or photos of your utilities, a specific facility, or articles already written are welcome, along with permission to print. If you have questions, contact Rob at 402-476-2829 or robp@lonm.org.

*By Rob Pierce, LNM Field Rep./
Training Coordinator*

Gurley, located in Cheyenne County, had settlers in the area by 1884, but it wasn't until the Burlington Railroad was completed to the area that a town site was founded Oct. 18, 1913. The site was named after Fred R. Gurley, a railroad superintendent, on land given by the Rihn, Ruhter and Nelson families. In 1914, the railroad moved its section house from Marlo to where Highway 19 now crosses Rush Creek. Soon after, the railroad station erected an elevated water tank for the steam locomotives. In 1914, a post office was established and a grain elevator and lumber business were soon in operation. By 1915, a pool hall, hotel, church, brick bank building and grocery store were built. The Gurley railroad depot station opened with three bunk cars, which served as a station building. One was the office, one was for freight and one was for living quarters for the agent and his family. The first agent

was George Wallen. By 1915, the Babb Cemetery (Union Valley Cemetery) was located southwest of Gurley and the first school was built in 1916. Forty acres of land were deeded, known as the Rihn Addition. In 1917, the population was 75 and the Gurley State Bank, a Lutheran Church, a Hotel, saloon, garage, blacksmith, grain elevator and general stores were in operation. On May 1, 1917, with a population of 200, Gurley was incorporated as a village. A fire department was organized, which consisted of a hose cart with 500 feet of water hose. By 1919, the Farmers State Bank was established, a depot and a flour mill were built and two grain elevators were operating.

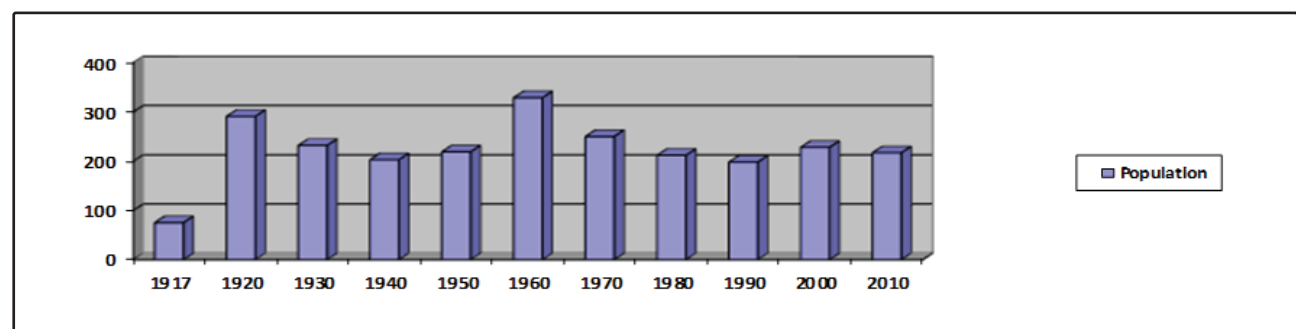
The population by 1920 was 291, telephone service was installed and electric service was supplied by the Intermountain Railway Light & Power Company. An 890-pound fire alert bell was added in 1920 to the firehouse. In 1921, a fire destroyed many businesses, including a general store, a garage and a pharmacy.



Gurley Water Tower. 2010 Photo.

The first fire hydrant was installed on the west side of the railroad tracks. In 1925, the municipal water system was operating with water rates of \$0.25-\$0.50 per 1,000 gallons and a minimum of \$2 per month. In 1922, the electric supplier changed names from the Intermountain Railway Light & Power Company to the Western Public Service Company. Electric rates were \$0.14-\$0.20 per kilowatt (kW). In 1925, a new school

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Nebraska utilities history

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was built and in 1928, a car was donated to the fire department, which was converted to carry water and equipment.

By 1930, the population was 232 and in 1934, Gurley became a member of the League of Nebraska Municipalities. In 1935, the last "Gurley Days" festival was held. (It was only held a few years). The Egging Company was formed in the 1930s and by April 1937, an electric siren was installed by the fire department. By 1940, the population decreased to 203 and an auditorium was built at the school. That year, the Gurley Telephone Company was formed and took over telephone service. In 1941, a fire destroyed the grain elevator and on Jan. 2, 1942, the Consumers Public Power District acquired all Nebraska properties of Western Public Service Company. On May 26, 1944, the electrical system was purchased from Consumers Public Power District. The electrical system was owned, operated and supplied wholesale power by the Wheat Belt Public Power District. In 1948, the American Legion and

the Salem Lutheran Church were built. In 1949, oil was discovered five miles southeast of town and the population was 219 in 1950. In 1952-53, a new brick school was built on the east side of town. In 1954, an elevated water storage tower was erected in the park on the west side of town. In 1957, a manufacturing plant was operating and in 1958, a new post office building was built. Garbage service was provided by the village and natural gas service was owned and provided by North Central Gas Company of Sidney. The water plant and the 105 meters in service were owned by the village with a meter deposit of \$5 and rates at \$2 per 2,000 gallons.

By 1960, the population increased to 329 and the fire department consisted of 21 volunteers. From 1960-62, the municipal water system had 100 meters in service with rates of \$2 per 2,000 gallons. In 1961, a sewer system project began and in November 1962, bonds were let for about \$3,000. In the 1960s, the former Lutheran Church became a community hall and the fire department had 31 volunteer firefighters

by 1962.

The population decreased to 250 by 1970 and in 1973, a new pump house was built. In 1977, the café was going to close so many town members bought shares in the café (Village Inn) to keep it open. In 1978, the merger of Dalton and Gurley formed the Leyton School. The 1950s school building in Gurley was used for K-8th grades and the 9-12th grades attended school in Dalton.

By 1982, the population decreased again to 212 and the fire department had 35 volunteer firefighters, 23 rescue members and modern equipment. In 1982, the natural gas system was operated by the Kansas-Nebraska Natural Gas Company. In 1983, a new well was drilled and by 1990, the population decreased to 198. The village operated a facultative retention lagoon wastewater system and a water system. The natural gas system was operated by the Kansas-Nebraska Natural Gas Company and the electric system by the Wheat Belt Public Power District.

By 2000, the population in-




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creased to 228 and the fire department received a new fire truck, which was housed in the metal six-door fire hall. In 2002, the natural gas system was operated by Kinder Morgan Inc., and changed to SourceGas in 2008. Maricks Waste Disposal provided trash collection with the waste hauled to the landfill in Sidney. The village water system served five commercial and 129 residential customers, all unmetered. Residential rates in 2010 for

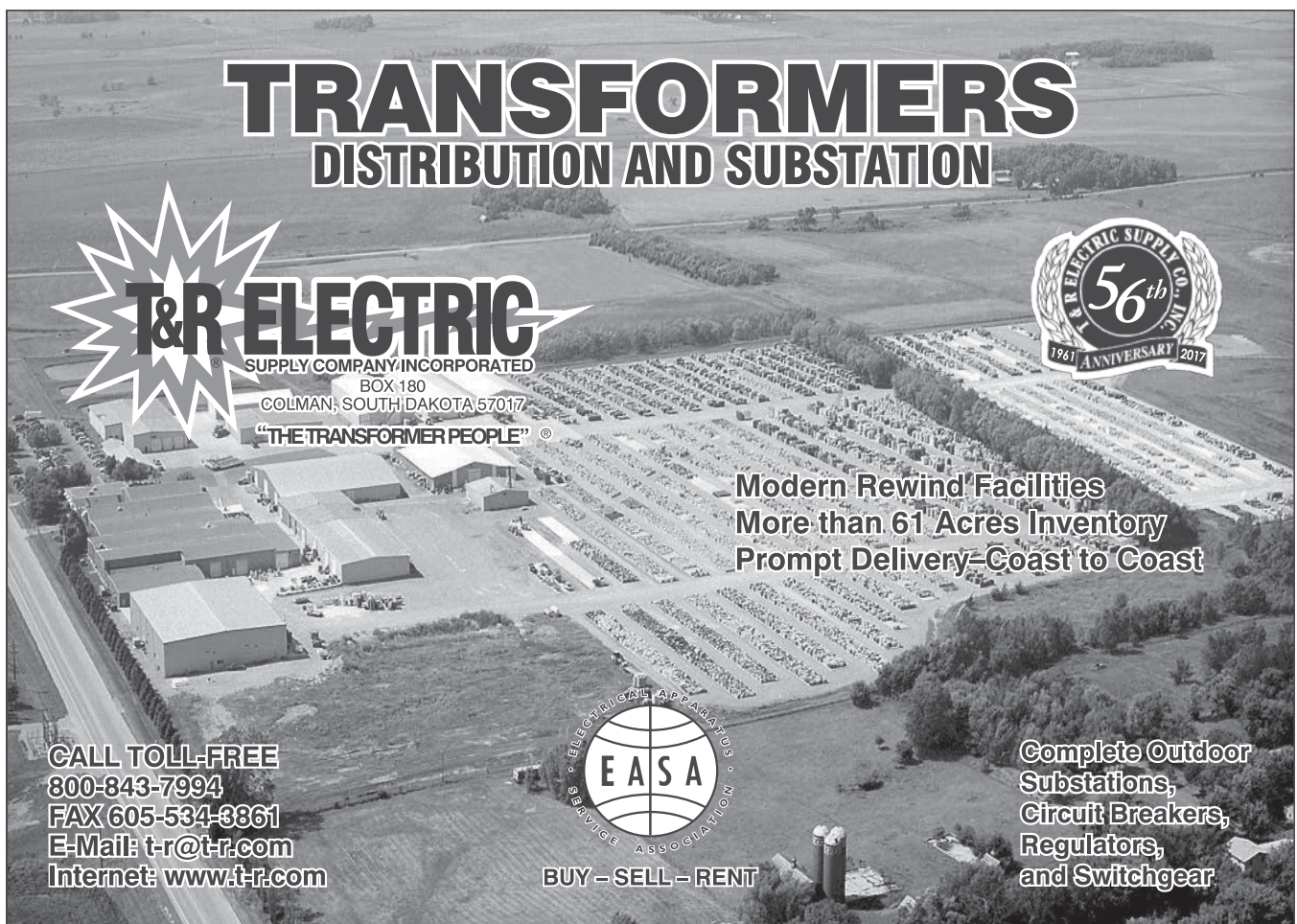
residential and commercial were \$56.59 per month. The village had a deposit fee of \$100, tapping fee of \$275 and a reconnect fee of \$25 (2010). The sewer fee was a flat rate of \$4.50 for residential and commercial customers.

Today, Gurley's population is 214 and it has been an incorporated village for 101 years. The village maintains a park, a cemetery, a water system, a wastewater collection system and a facultative retention lagoon treatment facility. The natural gas system is oper-

ated by Black Hills Energy and supplied by ACE. The electric system is served by Wheat Belt Public Power District. The village is a member of the League of Nebraska Municipalities and has been a Utilities Section member since 2005.


References: Directory of Nebraska Municipalities, 1958, 1960, 1962, 1964-75, 1977-87, 1990-1998, 2000-2017; Nebraska Municipal Review magazine, 1980; Public Power in Ne-

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Nebraska utilities history

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braska, 1962; *Water Resources of Nebraska*, December 1936; *Cheyenne County Visitors Committee Brochure*, 2002; *Nebraska A Guide to the Cornhusker State* 1979; *Kearney Hub Newspaper*, 2004; *Broadwater News newspaper*, 1920; *Nebraska Our Towns... The Panhandle*, 1988 *Maps Tell a Story*, 1991; *Gurley Internet Website*, 2005, 2007; *History of Cheyenne County*, 1986; *History of Cheyenne County Nebraska*,

1987; *Nebraska Gazetteer and Business Directory*, 1917; *NPPD Website*, 2011 *Nebraska Historic Buildings Survey Reconnaissance Survey*, Cheyenne County, July 1, 1994 and the *Nebraska Blue Book*, 1928, 1946.

Retirements: Let us help recognize those municipal employees who are retiring after years of service.



Mud/snow bunny in Gordon, Easter 2018.

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Did your municipality celebrate Arbor Day?

The last Friday in April is the designated date to celebrate Arbor Day. In 2018, that was April 27. On Arbor Day, people are encouraged to care for their natural environment by planting/caring for trees, bushes and plants. Some activities include community tree planting, music events, fairs, gardening days or exhibitions. Seminars on planting, proper pruning, inspection and care may be held along with safety topics. Arbor Day awards also may be a part of the festivities to recognize individual or groups.

The Tree City USA, Tree Campus USA and Tree Line USA programs are sponsored by the Arbor Day Foundation in cooperation with the USDA Forest Service and the National Association of State Foresters. The Tree City USA program has been greening up cities, villages and communities across America

since 1976. Nationally, over 3,400 communities are managing and expanding their public trees. Nebraska has 115 members (more than 80 percent of the population) that have committed to becoming Tree City USA communities, Tree Campus USA campuses and Tree Line USA utilities. Auburn has had the designation of Tree City USA since program started in 1975. The smallest Tree City USA community in the country with a population of 71 is Julian (located just south of Nebraska City). If interested in becoming a Tree City USA member, information can be found at the following website: www.arborday.org/programs/treeCityUSA/directory.cfm. Most all Nebraska municipalities have a park or green space if not several with trees, shrubs, flowers or other greenery. Each year, cities and villages hire summer help to maintain the many acres

of parks and recreation land. Four core standards must be met to be a Tree City USA: 1) having a sound urban forestry management, which includes maintaining a tree board or department; 2) having a community tree ordinance; 3) spending at least \$2 per capita on urban forestry; and 4) celebrating Arbor Day.

Communities may achieve a Tree City USA Growth Award if they qualify as a Tree City USA for at least the second consecutive year and completes activities in eligible categories totaling 10 or more points. Eligible activities fall into one of four categories, and each activity has an associated point value. Category A: Education and Public Relations, Category B: Partnerships, Category C: Planning and Management and Category D: Tree Planting and Maintenance. Past winners of the

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Power & Equipment Show scheduled

The Power & Equipment Show is scheduled for July 25-26, 2018, at the Norfolk Community College Pohlman Ag Complex. To register, visit www.northeast.edu/2018/power-show. For more information, call 402-844-7216.

The Power & Equipment Show is presented by Northeast Community College in cooperation with Nebraska Rural Electric Association Suppliers Group, Nebraska Rural Electric Association and League of Nebraska Municipalities-Utilities Section.



Crow Line: A line of positive communication that all can share

Congratulations and best wishes to **Mike Winter**, who retired after 43 years with the City of Gordon. A reception was held March 30, 2018, at the city auditorium. A steady flow of friends, family, city officials, current and former coworkers and several from the public stopped by to wish Mike well in his upcoming retirement. Mike stated that the job started out to be temporary, but now 43 years later, he is retiring from the job (1975-2018). Congratulations and best wishes in retirement!

Airports recognized. Congratu-

lations to the **Millard** and **Grand Island airports** for being recognized as "Airports of the Year" by PIREPS. Millard received the award for general aviation and Grand Island received the Commercial Airport Project of the Year from the American Association of Airport Executives, plus the Part 139 Medal of Excellence from the FAA in 2017. The Grand Island airport was recognized by PIREPS as the FAR Part 139 Airport of the Year in 2013.

Reference: PIREPS newsletter, February-March 2018, Volume 69, Issue 1. Congratulations!



Congratulations: Clerk of the Year Awards. Three clerks received "Outstanding Clerk of the Year" awards at the 42nd Annual NCMA Clerks Institute and Academy: City of the first class – **Donna Rust** of Chadron; City of the second class – **Linda Jensen** of Central City; and Village – **Cheryl Anderson** of Hyannis.

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"Just For Fun" Answers

- A-1. Nebraska City** (Apple Jack Festival scheduled for Sept. 21-23, 2018).
- A-2. Sidney**, a popular outfitting place for Black Hills gold prospectors. *Reference: Lincoln Journal Star Feb. 26, 2017*
- A-3. Auburn**, an honor they have held since 1976.
- A-4. York**, in front of the Kilgore Memorial Library.

Did your municipality celebrate Arbor Day?

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Tree City USA Growth Award include Bellevue, Gering, Gretna, Laurel, Lincoln and South Sioux City.

Municipal utilities also can be a member of Tree Line USA with a partnership between the Foundation and the National Association of State. Five requirements to be

a member include: 1) individual standard for tree care; 2) annual worker training in quality tree care practices; 3) participate in/sponsor tree planting and public education; 4) tree-based energy conservation program; and 4) participates in Arbor Day Celebration. Tree Line USA applications can be completed on its website.



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SAFETY/HEALTH CORNER

General chain saw safety

*By Rob Pierce, LNM Field Rep./
Training Coordinator*

Before operating a chain saw, you should read the owner's manual and learn/understand what it says. Not all chain saws are exactly the same. Know your physical, mechanical and equipment limits. Lack of proper tools, equipment, abilities and knowledge can hinder a job and result in an accident.

Always wear your personal protective equipment (PPE) which includes hand, foot, leg, eye, face, hearing and head protection. Avoid loose clothing, wearing of jewelry and be sure to tie back long hair. Prepare by having all proper equipment, fuel, first aid kits and emergency phone or radio handy. Transport your saw safely and always inspect it before use.

When starting, make sure the chain brake is engaged and working. Always hold the saw with both hands when operating. Have a game plan on how the project will be accomplished and never

rush a job.

It is not a good policy to be cutting alone; always have someone nearby and stay in communication with them. Never cut with the nose or tip of your saw. Kick back can occur and often results in an accident. It also is not recommended to use a chain saw over your head or off a ladder. When moving from tree to tree, either turn off the saw or check to see that the chain brake is engaged. If you have a grounds person or someone hauling brush or stumps,

know where they are at all times. If working in or around the streets, make sure adequate traffic safety practices are incorporated into the job site. Be sure to refuel after the saw has cooled down. If working in hot environments, be sure to take adequate breaks and drink plenty of water. Fatigue can be a problem, especially if you are not used to lugging a saw all day. By taking adequate breaks, you can ensure fatigue, cramping or saw vibration is not a factor. Safety is the number one priority.

Crow Line: A line of positive communication that all can share

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Again, congratulations to each of these outstanding clerks!

Do you, your department or facility have something to crow about? Received an award, had an article written highlighting an event or person? Have a project

worthy of acknowledgement in the *Utilities Section Newsletter*?

If so, please send your information to any of the League/Utilities staff so we can share your excitement or pride of an award, noted article or project with other members.

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Training calendar

Visit our website at www.lonm.org
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July

July 12..... Water Operator Training Workshop Fire Hall, Ogallala
July 25-26..... Power Equipment Show NECC Campus, Norfolk
July 26..... Solid Waste Screening Workshop Fire Training Building, Norfolk

August

Aug. 7..... Water Operator Training Workshop City Hall, McCook
Aug. 8..... Water Operator Training Workshop Velvet Rose, Superior
Aug. 9..... Water Operator Training Workshop Fire Hall, Crete
Aug. 22..... Backflow Workshop Fire Hall, Wayne
Aug. 23..... Backflow Workshop Beatrice
Aug. 29..... Backflow Workshop Boarders Cobblestone Hotels, Grand Island
Aug. 30..... Backflow Workshop Fire Hall, Ogallala

September

Sept. 5-6 Electric Underground School..... Sidney
Sept. 11-13 ... Rubber Gloving Workshop Sidney
Sept. 19-21 ... League Annual Conference Holiday Inn, Kearney
Sept. 27 Water Operator Training Workshop Rowe Public Safety Center, Nebraska City

October

Oct. 2..... Water Operator Training Workshop Mid-Plains Community College, Broken Bow
Oct. 3..... Water Operator Training Workshop Glenn Hawks Community Service Building, Lexington
Oct. 4..... Water Operator Training Workshop Engineering Building, Grand Island
Oct. 24..... Water Operator Training Workshop Lincoln

Mark your calendars!

Jan. 16-18, 2019

Utilities/Public Works Section Annual Conference
Embassy Suites, Lincoln

Jan. 23-24, 2019

Annual Snowball Wastewater Conference
Holiday Inn, Kearney

