

**Omaha**  
(402) 399-1133  
dkotwit@hdrinc.com

**Lincoln**  
(402) 742-2906  
kent.prior@hdrinc.com

Employee Owned  
Offices Nationwide  
www.hdrinc.com

**HDR** ONE COMPANY  
Many Solutions™

**Advanced**




**KM KIRKHAM  
MICHAEL**

Your success has  
been our passion for  
the past 60 years!

Omaha ■ Lincoln ■ York  
www.kirkham.com

Nebraska  
Lincoln  
Omaha  
Holdrege  
Grand Island  
Scottsbluff  
South Sioux City

Minnesota  
Minneapolis

Iowa  
Sioux City

Colorado  
Denver

Missouri  
Kansas City Northland  
Springfield

Kansas  
Kansas City Southland

Arizona  
Phoenix  
Tucson

**OLSSON ASSOCIATES**  
ENGINEERS • PLANNERS • SCIENTISTS • SURVEYORS  
1111 Lincoln Mall • Lincoln, NE 68508  
phone: 402.474.6311 • fax: 402.474.5160  
www.oacconsulting.com

*Olsson Associates offers a full spectrum of services to more than 150 municipalities. With a complete line of feasibility, planning, design, permitting, operations consulting and construction phase services for water systems and wastewater systems, Olsson Associates is able to respond to a broad set of client needs.*

## Water Utility Council by Jerry Obrist

The 99th Nebraska Legislature, second session, adjourned its 60-day session April 13. To see laws as passed, go to the Unicameral's website: <http://www.unicam.state.ne.us>. The 100th Legislature, first session, will convene at 10 a.m., January 7, 2007.

### Signed into law, effective April 13, 2006

**LB 1226** – Changes water laws relating to concerns and problems in implementing LB 962.

In 2004, the Legislature passed LB 962 which required natural resources districts (NRDs) and the State Department of Natural Resources to develop integrated water management plans for all river basins in the state. NRDs are authorized to establish controls, including water allocations on groundwater users, for irrigators, industries and municipalities.

The Governor's Water Task Force and municipalities raised concerns regarding potential NRD control over their water supplies. After negotiations that lasted a year, LB 1226 includes provisions to protect municipal water supplies.

Municipalities, who have groundwater transfer rights, are guaranteed their total permitted amounts are not subject to NRD control under integrated management plans.

**LB 805** – Creates the interrelated water management plan program to fund projects under the Nebraska Ground Water Management and Protection Act.

The Nebraska Natural Resources Commission will administer the grant program and the Department of Natural Resources will disburse the \$2.5 million appropriated to the fund. A minimum of 20 percent local matching funds is required.

This bill was amended into LB 1226 with the emergency clause, which was signed by the Governor April 13, 2006.

### Signed into law, effective July 12, 2006

**LB 508** – Changes the cost-share provisions for decommissioning illegal water wells. The law provides that any natural resources district which has had a cost-share program under the Water Well Decommissioning Act for three or more consecutive years shall have its allocation based on a three-year average.

The law allows single year calculations for districts that have not been in the program for three consecutive years. It also increases the maximum amount of cost-share from \$300 to \$500 for decommissioning wells for the 60 percent cost share.

It allows local natural resources districts to establish maximum cost-share assistance amounts based on well depths and diameters to insure landowners will be compensated for at least 60 percent of the cost of well decommissioning.

**hgm** ENGINEERING  
ASSOCIATES INC. ARCHITECTURE  
SURVEYING

Water Storage      Water Distribution  
System Modeling      Design and Construction

*Serving the Midlands for more than 46 years!*

5022 S. 114th St., Ste. 200, Omaha, NE 68137  
(402) 346-7559 Fax: (402) 346-0224  
e-mail: [chris.koenig@hgmonline.com](mailto:chris.koenig@hgmonline.com)

LB 140 – Adds a tenth member to the Water Well Standards & Contractors’ Licensing Board by including a natural resources ground water technician. The bill was amended into LB 508, which was signed by the Governor April 13, 2006.

LB 822 – Allows a licensed pump installer to wire pumps and pumping equipment at a water well location to the first control. Also, the breaking of a seal of a water well may be carried out by a state electrical inspector. The bill does not change the provision to allow an owner of a water well to open or break the seal of a water well. The bill was amended into LB 508, which was signed by the Governor April 13, 2006.

LB 898 – Amends the Open Meetings Act. The bill was directed at allegations of fairly common violations in rural counties and the Omaha Public Schools’ closed sessions. The changes require additional description to agendas and motions to go into closed sessions.

1. A motion to enter into closed session must identify the “subject matter” and “reason necessitating the closed session.” For example, stating “personnel matters” as a reason for a closed session is inadequate.
2. If a motion to close a session passes, the chairperson must state in the public session the “limitation of the subject matter” to be taken up in closed session.
3. An agenda item must be sufficiently descriptive to give the public reasonable notice of the matter to be considered.
4. A copy of the Open Meeting Act must be “posted in the meeting room” and accessible to the public.
5. A citizen no longer has to object to a violation of the Open Meetings Act during a meeting before having standing to file a court action.

LB 1164 – The bill allows the old well being replaced to be converted to a monitoring, observation, livestock well or other non-consumptive use less than 50 gallons per minute.

The conversion must be approved by the natural resources district and remain consistent with the Groundwater Management Act and well construction standards.

The proposal also shortens the time frame from one year to 180 days to properly decommission a well or convert it to the new uses listed.

The bill also allows natural resources districts to further define replacement wells under the authorities granted in the Groundwater Management Act as long as it is not inconsistent with the replacement well statutes (46-602). The bill was amended into LB 508, which was signed by the Governor April 13, 2006.

## Brief Notes

**Burton A. (Nick) Johnson**, 71, died March 6 of cancer. He was the son of JEO Consulting Engineers founder, Wilmer Johnson. Nick served as CEO and project engineer at JEO for 40 years, retiring in 2003. Nick was a 1990 Fuller Award recipient and lifetime member of the American Water Works Association.

His son, Chris, works for Bert Gurney & Associates.



**Website report:** A total of 22,016 people visited the Section’s website in 2005. This compares to 15,655 in 2004, and 14,553 in 2003. The most visited pages included: Job openings, training, water alert plans and membership.



The Section’s AdHoc Committee for SRF funding includes:

**Larry Andreassen**, Fremont Utilities; **Tony Bilek**, Mc2 Inc.; **Rich Koenig**, **Doug Woodbeck**, Nebraska Health and Services, and **Rob Pierce**, League of Nebraska Municipalities.



**Harley “Alan” Slater** has joined the Nebraska Health and Human Service Regulation and Licensure as a field representative for area 1 (Gage, Jefferson, Johnson, Lancaster, Nemaha, Otoe, Pawnee and Richardson Counties). He succeeds Rob Williams. Alan’s responsibilities include: Routine sanitary surveys; follow-up inspections; technical assistance to public water systems, emergency response; assistance to Health Department engineers on final construction inspections as well as numerous other tasks.

The Department feels Alan will be an invaluable asset to the public water suppliers in his area. He previously worked for the City of Fairbury. Alan is based in Lincoln; phone 402.471.0519; cell: 402.440.4917; e-mail: alan.slater@hhss.ne.gov.



**Kirkham Michael Consulting Engineers** earned the “Crew 2006 Deal of the Year Award” at the 17th Annual Commercial Real Estate Workshop, April 21, in Omaha, for their design project, “Sorensen Park Plaza” at 72nd St. & Sorensen Pkwy. The award is based on what the selection committee deemed the most exciting and innovative commercial project in the Omaha area.

The 80-acre commercial development includes more than 600,000 sq. ft. of commercial space with an additional 14 pads. Construction began in 2005 and a major portion of the site will be completed by this fall. Tenants include: Marshalls, PetSmart, Great Escape Theatre (16 screens), Dress Barn, Target, Famous Footwear, Linens N Things, Factory Card Outlet, OfficeMax and Sally Beauty Supply.

KM provided design and survey services including: interior roadways, storm sewers, sanitary sewers, site grading, erosion control and utility coordination. They also conducted a traffic study for the project.