

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Government, Military and Veterans Affairs Committee March 21, 2019

**BREWER:** Good afternoon, ladies and gentlemen, and welcome to the Government, Military and Veterans Affairs final meeting. My name is Tom Brewer. I represent the 43rd District of western Nebraska. We'll start by introducing committee members, starting on my right with Senator Blood.

**BLOOD:** Good afternoon. My name is Senator Carol Blood and I represent District 3, which is western Bellevue and southeastern Papillion, Nebraska.

**LOWE:** John Lowe, District 37, Kearney, Gibbon and Shelton.

**HILGERS:** Mike Hilgers, District 21, northwest Lincoln in Lancaster County.

**M. HANSEN:** Matt Hansen, District 26, northeast Lincoln.

**KOLOWSKI:** Rick Kolowski, District 31, southwest Omaha.

**HUNT:** Megan Hunt and I represent District 8 in Midtown Omaha.

**BREWER:** Senator LaGrone is presenting in Judiciary today. To my right is Dick Clark, the legal counsel. To my left, Julie Condon, our committee clerk. And our lone page today is Preston, and hopefully we won't task you too hard today, Preston. Today we are to do three Government Committee appointments and they are going to be in order of our-- via a phone call from Tim Hofbauer first. Do we know if Tim's called in yet?

**JULIE CONDON:** He should be calling any minute.

**BREWER:** OK. With that said, let's go ahead. The appointments today are to the State Emergency Response Commission and we will standby for the call because otherwise if we try and start any of the others he'll call in the middle of it and we'll have a situation. With that said, we'll just standby.

**BLOOD:** At ease?

**BREWER:** Yeah, you could stand at ease. All right, if I could have your attention, please. In my haste to have our last session done I, I failed to read instructions. So let me go back and make sure everyone's on the same sheet of music. At this time if you would please mute any electronic devices. If you wish to have a record of

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your attendance there's a white sheet. If you're going to present today there is a green sheet that you can fill out and present to the committee clerk or page when you come up. If you've got to pass out materials, which there shouldn't be, we'd need 12 copies. Pages can make copies for you. Any letters-- and we do have one letter-- need to be submitted prior to 5 p.m. the day prior. The letter needs to have your name, address, bill number or in this case appointment name, and whether you're in support, opposition, or neutral. And we will in sequence call up those that are going to be appointed today. So we won't have any openings there and there won't be a time limit on the appointments. So with that said, now I've covered the basics. Just out of curiosity do we have his number to text him? Yeah, why don't you give him a call just in case he fell asleep at the wheel or something. So Richard, you're up second. And Trent, you're up as the last. So usually the first guy gets all the really hard questions. Just saying you should, you should be well prepared by the time your turn comes.

**JULIE CONDON:** He's calling in now.

**BREWER:** Presto.

**DICK CLARK:** Go ahead, Senator.

**BREWER:** All right. Tim, is that you?

**TIM HOFBAUER:** Yes, it's me.

**BREWER:** All right. Well, we've taken care of all of the general instructions for the opening of the meeting.

**TIM HOFBAUER:** OK.

**BREWER:** What, what we'd like to ask right now and just to confirm that this is an appointment to the State Emergency Response Committee [SIC].

**TIM HOFBAUER:** Yes, it is.

**BREWER:** Good. It's the right answer. What we need to do now is so we kind of get to know you, give us some background on yourself and then at a point we'll transition into some questions for you.

**TIM HOFBAUER:** Sure. I am the Columbus and Platte County emergency management director. I've been full time since 2005. I was part time-- appointed part time in 1994. I was involved there with that group

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prior to that since 1998 or '89. So I've been doing this for quite a few years. I've been on the SERC board or State Emergency Response Commission for a number of years, probably since about 2006 or '07. And I have currently been sitting as Emergency Management Representative on that committee. Currently I'm in the middle of a disaster right now, as most of the state [INAUDIBLE], and I apologize for not calling in earlier. I got diverted and wasn't able to make the call. But other than that, I'm also the chair of the Nebraska Regional Interoptical Network, it's a network of microwave communication equipment that ties all the 911 centers together. And I've been involved with that pretty heavily, as well, involved local-- locally here within Platte County with a number of different projects going on there.

**BREWER:** All right. Is there anything else as far as your, your background that we need to know or can we go ahead and ask questions?

**TIM HOFBAUER:** Sure. Go ahead.

**BREWER:** All right. Well, I guess your current situation obviously because you're part of your county's-- is it your county's emergency management team that has you doing the duties you're doing right now?

**TIM HOFBAUER:** It is. I'm the county and then I'm an employee of the city of Columbus. I'm kind of a split county and city employee and emergency manager for both of those as well.

**BREWER:** Now traditionally the Emergency Response Commission is kind of focused on more your nuclear, biological, chemical type of mission. You're one of those guys that has additional duties as assigned, it appears.

**TIM HOFBAUER:** Yes.

**BREWER:** All right. Well, that's good. Well, if we didn't have more like you then, then things wouldn't get done. So thank you for what you're doing there. I'll go ahead and go around the table now and see if we have some questions from the senators for you. Questions? Why-- go ahead, Senator.

**KOLOWSKI:** I'll ask one, please. Thank you. Tim, what, what kind of background training have you had either in civilian or military areas that gives you a background in this particular area for this commission, please?

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**TIM HOFBAUER:** My, my background has been so far as the hazmat side of it, I'm basically at the awareness level. I do a lot of the planning. I work with my local LEPC and other LEPC, Local Emergency Planning Committees. Let's see. I write the local emergency operation plan. We go back to the LEPC to make sure that we have all the requirements for the hazmat side of things. The SERC primarily focuses on the hazmat portion of a disaster or any type of emergency response. But as far as experience, I've attended numerous trainings and various FEMA courses on dealing with multi-- multi-type hazards that are maybe, you know, a tornado or a hazmat or a tornado with a hazmat, various scenarios like that. Over the years I've done that multiple times. I've been to a training center up in Maryland a number of times, I can't remember right now. I've traveled around to various events like that.

**KOLOWSKI:** Very good. And I'm, I'm, I'm sure that you're up to date with all your different kind of workshops and things you need to attend as well as certifications. Would that be right?

**TIM HOFBAUER:** I am, yes.

**KOLOWSKI:** Thank you.

**BREWER:** All right. Any additional questions? Well, we, we thank you for taking time away from your mission there. And, again, thank you for what you're doing to help the, the-- those that are affected by the past week. And so with that we will notify you. When we're done with the committee hearing today, we will have an Exec Session and then get the results to you so you'll know relatively quickly on everything.

**TIM HOFBAUER:** OK. Perfect. Thank you very much.

**BREWER:** All right. Thank you for calling in.

**TIM HOFBAUER:** You bet. Goodbye.

**BREWER:** OK. So at this time we need to see if there are any proponents for Richard. Any opponents or any in the neutral?

**LOWE:** Tim.

**BREWER:** Seeing none. And that was on Tim. And Tim had one letter as a proponent. So with that we will transition over to Tim-- Richard, I'm sorry. Dang it. Why don't we just line that out and then we don't have

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to worry about it. OK. Richard, come on up. Have a seat in the chair. Welcome to the Government, Military, and Veterans Affairs Committee.

**RICHARD GRAUERHOLZ:** Thank you.

**BREWER:** We'd ask the same thing for you, if you could go ahead and just kind of give us an opening with some background on yourself and let us get to know you and then we'll go around and ask some questions.

**RICHARD GRAUERHOLZ:** My name is Richard Grauerholz. I served a three-year term on the State Emergency Response Commission. If you don't understand me, my mouth kind of got dry being in front of your folks. But I did serve a three-year term on it and when the term was up I did ask for a reappointment to it, because I feel like I can add some good things to it to make the commission work. One of the seats on State Emergency Response Commission calls for-- thank you. Calls for a person that represents local government, a local elected official. And as mayor of Ashland, Nebraska, I meet that criteria. I am retired about four years from my former job where, at that time, I was working for the training division up at the Nebraska Fire Marshal's Office. Under that job duty, my responsibility was providing emergency response training to fire and the EMS people across Nebraska. One of my favorite classes that we taught was in the area of hazardous materials response. I've got the background there. In the State Emergency Response Commission, we are dealing with that type of activity in Nebraska. And this came down from federal laws on the past several-- quite a few years ago where they said states would have this type of commission to oversee education in emergency situations dealing with hazardous material. That's why the State Emergency Response Commission came into the state. Part of that duties of the response commission is to oversee and help and assist the local emergency planning committees that are delegated by the response commission they serve. They also as part of the SERC, federal monies have come in from sources that are pass-through monies that go through basically NEMA's office. So SERC also oversees how those are handled and distributed. Part of that money goes for education. Part of it goes to the fire departments that have a memorandum of understanding with the state of Nebraska to provide emergency response to hazardous materials in their regions. I feel that I have something that only as a local elected official to add to it, that I've got the background.

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**BREWER:** It sounds like you have a lot of background. Before we jump to questions, real quick, for the official record we need you to state your name and then spell it so we have it all correct.

**RICHARD GRAUERHOLZ:** I'm sorry. Richard Grauerholz, R-i-c-h-a-r-d, last name, G-r-a-u-e-r-h-o-l-z.

**BREWER:** Richard, a couple of quick questions for you now. So you're currently on the Nebraska State Emergency Response Commission.

**RICHARD GRAUERHOLZ:** Correct.

**BREWER:** How large is that commission?

**RICHARD GRAUERHOLZ:** Nineteen people.

**BREWER:** Nineteen. Learned something new today. I did not know that. I would imagine being with the Fire Marshal's Office was a pretty easy transition because a lot of what we did in volunteer fire departments was hazmat-like training. And then, of course, in the military we had our SERT teams and so that's a pretty easy transition when you go from the military to civilian side on that because it's really, other than maybe the color of the gear you use, almost identical. Let's see. Run around the table real quick. Questions? Senator Blood.

**BLOOD:** Thank you, Chairman Brewer. Just a really quick question, because I had a little bit of trouble hearing. So you are currently in public office, an elected official?

**RICHARD GRAUERHOLZ:** Yes.

**BLOOD:** And how long have you been an elected official?

**RICHARD GRAUERHOLZ:** I've been the mayor of Ashland for about four years-- a little over four years.

**BLOOD:** A little over four years?

**RICHARD GRAUERHOLZ:** I'm in my second term.

**BLOOD:** All right. Thank you.

**BREWER:** OK. Additional questions? Senator Lowe.

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**LOWE:** Thank you, Mr. Grauerholz, for being here. And mine isn't about you, but how is the city of Ashland doing?

**RICHARD GRAUERHOLZ:** We're doing a lot better than a lot of communities in that-- in Nebraska. Some of the-- some of the rural areas around Nebraska with the disaster are very heavily damaged. I would like to say-- can I say something to that line?

**BREWER:** Yes.

**RICHARD GRAUERHOLZ:** If I'm out of order, gavel me.

**BREWER:** No, no you speak away.

**LOWE:** I asked the question.

**BREWER:** Yeah.

**RICHARD GRAUERHOLZ:** So far we have got excellent assistance and help from the state agencies stepping forward and offering their assistance to our well-being.

**BREWER:** Can I hit you with a quick question? You know, I used to command the camp, Camp Ashland there.

**RICHARD GRAUERHOLZ:** Yes.

**BREWER:** How did they fare? I understood there was some flooding there.

**RICHARD GRAUERHOLZ:** Yes. The whole entire camp was under water.

**BREWER:** Wow. I wish I had a nickel for every time that happened the last 40 years that I know of, it was more often than we liked. And, of course, that's part of why we built the building on stilts. So was our building that was on stilts tall enough?

**RICHARD GRAUERHOLZ:** Yes. The stilts were tall enough. Some of the other infrastructure, I think they're still assessing some of the damage.

**BREWER:** Memorial Hall, did it survive?

**RICHARD GRAUERHOLZ:** That I don't know. I'm hoping it did.

**BREWER:** Yeah, me too. That's, you know, it's our historic place there and so it would be a shame to, to lose it. I think it dates clear back

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to almost the turn of the century, so. All right. Any additional questions? Seeing none, thank you. Thank you for your service to the community. Thank you for what you're doing now with helping everybody recover from the floods. And we'll get you notified today on the results of our Exec.

**RICHARD GRAUERHOLZ:** Thank you all very much for your time.

**BREWER:** Richard. All right. We'll switch our nametags here. Oh, yes. And we need to check to see by chance are there any proponents, opponents, or anyone in the neutral capacity? All right. Then we will transition and our last appointee today, Trent Kleinow, come on up. Trent, we do the same. Just state your name and spell it. And then if you want to go ahead and kind of just transition to your kind of background information and then we'll do the same thing from there and then go ahead and open it up.

**TRENT KLEINOW:** Great. My name is Trent Kleinow, T-r-e-n-t, middle initial D, last name, K-l-e-i-n-o-w. I'm assistant fire chief in North Platte, been their assistant chief for about six years. Prior to that I was at the fire department there as well, so I've been there for twenty years altogether. I've got an extensive background in hazmat. It's really where I put my, my extra focus outside of firefighting and EMS. I've always had an affinity for it. I've been to most of the national classes for-- that are offered for hazmat. I'm an instructor in all the NEMs, National Emergency Management sections, as well as the hazmat itself. I'm a hazmat technician. North Platte has one of the state's statewide hazmat teams. So I'm the incident manager for that as well as all other budgetary and operations portions of the North Platte Fire Department. So we respond-- we can respond anywhere within the state with our hazmat team. So and the closest one to us is Grand Island. Well, no, there is McCook also has one. So that's 70 miles away, so it makes for a pretty big, you know, footprint there for us, so.

**BREWER:** All right. Thank you for that opening. Now you identified North Platte. Obviously, if we go west and north of there, does Scottsbluff have a team?

**TRENT KLEINOW:** Yes.

**BREWER:** How about the Panhandle from Chadron all the way to Ainsworth?



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**TRENT KLEINOW:** No.

**BREWER:** Nothing in the north?

**TRENT KLEINOW:** No. We have Grand Island and then up in Columbus and Norfolk.

**BREWER:** I suppose part of that is you, you, you have the major rail lines that run, I mean, other than Alliance, most of them run along the cities you described there.

**TRENT KLEINOW:** Yeah, and North Platte actually has the world's largest rail yard, so.

**BREWER:** And I see that you are a rail car response control specialist. What exactly is that? Is that just how you handle a spill on a rail line or--

**TRENT KLEINOW:** It's-- so once you become a hazmat technician then you can go on to become a specialist in certain areas. And the two areas that, that are the biggest and, obviously, a large need for us is being a specialist in rail cars and tank trucks so that could go over the highways, with I-80 also running through us. So just knowing all the ins and outs of the different types of cars and how to-- how to keep them from leaking, how to, how to patch a leak, how to safely operate them.

**BREWER:** So if you were to rank the most likely responses that the commission is probably going to have to deal on-- deal with, would a rail car spill or, you know, with as many 5,000-gallon tankers running down the road, the probability of that would be higher than it would be the rail car, wouldn't it?

**TRENT KLEINOW:** Absolutely. Yeah. They, there, there's a much higher incidence in, in highway. There's very low incidence in rail. However, North Platte has two humps, one going east and one going west, and that's where they separate the cars. They run them down the hump and into the bowl where they resort them so they can go in different directions. So they do derail cars. Matter of fact, two years in a row we had two chlorine cars derailed in our yard. So luckily none of them leaked, so. But, yeah, definitely highways is much more dangerous.

**BREWER:** But you guys need to be prepared, too, if there should be an event-- well, we've got Cooper, as an example, somewhere where potentially you guys could have to be asked to go to and assist. But

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other than that the nuclear site, in a natural response-- a normal response, not a, not a military one, that would be about our only threat isn't it or potential problem?

**TRENT KLEINOW:** Other than other than what's transported.

**BREWER:** That's a good point. We do move the rods.

**TRENT KLEINOW:** Yes.

**BREWER:** Yeah.

**TRENT KLEINOW:** And, however, I mean, if you see how those things are designed, very unlikely anything is going to happen to those. But we do have to be aware of when they're coming through our area.

**BREWER:** I would assume for security reasons the Air Force probably doesn't share much of what's going on as far as when they replace elements of the warheads on the missiles and all in western Nebraska?

**TRENT KLEINOW:** No. No. And, in fact, they're, they're allowed to misplacard and disguise them so that others don't know.

**BREWER:** Oh, say it's not so.

**TRENT KLEINOW:** So-- however, if you-- if we were to come up on a wreck on I-80, there would be no doubt that that's a military load because there's going to be a lot of people with weapons.

**BREWER:** Yeah. It's usually a dead giveaway.

**TRENT KLEINOW:** So we would be warned very quickly.

**BREWER:** Well, you, you have a very impressive resume here.

**TRENT KLEINOW:** Thank you.

**BREWER:** Questions? Oh, yes. Yes, sir.

**KOLOWSKI:** Thank you. Thank you very much. How many hazmat locations do we have across the state? You can-- do you have a number on that exactly?

**TRENT KLEINOW:** I believe there's 13 of them as far as state, state response teams.

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**KOLOWSKI:** Right, sir. And how many others exist beyond state?

**TRENT KLEINOW:** I'm not aware of any now. Some of us, like in North Platte we had started a hazmat team because of the rail yard years before the state come in. And then after 9/11 the funds became available so that just helped us buy equipment we could never afford before. But at that point I think we lost some of the smaller hazmat teams because there wasn't as big of a need. And you had to be a part of that state team to get that additional funding.

**KOLOWSKI:** You have all the funding for training that you're, you're adequate with?

**TRENT KLEINOW:** Absolutely.

**KOLOWSKI:** You feel good about that?

**TRENT KLEINOW:** Absolutely. The funding for it has been phenomenal. It's, it's quite a bit less than what it started out with, but the nice thing was we were able to purchase what we needed and now we're in a maintenance. So it's training and maintaining the equipment that we have. We don't buy any new equipment anymore other than to replace equipment that's wore out. So I think the-- I think the amount that's funded is adequate, absolutely.

**KOLOWSKI:** Trent, one more question. How many people on your team in North Platte?

**TRENT KLEINOW:** Well, we have 39 shift personnel plus the chief and myself and we're all certified.

**KOLOWSKI:** OK.

**TRENT KLEINOW:** So any one of us-- any of us can, can respond, but the state requires us to have six.

**KOLOWSKI:** Very good. But you're up to 39 with your entire crew.

**TRENT KLEINOW:** Yes. Yeah, we require all of our personnel to be a part of it.

**KOLOWSKI:** Excellent. Thank you very much.

**BREWER:** As a result of the flooding this last week, has there been any incidents where, I mean, I've heard of the propane tanks getting--

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have floated away, but has there been any vehicle trailer spills or any other issues that you heard of that might--

**TRENT KLEINOW:** Not that we've been asked to participate in. I haven't heard of any. And the flooding, ironically, is quite a ways away from us. Usually we're the ones that flood, being between two rivers but-- so, no, we haven't, haven't heard of anything. We've just been getting lots of donations. We've sent three 16-foot trailers of food, water, and other-- so all kinds of supplies up to those areas.

**BREWER:** Excellent. Well, you know, as terrible as it's been, if you look at it, the number of lives lost and major incidents we've been kind of blessed in that sense, because it could have been so much worse and it's just one of those things where it's going to be a long, slow process to get anything back. But, you know, in many ways it could have been so much worse if it had involved, you know, some, some other circumstances, so.

**TRENT KLEINOW:** Yeah, it definitely shows you the-- you know, I don't know that anybody would categorize that as flash flooding, but when you lose lives and bridges and infrastructure, obviously, it doesn't have to be what we picture in our minds as a flash flood to do a lot of damage and to take life, so.

**BREWER:** All right. Any additional questions? Seeing none, thank you for your testimony.

**TRENT KLEINOW:** Thank you. Appreciate your time.

**BREWER:** We have testifiers? Anyone testifying as a proponent? Seeing none, anybody testifying as an opponent? And anyone testifying in the neutral? All right. Seeing none, that will close the hearing for Trent. And what we'll do now is close the nomination process for the Emergency Response Commission and we'll transition to Executive.

\_\_\_\_\_ : Motion to go into Executive Session.

**KOLOWSKI:** Second.

**BREWER:** So moved.