

MEMORANDUM

TO THE BOARD:

SUBJECT: General Manager's Report

DATE: May 5, 2017

FROM: John Winkler, General Manager



A. **INFORMATION/EDUCATION REPORT**: The Information and Education Report detailing Information and Education activities for the month of April 2017, is attached for your review.

B. **PERSONNEL/MISCELLANEOUS ITEMS**:

1. Attached is a memorandum regarding the purchase of a new 2017 TP 2000+ Tree Planter. The planter will replace the District's current TP 2000 unit that was determined to be beyond repair and a safety hazard.

C. **REPORT ON PURCHASES – CONSTRUCTION SERVICES, PROFESSIONAL SERVICES AND PERSONAL PROPERTY**: Pursuant to Board direction, the report indicating construction services, professional services and personal property purchases from the month of April 2017, is attached for your review. Please review this report and contact me if you have any questions.

D. **CURRENT AND ON-GOING PROJECTS – P-MRNRD LEGAL COUNSEL**: A copy of current and on-going projects for District Legal Counsel, Husch Blackwell, as of April 17, 2017, is attached for your review. I would ask each Director to review this report. If you have any questions, please feel free to contact me.

E. **PAPILLION CREEK WATERSHED PARTNERSHIP REPORT**: The Papillion Creek Watershed Partnership Subcommittee meeting scheduled for April 27, 2017, was cancelled. The next Partnership meeting is scheduled for May 25, 2017.

F. **NEWS CLIPS**:

- ✓ April 14, 2017, Omaha World Herald article, Sewer-funding plan, called essential for Sarpy County's growth, gets 1st-round OK
- ✓ April 18, 2017, Washington Co. Pilot Tribune article, NRD Soil and Water Conservation Assistance funding increased
- ✓ April 26, 2017, Omaha World Herald article, Two finalists for Sarpy County administrator make their case as board prepares to decide
- ✓ May 2, 2017, Papillion Times article, Platte River cabin community set to expand
- ✓ May 2, 2017, Omaha World Herald article, Papillion administrator tapped to direct Sarpy County's day-to-day work
- ✓ May 3, 2017, Omaha World Herald article, Attempt to extend tax levy authority for NRD's fail
- ✓ May 4, 2017, Omaha World Herald article, Lawmakers pass bill giving Omaha, other Nebraska towns a new tool for developing riverfront areas

April 2017 Information/Education Report

Information

- Continued to update web site.
- Chalco Hills Visitors Center Exhibit updates to be installed by early May.
- Distributed news releases
- Responded to several requests for information/materials received through web site contacts
- Monitored local media coverage of NRD-related stories
- Continued work on Spring, 2017 Spectrum Newsletter
- Continued work on FY 2018 budget recommendations
- Completed deletion of unneeded I&E files and folders
- Coordinated NRD sponsorship of upcoming special events
- Helped staff booth at Earth Day Omaha event at Elmwood Park
- Continued work on Metro Trails brochure update.
- Assisted with set up for Omaha Home Show booth.

Education

April Programming Schedule:

- 4/3- Omaha Library Millard Branch- Flowering Plants- 45 people
4/3- Morton Elementary Nature Club- Hibernation- 17 students
4/4- Creighton University Preservice Workshop- 19 students
4/5- G. Stanley Hall Elementary- Recycling - 3 programs- 85 students (K)
4/10- Picotte Elementary- Recycling- 3 programs- 65 students (1st grade)
4/11- Creighton University Preservice Workshop- 19 students
4/12- La Vista Middle- Owls- 8 students
4/13- Pine Creek Elementary- Snakes- 3 programs- 74 students (1st grade)
4/14- Premier Academy- Animals- 45 people
4/14- NRD Education Tree Pickup
4/17- Crestridge Elementary- Geocaching- 2 programs- 48 students (5th grade)
4/18- Grandview Middle- Wetlands- 12 students
4/19- Mary Our Queen- Insects- 3 programs- 59 students (3rd grade)
4/20- Elkhorn Middle- Insects- 7 students
4/21- Rohwer Elementary- "Arbor Day"- 5 programs- 97 students (4th grade)
4/21- Central Middle School-"Earth Day, Arbor Day, NRD" 2 programs, 325 students
4/22- Earth Day Omaha
4/24- Adams Elementary- Recycling- 2 programs- 48 students (5th grade)
4/25- La Vista Library- Macroinvertebrates- 30 people
4/25-4/26- State Envirothon- Scorer
4/27- Spring I&E Meeting
4/27- UNMC Sustainability Fair
4/30- Sarpy County Earth Day

Planning:

Updates/Monitoring of Papio-Missouri River NRD Facebook/Twitter/Google+/Instagram Sites and Web Pages
General NRD Animal Care
Outdoor Classroom Grants
Assist with Press Releases and Press Statements
NRD Summer Camp Registrations
Water Works-Update Mailing, Presenter Packets, Welcome Packets, Payment Envelopes

Education Intern Advertising

Starting working on Metro Area Trail Map updates

Range Camp Sponsorship

45th Anniversary shirt orders

Emmett's Retirement Luncheon

Updated Adobe subscription

Meetings/Trainings:

DNR-NeRain Website Training

Memorandum

To: Board of Directors

From: John Winkler, General Manager

Date: April 4, 2017

Re: Purchase of 2017 TP 2000+ Tree Planter

Upon inspection of the current tree planter (TP 2000) for the upcoming tree planting season, it was determined the unit was beyond repair and was in fact a safety hazard (bearings needed replaced, frame welded together, seats worn etc.) The tree planter is 16 plus years old and has planted well over 100,000 trees. District staff was pleased with operation of this brand of tree planter, its size, ease of loading and unloading and it attached to the tractors 3 point hitch system.

Tree planters are difficult to locate all across the U.S. and Trees Are Us, manufacturer of the existing model, is located in Nebraska. Therefore, District staff determined it was in the best interest of the District to replace the current unit with the latest model sold by Trees Are Us as the new unit meets all the District specs and it will properly fit on the current District trailer, with only inches to spare, and this new planter meets the D.O.T legal limit of 14,000 lbs. to trailer on a public road.

Due to manufacturing schedule and seasonal considerations the new planter had to be ordered before the subcommittee or Board could approve the purchase in April in order to get a new planter delivered in time for the spring 2017 tree planting season which was imminent. If the order wasn't placed by the first week of April the District would not receive a new planter until the spring of 2018 and at a higher acquisition cost. In addition, costly repairs would have needed to be made to the current planter to make it functional and these repair costs could be applied to the purchase of the new planter unit. This calculation did not factor into lost productivity due to potential of the old planter breaking down during the 2017 planting season.

After reviewing the FY 2017 Equipment Budget, it was determined there was unspent funds that would adequately cover the cost of a new planter to be delivered in time for the 2017 tree planting season. The quote the District received for the new planter unit was \$6,500.00

Thank you.

**Report on Purchases
Construction Services, Professional Services, Personal Property**

April, 2017

| Date | Project Name | Item / Task | Company | Cost |
|-------------|--|---|---------------------|-------------|
| 4/1-30/2017 | Project Maintenance | Rip Rap | Martin Marietta | \$9,755.02 |
| 4/10/2017 | Dakota Co. Rural Water | Meter Pits | Municipal Supply | \$5,706.67 |
| 4/21/2017 | Tekamah-Mud 9A and Silver Creek 25 Dam Sites | Wetland Delineation and 404 Permit Application Services | Benesch and Company | \$10,162 |
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Updated: April 17, 2017

Current and On-Going Projects P-MRNRD Legal Counsel

★ = Top Priority
F = Future Work – No Assignment
N = New Assignment
O = Others Handling
W = Work in Progress
P = Counsel Portion Completed
B = Next Board Meeting

- **Little Papio:** (Cleveland)
 - ★ Access licenses for stabilization projects (W)
- **Big Papio:** (Cleveland)
- **West Branch:** (Cleveland)
 - ★ Land Exchange with Sarpy Co. (96th St.) (P)
- **Western Sarpy Dike:** (Cleveland/Petermann)
 - NRDs/NE-ARNG Interlocal for Camp Ashland Property (F)
- **Floodway Purchase Program:** (Laster/Grint)
 - Arlington Purchase Agreements, Deeds, etc. – Public Hearing (June Board), Review Grant Contract (W)
- **Trail Projects:** (Williams)
 - West Papio Trail, Giles to Millard – Potential Tyson Access License Agreement (F)
 - West Papio Trail, Giles to Millard – Qwest LLC License Agreement Potential Termination (P)
- **Missouri River Corridor Project:** (Becic)
 - California Bend Trail Interlocal Agreement with City of Blair (W)

- **USDA PL 566 Projects, Silver Creek and Pigeon/Jones Watershed:** (Schumacher/Cleveland)
 - Papio PL 566 Site W-2 Issues (F)
 - ★ Grove Easement Across Danish Alps SRA (N)

- **Papio Watershed Dam Sites:** (Grint/Laster/Williams)
 - ★ ROW Acquisition Documents for WP6 & WP7 (F)
 - ★ Transfer Deed to City of Omaha for Zorinsky Basin 1 (P)
 - ★ City of Omaha Interlocal Agreement for ZB-2 (W)
 - ★ WP6 & WP7 Interlocal Agreement with Papillion and Sarpy Co. (W)
 - ★ Purchase Agreements and ROW Documents for Z-B2 (B)
 - ★ City of Omaha Interlocal Agreement Amendment No. 2 for DS-15A (B)
 - ★ Purchase Agreements with Celebrity Homes for WP1 and WP2 (W)

- **Papio Creek Watershed Partnership (Stormwater):** (Grint)

- **Southern Sarpy Watershed Partnership (Stormwater):** (Laster)
 - ★ Interlocal with City of Omaha for Construction Inspections (B)

- **Missouri River R-613 and R-616 Levees:** (Cleveland/Woodward)
 - Offutt AFB Culvert O&M Agreement (W)
 - ★ ROW Acquisition Documents (W)

- **Rural Water Projects:** (Nelson)

- **Other:**
 - ★ Lower Platte River Basin Coalition Interlocal Agreement Amendment (B) (Woodward)
 - ★ ENWRA Interlocal Agreement Amendment #5 (B) (Woodward)
 - ★ Papio Watershed Hydraulics Update Professional Services Contract with Stantec (W) (Laster)
 - ★ UNL-CSD Agreement for Missouri River Test Holes (B) (Woodward)

Sewer-funding plan, called essential for Sarpy County's growth, gets 1st-round OK

- By Paul Hammel / World-Herald Bureau

- Apr 14, 2017 LINCOLN — A proposal billed as absolutely essential for future growth of Sarpy County won first-round approval in the Legislature on Thursday.

Legislative Bill 253, which advanced on a 33-0 vote, would allow Sarpy County and communities in the state's fastest-growing county to form an agency to finance and build sewers where none now exist.

The lack of sewers across the southern portion of the county is impeding development, said State Sen. Sue Crawford of Bellevue, the bill's sponsor.

If sewers can be built, housing and industrial development will follow, expanding the tax base and helping all taxpayers in Sarpy County and the state, Crawford and other supporters said.

"If you truly want economic development in Nebraska, you need to hear what we're saying in Sarpy County. We need (this bill) for development. Period," said Bellevue Sen. Carol Blood.

Even though LB 253 is aimed primarily at Sarpy County, Norfolk Sen. Jim Scheer, the speaker of the Legislature, said it is important for the entire state, because if there are more taxpayers, existing taxpayers can get a break.

"If you're a (fiscal) conservative and you want to reduce taxes, you do that by growing the state," Scheer said.

About 60 percent of the land in Sarpy County available for development is south of a ridgeline that dissects the county. North of the ridgeline are sewers that connect to Omaha's system, but to the south, the land slopes to the Platte River and no sewer system exists.

The problem was illustrated recently when Facebook announced the opening of a sprawling data center along Nebraska Highway 50, just south of the ridgeline. Because the site has no sewer system, a \$690,000 pumping station must be built to pump sewage over the ridge to the metro area's existing sewer system.

Crawford said that rather than building a patchwork of pumping stations and sewage lagoons, her bill would allow a coordinated approach to providing sewer service to southern Sarpy County.

Despite the 33-0 advancement of the bill, there were critics.

Sen. Tyson Larson of Bloomfield expressed concerns that the new joint sewer entity could begin levying a new property tax without a vote of the people.

Crawford said that new sewer entity would have the power to levy property taxes. But the senator and Sarpy County officials said that authority is only a "backstop" in the event that sewer fees from new development aren't enough to cover costs of building new sewer lines and wastewater treatment facilities.

Supporters of the bill emphasized that the Sarpy County Board, under a law passed in the 1990s, has had the authority to levy taxes for sewer systems but has not used it, because sewer fees have been sufficient.

North Platte Sen. Mike Groene joined Larson in questioning why residents of La Vista should be required to contribute to sewer construction so far from their community.

Crawford said that by allowing new development in the county, tax bills could be cut for residents of La Vista. She added that sewer construction north of the ridgeline, including near La Vista, could also be financed through the new sewer authority.

One state senator, Curt Friesen of Henderson, said that earlier misgivings that he'd had with LB 253 have been answered and he now supports the bill.

"The (sewer) problem they face there, this is probably the best way to solve it," he said.

Sarpy County officials said that construction of the new sewer system would be done in four stages over several years, and would not begin until 2019 if LB 253 is approved.

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Washington County Pilot Tribune 4-18-17

NRD Soil and Water Conservation Assistance funding increased

The Papio-Missouri River Natural Resources District (PMRNRD) Board of Directors has approved \$118,000 in additional funding for its Conservation Assistance Program. This cost-sharing program, with landowners in Washington, Burt, Dakota, Douglas, Sarpy and Thurston counties, has seen an increase in requests for assistance due partly to heavy rains last year.

“Area landowners are requesting cost sharing to complete soil and water conservation projects to improve stream water quality by slowing soil erosion,” said John Winkler, general manager, PMRNRD. “These additional funds will make it possible for the NRD to respond to these landowners wishing to protect their fertile topsoil,” he said.

Cost sharing will also be available to landowners interested in cost sharing for tree plantings and native grass seeding.

The additional funding will come from funds budgeted for Pigeon Creek Watershed projects that will not be spent this fiscal year. The additional funds will increase the total funding for the Conservation Assistance Program to \$818,000.

To date, \$563,838 has been paid to landowners throughout the district for conservation work. Another \$165,256 in approvals have been made with many of these projects at or near completion.

Two finalists for Sarpy County administrator make their case as board prepares to decide

- By Emily Nitcher / World-Herald staff writer/4-26-17

Tenacious and honest.

The two finalists to be the next Sarpy County administrator were each asked to sum themselves up in one word.

Papillion City Administrator Dan Hoins, 54, went with “tenacious.” Sarpy County Deputy Administrator Scott Bovick, 39, chose “honest.”

The Sarpy County Board and county staff publicly interviewed Hoins and Bovick on Tuesday. The two men emerged as the finalists out of a pool of 40 applicants to lead the day-to-day work of the county.

Hoins or Bovick will replace retiring County Administrator Mark Wayne. Wayne’s contract ends on June 30. Wayne has been the administrator since 1991 and was paid \$134,528 in 2016.

The next administrator will face some tall tasks: creating sewer infrastructure for the undeveloped part of the county, guiding and implementing a decision on a new or expanded jail and finding a way to pay for new roads, all with limited resources.

Hoins, who has been administrator in Papillion for 17 years, was asked why he would want to leave his better-paying job and better benefits in Papillion to become the county’s administrator. In 2015, he made \$142,880.

Hoins, who noted that he had dedicated over half his professional life to representing Papillion, encouraged the county to look at his record in the city. There, Hoins said, they’ll find cooperation and a focus on the greater good of Sarpy County. He said he wants to increase collaboration between the cities and county if he gets the job.

“Sarpy County is too small to be broken,” he said. “You have five cities and the county and they have to work together. And they need to work together. Frankly, that was one of my motivations of putting in for this job.”

During his time as deputy county administrator, Bovick said he has pushed for strategic planning and getting more input from the cities about the direction Sarpy County is headed.

“Sarpy County’s future hasn’t been decided yet,” Bovick said, referring to the fact that more than half of the land in the county has not been developed.

Make the right critical decisions and Sarpy County can achieve its goal of being a premiere county and community, Bovick said. The county needs to be measuring itself against other high-performing counties in the state while pushing Sarpy forward, he said.

Bovick has been with Sarpy County for eight years. Prior to that, he was the city administrator in Nebraska City and an assistant city administrator in Blair.

Sarpy County Board Chairman Don Kelly said the county hopes to make a decision on the position within a week.

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Platte River cabin community set to expand

• By Eugene Curtin / Times Associate Editor/May 2, 2017

A remote cabin community near the banks of the Platte River was given permission to expand April 18 when the Sarpy County Board voted 5-0 to grant a special use permit.

The permit will allow Schmid Farms, Inc., to install 50 additional lots for recreational vehicles and to add a storage area for 150 vehicles on the site of an old quarry. Those additions will expand a recreational site that has been operational on 99th Street south of Platteview Road since the 1940s when Schmid Farms first added cabins and trailers.

Currently, the site consists of 27 lots for special-use trailers and 42 cabin lots that are leased year-round to people for recreational activities.

In return for the special use permit, made necessary because the land is zoned for agricultural use, Schmid Farms committed to installing a watchman's residence and also to expand Whitney Road from the west so that it offers a second entry point to the site.

The county agreed to maintain Whitney Road year round.

In 1986, the county adopted new zoning standards but the existing Schmid Farms recreational areas were grandfathered in.

The special use permit will bring those existing lots into conformance, as well as the additional lots.

A memo from the Papio-Missouri River Natural Resources District said the recreational site sits within the 100-year floodplain of the Platte River, which means the area carries a 1 percent likelihood of flooding in any given year.

Such properties are considered to be at high risk of flooding for purposes of the National Flood Insurance Program and the Papio NRD said an emergency plan is required.

A memo from Schmid Farms, attached to their permit application, said all tenants will be notified of an emergency situation and asked to remove their vehicles. Those notifications will be made within one hour of Schmid Farms being notified of an emergency situation and, if necessary, vehicles will be removed to the old quarry area.

County Board Chairman Don Kelly welcomed the development as a boost to the county.

"Schmid Farms has been in business for a long time," he said. "They're great folks down there.

"Economic development takes all forms and shapes, and this is going to generate income and revenue and taxes for the county."

Papillion administrator tapped to direct Sarpy County's day-to-day work

- By Emily Nitcher / World-Herald staff writer/May 2, 2017

A city leader in Papillion has been tapped to be the next Sarpy County administrator.

The County Board on Tuesday selected Papillion City Administrator Dan Hoins to be next county administrator. Deputy County Administrator Scott Bovick was also a finalist for the position.

Hoins, 54, has been the administrator in Papillion for 17 years. Before that, he was the city's police chief.

County Administrator Mark Wayne is retiring. Wayne's contract ends on June 30.

Hoins has a tentative start date of July 1.

The County Board did not vote on a contract for Hoins on Tuesday. At the end of the meeting, the board went into executive session to discuss contract negotiations.

In 2016, Wayne had a gross salary of \$134,528.

Hoins said Tuesday that he's excited to take the helm of a county that is only 40 percent developed but still the third largest economic engine in the state.

Reaching the other 60 percent of undeveloped land will depend on getting sewer infrastructure to that part of the county.

A bill pending in the Nebraska Legislature would allow Sarpy County and the five cities in the county to form an agency to finance and build sewers in the southern portion of Sarpy.

Other issues in Sarpy County include the need to fund roads as the county develops and to either build a new jail or expand the 148-bed facility in Papillion.

In his first few months as county administrator, Hoins said he would focus on building relationships with county and elected officials. He also wants to hire a full-time communications person and submit annual reports to county residents.

Hoins has also put a big emphasis on creating strong relationships among the county and the five cities.

He also wants to explore the possibility of implementing a countywide sales tax and said there are a number ways that such a tax would benefit the cities and county while reducing property taxes.

Hoins called his appointment to the county post "bittersweet" because it means leaving the City of Papillion.

Trent Albers, spokesman for the city, said Assistant City Administrator Christine Myers will serve as the interim replacement. She will be nominated to be the next city administrator at the May 16 City Council meeting.

Assuming that Myers' appointment is approved, the city will then start a search to find a new assistant administrator, Albers said.

Myers has been with the city for 24 years. She started as city clerk and was promoted to assistant city administrator in 1998.

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Attempt to extend tax levy authority for NRDs fails

LINCOLN — A bill that would allow Nebraska's natural resources districts to continue levying a temporary 3-cent property tax for every \$100 of valuation has stalled in the Legislature.

The proposal failed to overcome a filibuster Tuesday. Lawmakers voted 31-9 to force an end to legislative debate, two votes shy of the minimum needed.

The bill by Sen. Curt Friesen of Henderson was backed by a leading advocate for the state's natural resources districts. The levy could have been used only for implementing groundwater management activities. Opponents say it conflicts with the Legislature's efforts to lower property taxes. — AP

Lawmakers pass bill giving Omaha, other Nebraska towns a new tool for developing riverfront areas

- By Martha Stoddard and Paul Hamme World-Herald Bureau/May 4, 2017 LINCOLN —

The Legislature passed a bill Wednesday giving Omaha and other Nebraska river towns a new tool for developing their riverfront areas.

Legislative Bill 97, introduced by State Sen. Sue Crawford of Bellevue, allows cities to create riverfront development districts, which would be similar to business development districts.

New entities, called riverfront development authorities, could coordinate and facilitate development efforts within a designated area extending up to a half-mile from the river's edge.

The authorities could issue bonds and fund projects with occupation taxes on businesses or special assessments on property in the riverfront district.

The measure passed on a 43-0 vote. It now goes to Gov. Pete Ricketts, who has until Tuesday to decide whether to sign it into law.

Whether Omaha would take advantage of the bill remains to be seen.

Cassie Paben, Mayor Jean Stothert's deputy chief of staff for economic development, testified against the bill at a public hearing. She raised several technical concerns about the measure. City officials testified in a neutral capacity last year, when then-Sen. Heath Mello of Omaha introduced a similar bill. Mello now is running against Stothert.

Crawford said 52 Nebraska communities could potentially use the mechanism. At the hearing, Norfolk officials expressed interest in using it to redevelop areas along the North Fork of the Elkhorn River, which runs through that city.

Among other bills passed Wednesday:

» Sarpy County sewers: LB 253, introduced by Crawford, would ease the process of financing sewers in fast-growing Sarpy County. The bill, passed 46-0, was portrayed as essential to continue development in Sarpy County. It would help finance new sewers south of a ridgeline that dissects the county.

Areas north of the ridgeline are already served by Omaha's sewer system, but new sewers must be built south of the ridgeline to empty into the Platte River.

» Child sex abuse victims: LB 300, introduced by Sen. Bob Krist of Omaha, removes a deadline for victims of childhood sexual assault to seek financial damages from their abusers. Current law requires filing of lawsuits before an alleged victim turns 33. LB 300, passed 46-0, removes that deadline.

» Occupational licenses: LB 346 eliminates \$20 state licenses for people who wish to work selling motor vehicles, motorcycles or trailers. The bill was introduced by Sen. John Lowe of Kearney as part of Ricketts' initiative to remove barriers to employment in certain trades. The bill passed 47-0.

» Bow-hunting felons: Felons would be allowed to have archery equipment under LB 478, introduced by Sen. Mike Groene of North Platte. The bill also would allow felons to have a hunting knife if they have a state license to hunt, fish or trap. The bill passed 46-0.

» Biosimilar drugs: Pharmacists would be able to substitute "biosimilar" medications to patients instead of more costly biologics under LB 481. Biosimilars are like generic medications except they are not exact copies. The bill, introduced by Sen. John Kuehn of Heartwell, passed 47-0.

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