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FOX RIVER NAVIGATIONAL SYSTEM AUTHORITY

Summary of Proceedings

Fox River Navigational System Authority
3:00 P.M. Tuesday, March 25, 2014
Authority Office
1008 Augustine Street, Kaukauna, Wisconsin

Authority Members in Attendance:

Ron Van De Hey, Outagamie County
Will Dorsey, Wisconsin Department of Transportation
Kelly Raleigh Moses for Jean Romback-Bartels Wisconsin Department of
Natural Resources
Tim Rose, Outagamie County
John Vette, Winnebago County via teleconference
Daina Penkiunas, Wisconsin State Historical Society
Bill Raaths, Winnebago County
John Shier, Brown County

Authority Members Absent: Open, Brown County

Guests and Staff in Attendance:

Phil Ramlet, Omni
Harlan Kiesow, FRNSA CEO
Dennis Arnoldussen, FRNSA Operations Manager
Jim Van Boxtel, FRNSA Assistant Operations Manager
Robert Stark, FRNSA COO
Rodger Urbanek, FRNSA Administrative Bookkeeper/Clerk
Candice Mortara, FWHP
David Peck, Friends of the Fox

Board Chairman Ron Van De Hey called the meeting to order at 3:25 P.M.

- 1. Introductions:** Chair Van De Hey asked for introductions. Robert Stark reported two new staff members were present to meet the Board. Dennis Arnoldussen introduced James Van Boxtel as the new Assistant Operations Manager. Robert Stark introduced Rodger Urbanek as the new Administrative Bookkeeper/Clerk.

Chair Van De Hey welcomed both gentlemen. Chair Van De Hey asked that all present introduce themselves to the meeting.

2. Approval of Minutes of January 28, 2014 Authority Meeting:

Chair Van De Hey called for additions or corrections to the minutes. Motion to approve the last meetings made by John Shier seconded by Bill Raaths. Motion passed unanimously.

3. Financial Status Reports, T. Rose

a. Operational Budget

Tim Rose stated he reviewed the financial reports and they appear to be normal. As we go towards this summer we may need to adjust some of the items.

b. Capital Budget

c. Unlock the Fox Fund

We have spent a substantial amount of money, but the total Unlock the Fox Fund is still above \$20,000,000. Last month the fund generated \$700,000 of income.

Motion to approve a, b, c by John Shier, seconded by Daina Penkiunas. Motion passed unanimously.

d. Foundations MOU Update Status

Tim Rose reported that the next meeting is scheduled for the April 17th following the meeting with the Foundations for the Quarterly Financials report.

e. Legislative Funding MOU Status

Tim Rose stated we are working at getting our money from the Corps of Engineers. We have been contacting our representatives Petrie and Ribble along with Senators Johnson and Baldwin and the Governor's Office. They all wrote letters to the Corps of Engineers Washington Office requesting that the Corps of Engineers pay the money they owe us. A letter was received from the Assistant Secretary of the Army stating we need to show them that we have raised the match amount of the funds. Harlan and Tim talked with Curt at the Foundation and since the beginning of 2013 we raised more than enough money on our investment to reach the maximum fund issue that was required by the Corps of Engineers. As of today we have asked Curt to write a letter to the State stating the fact that we have raised the money. The State will then, through the Governor Office, write a letter to the Corps of Engineers requesting the money. We will see where we will have to go after that. We are talking about over \$2,000,000.

f. FY 2013 Audit Status

Robert Stark reported that the audit is ongoing. We have not received any negative responses from the auditors.

g. FRNSA Office Computer Upgrade Approval

Robert Stark reported due to Microsoft ending its support of XP and increased difficulties with our current systems we need to upgrade our computer system. An upgrade will allow FRNSA to improve many areas of operations such as digital advances, website cameras, phones, enhance security etc. We invited in several individuals to advise us after which we checked out several vendors who provided estimates (\$10,000 to \$20,000). We then investigated further with some trusted IT sources at Omni and through our webmaster. Some additional recommendations came back which we then adjusted for on the estimates. Bottom line is that we are comfortable working with our present vendor which is Heartland. They have given us good service. The estimate we would like to recommend is \$15,780 from Heartland. The Executive Committee has looked at the proposal and has given positive response to go ahead with the proposal.

Motion to approval proposal by John Shier seconded by Will Dorsey. Motion passed unanimously.

4. Engineering Committee Report, W. Dorsey

a. Status of Kaukauna Lock #5 Design Contract

Robert Stark reported the timeline from Mc Mahon:

- Advertising for bid April 1, 2014
- Pre-Bid walk through April 17, 2014
- Proof of Responsibility due April 22, 2014
- Bid opening April 29, 2014.

Update from DOT, the current estimated cost of the project \$1,800,000.00.

Harlan Kiesow stated the grant is approximately \$800,000.00.

b. Report on Kaukauna Locks 1, 2, 3, and Dry Dock Gates Project

Robert Stark reported we have been looking to restore and reconstruct some of the canal walls through Kaukauna. There is extensive laid up stone canal walls through Kaukauna. Some of it has failed in the past and has been left in place. We will work with SHPO to establish a preservation plan and restoration plan for these failed stacked stone walls. We are now at the point where we need to finish our preservation plan and restoration because we plan to be operating in 2015 through Kaukauna and this canal is going to be flooded up. Harlan Kiesow asked for bids from several contractors last year. Only one responded. Now that we are working with Bolt, we asked them to bid and they responded with a bid also. Phil Ramlet of Omni reported the bid as follows: OCI came in with a bid of \$161,662.00, and Bolt's bid was \$193,016.00. Robert Stark reported that FRNSA employees will be doing some of the work tuck pointing during the summer. There is a need for professional work because the walls have totally failed. The wall by the Grand KaKalin site would not be part of this work. Phil Ramlet stated Omni has examined the bids and recommends the bid from OCI.

Motion made to approve the bid of OCI in the amount \$161,662.00 by Will Dorsey. Seconded by Bill Raaths. Motion passed unanimously.

c. Approval of Boldt D/B Kaukauna Contract Change Orders

Robert Stark stated there are two Boldt change orders.

- Change order for \$23,445.00 for additional cost for granular back-fill behind north wall of Kaukauna Lock #1 because it was determined the clay material removed from behind the wall during reconstruction was not suitable to provide needed drainage at the toe of the hill behind the lock wall.
- Change order for \$9475.00 for Electrical at Kaukauna Lock #3 and Dry Dock. Need to bring underground electrical to dry dock, restrooms and garage.

Motion made to approve the change orders for Boldt D/B Kaukauna Contract by Will Dorsey. Second by John Shier. Motion passed unanimously.

d. Report on Appleton Lock 1 Hillside

Robert Stark reported that stabilizing was accomplished previously as part of the lower bank stabilization project and there is no need or space for additional fill material on the upper slope.

e. De Pere Sewer Line Installation Final Feaker Invoice Approval

Will Dorsey introduced the final invoice for sewer installation to the De Pere Lock Tender House from Feaker for the amount of \$14,549.60.

Motion to approve the Feaker final project invoice of \$14,549.60 made by John Shier. Motion Second by Will Dorsey. Motion passed unanimously.

f. Menasha House Demolition Contract Approval

Robert Stark informed the Board that since there is still frost in the ground this will require more time. Discussion followed about demolition, archeological study, and existing sewer line and meter relocation. The item was put off for the April meeting.

g. Menasha Lock Lights Contract Approval

Will Dorsey presented quote from Northland Electrical Services for the repair/retrofit of light poles for Menasha locks not to exceed \$8800.00. This would be a retro fit of the existing poles. Robert Stark recommended doing an evaluation of existing equipment to determine if repair or replace is recommended but not to exceed the Northland bid.

Motion was made by Will Dorsey to approve the recommendation. Second by John Vette. Motion passed unanimously.

5. Property Committee Report, D Penkiunas

a. Riverside (Appletton Lock 3) Parking Lot Development Certified Survey Map Report

Daina Penkiunas reported that the Property Committee approved the estimate for the appraisal of the two properties. The cost will be shared with FRNSA and Eagle Flats for a total of \$6,000. Motion was made by Tim Rose to approve the appraisal estimate of the two properties with the cost to be shared by the FRNSA and Eagle Flats. Second by Daina Penkiunas. Motion passed unanimously.

b. Corps Property Transfer Status

Robert Stark reported that FRNSA and the State are working with the Corps of Engineers. The Corps is requesting a letter from the State. The State has given a letter to the Corps stating that the State would accept the property. The Corps has put this transfer out to public notice for the public comment period. The anticipated transfer of the property will happen around June 2014.

- c. Visitor Center CVB Grant Application Status** Discussion on the project included the various ways to accomplish the project and ways to fund it. Discussion followed on the presentation of the Lock System and its history the project is developing into a Heritage project. Robert Stark reported that we are working on a process. We have a plan to setup a committee and go through the structure process to make this happen. Robert Stark also reported that we applied for the \$100,000, grant from the CVB and were approved by the grant committee and their board is meeting as we are meeting. We are waiting in anticipation of their board approving that grant. Then the request goes to the Town of Grand Chute for final approval. That board meets in April.

d. Little Chute ATT Easement Approval

Diana Penkiunas stated Property Committee action deferred pending response from DOT because unclear whether DOT should be assuming coordination with ATT; also, ATT wanted to remove the Affirmative Action Language from the contract proposal. These issues need to be resolved before moving forward with the ATT Easement Approval.

Harlan Kiesow stated the Village is planning on going out for bid on the Bridge project in June. All easements need to be in place prior to bidding. This is a perpetual easement that requires State Building Commission approval.

Daina Penkiunas stated the Property Committee will act upon this easement request via e-mail vote once the issues are resolved.

e. DOA/SBC Little Chute Bridge Easements Status

Daina Penkiunas reported that the Property Committee added an end date of July 2015 to the temporary easement language.

f. Little Chute Bridge Temporary Limited Easement Approval

Daina Penkiunas made a motion to approve the Little Chute temporary limited easement as amended in e. above. Second by Bill Raaths. Motion passed unanimously.

g. Little Chute Bridge Tender Shack Approval

Daina Penkiunas reported that the Property Committee is approving the draft MOA pending the revision of the language. Committee did not have a final copy of the draft MOA. This will be sent out with the requested changes to the language removing the

items tenuous in the draft MOA. Property Committee agreed to get the language out to the committee to get a vote back by Friday the 28th, however, SHPO needs to determine what the status of the building needs to be before any further action can take place with the MOA.

h. Little Chute Parks ADA Kayak Launch Request Approval

Robert Stark explained the project and all its various items involved. At the present time there needs to be more work done to finalize the project and to get SHPO approval. No action taken at this time.

i. Menasha Neighbor Property Update Robert Stark reported that FRNSA was approached, by the neighboring property owner at the Menasha Lock about a possible swap of property some time ago. The neighbor was inquiring about obtaining the use of the garage by the lock tender house and the driveway. In return, the neighbor owns the whole piece of property that goes from the street all the way down to the water and would trade the portion between the house and the water for the garage and driveway. No proposal at this time the reason for bringing it up is because we met with the City of Menasha on the demolition of the house. In that discussion it came up about a site plan for the Menasha Lock. So to see if this swap would be part of the site plan the neighbor was contacted and he indicated he was still interested in this swap. Neighbor agreed to continue discussions. There is no recommendation, just informative at this time.

j. Rapide Croche Historic Preservation Plan Presentation, A. Biebel Ann Biebel presented the plan to the Property Committee. Daina Penkiunas reviewed the plan describing the placement of various elements of the site to enhance the area. The idea is to try to keep the historic elements of the site and preserve them for public displays.

Motion made by John Shier to adopt this plan as presented. Second by Will Dorsey. Motion passed unanimously.

k. Little Chute House Status

Harlan Kiesow reported that an asbestos survey was completed and some areas of asbestos were found. The FWHP has received some bids for the removal but they were higher than planned and FWHP is working to raise funds. Asbestos will need to be removed before any other work can be done in house. FWHP does have an evaluation of the structure and they have put together a preservation plan that they will be presented to SHPO. The only other item is an estimate on getting electrical in the house.

l. Signage Plan Project Design Approval, C. Mortara

Candice Mortara presented recommendations on design of signage developed and previously approved by the Sign/Property Committee. Next step in the process is to look into what requirements each community may have in place. The final sign plan recommendation will be presented in April.

Motion was made by John Shier to accept the signage design plan and seconded by Tim Rose. Motion was passed unanimously.

6. AIS Committee Report, J. Shier

John Shier reported an informational meeting is scheduled with DNR representatives who will be doing the permitting for the Boat transfer.

7. Operations Report, D. Arnoldussen

a. Introduce Jim Van Boxtel

Dennis introduced Jim Van Boxtel at the beginning of the meeting.

b. 2014 Season Schedule Dennis D. Arnoldussen presented the 2014 Season Schedule as follows: Menasha, De Pere, and Little Kaukauna April 18 through October 5. Appleton 1, 2, 3, 4, Cedars Weekends beginning May 23 through September 1.

c. 2014 Maintenance Plan

FRNSA employees will be doing some of the tuck pointing work on the Kaukauna canal wall. The garage at Little Kaukauna will be repaired and painted. Other maintenance projects will be scheduled.

d. 2014 Locktender Orientation Day May 7

Locktenders will attend an orientation program and a cookout will follow.

8. Discussion of 2034 Abandonment Residual Fund

Harlan Kiesow reviewed previous discussions and determined the FRNSA needs to define abandonment to satisfy state requirements. Recommends working with the officers over the next several months to make a determination and recommendation for the Management Plan.

9. Communications, H. Kiesow

Harlan and Bob have been meeting with DOA about ongoing issues with outgrants and leases and renewals. These are all items that will need approval by the State Building Commission.

10. Other

a. 2014 Green Brochure Update

A brochure about the locks system is being developed to serve as a handout and maillot piece. Goal is to have it prior to the navigation season.

Harlan Kiesow stated that discussion with Kaukauna needed to be scheduled to discuss the street lease and the lift bridge over the navigation canal. Also, the CN railroad needs to be restored.

Chair Van de Hey recommended developing a system to post projects and status of projects on the boardroom wall as a way to keep the Board informed because of the number of activities planned or in progress.

John Vette presented a proposal to have neckties produced showing the map of the system and FRNSA logo. Staff will place an order.

10. Adjourn

There being no other business Motion to adjourn made by John Shier. Seconded by Will Dorsey. Motion carried. Chair Van De Hey adjourned the meeting at 5:19 P.M.