

## Meeting Notice

Fox River Navigational System Authority Meeting  
3:00 P.M. Tuesday, December 8, 2015  
FRNSA Office  
1008 Augustine Street, Kaukauna, WI 54130

### AGENDA:

1. Introductions
2. Approval of Minutes of the October 2015 Authority Meeting
3. Financial Status Reports, *J. Vette*
  - a. Operational Budget
  - b. Capital Budget
  - c. Unlock the Fox Fund
  - d. Financial Plan Spreadsheet Review, *R. Stark*
4. Capital Projects Committee Report, *W. Dorsey*
  - a. Approve Boldt Kaukauna Lock 1, 2, 3, Dry Dock Invoices
  - b. Approve Boldt Kaukauna Lock #5 Invoics
  - c. Approve Lunda Little Kaukauna Lock Maintenance Repair Invoices
  - d. Approve Lunda Little Kaukauna Lock Maintenance Repair Change Orders
  - e. Approve Kaukauna Lock #4 Emergency Sill Repair
  - f. Approve Kaukauna Lock #5 Stop Log Slot Project McMahon Proposal
5. Property Committee Report, *K. Curren*
  - a. Property Transfer Update, *R. Stark*
  - b. Little Chute ADA Dock Construction Request Status
  - c. Eagle Flats Parking Lot Construction Request Status
  - d. Approve ECWRPC Menasha Lock Site Plan Study
6. Visitor Center Committee Project Update, *T. Rose*
  - a. Interpretive Display Design Update
  - b. Approve Split Rock Studios Invoice
7. Rapide Croche Transfer Environmental Assessment Status, *R. Stark*
  - a. DNR Letter
  - b. Approve Rapide Croche Boat Transfer Project RFP Process
  - c. EPA Grant Request Status Approve
  - d. Approve Menasha Lock Goby Barrier Research Project
8. Operations Report, *S. Vanevenhoven, R. Stark*
  - a. Operations Plan Update
  - b. Approve 2016 Operations, Fee Schedule, and Policy Statement, *R. Stark*
9. Communications
  - a. Federal
  - b. State
  - c. Local
10. Background and strategy regarding potential business opportunity involving a land exchange/sale at Appleton Lock #3.
  - a. Potential motion to go in closed session pursuant to Section 19.85(1) (e) Wis. Stats, for the purpose of deliberating on the potential land transaction and business opportunity due to the existence of competitive and bargaining reasons. (Roll call vote to go into closed session)
  - b. Move to reconvene back into open session following closed session.
11. Proposed legislation and potential statutory changes to Chapter 237
12. Other

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**FOX RIVER NAVIGATIONAL  
SYSTEM AUTHORITY**

**Summary of Proceedings**

Fox River Navigational System Authority Meeting  
3:00 P.M. Tuesday, December 8, 2015  
FRNSA Office  
1008 Augustine Street, Kaukauna, WI 54130

**Authority Members in Attendance:**

Tim Rose, Outagamie County  
Bruce Enke, Brown County  
Bill Raaths, Winnebago County  
Jeff Feldt, Outagamie County  
Kathryn Curren, Brown County  
Will Dorsey, Wisconsin Department of Transportation  
Jean Romback-Bartels, Wisconsin DNR

**Authority Members Absent:**

Daina Penkiunas, Wisconsin Historical Society  
John Vette, Winnebago County

**Guests and Staff in Attendance:**

Robert Stark, FRNSA CEO  
Rodger Urbanek, FRNSA Administrative Assistant  
Phil Ramlet, OMNNI Associates  
Scott Vanevenhoven, Assistant COO  
Harlan Kiesow, Emiratis  
Mary Schmidt, Schmidt Communications LLC

Chairman Tim Rose called the meeting to order at 3:00 P.M.

**1. Introductions**

Chairman Tim Rose asked everyone attending to introduce themselves' to the meeting.

Robert Stark reported that he has been asked by John Vette to be his Proxy for this December 8, 2015 meeting.

**2. Approval of Minutes of the September 2015 Authority Meeting**

Chairman Tim Rose asked if there were any additions or corrections to the Minutes of the October 27, 2015, Board Meeting. Jeff Feldt motioned to accept the October 27, 2015, Minutes. Motion seconded by Will Dorsey. Motion carried.

### **3. Financial Status Reports, *R Stark***

#### **a. Operational Budget**

Robert Stark reported for Treasurer John Vette that the Operations Budget looks good. We will note that budget is over in The Anniversary Event.

#### **b. Capital Budget.**

Robert Stark reported that we will be over budget in a few areas recalling the change orders that were approved for the Little Chute Canal Wall Project and in Kaukauna the Drainage Study was approved which was not part of this budget. We will also see an overage in the Visitor Center Budget with the hiring of Split Rock to do the Interpretive. With that said we should not be over budget at the end of the year.

#### **c. Unlock the Fox Fund**

Robert Stark reported on the statement provided by the Foundation. Robert noted that the Foundation went out of their way to provide this statement early to meet our early meeting date. Robert reported that he follows this report closely making sure that we are keeping on track. Robert reported that our current balance is at \$17,917,000.00. Robert reviewed for the Board items that effect the balance of the fund.

#### **d. Financial Plan Spreadsheet Review, *R. Stark***

Robert presented the Financial Plan Spreadsheet for the Board. The information presented included the plan to 2034. Robert reported that at the present time we should be on track to have appropriate funds to allow for abandonment in 2034 if needed.

Will Dorsey motioned to accept the Financial Report as presented by Robert Stark. Motion seconded by Jean Romback-Bartels. Motion carried.

### **4. Capital Projects Committee Report, *W. Dorsey***

#### **a. Approve Boldt Kaukauna Lock 1, 2, 3, Dry Dock Invoices**

Will Dorsey presented to the Board Boldt Kaukauna Lock 1, 2, 3, Dry Dock Billing Request 16 in the amount of \$76,571.25 and Billing Request #17 in the amount of \$78,444.84. The invoices were approved at the Capital Project Committee meeting which was held earlier. Will Dorsey motioned to the Board to approve these invoices. Motion seconded by Jean Romback-Bartels. Motion Carried.

#### **b. Approve Boldt Kaukauna Lock #5 Invoices**

Will Dorsey presented to the Board Boldt Kaukauna Lock 5 Billing Request #7, in the amount of \$34,945.50 and Billing Request #8 in the amount of \$20,223.02. The invoices were approved at the Capital Project Committee meeting which was held earlier. Will Dorsey motioned to the Board to approve these invoices. Motion seconded by Kathy Curran. Motion Carried.

**c. Approve Lunda Little Kaukauna Lock Maintenance Repair Invoices**

Will Dorsey presented to the Board Lunda Little Kaukauna Lock Maintenance invoice #151 30190, in the amount of \$41,562.13 and invoice # 151130170 in the amount of \$113,047.89. The invoices were approved at the Capital Project Committee meeting which was held earlier. Will Dorsey motioned to the Board to approve these invoices. Motion seconded by Jean Romback-Bartels. Motion Carried.

**d. Approve Lunda Little Kaukauna Lock Maintenance Repair Change Orders**

Will Dorsey presented to the Board Lunda Construction Change Orders. Change Order #1, in the amount of \$75,732.50. The change order is for the rehabilitation of the upstream valves including 12 new gears, 6 vertical shafts, 18 shaft bearing, 12 intake valves bearing housings, and 6 intake valve patch skins and gear box maintenance. These items were identified after the dewatering process. Lunda Construction Change Order #2 in the amount of \$52,500.00. The change order is for additional concrete patching. The concrete patching was larger than anticipated. The horizontal concrete patching includes all concrete work on flat horizontal surfaces at the top of the lock walls and extending down the vertical face of the walls where severely spalled and in contact with the flat horizontal surfaces. Lunda Construction Change Order # 3, in the amount of \$ 53,060.00. The change order is for concrete repairs at all 4 tripod base locations and tripod parts which will need to be manufactured at NMR. The change orders were approved at the Capital Project Committee meeting which was held earlier. Will Dorsey motioned to approve Lunda Construction's Change Orders 1,2, and 3. Motion was seconded by Bruce Enke. Motioned carried.

Will Dorsey presented to the Board Lunda Construction Change Order # 4, in the amount of \$ 78,200.00. The change order is for spalled and delaminated areas of surficial concrete from vertical faces of the lock walls and not repaired as part of the horizontal concrete repairs. Robert Stark explained that the condition of the lock wall has some deterioration of the concrete, however, it is cosmetic and not structural. This work is not necessary at this time. We can hold off on this until the next maintenance cycle. Will Dorsey motioned to not approve change order # 4. Motion was seconded by Jeff Feldt. Motion carried.

**e. Approve Kaukauna Lock #4 Emergency Sill Repair**

Will Dorsey reported that the approval of Kaukauna Lock #4 Sill Repair has been deferred to the next Capital Projects Committee meeting. Will Dorsey motioned to defer Approval Kaukauna Lock # 4 Emergency Sill Repair to the next Board Meeting. Motion seconded by Bruce Enke. Motion Carried.

**f. Approve Kaukauna Lock #5 Stop Log Slot Project McMahon Proposal**

Will Dorsey presented to the Board the Kaukauna Lock # 5 Stop Log Slot Project McMahon Proposal in the amount of \$ 15,000.00. Will explained that the project would create slots at the downstream end of Kaukauna Lock # 5. These slots would allow the authority to use the fabricated Bulk Heads we already have. At this time we have a coffer dam at lock # 5 so that we can do work there. The project would allow the bulk heads to be used should we need to work on the lock in the dry. The concerns here are the historic lock. The project would design the slots so not to conflict with the historic lock. The proposal would be for McMahon to design the project with the approval of SHPO. Will Dorsey motioned to approve the McMahon proposal in the amount of \$15,000.00. Motion seconded by Kathy Curran. Motion Carried.

**5. Property Committee Report, K. Curren**

**a. Property Transfer Update, R. Stark**

Robert Stark reported that property transfer at Kaukauna Lock 5, and Appleton Lock #1 bypass spillway from the Corps to the state of Wisconsin are ongoing. Here at Kaukauna the demolition and cleanup of Dry Dock "Parcel F" is in process and the transfer to the state is expected to be completed in the Spring.

**b. Little Chute ADA Dock Construction Request Status**

Little Chute has revised their plans and is working with SHPO. SHPO is working with Little Chute and has submitted their concerns. They are working together so that the project can be completed.

**c. Eagle Flats Parking Lot Construction Request Status**

Randy Stadtmueller brought this project to our October 27, 2015, meeting. The project is ongoing but, because this is a TIF project some redesign work must be done to reduce the size of the construction. The plans need to go back to the Appleton City Council for approval.

**d. ECWRPC Menasha Lock Site Plan Study**

Kathy Curran reported that she has met with Eric Fowle from ECWRPC about the Menasha Lock Site Plan Study. A Public Visioning Workshop meeting is scheduled for 10 AM, January 23, 2016 at the Menasha Library. Any Board members are welcome to attend that meeting.

**6. Visitor Center Committee Project Update, T. Rose**

**a. Interpretive Display Design Update**

Tim Rose reported that Split Rock Studios presented their third session of the interpretive display design. The meeting was a conference call format due to the inclement weather in Minnesota. Split Rock provided booklet showing the ideas that are being planned. There are extra booklets if anyone wants them. Split Rock will be back in February. We will have two more meetings after that for finalization of the design.

**b. Approve Split Rock Studios Invoice**

Tim Rose presented to the Board for approval Split Rock Studios invoice # 2555 in the amount of \$ 32,032.00. This invoice is for completion of design development 1. Motion by Bill Raaths to pay the \$ 32,032.00, Split Rock Studio invoice # 2555. Motion seconded by Bruce Enke. Motion carried.

**7. Rapide Croche Transfer Environmental Assessment Status, R. Stark**

**a. DNR Letter**

Robert Stark reported that we have received letter for the Wisconsin Dept. of Natural Resources that approved FRNSA to proceed with Rapide Croche Transfer Station. The letter had three contingencies. 1) Monitoring work for invasive species will continue. 2) Studies regarding the effectiveness of the hot water bath will continue and the results

reported to the WDNR. 3) Construction design will be shared with WDNR to ensure that the project can be permitted and that it addresses the AIS concerns effectively.

**b. Approve Rapide Croche Boat Transfer Project RFP Process**

Phil Ramlet of Omni Associates explained the project RFP to the Board. Robert Stark motion to approve the Rapide Croche Transfer Project RFP Process. Motion seconded by Bruce Enke. Motion carried.

**c. EPA Grant Request Status**

Grant has been submitted we are waiting for further notice.

**d. Approve Menasha Lock Goby Barrier Research Project**

The Menasha Lock has been closed since Labor Day 2015 in cooperation with a request from the WDNR because of the discovery of the invasive species fish Round Goby below the Neenah Dam. FRNSA studies have shown no infestation between Rapide Croche and Kimberly Sunset Park. There may be a new process to allow the opening of the Lock. The new process is a CO2 barrier. The USGS is studying this process. We may be able to get a \$ 20,000.00 WDNR grant to help with the cost of the study. Preliminary approval to get the study done estimated at \$ 50,000.00. Robert Stark motion for John Vette to approve to get study done not to exceed \$ 50,000.00. Motion seconded by Kathy Curran. Motion carried.

Jean Romback-Bartels talked about the study and some alternatives which may be available to the Authority.

**8. Operations Report, S. Vanevenhoven, R. Stark**

**a. Operations Plan Update**

Scott reported that Bob, Jim and himself toured the locks and reviewed work that needs to be done. In the process of reviewing the staff needs for next season.

**b. Approve 2016 Operations, Fee Schedule, and Policy Statement, R. Stark**

Robert Stark reported that about the task force committee meetings that were held to review the operating schedule and the fee structure for 2016. Robert reviewed the schedule and fees for the Board and recommended their approval. Jeff Feldt motion to accept the 2016 Operation and Fees Schedule as presented. Motion seconded by Kathy Curran. Motion carried.

**9. Communications**

**a. Federal**  
None

**b. State**  
None

**c. Local**  
Lawrence University is having a meeting with the neighbors of the Fox River to discuss issues which affect the neighborhood. Robert Stark to attend.

**10. Background and strategy regarding potential business opportunity involving a land exchange/sale at Appleton Lock #3.**

- a. **Potential motion to go in closed session pursuant to Section 19.85(1) (e) Wis. Stats, for the purpose of deliberating on the potential land transaction and business opportunity due to the existence of competitive and bargaining reasons. (Roll call vote to go into closed session)**

Roll call vote called by Chairman Tim Rose. Robert Stark called the roll. All members voted to go into closed session.

- b. **Move to reconvene back into open session following closed session.**

Will Dorsey motioned to reconvene back into open session. Motion seconded by Jean Rombach-Bartels. Motion carried.

**10. Proposed legislation and potential statutory changes to Chapter 237**

Jeff Feldt motioned to accept the “Added to Authorities Powers” discussed in the closed session. Motion seconded by Kathy Curran. Motion carried.

Tim Rose reviewed Chapter 237 with the Board and proposed revisions that are needed to update Chapter 237 to enhance it so the Fox River Navigational System Authority can serve the public better. We will continue to work with our elected officials to better serve the Wisconsin Citizens and the boating public.

**11. Other**

Tim Rose reported we have reviewed the Strategic Planning proposal from Tim Short and Dynamic Insights regarding our marketing efforts. Robert Stark reported that we have interviewed two firms to execute the Strategic Plan and develop our marketing program. After interviewing these firms he would recommend to the Board that we retain Schmidt Marketing as our marketing source. We would be looking at an upfront cost of about \$7,000.00. Robert reported that our current Web Master has resigned and we need to hire a website designer to upgrade the site to current technology. After interviewing 3 firms he would recommend to contract with Stellar Blue from Neenah to update our web site. The upfront cost on the web site would be \$5,000.00. Robert reported that we should be able to handle these two items in our present budget. Motion was made by Tim Rose to hire Schmidt Marketing and Stellar Blue. Motion seconded by Jean Rombach-Bartels. Motion Carried

Chairman Tim Rose adjourned the meeting at 4:56PM.