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**FOX RIVER NAVIGATIONAL
SYSTEM AUTHORITY**

Summary of Proceedings

Fox River Navigational System Authority
3:00 P.M. Wednesday, May 26, 2010
FRNSA Office
Kaukauna, Wisconsin

Authority Members in Attendance:

Celestine Jeffreys, Brown County
Ron Van De Hey, Outagamie County
Tim Rose, Outagamie County
John Vette, Winnebago County
Charles Verhoeven, Wisconsin Department of Natural Resources
Will Stark, Brown County

Authority Members Absent:

James Draeger, Wisconsin State Historical Society
William Raaths, Winnebago County
Will Dorsey, Wisconsin Department of Transportation

Guests and Staff in Attendance:

Jennifer Lehrke, LJM Architects, Inc.
Ed Kleckner, Friends of the Fox
Phil Ramlet, OMNNI Associates
Harlan Kiesow, FRNSA, CEO
Dennis Arnoldussen, FRNSA Operations Manager
Robert Stark, FRNSA, Staff

Chairman Ronald Van De Hey called the meeting to order at 3:12 p.m.

- 1. Introductions:** Chairman Van De Hey asked for introductions.
- 2. Approval of Minutes of the April 2010 Authority Meeting:**

Chair Van De Hey called for additions or corrections to the minutes. A motion to approve the minutes as published was made by John Vette and seconded by Tim Rose. Motion passed unanimously.

3. **Financial Status Reports, T. Rose**

a. **Operational Budget**

b. **Capital Budget**

c. **Unlock the Fox Fund**

Tim Rose stated he reviewed the Operational and Capital budget reports and that we are over budget in legal and accounting from earlier in the year but the other categories generally are under budget in the operating budget.

Harlan Kiesow stated the Capital fund is down about \$500,000.00.

Celestine Jeffreys made a motion to receive the operations, capital and Unlock the Fox Fund reports to place on file. Charles Verhoeven seconded the motion. The motion passed unanimously.

d. **Fund Raising effort**

Harlan Kiesow stated a meeting with Menasha Corp. Foundation to discuss the recent FRNSA grant request is scheduled for June 15. Mr. Kiesow reported that Dan Reinhold of Friends of the Fox has been out of town and unavailable for discussions about coordination of FRNSA-FOF fund raising efforts. Tim Rose and Harlan Kiesow will be meeting with the Appleton Community Foundation to discuss other sources/contacts in the Fox Cities area.

Harlan Kiesow stated the Corps has \$2 million of cost share funds available. As of the end of May, local match funds raised qualify for \$1.2 million. The FRNSA will negotiate for the remainder of the \$800,000.00 in October at the conclusion of the current fund raising effort.

Discussion followed on other possible sources of donations. Chair Van De Hey stated a fund raising coordination meeting is needed in the near future.

4. **Presentation of Wisconsin Contract Compliance Law, L. Rice**

Harlan Kiesow stated the presenter was unable to attend today and requested tabling this discussion and re-scheduling for the June meeting.

6. **Property Committee Report, C. Jeffreys**

a. **Report on Lock Keeper House Project, Janke Construction Representative**

Ryan Burnett of Janke General Contractors joined the meeting by teleconference stated Janke Construction had the low bid of \$1.3 million for the Lock Keeper House

Rehabilitation Project to be completed by October 15, 2010. Specifications and chain of communications is being worked out with the State DOT and engineers. LJM Architectural is the Historical Consultant. Site work will begin the 2nd week of June. More than one house will be worked on at a time so work will overlap.

Harlan Kiesow stated a pre-construction meeting is scheduled for next week and more details will be known then. The repair work to the exterior of the houses will preserve the interior. Work to be done includes roofing, trim, painting exterior, installing new window sills, installing vandal-proof shutters over the windows, some basement concrete work, cellar doors and porch piers.

b. Status of Potential Land Purchase

Harlan Kiesow reported that a site survey is needed but the need for an appraisal to access the value is still being determined. Mr. Kiesow is working with Gill Funk and Ernie Jones in Madison to determine what information is necessary for the State Building Commission. The survey cost is \$6,000.00. The appraisal if needed is estimated to cost \$3,000.00 - \$4,000.00. The goal is to have the purchase on the State Building Commission June meeting agenda for State approval.

Harlan Kiesow stated that another land item that needs to be considered is a request by De Pere to name FRNSA as a co-permittee for the DNR Structure Permit at the De Pere Lock.

A motion to approve the De Pere request with the understanding that the Liability Exemption statement in the lease will be maintained was made by Celestine Jeffreys. Charles Verhoeven seconded the motion. The motion passed unanimously.

5. Engineering Committee Report, *W. Dorsey*

a. Status Kaukauna Lock #5 Project

Harlan Kiesow stated FRNSA is the Administrator for the Kaukauna Lock #5 Grant Project. The cost share agreement is 80% Grant and 20% Local Share. The original estimate was \$1.1 million. We determined to not seek the full amount in the grant request to increase chances of getting the grant. The grant is for \$735,000.00, with the FRNSA share \$480,000.00. Because this is a design-bid-build project, design and administrative work could add \$100,000.00 cost to be paid by the FRNSA. The plan is to issue RFPs and after evaluating the RFPs to decide whether to accept the grant or proceed with a cost-saving design-build approach and not accept the grant.

Charlie Verhoeven made a motion to approve preparation of the RFP. Celestine Jeffreys seconded the motion. The motion passed unanimously.

b. Appleton Locks Gate Leaks

The consensus of the board after thoroughly discussing the problem of the Appleton Locks gate leaks and who should be responsible, was that Harlan would send a letter to Phil Martini at CR Meyer expressing FRNSA dis-satisfaction with the chronic leaking problem. The locks should be operated this weekend as planned and that afterward Harlan Kiesow will meet with CR Meyer about the problem and report back to the board.

c. Little Chute Levee Warranty Work

Harlan Kiesow reported that some cracks are occurring on the top of the repaired Little Chute Levee and that the contractor, Janke Contractors, is responsible for repairing the problem and is repairing the problem. That will complete their project and they will probably be coming in for a final payment next month.

Mr. Kiesow stated the Perch Poles required by the DNR as part of the Little Chute Levee Project will be installed later this summer.

Chair Van De Hey stated he must leave at 4:45 p.m. and the order of the agenda would be changed so that action items on the agenda will be presented before non-action items to ensure there is a quorum present.

9. Report and Acceptance of 2010 Employee Wage Increases, H. Kiesow

Chair Van De Hey stated Executive Committee members Ron Van De Hey and Bill Raaths met with Harlan Kiesow and Bob Stark to discuss the 2010 Employee Wage Increases document and the Employee Benefits Memo. The Executive Committee recommends that: Hourly pay rates for Lock Tenders approved as presented; Manager position approved to \$32,500; Maintenance Approved as presented; Administrative approved as presented plus additional hours. CEO approved to \$43,500.

10. Report and Acceptance of Required Modifications to Employee Fringe Benefits, H. Kiesow, B. Stark

Chair Van De Hey stated employees who have more than 600 hours annually are eligible by State law for the Wisconsin Retirement System. The Executive Committee recommends: Approve enrolling those who were previously eligible and not enrolled when they became eligible. In lieu of the 10% retirement benefit paid there will be no increases in 2012 for the hourly workers affected.

Chair Van De Hey stated the Authority will explore the potential of offering health insurance; there is a requirement for a minimum numbers of employees to participate and the cost to the employee is substantial. If offered, the FRNSA will pay 50% and the employee 50% while working and during the off season the employee will pay 100%.

Chair Van De Hey stated the Executive Committee recommends adopting the package in items 9 and 10 as presented.

Motion to approve Executive Committee recommendations for items 9 and 10 was made by Celestine Jeffreys. John Vette seconded the motion.

Chair Van De Hey called for discussion. Discussion that followed included how this action would impact the budget; Harlan Kiesow said it would have a limited impact on the current budget and the most impact on next year's budget. A report will be generated to show the cost per employee.

Tim Rose asked if the projected WRS "catch up" of \$13,800.00 would impact this budget. Mr. Kiesow stated it would be included in next year's budget.

Chair Van De Hey called for the vote.
The motion passed unanimously.

7. AIS Committee Report, H. Kiesow

Harlan Kiesow stated that 2100 surveys were sent out by St. Norbert College Research Center and to date 600 have been received back by St. Norbert. There is no indication on responses, however some feedback has been received at the FRNSA office about the surveys. Some information on the survey results is expected in June with a finalized report expected in July.

8. Operations Report, D. Arnoldussen

Dennis Arnoldussen stated that this past Monday the Outagamie Sheriff Water Patrol and the Appleton Fire Department conducted a joint training session involving public safety and rescues coordination utilizing the Appleton Locks and canals. The City of Appleton Bridge Department had to be called because the bridges could not be operated. City crews responded and the electrical problem with the bridges is expected to be corrected in time for bridge operation this weekend.

Tim Rose inquired of the status of the Little Chute Mill Street Bridge removal and replacement? Harlan Kiesow stated that Little Chute has applied for a grant to replace the bridge.

Chair Van De Hey had to leave the meeting. Secretary Will Stark chaired the remainder of the meeting.

11. Communications, H. Kiesow

Harlan Kiesow stated the reports for dams inspections required by the DNR must be completed by a professional engineer who has experience in water structures. OMNNI will be contacted to review what has been done and to complete the engineering requirement.

Harlan Kiesow reported the De Pere Historic Preservation Society asked if the FRNSA could cost-share in the their De Pere Lock Tender House Grant project. FRNSA will not participate in funding but will provide “in kind” costs to be used for securing their grant.

12. Other

Ed Kleckner discussed concerns about the 4’ water depth referenced in the Boater Survey. The Friends of the Fox is willing to start an educational project to inform boaters about the depths that may be found in the navigation channel in the lower Fox River.

Ed Kleckner stated the Friends of the Fox/ Fox-Wisconsin Heritage Parkway had developed the requested recommendations for use of FRNSA properties in Menasha and Appleton. Harlan Kiesow stated that information was presented to the Property Committee but has not been presented to the board. Will Stark recommended placing the presentation of that report on the agenda for the June FRNSA meeting.

Charles Verhoeven requested a description of the relationship of the FRNSA, FOF, and F-WHP.

There being no other business, Charles Verhoeven moved to adjourn seconded by Tim Rose. Chair Will Stark adjourned the meeting at 5:08 p.m.