

Fox River Navigational System Authority

1008 Augustine St
Kaukauna, WI 54130

Philip Ramlet, Executive Director
Telephone: 920-850-1677
Jeremy Cords, Operations Director
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MINUTES

FRNSA Board of Directors Meeting

Tuesday, October 24, 2023 – Board Meeting **3:00PM PROMPTLY**

Meeting Location: **1008 Augustine Street, Kaukauna, WI 54130**

Virtual: <https://global.gotomeeting.com/join/412495285>

United States: [+1 \(786\) 535-3211](tel:+17865353211)

Access Code: 412-495-285

Members: Ron Van De Hey (Chair), Jeff Feldt (VP), Tim Short (T), Bruce Enke, John Vette, Jean Rombach-Bartels (Board Secretary, DNR), Tom Buchholz (DOT), Daina Penkiunas (SHPO), Dean Haen

Attending: Ron Van De Hey, Jeff Feldt, Tim Short, Bruce Enke, Jean Rombach-Bartels, Tom Buchholz, Phil Ramlet, Beth Taubel, Mary Schmidt (Schmidt Communicates), Patrick Forsyth (UWGB), Steve Erb (Appleton Yacht Club)

Not Attending: Daina Penkiunas, Dean Haen, John Vette

Start: 3pm End: 4:45pm

Agenda:

1. Introduction
 - a. Introductions were made around the room
2. Guest – Patrick Forsyth with UWGB Representative
 - a. Present test findings
 1. Five years of comparable data (2019-2023)
 2. Increase in round goby numbers in most sites
 1. No round goby found in Lake Winnebago
 3. Spiny water flea found in lake Winnebago (2022)
 1. None detected in 2023
 - a. Transported to system
 - b. Low abundance
 - c. Not becoming naturalized
 - b. Discuss expectations
 1. Patrick Forsyth recommends continuing testing
 1. Testing is not redundant
 - a. UWGB targets round gobys habitat
 - b. DNR do yearly samplings
 - i. Works with a variety of partners
 1. Fishermen
 - ii. Trawling

iii. Samplings

- c. If FRNSA chooses not to go forward with more testing, Patrick Forsyth thanks us for funding the previous testing
- d. FRNSA can expect a final invoice from UWGB shortly

c. Continue testing or discontinue

- 1. What will we do with the data?
 - 1. If testing shows round goby eventually do turn up, FRNSA can open the Menasha lock
- 2. Going forward
 - 1. Cost will be approximately \$35K per year for testing invasives
 - 2. Cost will be approximately \$21K per year for round goby testing only
 - 3. Does FRNSA want to go further into system
 - a. Option to check for round goby in Lake Winnebago only
 - 4. FRNSA would need a proposed SOW (scope of work) submitted for 2024 to consider
 - 5. Invested funds will be "lost" if not going forward
- 3. Discussion will be brought to the November 14, 2023 Executive Committee meeting
 - 1. Decision will be made at the next Board of Directors meeting on December 12, 2023

d. History

- 1. Invasive species testing was started in 2008 because of invasives found at Rapide Croche (Input from Jean Rombach-Bartels: Dr. Bart DeStasio began monitoring for AIS in the Fox River in 2006, he was working for/with FRNSA y at least 2008)
 - 1. If Rapide Croche was ever to be reopened, FRNSA would need to know status of invasives
- 2. Testing expanded into Lake Winnebago
- 3. Round goby did not enter through locks

3. Review and approval of previous board meeting minutes

a. Discuss

- 1. Items carried over from September meeting for follow-up
 - 1. List of talking points and common questions/answers regarding Menasha lock to Board of Directors late September, early October
 - a. Review
 - i. Phil Ramlet stated he has submitted this list of questions/answers to Board of Directors members prior to meeting (not included in material packet)
 - 1. Phil Ramlet will submit the list of questions/answers to Beth Taubel

- a. Will add to next Board of Directors meeting for review and discussion
2. Kleinschmidt report put into simplified, easy to understand, language to disseminate to the public
 - a. Review
 - i. Phil Ramlet stated that the Kleinschmidt report will be impossible to simplify
3. Kleinschmidt cost summary
 - a. Review
 - i. Email included in material packet showing total FRNSA paid for electric deterrent study and design since 2017
 1. Not discussed at meeting
4. Kleinschmidt Barrier
 - a. Estimate for annual cost of maintenance
 - i. Phil Ramlet anticipates that personnel to operate barrier would be approximately \$125K per year
 1. Barrier would be operated Memorial Day to Labor Day to be consistent with the other locks in our system
 2. Discussion with Kleinschmidt will need to take place to determine operating protocol and cost
 3. Discussion with Kleinschmidt will need to take place to determine long-term maintenance needs/plan
 4. Some items would need to be replaced periodically
 - a. Source Parts
 - b. Cost
 - c. Stock Parts
 - b. Basis of Estimate discussed (not included in material packet)
 - i. Approximate cost to construct barrier would be \$6 Million
 - ii. Kleinschmidt recommends FRNSA carry a contingency of \$880K
5. WLUK 11 exclusive posted to FRNSA website
 - a. Verify completed
 - i. This has been completed per Mary Schmidt (Schmidt Communicates)
 1. There has been no other media interest
6. One-on-one outreach with government leaders/representatives
 - a. Discuss
 - i. Inquired if funds can be earmarked for FRNSA
 1. Phil Ramlet and Ron Van De Hey have met with Representatives Lee Snodgrass and Rachael Cabral-Guevara

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- a. Both are very supportive of funding for electronic barrier
 - b. It will be challenging to fund from state
 2. Phil Ramlet and Ron Van De Hey will meet with US Representatives Senator Tammy Baldwin and US Representative Mike Gallaher's staffs
 - a. Will seek support from both offices
 - b. Will discuss path to get funding
 - c. Federal legislators' opinion will have a big impact on project
 3. Funding suggested to come from sources as follows:
 - a. Federal government 70%
 - b. State government 20%
 - c. Locally 10%
 - i. FRNSA has a list of past pass purchasers that we can reach out to
 4. FRNSA is unable to utilize our funds
 - ii. Public input
 1. First people to talk with would be fish groups (Sturgeons for Tomorrow, etc)
 - a. Complete prior to next Board of Directors meeting
 - b. Informal discussions
 - i. Coffee
 2. Currently no plan to reach out to boaters
 - a. Steve Erb (Appleton Yacht Club) suggests meeting with groups that are interested in going forward with the electric barrier, not just groups that may be opposed
 3. Two prong approach advised
 - a. Opinions
 - b. Funding
 4. FRNSA will need to clarify procedure for going thru the electric barrier
7. Research/apply for Federal grants for Menasha Lock project
 - a. Discuss
 - i. EPA
 - ii. Restoration
 - iii. Waterways
 1. Earmark funds would be preferred for project
 2. Federal support will be needed

- a. Would be better to have funds earmarked for this project
8. Research any environmental processes prior to paying for final design
 - a. Discuss
 - i. Pricing estimate from Kleinschmidt doesn't include dredging, excavation or construction
 1. Phil Ramlet states that dredging and sediment testing has already been completed a couple of months ago
 - a. A NR30 dredge permit would have been required
 - b. Contaminated material taken during dredging would need to be treated and disposed of properly
 - c. To date DNR has not received a report for this dredging
 - d. Approximate estimate for dredging would be an additional \$20K
9. Research other agencies/groups that may need to be involved with Menasha project input
 - a. Discuss
 - i. Tribal Agencies
 - a. Should make them aware of project
 - b. Build a relationship with tribal agencies and representatives
 - c. Phil Ramlet would like to wait until feedback received from SHPO
 - i. Suggested to consider reaching out sooner
 - ii. ACOE
 1. Won't need to reach out to ACOE at this time
 2. If DNR deems that permits are necessary, will reach out to ACOE at that time
 - iii. State Agencies
 1. Kleinschmidt information submitted to DNR
 - a. Feedback/concerns received from DNR
 - i. See comments 5, 1, a
 - iv. SHPO
 1. Project submission sent to SHPO
 - v. Environmental Agencies
 1. Not aware of any other agencies that need to be involved other than DNR and SHPO
10. Operating Agreement between FRNSA and WI DOA

- a. Discuss
 - i. Motion to approve
 - 1. Tom Buchholz motions to approve agreement, seconded by Jeff Feldt, all approve
 - 11. Westwood Construction Services
 - a. Discuss
 - i. Board members request that the Scope of Work and Fee Proposal be clarified
 - 1. Terms are unclear
 - 2. Reads as though the hourly fee would be \$23,500.00
 - a. How many hours are included in proposal for specific scope of work
 - b. Should it be time & material, not to exceed
 - 3. Will include revised proposal on the next Board meeting agenda to discuss and make a motion to approve or decline
 - 12. Tim Short motions to approve and accept the previous minutes, seconded by Tom Buchholz, all approve
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- 4. Review and approval of Treasurer's Report – Tim Short
 - a. Financial Summary
 - b. Unlock the Fox monthly summary from Associated Bank
 - c. Monthly expense details
 - 1. Bad month – funds down approximately \$667K
 - 1. Dropped quickly
 - 2. Anticipate funds to continue to go down
 - 1. Wars and uncertainty are causing concern
 - 3. Special project costs are down
 - 1. CIP project for locks are at a minimal
 - 4. Quarterly results meeting to be held
 - 1. Thursday, October 26, 2023
 - 2. At the Appleton Community Foundation location
 - 3. 8:00am
 - 5. Staffing expenses are down
 - 1. Two pay periods for the month of October vs three in September
 - 6. Phil Ramlet, Jeremy Cords, Bruce Enke and Tom Buchholz will be meeting on November 2, 2023
 - 1. Will review CIP program for 2024
 - 2. Determine what can be trimmed back due to fund decrease
 - 7. Tom Buchholz motions to approve Treasurer's report, seconded by Bruce Enke, all approve

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5. Executive Director – Phil Ramlet

1. Menasha Lock

a. DNR Review of Kleinschmidt report

i. Review/Discuss

1. Report from DNR sent to board members on Saturday, October 21, 2023
2. DNR report was organized to correspond with document in easy to understand/plain language
3. Good questions/concerns received in DNR report for further discussion
4. Electric barrier will be a large project
 - a. DOA needs to review
 - i. Send DNR report to Sanjay Olson (DOA) to get feedback/concerns/comments
 - ii. Jean Rombach-Bartels will talk to Sanjay Olson as well

b. Media fact sheet to Board of Directors prior October 2023 meeting

i. Review/Discuss

1. Will add to next Board meeting agenda
2. See comments under 3, a, i

2. Grants/donations

1. Review/Discuss

a. Mary Schmidt (Schmidt Communicates) stated that she has been attempting to apply for grants; however

i. FRNSA is not a 501(c)3, which is hindering the process

1. FRNSA will reach out to Curt Detjen with the Community Foundation for the Fox Valley Region (CFFVR)

a. Request letter, to include with applications, stating that CFFVR is serving as fiscal agent for FRNSA

b. FRNSA to meet with Community Foundations

i. Needs to know who FRNSA should contact

3. Payroll Error

1. Discuss

a. Motion on Executive Committee proposal

i. Employee brought an overpayment payroll error to FRNSA's attention

1. Goes back to January 2023
2. Employee didn't originally notice as raise became effective as of January 2023 and also received an

“opt out” benefit payment, so exact amount wasn’t clear

- ii. Beth Taubel suggested that employee not be responsible for full amount of repayment
 - 1. Employee self reported
 - a. Error most likely would not have been discovered otherwise
 - 2. FRNSA bears responsibility as well
 - 3. Checks and balances process failed
 - a. Beth Taubel enters payroll using the same spreadsheet each time
 - i. Incorrectly totaled payroll
 - ii. Going forward, our outside accounting representative will review spreadsheet each January to confirm math and totals once raises take effect
 - b. Phil Ramlet isn’t fully verifying/reviewing payroll
 - i. Has only been looking at hours of seasonal employees
 - 4. Executive Committee recommends employee pay back half of the amount
 - a. Offer a minimum of 18 months to pay back
 - b. Jeff Feldt motions to have employee pay back half of the amount, seconded by Jean Rombach-Bartels, all approve

4. Ahlstrom Agreement

1. Review

- a. Mutual Access Agreement submitted to DOA
 - i. Include environmental clause
 - 1. Ahlstrom will need to pay for cleanup if they’re found to be responsible for any contamination
 - 2. DOA legal to take over all leases for FRNSA
 - a. State owns the property
 - i. Should be between DOA and Ahlstrom, not FRNSA
 - ii. Phil Ramlet and Ahlstrom representatives have agreed on an amount of \$41K for outstanding lease payments

5. Trip to Montreal

1. Discuss

- a. Phil Ramlet traveled to Montreal, Quebec to discuss their round goby problem
- b. Spent the day looking at the canal and Lake Champlain

- c. Their locks work differently than the locks on the Fox River
- d. Their doors are more modern, despite the system being much older
- e. Phil Ramlet noticed and shared some thoughts on other lock management differences, such as tree removal
- f. More people/groups/agencies are working on that round goby problem
 - i. Vermont
 - ii. New York
 - iii. US Fish and Wildlife
 - iv. United States Geological Survey (USGS)
 - v. Quebec
- g. The design concept is bigger, more complex system
 - i. Variety of locks requires a variety of solutions
 - 1. Air bubble curtains
 - 2. Electric barrier
 - 3. Velocity
 - 4. Lights
 - h. Share information with each other/rely on each other
- 6. Board of Directors Meetings
 - 1. Discuss schedule for remainder of 2023
 - a. Executive Committee Meeting
 - i. Next and last meeting for 2023 scheduled for Tuesday, November 14, 2023
 - b. Board of Directors Meeting
 - i. Next and last meeting for 2023 scheduled for Tuesday, December 12, 2023
 - c. This schedule can be readdressed if any meetings are necessary
- 6. Capital Projects Committee – Tom Buchholz
 - a. Discussion and approval to pay the following invoices
 - 1. Kleinschmidt Invoice 000202309336
 - 1. Tom Buchholz motions to approve invoice for payment, seconded by Jeff Feldt, all approve, Jean Romback-Bartel abstains
 - 2. UWGB Invoice 12992
 - 1. Tom Buchholz motions to approve invoice for payment, seconded by Jeff Feldt, all approve, Jean Romback-Bartel abstains
 - 3. Westwood Invoice 1230902019
 - 1. Tom Buchholz motions to approve invoice for payment, seconded by Bruce Enke, all approve
- 7. Executive Committee – Jeff Feldt
 - a. Update
 - 1. Nothing new

2. Same topics covered at Executive Committee meeting have been discussed at this meeting
8. DNR – Jean Romback-Bartels -
 1. Update - ACOE Dry Dock –
 1. Phil Ramlet has received a rough fence layout from ACOE
 - a. Will forward information to Jean Romback-Bartels
 2. FRNSA doesn't want any negative verbiage on any signage
 - a. Nothing like "Hazard", "Danger", etc
9. Fundraising Committee – John Vette
 - a. Update
 1. No update
10. Rapide Croche Committee – Bruce Enke
 - a. Discuss
 1. Bruce Enke met with Tim Bolwerk (Westwood) at Rapide Croche
 1. It was determined that this lock could go 2-5 years without any major expenses
 2. Add to Capital Improvement Program (CIP)
 3. Recommended removing mechanical items and storing them properly to avoid further deterioration
 2. Utility easement that was done did a nice job seeding
 1. Grass is in
 2. No erosion
 3. All buildings were inspected
 1. Restroom
 2. Storage Building
 - a. Miscellaneous storage
 - i. Ropes, etc
 3. Lock Tender house
 4. Small office like structure
 - a. Ceiling caved in
 - i. Is this something that should be addressed now
 - ii. Should SHPO be involved at this time
 - iii. Should this repair be added to the CIP discussion
 4. Three ladders currently located inside the lock
 1. Could this end up being a safety issue
 - a. There is a pump located inside that lock and the ladders are most likely to access that
 - b. Electrical conduit running across the top of the North wall
 - i. Should that be removed
 - ii. Do we still have power going to this lock

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c. Property gets mowed

11. Adjournment

a. Tim Short motions to adjourn, Jeff Feldt seconds, all approve