

Meeting Notice

Fox River Navigational System Authority Meeting
3:00 P.M. Tuesday, February 28, 2017
FRNSA Office
1008 Augustine Street, Kaukauna, WI 54130

AGENDA:

1. Introductions
2. Approval of Minutes of the January 2017 Authority Board Meeting
3. Review and Accept Planning/Visioning Meeting Report
5. Financial Status Reports, *J. Vette*
 - a. Operational Budget
 - b. Capital Budget
 - c. Unlock the Fox Fund
6. Capital Projects Committee Report, *W. Dorsey*
7. Property Committee Report, *K. Curren*
8. Visitor Center Sub-Committee Report, *T. Rose*
9. Rapide Croche Boat Transfer Sub-Committee Report, *B. Enke*
 - a. Rapide Croche Cleaning and Transfer Station Design/Build Project Status
 - b. Approve 2017 Lawrence University Expanded AIS Monitoring Proposal
 - b. Menasha Lock Boat Haul-over Design Status
10. Operations Report, *S. Vanevenhoven*
 - a. Operations
11. Communications
 - a. Federal –
 - b. State – required open records training video
 - Madison trip and DOA deputy secretary meeting
 - c. Local - Buoy Committee Task Force Project Report, *T. Rose*
12. Other

Closed Session ss19.85 Chair announces Closed Session (requires unanimous Roll Call vote)

- a. **Deliberate the Purchase of Property ss19.85(e)**
- b. **Considering employment, promotion, compensation or performance ss19.85(c)**

Vote to return to Open Session

13. Action on closed session item(s).

Adjourn

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FOX RIVER NAVIGATIONAL SYSTEM AUTHORITY

Summary of Proceedings

Fox River Navigational System Authority Meeting
3:00 P.M. Tuesday, February 28, 2017
FRNSA Office
1008 Augustine Street, Kaukauna, WI 54130

Authority Members in Attendance:

S. T. Rose, Outagamie County
Bill Raaths, Winnebago County
Jean Rombach-Bartels Wisconsin DNR proxy Beth J. Olson, Wisconsin DNR
Will Dorsey, Wisconsin Department of Transportation
Bruce Enke, Brown County
Daina Penkiunas, Wisconsin Historical Society
John Vette, Winnebago County

Authority Members Absent:

Jeff Feldt, Outagamie County
Kathryn Curren, Brown County

Guests and Staff in Attendance:

Ron Van De Hey, FRNSA Emeritus
Phil Ramlet, OMNNI Associates
Robert Stark, FRNSA CEO
Jessica Akstulewicz, FRNSA Administrative Assistant
Scott Vanevenhoven, FRNSA COO Assistant

Chairman Tim Rose called the meeting to order at 3:02 P.M.

1. Introductions

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

2. Approval of Minutes of the January 2017 Authority Meeting

Chairman Tim Rose asked if there were any additions or corrections to the Minutes of the January 24, 2017, Board Meeting.

Bruce Enke made a motion to accept the January 24, 2017, Minutes. Bill Raaths seconded the motion. Motion passed unanimously.

3. Review and Accept Planning/Visioning Meeting Report

Tim Rose stated the Executive Committee will review and report recommendations at the next Board Meeting.

4. Financial Status Reports, *J. Vette*

a. Operational Budget

John Vette reviewed the Operations Budget with the Board.

b. Capital Budget

John Vette reviewed the Capital Budget with the Board.

c. Unlock the Fox Fund

John Vette reviewed the Unlock the Fox Fund managed by the Community Foundations and Associated Bank.

John Vette made a motion to approve the Financial Reports. Bill Raaths seconded the motion. Motion passed unanimously.

6. Capital Projects Committee Report, *W. Dorsey*

- Chair Dorsey reported there were no committee items to report

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

Informational and Ongoing.

- Robert Stark reported on letter from City of Kaukauna regarding dilapidated structure on FRNSA property.
- Robert Stark reported on status of Kaukauna Utilities proposal to construct an unobstructed fishing pier at Kaukauna Lock #5 in conjunction with the renewal of their FERC license requirement.

8. Visitor Center Sub-Committee Report, *T. Rose*

Tim Rose reported on the Madison visit he and CEO Stark made last week with Deputy DOA Secretary Cate Zueske, DOA legal staff Doug Lovejoy, and DOA property and facility officials Cindy Torstveit and RJ. Dr. Rose reviewed the state process to dispose of property and the confusion surrounding how FRNSA can own property that would ultimately revert back to the state in the event the FRNSA lease is not renewed. Dr. Rose reviewed the status of the 3 pieces of property that make up the visitor center site at Appleton Lock #3. The proposal the authority carried to the meeting in Madison was that the State and Eagle Flats trade the properties. DOA does not want to sell or trade property with a developer who would profit. Subsequently, Dr. Rose requested a discussion with the Governor's Office. FRNSA has arranged a meeting with area legislators to update them on all the projects of the authority. Dr. Rose further discussed the economic advantage to cooperate with Eagle Flats for the construction of the visitor center and the need to have an open dialog with the Governor's Office to resolve the issues of land and ownership. Short of exchanging property and entering a condo arrangement with Eagle Flats, the Authority may need to consider going back to the one story design but expanded to 7200 square feet. This arrangement would require an easement from Eagle Flats so FRNSA would have access to its landlocked property. Recent conversation with Mr. Stadtmueller regarding the Eagle Flats project is that Eagle Flats wants to proceed. Dr. Rose reported on findings of FRNSA attorney Steve Krause that the current Eagle Flats property probably reverted back to the state of Wisconsin following the demise of the railroad that originally owned the property. Their deed is further clouded because Eagle Flats partner Fox River Paper has been paying taxes on the property.

Dr. Rose stated the deputy DOA Secretary requested a letter explaining the Appleton Lock #3 property proposal and a resolution by the FRNSA Board to build the visitor center.

Will Dorsey made a motion to re-affirm the original resolution to build the visitor center. Motion was seconded by John Vette. Motion passed unanimously.

9. Rapide Croche Boat Transfer Sub-Committee Report, B. Enke

a. Rapide Croche Transfer and Cleaning Station Design/Build Project Status

Robert Stark reported on the Rapide Croche Transfer and Cleaning Station Design/Build Project. The RFP was issued, FRNSA had the walk through at the site on February 21, 2017. There was 8 contractors and 2 sub contractors in attendance along with Engineering people. Next step for FRNSA will be Bids due on April 3, 2017 4:00pm at the FRNSA office. Opening and scoring process by engineering and capital projects and committee to determine if interview process or not. The plan was taken to DOA and discussed with them. The DOA requested an executive summary and timeline on what plans are to continue with approval of building process from DOA. All other building approvals have been made on the process. Moving forward, once bids are in we will know the cost. All the information on this project can be located on our website. To recap the timeline, bids due April 3, 2017, Review process the month of April, recommendations from bids to the board April 25, 2017 at the board meeting, Sign contract April 25, 2017 with approval by the board. Construction would start immediately with a completion date of May 2018.

b. Approve 2017 Lawrence University Expanded AIDS Monitoring Proposal

Robert Stark reported on the 2017 Lawrence University Expanded AIDS Monitoring. Sampling for the spiny water flea was conducted on the lower Fox River from June – August of 2006-2016 and on lower Green Bay during June – October in 2015 and 2016 as part of the Fox River Navigational System Authority (FRNSA) Aquatic Invasive Species (AIS) monitoring program. Additional sampling for spiny water fleas was conducted on Lake Winnebago from May-October 2016. Sampling for round goby was completed for the lower Fox River from June-August 2006-2016 and on Lake Winnebago from June-Oct 2016 near the outflows of Neenah and Menasha. Robert Stark asked Dr. Bart De Stasio to put together a monitoring proposal to continue monitoring efforts of the spiny water fleas and round gobys. Robert Stark updated the board on his proposal stating samples will be collected to determine the presence and reproductive activity of the spiny water flea in the lower Fox River, lower Green Bay, WI and Lake Winnebago from June into October of 2017. Sampling will occur at established locations from the FRNSA AIS Monitoring Program and at two additional established sampling sites in lower Green Bay where spiny water fleas previously have been documented to occur, and at two established sampling sites near the north end of Lake Winnebago. Fish will be sampled along shorelines and shallow rocky reef areas in the outflow regions of Lake Winnebago during summer 2017. This will include areas with known pipe connections to Little Lake Butte des Morts (e.g. Whiting Paper Company, and near Lawson Creek). Any invasive fish species caught will be placed in sealed containers and transported to the Lawrence University laboratory facility in accordance with WI Administrative Code NR 40 and all applicable permitting requirements. A final report on both the spiny water flea and round goby sampling will be provided by February of 2018 to the FRNSA and made available to the WI DNR. Bart projects \$15,975.49 for the project this year. \$8,000 less than last year. Requesting approval for the monitoring plan for Lawrence University for this upcoming season.

Will Dorsey made a motion to approve the monitoring plan for Lawrence University for this upcoming season. John Vette seconded the motion. Motion passed unanimously.

c. Menasha Lock Boat Haul-Over Design Status

Robert Stark reported on the Menasha Boat Haul-Over Design. Robert stated for this project to be successful, the ability to accommodate up to four boats per transfer is necessary or it is the belief that the project will only enjoy minimal usage by recreational boaters. This number of boats is similar to a lockage in both quantity of boats and time needed to lock through. To achieve practical use of the preferred design of using a carriage system to move boats, passengers need to be allowed to remain in their vessel during the transfer. There does not seem to be any readily identifiable answers to regulations for such an activity. There are regulations regarding construction, elevator, and amusement applications but nothing specific to this application. The team is working to answer this fundamental question first. (Local ordinance, Winnebago County ordinance, Wisconsin building and amusement park regulations, OSHA, U. S. Coast Guard regulations, U.S. Army Corps of Engineers regulations, other etc.) Once the question is resolved Public Relations and Marketing is the next step by conducting Public Informational Meeting(s) and Gather public input, then preferred alternative to utilize the interior of the existing lock needs to be fully developed for a Design/Build RFP. This includes the following:

- i. Engineering team develops design for concept and RFP
- ii. Identify funding
- iii. SHPO Section 106 requirements and conduct Historic Preservation Study
- iv. DOA approval Design (and Impact Study?)
- v. DNR approval (Environmental Impact Report Study and DNR Environmental Assessment?)
- vi. Continue FRNSA sponsorship of Lawrence University AIS Monitoring Studies

10. Operations Report, S. Vanevenhoven

a. Operations

Scott Vanevenhoven reported on the 2016 Season summary report document on the projects completed by FRNSA during the 2016 Season. Scott also reported that he and Robert Stark are working on a new pay structure. More to come at a later date with regards to that. Employee Orientation planning for the upcoming season is under way also.

Robert Stark updated the board on the Little Chute and Kaukauna Bridge planning status.

11. Communications

a. Federal –
No report.

b. State – Madison trip and DOA deputy secretary meeting

Discussed under Visitor Center Sub-Committee Report, Section 8

– Required open records training video

Robert Stark stated the Open Records Training must be completed by members of boards, commissions and councils by July 1, 2017 and by new appointees within two weeks of their start date.(Email Jessica Akstulewicz when complete)

c. Local – Buoy Committee Task Force Project Report, T. Rose

Tim Rose reported on the Buoy Committee Task Force Project Report. Tim stated FRNSA has been meeting with locals, Yacht Club and County individuals from Winnebago and Outagamie about the concern of lack of navigational buoys on the river. During the meetings held they decided they need some structure to the approach. East Central agreed with the structural approach. At the next meeting FRNSA will request the structure to be set in motion if they would like FRNSA to continue to be involved in any compasity like record keeping as FRNSA volunteered to do. More information and discussion should be available at a near future board meeting to decide if FRNSA moves forward with this project.

12. Other

Chairman Tim Rose asked for a motion to adjourn the board meeting. Jeff Feldt made the motion to adjourn. Motion was seconded by Will Dorsey. Motion passed unanimously. Meeting adjourned at 3:56 p.m.

Will Dorsey made a motion to go to closed session. Bruce Enke seconded the motion. Roll Call vote was unanimous to approve.

Closed Session ss19.85 Chair announces Closed Session and Unanimous Roll Call Vote

- a. Deliberate the Purchase of Property ss19.85(e)**
 - b. Considering employment, promotion, compensation or performance ss19.85(c)**
- Vote to return to open session**

Closed Session adjourned 5:01PM by Chairman Tim Rose.

13. Action on Closed Session iltem(s)

- No actions taken

Adjourn

Chair Rose adjourned the meeting.