

## Fox River Navigational System Authority

1008 Augustine St  
Kaukauna, WI 54130

Jeff Feldt, Acting Chairman  
Jeremy Cords, CEO  
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## MINUTES

### FRNSA Board of Directors

Monday November 25, 2019 - Board Meeting 3:00pm  
Fox River Navigational System Authority Office

**PRESENT:** Jeff Feldt (Chair and VP), Tim Short (T), Kathryn Curren (S), John Vette, Jean Romback-Bartels (DNR), William Dorsey (DOT), Jeremy Cords

**MISSING:** Bruce Enke, Daina Penkiunas (SHPO),

**GUESTS:** Mary Schmidt, Schmidt Communications; Dave Peck, Friends of the Fox; Ellen Balthazar Friends of the Fox and Fond du Lac; Tyler Howe, SHPO; Steve Krause, FRNSA Legal Counsel, Jason Kent via phone

#### Agenda:

Introductions

Review and approval of meeting minutes from last Board Meeting and 11.15.19 conference call, motion for approval made by Tim Short, second by Jean Romback-Bartels, approved unanimously

#### Reports from Officers, Members, Committees

Review and approve Treasurer Report -Tim Short

- Unlock the Fox (UTF) Fund Board Statement: Short reported the fund had a good month and was up slightly over last month.
- FRNSA Financial Statement and Ledger: Short reported there was nothing on the statement of great concern during October.
- Motion to approve financial report made by Kathryn Curren, second by John Vette, approved unanimously

#### Projects / Operations - Jeremy

**Visitor Center:** Board heard a report by Steve Krause regarding status of contracts and agreements on the project. Krause reported on a series of phone conferences with Stadtmueller & Associates and legal counsel. The attorney for Stadtmueller & Associates and Krause are putting together documents to commit Stadtmueller and FRNSA to a plan of action with realistic dates for the Visitor Center. Krause reported there are many issues that must fall into place including:

1. As of this meeting, there are no firm construction costs, architect's contracts, or a site plan. There is a possibility contracts will be divided in two, one for the building footprint and another for all project improvements (trail, parking lot etc.).
2. A finalized site plan is needed so Stadtmueller & Associates can go to the City of Appleton to ask for TIFF funding and determine city expenses for area-wide improvements. Krause indicated the city might not be able to commit on these plans for several months, well into 1Q 2020.
3. The development's financing commitment is contingent on a written commitment from the City of Appleton and from FRNSA.
4. Because the building is a business condominium, FRNSA would need to review documents outlining condo management, expenses, parking lot management, that create more definitive agreements regarding ongoing maintenance, ownership etc.

Krause recommended the board should pursue a joint venture agreement rather than an agreement to purchase. Such an arrangement does not legally commit FRNSA to purchasing unit 1 unless all documents are mutually acceptable.

Discussion ensued regarding:

- Timing for a document review which Krause hoped would be before Christmas.
- Board members asked if contracts/agreements would be an issue with the DOA and Cords indicated that would not be an issue.

**Visitor Center Soils Management report:** Jean Romback-Bartels

Reported on the handling of contaminated soils on the Visitor Center site. For remediation purposes, DNR is looking at the site as 2 sites, one is the the building owned by Stadtmueller & Associates, the other is the parking lot planned to be under the ownership of FRNSA. Stadtmueller & Associates will need to remove contaminated soil, and have it landfilled. For the parking lot, the plan calls for capping contaminated soil by putting an asphalt parking lot over the soil—this is an

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effective cap according to Romback-Bartels. She recommended we fill out a 718 form submitted to the DNR by FRNSA. Discussion ensued about Stadtmueller & Associates awareness of the need to landfill contaminated soil and how site elevation affects remediation.

### Menasha Lock Barrier(s) discussion

Jason Kent updated the board on three tasks associated with studying the behavior of the round goby:

- Scientists have collected 12 adult round goby fish, assembled aquariums and are acclimating them to the temperatures. Round goby spawn in warmer waters and the study team would eventually like a population of 30 adult fish.
- The next step is to get the fish to spawn to ensure temperatures are effective
- Finally, the team will produce fish of different sizes/ages to use in experiments in spring.

Jeremy Cords asked Jean Romback-Bartels if there were any additional issues that needed study and she said there were not.

### Haul-Over Options information review

Board members reviewed historic information regarding the possibility of installing a boat haul over at the Menasha lock. The question was asked if FRNSA is still considering a haul over as an option OR if the only solutions for an invasive species barrier are an electronic barrier and/or CO2 barrier. Jeff Feldt told the board that the next set of studies on round goby behavior would require a larger financial commitment for a final report in late 2020.

- John Vette moved to table the discussion on a plan for a haul over at the Menasha lock until November of 2020, Tim Short seconded the motion.

Discussion:

- Board members discussed if additional expenditures should be made if the haul-over option is still a solution.
- Board members discussed not rejecting the haul over, but also continuing to pursue an electric barrier and/or CO2 barrier.
- Tyler Howe did present the issue that the current plans for a boat haul over at the Menasha lock would go through a historic archeological site.
- The motion passed 6 votes supporting, one abstention (Jean Romback-Bartels)

### De Pere Lock Naming rights – Leading gift contributor(s)

In discussions with the Community Foundation of the Fox River Valley, the suggestion was made to name the De Pere lock after the Nelson Family Fund. Although the grant was made for the Visitor Center, and recognition would be at the center, the family would like to be listed as a sponsor for the De Pere lock.

- Tim Short proposed a motion To accept naming rights from the Nelson Family Fund for the De Pere lock , the motion was seconded by John Vette

Discussion:

- Board members suggested developing criteria for naming rights that takes the historical aspect of the locks' names into consideration.
- Ensure that the lock is not re-named, but donors are listed as sponsors.
- The motion passed unanimously

**Combined Locks pedestrian bridge**—Jeremy Cords reported on a discussion with the Village of Little Chute about putting in a kayak launch and bridge at the lower gates. The board approved similar construction about 3 years ago except the kayak launch. Cords reported without a bridge, there is no kayak or pedestrian access to the shoreline. According to documentation, we have approvals from SHPO to move an existing bridge.

- John Vette moved we take action to place the bridge at Combined Locks in the recommended location at a cost not to exceed \$16,000 and donate it to the Village of Little Chute in order to facilitate an eventual kayak launch and river access. The motion was seconded by Kathy Curren.

Discussion:

- Board members asked how this would fulfill the FRNSA mission to restore, maintain, and operate the locks. Jeremy explained that we have fences up that prohibit access.
- Board members asked if the Village could underwrite the cost of moving the bridge and Jeremy explained the Village does not have this in their budget.

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- Board members asked what our liability would be to maintain a public bridge and suggested we donate the bridge to the Village of Little Chute. The motion was amended accordingly.
- The motion passed unanimously.

### **Capital Projects Committee - William Dorsey**

Discuss for approval – Capital Budget

- Motion to approve Omni and Associates monthly billing made by Will Dorsey, second by John Vette, approved unanimously
- Motion to approve Omni - Environmental Study Bill associated with the Venture Center made by Will Dorsey, second by Kathy Curren, approved unanimously
- Motion to approve Lunda bill made by Will Dorsey, second by Jean Romback-Bartels, approved unanimously
- Motion to approve Heitpas bill made by Will Dorsey, second by Jean Romback-Bartels, approved unanimously

### **Committee Reports**

Executive Committee – Jeff Feldt reported that all Executive Committee information was covered in Steve Krause's report to the board.

Property Committee - Kathryn Curren - No report

Fundraising Committee - John Vette indicated it was unwise to move forward on Visitor Center fundraising until there are signed documents on the project

Rapide Croche Committee - Bruce Enke - No report

New Business none

Motion to adjourn made by - Will Dorsey, second by Kathy Curren, approved unanimously

Meeting adjourned at 4:57