

The Builder News

The Official Publication Of The Wolf River Builders Association

Calander of Events

November/December 2015

Date	Event Listing
Reminder:	No General Membership or Board Meeting in November
Nov. 26	<i>Happy Thanksgiving Day!</i>
Nov. 28	<i>Holiday Stroll</i> —Shop small business!
Dec. 4	<i>Santa Parade</i> , Santa House, Horse Drawn Wagon Rides, Nativity Walk More info – 715-853-3775
Dec. 8	WRBA General Membership Mtg, Antler's Supper Club, Bonduel
Dec. 22	<i>First Day of Winter! Brrrrrr...</i>
Dec. 22	WRBA Board of Directors Meeting Launching Pad, 5:30 p.m.
Dec. 25	<i>Merry Christmas!</i>
Dec. 31	<i>New Year's Eve</i>
	<u>Coming Events</u>
Jan. 1	<i>Happy New Year!</i>
Jan. 12	<i>WRBA Christmas Party</i> – Watch for Details!!
Jan. 19-21	IBS – Las Vegas
Jan. 28	Chamber Banquet & Awards The Gathering, \$30/person
Feb. 24	WBA Business Day in Madison

Mission Statement

The Wolf River Builders Association's purpose is to associate the builders within Menominee, Oconto and Shawano Counties for the purpose of mutual advantage and cooperation; to collaborate with all fields related to the building industry for the benefit of the industry as a whole; and to assist in the accomplishment of the mutual objectives of the National Association of Home Builders and Wisconsin Builders Association.



WRBA

Wolf River Builders Association

Professionals You Can Trust!

WRBA - December General Membership Meeting

When: Tuesday, December 8, 2015

Where: Antler's Supper Club
120 E. Green Bay St., Bonduel

Social/Networking: 5:45 - 6:30
Dinner: 6:30 - Meeting to follow

PLEASE RSVP to Diane
by Thursday, December 3rd
@ 715-853-2310 or via Email -
wolfriverbuilders@gmail.com

One meal per membership is free, but we need your RSVP! Any additional meals for spouse or guests are \$15.00 each.

Interested in bringing a door prize?
Let Diane know or just bring it along!

Hope to see you there!

Check out the Member Benefits through NAHB –

<http://www.nahb.org/mc>

Activities

The December 8 meeting will be held at Antler's Supper Club in Bonduel. The board of directors has decided that the membership needs to do more to keep their fellow members informed about what their business is about, specials, activities, etc. We will be announcing plans to revamp our "Associate of the Month" program at the December meeting, with a couple of member businesses willing to take the lead. Attend the Dec. 8 meeting to find out more!

Activities Chairperson: John Maule – 715-853-6826

Advertising

WRBA 2015 Advertising Campaign is in its last quarter for this year. If you haven't gotten in at this point, maybe you'd like to get signed up now for the 2016 season! Pricing for one space is \$90 per quarter (three issues--one ad/month--a cost of only \$30/month). You can also do a double ad on a quarterly basis for \$180/quarter. As always, ad space is available on a first come, first served basis.

You can also get a 5% discount by reserving your space on an annual basis...but you must commit with the January ad and must be paid within the first quarter. A single ad for the 2016 year to take advantage of the 5% discount would be \$342; \$684 for the double ad on the annual basis. Contact Diane at 715-853-2310 to reserve your space today.

Education

Don't forget to check the WBA website (www.wisbuild.org) for the education opportunities being offered by the area builders associations. Many offer "member" rates to all WBA members. There are also some plans for education classes to be offered in our area this winter. Watch your newsletters and emails for more information.

Education Chairperson: Greg Brown – 715-526-2175

Membership –

We need to grow our membership! Please **invite member prospects** to the next meeting – one meal per prospect is on WRBA! If they would like to bring an extra person from their business/family, the cost would be \$15/person. (RSVP required):

Next meeting is on December 8 at Antler's Supper Club in Bonduel. Remember - no meeting in November!

Membership Chairperson: Tom Krause – 715-853-7859



DON'T FORGET TO TAKE ADVANTAGE OF THE MANY NAHB BENEFITS!

Community Service

The Board of Directors recently voted to again offer up to three \$500 scholarships for area high school students that are continuing their education in some aspect of the building trades. Greg Brown with the SCHS Trades Program was contacted regarding the idea of providing us with an item to raffle off. We have agreed to his offer of an 8 x 12 tool shed at a cost of \$1700 for WRBA. We hope to start selling raffle tickets for this item soon, and will hold the drawing at the Home Show in April at the Crawford Center.

WRBA Home Show

The dates are set! April 9 & 10 will be the show dates for the 2016 WRBA Home Show. Packets are out! This year we also have a separate packet for Craft type vendors to see if we can increase interest in our show. Support the WRBA and our local Home Show!

Associate of the Month Program

Thank you to the Wolf River Habitat for Humanity Store for being willing to be our Associate of the Month for the December 8 meeting.

WRBA would like to have more of the Associate members present information about their business at the monthly general membership meetings. It could be general information about who you are and what your company does, or info on a special promotion that you are holding, a sale that you have going on, etc. We will be contacting members to ask that you take a turn and tell your fellow members a bit about your business!



Monday Morning Review October 15, 2015

Justice Bradley to Join WBA Advocacy Group on 10/22

Recently, Governor Scott Walker announced the appointment of Judge Rebecca Bradley to fill out the term on the Wisconsin Supreme Court, replacing Justice N. Patrick Crooks who passed away on September 21, 2015.

"It is an honor to have the opportunity to appoint Rebecca Bradley to our state's highest court," said Governor Walker. "Judge Bradley has truly lived up to her promise to be a judge that demonstrates unwavering commitment to the Constitution and the rule of law in every case that comes before her."

We are honored to have newly appointed Justice Bradley join us to kick off the WBA Advocacy Group meeting which is scheduled to start at 9 AM at the Glacier Canyon Conference Center in Wisconsin Dells.

Speaker Vos Says Session End by February 18

Assembly Speaker Robin Vos announced that he was hoping that the state assembly would complete their work for the session no later than Tuesday, February 18, 2016.

If this date holds true, it would continue the recent trend of the legislature ending earlier and earlier since the date of the primary was moved from September to August. With the month push-back of partisan primaries for assembly and senate, the legislature has started to shrink the number of days they are in session during even numbered years to allow more time to campaign each year.

In 2014 the legislature worked until late March to pass Governor Walker's "Blueprint for Prosperity," which included a large property tax cut and an additional income tax cut. If the assembly—and possibly the senate—conclude their floor period in mid to late February 2016, that would again reduce the time they are on the floor by one month.

The bottom line: any group like the WBA looking to pass legislation in 2016 has to have things pretty well lined up in late 2015 going into January 2016.

Electrical Code Council Looking to Move to 2017 Code

The Electrical Code Advisory Committee at the Department of Safety and Professional Services (DSPS) recently began meeting to discuss updates

to the State of Wisconsin's electrical code. Returning to the council again is WBA member Chuck Johansen, who stated at the meeting that he has been on the council since the last few years of Governor Thompson's administration.

DSPS staff members announced that it was their intention to work off of the 2017 National Electrical Code (NEC) which is still in draft form. The plan moving forward is to work off of the draft 2017 document, take a break until the 2017 NEC is completed, and then get back together to further discuss any changes or additions.

This process is likely to take the rest of 2015 and likely most or all of 2016 because the council and department would need to have the rule package completed before April, per state statutes, to be sent to the legislature for consideration. That is not likely to happen, so it is more likely that the code package would not be ready to be sent to the legislature until they come back in January 2017.

The key to all of this is that the committee be selective of what they decide to include and not include in the code update. It is very typical for the council to start looking at an NEC update, but many times they choose not to include some provisions in the Wisconsin code. This process is very similar to the process that just took place when the Uniform Dwelling Code Council reviewed the one- and two-family building and energy code by looking first at national standards.

The Electrical Code Advisory Committee will be meeting again on October 19, 2015, where they will begin the heavy lifting of updating the code.

Bill to Require Inspections of "Major Renovations" Passes State Senate

The Wisconsin State Senate signed off on a bill supported by WBA that would require the inspection of "major renovations" which are defined in the bill as any renovation that exceeds 20% of the assessed value of a one or two family home.

Senate Bill 87 (SB 87) passed the State Senate on Wednesday, September 16 on a voice vote after receiving a bipartisan vote in committee of 5-0.

Next up will be getting a vote in the State Assembly to sign off on the senate version of this bill. The companion bill to SB 87, Assembly Bill 111, had an amendment added in committee that made significant changes from what is now contained in SB 87.

WBA is now advocating for passage of SB 87 and is not working to advance AB 111 after hearing

concerns from legislators and other interest groups that the changes contained in AB 111 went too far.

The State Assembly is not taking up SB 87 in September, so we will be working to determine the best course of action to get SB 87 approved in the State Assembly before the close of session in early 2016.

Please Take 2 Minutes to help WBA's Future Advocacy Agenda

When WBA is working on an issue, we oftentimes send out notice via e-mail asking members to contact their respective member of the Wisconsin Legislature to support legislation, or occasionally oppose legislative initiatives. WBA members contacting their elected members of the legislature have been key to legislative successes this session.

Next time you receive an "advocacy call to action" from the WBA Advocacy Action Network, please take two minutes to use the system to send a quick e-mail to your elected official.

Your voice needs to be heard and this simple system allows each WBA member to quickly send a message to the legislature to help advocate for strong housing policies.

Who is Benefiting Most from Walker Dropping Out of Race for President?

With Walker out of the race for president, who has picked up those voters in Wisconsin? The evidence is starting to indicate the answer to that question may be Senator Marco Rubio of Florida.

Rubio is now a close third to Donald Trump in the above mentioned Marquette Law School Poll, and recent media reports indicate several high profile endorsements in Wisconsin are likely coming soon.

Speaker Robin Vos this week announced that Senator Rubio will be a special guest at a fundraiser for his campaign and that of the Republican Assembly Campaign Committee on November 9. Vos also formally endorsed the Florida Senator for president as well.

Finally, recently a number of high ranking leaders in the Republican Assembly Caucus also recently endorsed Rubio for president.

Jagler and Olsen to Introduce WBA-Supported Bill

An item in the WBA Advocacy Agenda is set to be circulated to members of the legislature for co-authorship. Representative John Jagler and

Senator Luther Olsen have agreed to co-author a bill that would make sure that the credentials of contactors pulling a building permit are being verified before the permit is issued.

Members of the legislature will be asked to lend their name in support of this effort by coauthoring the bill offered by Representative Jagler and Senator Olsen.

The bill draft supported by WBA will require:

- The building permit form must include a space in which the municipal authority issuing the permit must insert the name of the person to whom the building permit is issued and the number and expiration date of the certificate of financial responsibility issued by DSPS to that person (requirements in 101.654)
- Municipalities to provide an annual report to DSPS that contains the name of each person to whom the political subdivision issued a building permit for the construction of a one-family or two-family dwelling and the number and expiration date of each current credential issued by DSPS to that person

If a report specified above on yearly building permits is not issued, a political subdivision that does not provide the report must refund to each person to whom a building permit was issued an amount equal to the difference between the amount paid by that person to the political subdivision for that permit and the portion of the permit fee remitted by the political subdivision to the DSPS.

To account for the fact that a municipality may overlook sending the report to DSPS, a provision in the bill allows for a 30 business day "right to cure" if the municipality sends the report to DSPS within 30 business days of being notified by the department that they had not issued the report.

Brad Boycks
WBA Vice President of Advocacy

Kwik Trip Script Gift Cards are available for you to use as Christmas gifts, birthday gifts, or for your own fuel and other Kwik Trip purchases. WRBA receives revenue from the purchase/use of these cards...support WRBA! And Kwik Trip! \$20, \$25, \$50 and \$100 denominations are available. Get the denominations you want...order today!

CHANGE ORDERS

“What we’ve got here is a failure to communicate.”¹

By Attorney Robert C. Procter



One of the leading reasons for disputes between owners and builders is a failure to communicate. For some reason, builders stubbornly refuse to use written change orders to protect themselves from these types of changes.

During the construction process, everyone is getting along. The owner asks for some changes to the scope of work. The builder does the work. Then the bill comes. The owner claims that the cost is more than he or she agreed to pay. Without a written change order, the builder must try to collect for his additional labor and materials based on the builder’s word against the owner’s word.

First, if you are doing any type of home improvement and there is a change that will result in an additional cost to the owner, a decrease in value of materials, or extend the completion date, then Wisconsin Administrative Code ch. ATCP 110 requires that you use a written change order. Failure to use a written change order will open you up to a claim for double damages plus all of the owner’s attorneys’ fees.

Second, change orders benefit the builder. It is the document that will protect you from the owner claiming that the additional work was not authorized and insure that you get paid.

You should use a change order whenever there is going to be a change to your original contract’s: (i) scope of work; (ii) price; or (iii) date of completion. The written change order should set forth the name of the builder, the name of the owner, the address of the project, the changes to the scope of work (for example, the scope of work is amended to provide for the installation of a 400 Series Frenchwood Hinged Patio Door on first floor to replace the originally selected 200 Series Perma-Shield Gliding Patio Door), change in price (labor and materials), and any delays that it will cause to complete the project.

It is understood that it is difficult in the field to require a change order on the fly. To avoid this problem, you can carry a form change order form with you. The Wisconsin Builders Association has Change Order forms for both new home construction and home improvements. Download the form so that you have copies of it with you. The form will guide you through everything that needs to be included in the Change Order. If you agree to the change in the field, but do not have a change order form with you, then you should not

start work on the requested changes until you come back to the owner and have the change order completed.

Attorney Robert C. Procter

rprocter@axley.com

Phone: 608.283.6742



Robert Procter is a partner at the firm practicing dealer/franchise law and real estate/construction law.

Mr. Procter is a leader of the firm’s Construction & Transportation Practice Group, representing developers and builders relating to all aspects of development including real estate acquisitions, annexations, land divisions, zoning disputes, condominiums and tax-deferred exchanges. Mr. Procter acts as outside general counsel for the Wisconsin Builders Association, and is a registered state lobbyist focusing on construction and real estate legislation.

Mr. Procter is also an active member of Axley’s Distribution & Franchise Law Team. Mr. Procter counsels manufacturers and distributors relating to dealership and franchise issues including distribution agreements and networks, dealer terminations, product recalls, regulatory compliance and litigation.

Education

J.D., *cum laude*, Boston University

B.A., University of Wisconsin – Madison



Monday Morning Review

November 18, 2015

Code Changes Likely Coming in 2016

There has been a great deal of activity over the past months on updates to the one- and two-family building code, the Uniform Dwelling Code (UDC). The Uniform Dwelling Code Council (UDC Council), which consists of [11 members](#) (7 of which are WBA members), has been busy reviewing the entire UDC which started in September 2013.

The first order of business was for the UDC Council to review the entire UDC and issue a report back to the

legislature on suggested changes. That [report](#) was ultimately finalized and presented to the legislature in July 2014.

After the issuance of that report, those recommended changes were turned into actual code language with some additional changes that were approved by the UDC Council and included in the final code package. That package is currently being reviewed by the legislature and can be found [here](#). If the legislature has no issues with the changes, the code package will go back to the Department of Safety and Professional Services with an effective date goal of January 1, 2016.

One other big project the UDC Council took on was to bring all of the relevant codes relating to the construction of a deck into one section of the code book so the experienced contractor and the “DIYer” could better understand the code to build a safe deck. These items were also reviewed by the UDC Council and unanimously approved by the council earlier in 2015. This code package, which can be found [here](#), is on the same legislative track as the UDC package mentioned above, and, with no changes from the legislature, also has a target effective date of January 1, 2016.

Justice Bradley Addresses WBA Advocacy Group

Recently the WBA Advocacy Group was honored to be joined by the newest member of the Wisconsin Supreme Court, Justice Rebecca Bradley.

Justice Bradley was recently appointed to the Wisconsin Supreme Court after the unfortunate passing of Justice Patrick Crooks. Before her appointment to the Wisconsin Supreme Court, Justice Bradley formerly served on the Wisconsin Court of Appeals and the Milwaukee County Circuit Court.

During the presentation, Justice Bradley talked about her judicial philosophy, past work experience, and why she believes she should be elected to serve an additional 10 year term in the spring of 2016.

Finally, before departing, Justice Bradley took a number of questions from the group; most notably, she discussed how a justice takes into consideration all of the arguments presented by both sides of a case and compares that with legal research done by clerks on her staff.

More information on Justice Bradley’s campaign for Wisconsin Supreme Court can be found [here](#) and a recent interview by Wisconsin Eye can be found [here](#).

Governor Walker signs off on bill to limit local regulations on builders

Governor Scott Walker recently signed Senate Bill 81 (SB 81) into law that will assure that local municipalities

are not requiring additional testing requirements that are in excess of those currently required by the Department of Safety and Professional Services (DSPS).

WBA was able to work with the bill authors, Senator Van Wanggaard (R-Racine) and Representative Dale Kooyenga (R-Brookfield) on [senate amendment one](#) which specifically defines contractors in section 101.654. The language contained in senate amendment one is meant to codify the language of an [Attorney General’s Opinion](#) on this matter that was issued on August 26, 2010.

With Governor Walker’s signature SB 81 became [2015 Wisconsin Act 65](#).

More Early Advertising in the Johnson-Feingold Race

With the 2016 General Election now less than one year away, additional advertising was recently launched to educate voters on the record of former U.S. Senator Russ Feingold. The rematch of 2016, pitting current U.S. Senator Ron Johnson against Russ Feingold, is going to be one of the most hotly contested races for U.S. Senate in 2016.

Recently, a new issue advocacy group, the [Wisconsin Alliance for Reform](#), was formed and is described as “a coalition of concerned citizens and community leaders committed to creating greater economic opportunities for Wisconsin families.” On their website, the Wisconsin Alliance for Reform went on to say that “over the coming weeks and months, we will advance public policies aimed at creating jobs and economic opportunity, limiting government, reducing the tax burden on citizens, and improving the economy.”

The Wisconsin Alliance for Reform also has come out with ad highlighting former Senator Feingold’s 18 years in office to “remind voters why Feingold has already been rejected.” The ad titled “Game Show” can be found by [clicking here](#).

The Milwaukee Journal Sentinel quoted Russ for Wisconsin campaign manager Tom Russell as saying, “Anonymous groups like this think that they can play games to cover-up Senator Johnson’s out-of-touch record of representing billionaires, multimillionaires, and big corporations.” Russell went on to add that “Russ proposed the Badger Pledge to focus this election on the issues facing Wisconsin families, but Senator Johnson won’t sign it because he likes the ability of anonymous groups to spend limitless amounts with no accountability.”

This latest ad will certainly not be the last in this highly contested race.

Brad Boycks
WBA Vice President of Advocacy

WRBA Membership News

WRBA Member Renewed – Welcome Back!

- Crossroads Custom Cabinetry
Representative: Cory Klement
- Dearco Distributing, Inc.
Representative: Greg Rusch
- Wallrich Agency Inc.
Representative: Cap Wallrich
- Woodstock Hardwood Flooring & Design Center
Representative: Philip Kersten

Members – Renewal Due October

- Associated Bank – Dan Miller

Members – Renewal Due November

- Stone Creations of WI – Trish Kieckhafer

Members – Renewal Due December

- Maule Construction – John Maule
- Menominee Tribal Enterprises – Al Quinney
- T & L Builders of Shawano, LLC – Tom Darga
- V G Builders LLC, Steve Van Gheem
- Dynamic Designs Unlimited – Tammy Brzeczowski
- Valley Cabinet, Inc. – Mike Stoller

Members – Renewal Due January

- Brady's Septic Service Inc. – Wayne Brady

Retirement Wishes

Randy Bohm, Bohm LLC has opted to not renew his membership this time around and is retiring. We thank him for being an active part of the WRBA since our charter back in 2003. He has served on the Board of Directors every year, including serving a term as President of WRBA, as well as actively participating in many of the activities WRBA has held over the years. We wish Randy all the best in his retirement.

Membership Dues — Installment Payments

If desired, you may make installment payments on your membership dues renewal. You may split the payment up into two or three payments, with the final payment due by your renewal date. There will be no refunds if dues are not paid in full. And one payment in full when due is always an option!

You can benefit by recruiting new members for WRBA this month and every month! Receive \$20 off your next membership renewal for each Associate member you recruit; \$40 for each Builder member you recruit. We are promoting membership for the balance of our meetings in 2015...plan to bring a prospective new member to see what WRBA is all about!

[Like us on Facebook!](#)

Members Support Other Members!

Wolf River Builders Association 2015/2016 Board of Directors

President	John Maule Maule Construction LLC 206 E. Freeborn Street Cecil, WI 54111 715-745-2256
President-Elect	Bill Rapaich Top Shelf Builders Inc. W8043 County Road M Shawano, WI 54166 715-524-2016
Treasurer	Don Pedersen KerberRose, S.C. 115 E. 5 th Street Shawano, WI 54166 (715) 526-9400
Secretary	Cap Wallrich Wallrich Agency 300 E. Green Bay St. P. O. Box 90 Shawano, WI 54166 715-526-2156
Past President	Mark Flunker - Wolf River Habitat for Humanity (715-584-5995)
Builder Directors	Mary Huntington – Crossroads Custom Cabinetry (715-526-3261) Trish Kieckhafer – Stone Creations of WI (715-526-8690)
Associate Directors	Tom Krause –Cellcom (715-853-7859) Bill Gorman–Gorman Plumbing (715-853-6231) Tammy Brzeczowski – Dynamic Designs Unlimited (920-822-4450)
State Directors	John Maule – Maule Construction LLC Tammy Brzeczowski – Dynamic Designs Unlimited LLC
Executive Officer	Diane Montour Email: wolfriverbuilders@gmail.com Website: www.wolfriverbuilders.com Ph: 715-853-231



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WISCONSIN CONFERENCE

Mar 2-4, 2016 | Kalahari, Wisconsin Dells

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Receive the
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DEADLINE—DEC 11

REGISTER NOW

“The Bottom Line” – the monthly newsletter of the **Shawano Country Chamber of Commerce** – provides us with the following dates/events:

More info on these events is available from the Shawano Country Chamber of Commerce at 715-524-2139 unless otherwise stated.

Nov. 26 – Total Fitness 5K Turkey Trot – call 715-526-2899 for more info.

Nov. 28 – Small Business Saturday “Holiday Stroll”, Main Street, Shawano – 715-853-3775

Dec. 2 – Chamber Coffee Connection, Glas Coffeehouse, Shawano, 8 a.m. - 9 a.m.

Dec. 4 – Santa Parade, Santa House, Nativity Walk, Horse-drawn Wagon Rides – 715-853-3775

Dec. 11-12 – Santa House & Stempa Family Benefit at Valhalla Hillside Inn, Bowler

Jan. 28 – Chamber Banquet & Awards, The Gathering, Shawano, \$30/person; \$240/Table of 8

Rotary Youth Exchange Program

Cap Wallrich has been involved with the Rotary Youth Exchange Program for the last 15 years. Each year they host a high school aged student from somewhere in the world. Cap is trying to find at least two families in the Shawano school district that would be interested in hosting these kids. As Cap says, “It’s a great experience.”

He would like to know if any of you might be interested, or if you know of anyone who might...neighbors, co-workers, friends, etc. If so, please give Cap their name or have them contact him for more information. Cap can be reached at the Wallrich Agency office, 715-526-2156.