

MEETING MINUTES
DISABILITY ADVISORY COUNCIL MEETING
JUNE 23RD AND 24TH 2016
NAVARINO NATURE CENTER
W5646 LINSTEN ROAD, SHIOCTON, 54170

Members Present: John Martinson, Jim Rutledge, Kirsten Engel, Cathryn Scott, Keith Pamperin and John Kocourek

Members Absent: John Mitchell, Monica Kamal, Steve Johnson, and Joe Greene

Others Present: Anthonette Gilpatrick, Barry Gilbeck, Kay Brockman-Medegas, Nick Zouski, James Robaidek, Tim Ewing (Nature Center Director) and Julie Amakobe

Chair Martinson called the meeting to order at 1:25 pm.

The Council first reviewed the agenda. Kirsten wanted to add Devil's Lake accessibility to the agenda.

Jim made a motion to accept the agenda with the one modification. Cathryn seconded the motion and all were in favor.

Next, the Council reviewed the meeting minutes from April 8, 2016.

Jim made a motion to accept the minutes. Kirsten seconded the motion and all were in favor.

First on the agenda was the PDMD discussion which was a carryover from the last meeting. DAC had made a motion at a previous meeting allowing a battery operated single occupant outdoor wheelchair access to designated public trails without a Power Driven Mobility Device (PDMD) permit.

Anthonette convened a Team from the various Lands Programs (Wildlife, Parks, Fish, NHC, and Forestry) to get their input on the track chair and PDMDs in general. Nick and Anthonette presented the same Power Point at this meeting to the DAC for discussion.

The Council saw examples of PDMDs. It then looked at the definition of a wheelchair and discussed examples of wheelchairs. As shown in the presentation new devices under the Healthcare Common Procedure Coding System (HCPCS) designate codes for medical equipment. The "K" code is used for wheelchairs. Track chairs are included and do have a "K" code. Therefore, they can be designated as a wheelchair. Other PDMDs do not have this code and can cause damage to the environment. As part of the Power Point Nick did a video with Anthonette and Chad Hermanson showing Nick in his power wheelchair and Chad in his Action track chair at a park facility. It was amazing to see the comparison of damage with the track chair producing very little ground disturbance and the power wheelchair making big ruts in the grass surface. The track chair travels at 3.5-4.0 miles per hour similar to a power wheelchair.

After Anthonette and Nick met with the DNR Internal Team members, they were to go back to their respective Bureaus to discuss the PDMDs and track chairs. Nick sent them all a link to the Power Point to show their co-workers and the Team members were to report back to Anthonette any information from their teams.

The Wildlife Policy Team did not have a problem with the track chair. Forestry is meeting in July; Fish did not come to the internal meeting. This is where DNR is in the process and Anthonette plans on having a fall meeting to discuss next steps. It will then be presented to the Lands Leadership Team (LLT-may have a new name under the Alignment process). If results are favorable from that meeting then DNR will proceed with the procedures and policy needed to implement the process to use a Track Chair on certain Department lands without requiring a PDMD permit. Training will be necessary to get property managers and field staff familiar with the new process.

The motion that the DAC had made **to allow battery operated single occupant outdoor wheelchair access to designated public trails without a PDMD permit, and deviation from designated trails would require permit** is good, but it limited the use only to designated trails. Kay indicated that designated trails are identified on a map and get inspected twice annually. Trails on wildlife areas are not designated trails, unlike the State Parks which have mainly designated trails. Wildlife Areas have trails that are “designed” to be used by the public. Kay said that DNR could put an access point on a map and take the lock box off of the gate to allow access. One could push the gate open without a key. Kay also told the Council that she has rules to keep people safe. For example, cell phone coverage isn’t good in many parts of the properties, so she needs to know where visitors may be located. She said September through December certain areas of her property are closed to everyone. In 2011 DNR property managers started to do trail assessments. Kay has done addendums to better clarify the open areas. Kay advised Track Chair users to come and get the PDMD permit so that the person could get the maps and the rules to help keep them safe instead of just coming to the property and going out on his/her own.

Based on the information that Anthonette and Nick have presented, it was suggested that the DAC revisit its motion from the July 23, 2015 meeting at Fitchburg of limiting the use of Track Chairs on designated public trails only and revise the motion.

There was a lot of discussion on this matter. Kirsten wanted to change the previous motion from use on only a designated trail to allow any location—to treat this like anywhere a wheelchair could go. Cathryn suggested amending the April motion from designated public trails to DNR managed lands open to public access without a PDMD permit. Jim suggested using the definition in the Facilities and Lands handbook for property managers (a suggestion from Kay) which says **DNR designated public use areas**. DNR designated use areas have three requirements for designation – designated on maps, on a sign outside the office on the property or on signs placed at the use area.

Cathryn made a motion to amend the July 23, 2015, definition to allow a battery operated single occupant outdoor wheelchair access to a DNR Designated Use Area without a PDMD permit. Jim seconded the motion all were in favor.

Next on the agenda was the Annual Disabled Veteran Recreation Card. Barry had given the Council the statutory reference requiring that this card be shown every time in order to receive the reduced rates benefit. A customer had complained that he had to show his veteran disability information each time when he was requesting a reduced rate fishing license. Barry indicated the person could make contact with the Wisconsin Department of Veteran Affairs. DNR realizes the sensitivity of this information and will be asking for an enhancement to the Go Wild System to have this system incorporate a Veteran’s information or the Go Wild Card to have this information imbedded in the card. Veterans can fill out a form which Barry handed out. Once the form is filled out by the Veteran, a decision award letter will be sent as proof. Or the Veteran can fill out the form number 2500-123 to get a permanent card showing he is a Veteran or POW. This card will not have any personal information. The applicant’s County Veteran Services Officer signs off on the form and then sends out the card which is good forever.

John Mitchell's agenda item, deer tags for disabled permit owners, will be tabled until next meeting.

Next on the agenda was NR 45.05 (3) (d) 1. There are proposed language changes to this section, namely, "Allowing up to two persons to accompany person with a disability on a device."

Draft language is as follows: "**SECTION 8.** NR 45.05 (3) (d) is renumbered NR 45.05 (3) (d) 1. and amended to read:

NR 45.05 (3) (d) *Persons with physical disabilities.* 1. The department may authorize by permit persons with physical disabilities that affect the person's mobility to use a motorized vehicle as a mode of personal conveyance. The department shall accept proof of disability as required by 28 C.F.R. 35.137(c) (2). Up to 2 additional people may occupy the device for the sole purpose of assisting the permittee.

The questions might be:

- Is two additional people the right number?
- The "sole purpose" language might prevent an assistant from also being able to hunt. Considering that this permit authority is not for special hunts but is actually something that a disabled hunter could take advantage of during regular open seasons as well, is this an appropriate restriction?

Scott Loomans was on phone to update the Council. The proposed change has not been adopted by the DNR Board yet. They have not taken action on it. Changes to NR 45 went to February Board meeting, but it was realized there were certain groups that had not been contacted yet and needed their input. Scott gave the Council the background and discussed the proposed language which was handed out by Anthonette. Scott wanted to know "Does Wildlife Management have the language correct?"

Kay mentioned the possibility of the mentor being disabled. Let's say he/she wanted to do the youth deer hunt. He/she would go on state land to mentor niece or nephew. But now the mentor is disabled and the hunter is not. This provision refers to the regular open season or refers to getting a campsite or fishing. This provision being discussed is broader and is not referring to the specialized hunt. The proposed language change is needed by late June or early July so that by late August it will be ready to go to the Board. Kay said currently if the assistant shoots a deer he cannot put it on the vehicle to haul it out. This can happen only if the disabled hunter shoots the deer.

One suggested language change in the phrase "for the sole purpose of assisting the permittee" is to add "**or serving as a mentor to a youth or other first time hunter**" and to change "sole" to "**primary**". Anthonette mentioned that these are the type of discussions that having an LE liaison present at the DAC meetings is very beneficial. Jim said in the open water hunting rule, DNR does allow the assistant to hunt too.

Another suggested language change is to delete the phrase "for the sole purpose of assisting the permittee". Put a period after "**.....may occupy the device**". Yet another suggestion was to take out "sole" and add "**and participating in a licensed activity**". For the retrieval of game, DNR should make every reasonable effort for the non-disabled permit holder to take out deer in the device. There was lots of discussion on this topic. Anthonette or Julie will talk to DAC later today or tomorrow to get their final opinion and a recommendation/motion. The timeline to finalize language is the end of June or early July.

The DAC members present were in favor of up to two additional people, but it needs to firm up the remaining language regarding “**sole purpose of assisting the permittee**”. Julie will follow up with an E-mail to Members to get their input.

Next Scott discussed Electronic Calls public hearing notice. Class A and B can use the call, but not the hearing impaired. Anthonette received a definition for hearing impaired. Scott explained why it hasn't gone through yet. The reason is rules' changes cannot be done during election year and the Go Wild System took up time. The Members can send hearing comments to him (don't have to appear in person). The Notice of Hearing went out and the hearing will take place on June 29, 2016 in Room 608 of the Natural Resources State Office Building (GEF -2) 101 South Webster St., Madison and could be ready for the Legislature in January.

Keith made a motion to support the change that will allow deaf hunters to use an electronic call. Jim seconded the motion and all were in favor.

Kay asked what if someone who is disabled wants to hunt during the special hunt period, but does not want to sign up his/her land for the hunt. The land may not have enough acreage, etc. She wondered why can't they hunt anywhere during special hunt time period? There is a procedure in place and it needs to be followed by the land sponsors and the disabled hunters.

Next on the agenda was NR 45 general comments from the DAC. There were no more comments.

Next, Barry gave his updates.

- Barry provided information on the Annual Disabled Vet Recreation Card
 - o This was brought about by a constituent contacting one of the council members concerning having to show proof each year.
 - o Barry indicated the department realizes having veterans provide sensitive personal documents to license agents is not an ideal situation. There have been discussions between the DNR and WDVA about modifying the procedure for submitting proof of a veteran's disability by having CVSOs certify the veteran meets specific eligibility requirement(s). This would eliminate the need for a veteran to submit sensitive documents. The department has not had the resources to pursue this further at this point.
 - o He provide that State Statute 29.193 (3) (c) and 29.236 require the documentation.
 - o Barry also indicated that in the future we hope to make improvements using the new Go Wild System.

- Barry provided the follow Customer Service Updates
 - o Transfer of awarded permits to Class A, B, C, D
 - Transfer web page has been updated.
 - Separate form for bear license
 - Can be transferred to people with disabilities, recipients of a Purple Heart, and active duty service members
 - o The law does not specify the length of time for Class B disabled permit holders

- The Bureau of Customer and Outreach Services has hired a new Bureau Director.
- Kimberly Currie is the new Bureau Director for Customer and Outreach Services.
- The disabled permit application (9400-604) has been updated
 - o Now incorporates the new trolling permit for sight impaired individuals
 - o The updates are on the bottom of Page 2
- All Disabled Permits have been added to the new Go Wild system and they are part of an individual's electronic record.
 - o As a result, they can be accessed by the four options that can be used to access a license.
 - o Electronic copy saved to a smart phone
 - o Driver's license
 - o Go Wild Conservation Card
 - o Paper Copy
- Deer Season updates
 - o Antlerless permit selections
 - Close to completion of development and the department will fully test everything prior to implementation.
 - Farmland Antlerless Tags (Class A and C)
 - All tags valid statewide – **Barry sent an update to this indicating only one tag is valid statewide.**
 - Land type specific
 - Can choose any farmland zone
 - Game Registration will be worked on to accept the statewide antlerless
- Season structure and maps
 - o Provide handouts and explain changes
- Tree stands on state owned property
 - o Still not legal to leave stands on state property overnight per NR 45.09B

Although not part of this meeting's minutes, as an FYI, Barry also sent out this message to DAC members after the meeting via e-mail:

Disabled deer hunters encouraged to sign up for a sponsored hunt before Sept. 1 deadline

Eligible hunters with an interest in participating in the 2016 [gun deer hunt for hunters with disabilities](#) are encouraged to contact a land sponsor and sign up for a hunt before the Sept. 1 hunter participation deadline.

As of the June 1 sponsor application deadline, [75 landowners have enrolled nearly 77,000 acres of land across 42 counties](#) for this year's hunt, which takes place October 1-9. For a complete list of 2016 sponsors, visit dnr.wi.gov and search keywords "[disabled deer hunt](#)."

Nick had a question. Currently a hunter can transfer a bear tag, but not the points. He wants to know if this can get changed. Does DAC have an opinion on this? Can each of his 10 friends donate 2 points, so then he could apply for a Bear tag? Kimberly Currie is aware of this issue. Barry said to be specific on this i.e., terminally ill. Barry will be following up on this.

Next on the agenda was the Accessibility Coordinator updates. First Anthonette discussed the dedication of the Chippewa Flowage accessible fishing pier. It is a great pier and a great fishing location.

She informed the Council that Nick was working on changes to the DNR Open the Outdoors (OTO) website and creating separate brochures for kayaks, accessible cabins, and the DAC. He has changed the OTO logo, but it is not yet approved.

Anthonette said she was also working on the responses to the Federal audit by the Fish and Wildlife Service which is due by July 1st.

Next she said the dedication for the 25 year anniversary of accessible cabins was a huge success. Eighty (80) people attended the event at Mirror Lake SP. DNR currently has 8 accessible cabins.

Anthonette let the Council know the Eagle Tower at Peninsula State Park is being torn down and will be reconstructed. Ben Bergey, Parks Director, would like to meet with the DAC. The meeting should be in Fitchburg. A public hearing on the Tower has already taken place.

Anthonette talked about the Oconto viewing platform problems/issues and the solution necessary to make it accessible. It has taken over 2 years to make these ADA modifications. The viewing platform is in final stages of construction.

Anthonette handed out Kay's itinerary for tomorrow's tour of Navarino Wildlife Area. Anthonette walked around this building (Nature Center) and took measurements while on break. The building was completed in 2001 and then renovated in 2010. This facility is a private facility on public land. Co-owners of this facility are a non-profit and DNR which donated some funds toward the building project. It is located on DNR land. The only concern is the basement level is where the classroom is located and there are no restrooms on that level. Staff said they allow people with disabilities to drive and be dropped off at the lower level. A suggestion was made to have an accessible portable toilet at the lower level.

Kirsten indicated Devil's Lake is redoing its beach wall. The beach wall was once historic, but now it is being taken down. It is not completed yet. She also mentioned that a trail identified as an accessible trail at this Park, Tumbled Rock Trail, is not accessible. The 1990 Park map has the trail as accessible and it clearly is not accessible. Therefore, the accessible designation should be removed from the map. Anthonette will follow up with the Park's Manager and will discuss at the next meeting. Nick and Anthonette mentioned they would like to get an accessible van up to the top of the bluff at Devil's Lake State Park.

Next on the agenda were the Members' updates:

Jim – Jim talked to Chad Hermanson and he told him that the Michigan DNR had purchased 10 Action Track Chairs for their public lands for use by the disabled. Jim also recently received a plaque from the DNR for his 10 years as a Hunter Education Instructor. **Congratulations Jim!**

John Kocourek – No updates.

Cathryn – No updates.

Kirsten – No updates.

Keith – No updates.

John Martinson – No updates.

Steve Johnson (absent but sent updates):

As noted at our last meeting, the NASA Memorial Park was on schedule to be dedicated by the end of May. We had a dedication on Memorial Day with over 100 persons attending, and the park was formally dedicated to veterans and persons with disabilities. The land owner who donated the land to NASA, had lost his brother in WWII while serving in the Pacific theater, and lost his life at the age of 23 while fighting in Saipan. The park will be maintained by the Town of Onalaska, and is immediately adjacent to the NASA accessible fishing pier. The park has accessible picnic tables, a huge accessible grill, all covered by a large shelter. All pathways are paved, and can accommodate many persons at one time. There is a short news article on WKBT News Channel 8 which can be found at <http://www.news8000.com/news/NASA-Memorial-Park-Dedication/39793992>

The NASA annual banquet was very successful this year, and all 600 tickets were sold in 5 days. It is a very desirable conservation banquet to attend. This was our best banquet yet financially, and proceeds will help cover the cost of the Memorial Park project, and other NASA services.

The fall NASA deer hunts are shaping up nicely with only one hurdle yet to overcome to move forward with the County landfill managed hunt. This is in regards to get a waiver from the City of Onalaska in order to carry firearms within the city limits. We are looking at the first 2 weekends for these hunts in September as this will not conflict with the City's metro bow hunt. Additionally, the 5th annual Hixton Forest managed hunt, which is the largest park in the City of La Crosse, will take place the same weekend as the antlerless hunt in December with the dates of December 10 and 11. Watch the NASA website for application info which should be posted on or around the first part of July.

NASA pheasant hunts at Woods and Meadows will start in September. Contact Steve Earp if interested in hunting. (contact info found on the NASA website at www.NASAsquirrel.org)

NASA held their 2nd annual disabled veterans turkey hunt during the 5th season with 26 individuals participating. A total of 8 birds were harvested, assistance was provided through Wings Over Wisconsin, Melrose Rod and Gun, and NASA. Lodging was at the Super-8 in Sparta, and the hunters hunted throughout the region, and were each matched with mentors.

Chair Martinson adjourned the meeting at 5:45.