

MEETING MINUTES
DISABILITY ADVISORY COUNCIL MEETING
SEPTEMBER 22ND 2016
FITCHBURG SERVICE CENTER- BLUFF/DRUMLIN ROOM
3911 FISH HATCHERY ROAD, MADISON, 53711

Members Present: John Martinson, Jim Rutledge, Kirsten Engel, Cathryn Scott, John Mitchell, Steve Johnson and Keith Pamperin

Members Absent: Monica Kamal, Joe Greene, and John Kocourek

Others Present: Anthonette Gilpatrick, Barry Gilbeck, Nick Zouski, Bennett (Steve's service dog) and Julie Amakobe

Chair Martinson called the meeting to order at 10:10 a.m.

The Council first reviewed the agenda.

Keith made a motion to accept the agenda. Steve seconded the motion and all were in favor.

Next, the Council reviewed the meeting minutes from June 23, 2016.

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

Before the first item on the agenda, Eagle Tower at Peninsula State Park, Anthonette gave the Council some background information on the Tower. She discussed the ADA 2010 Standards for Accessible Design. Nick discussed Florida's Wall Spring Park tower project. It was reconstructed in 2014-15. The tower was closed until a wheelchair ramp was completed.

Anthonette also discussed the meeting she was asked to set up for Parks with constituents (3-5 people who represented disability organizations). The meeting occurred on September 13th, 2016 and was attended by Sandy Popp, Options for Independent Living in Green Bay & Governors Committee for People with Disabilities; Kirsten Engel, Accessibility Consultant, DAC member and parent of a person with a disability; and Dan Johnson, Wisconsin Council on Physical Disabilities was invited but unable to attend.

Ben Bergey, DNR Bureau Director of Wisconsin State Parks, came to the DAC meeting to talk to the Council about the Eagle Tower and what has occurred so far regarding public meetings and design. Missy Vanlanduyt, Capital Development Coordinator was also present.

First, introductions of the Council Members and their affiliations with other disability organizations were made to Ben Bergey and Missy Vanlanduyt.

Next, Ben talked about Peninsula State Park, one of the State's most popular parks. The Eagle Tower is located at Peninsula. Ben said it was first constructed in 1932 as an observation tower. Peninsula is one of the busiest, in Door County with 1.2 million visitors per year. Peninsula is a very special place for many visitors. Some visitors are the 4th or 5th generation of visiting this Park. It is a cultural experience for many. The visitors connect to the landscape. There is a lot of emotion, memories, and public sentiment at Peninsula.

Ben started his position in January 2016. By this time the tower inspections were completed and there was a lot of public opinion regarding the closing of the Eagle Tower. Peninsula State Park has Midwest recognition, not just in Wisconsin. The Tower is 84 years old. Some believed it was still safe, etc. The public has been told there is a need to build something that looks good and is accessible. One of the comments the Parks Program heard from some of the public was “what is this ADA thing”? DNR wants to look at the new technologies (wood and glue) available. The Parks program wants to get input from the DAC. Currently, the Parks program has to come up with strategies for funding Parks operations and it doesn't have a lot of money; the money it has is used for maintenance. Members from the Community and Legislators came out to look at the Tower.

Missy talked about Eagle Tower history. Eagle Tower was first inspected in 2013 by a DNR engineer. In 2016 DNR did inspections and maintenance on all its wood towers. In 2015, there was an internal structural analysis of the Eagle Tower. DNR had hired an outside structural engineering firm. Its findings and recommendations were that the tower is not structurally sound, and therefore DNR should close it to the public. DNR had another engineering firm come in and perform a peer review of the previous engineering firm's determinations. It confirmed the first firm's recommendations. Lastly, DNR invited Bob Ross of Forest Products Lab, to evaluate and do a 3rd analysis. Bob Ross and his colleagues are wood experts and they, too, indicated the Tower was not structurally sound. It was determined that the Tower in its current condition was not safe for public use and it was closed Memorial Day in 2015. The Tower was deconstructed (taken down) this week (September 19, 2016). In October, the Forest Products Lab will determine if some of the wood can be used structurally, or aesthetically, in some other way or not at all. The Friends of Peninsula State Park group is raising funds right now and has \$30,000 in hand plus \$20,000 in additional pledges.

The Group that is helping to raise money for the Friends Group is called Eagle Tower Fund Committee. They are contacting a Foundation in Sturgeon Bay regarding fund raising. This Foundation may pay for the whole thing. There is a target construction number of \$750,000 per Missy.

Steve indicated the State Council of the Blind may want input on Tower accessibility for people with visual impairments. Sandy Popp also mentioned this at the September 13th meeting with Parks.

The view shed analysis technology was discussed. DNR has that technology and it has been used in the Lower Wisconsin Riverway. The view shed analysis is used to determine the elevation at which optimum view levels diminish. Parks is planning on have a view shed analysis conducted. The Eagle Tower was 75 feet high. In discussing an elevator, Missy said that it was 3 miles to bring in electricity. The road would also be torn up on those 3 miles to bring in the electricity. The electrical lines would have to be buried (underground). It is estimated at \$500,000-1,000,000 for electricity and the elevator and shaft would be about \$1,000,000 to \$3,000,000. DNR has not had any public meetings yet. Legislators have had meetings in the area to discuss the tower.

Missy specified why the electrical lines had to be buried underground. It is because the Park was funded with federal LAWCON monies and this grant requires any new utilities must be underground.

The deconstruction was estimated at \$50,000; however it only took two days so that will bring the costs down.

Kirsten said after the September 13 meeting she saw an article and it said that the new tower is going to be similar to the old structure.

Missy stressed that the ADA and making the tower accessible is brought up every time. There are 3 questions the public asks: 1) DNR funding? 2) Will the tower look the same? 3) Naming rights?

Cathryn indicated that new construction triggers the ADA. If you would ramp it up to 30 feet and then have it built higher it is likely someone would challenge it and DOJ would probably close it down.

Ben said “We all want this tower open for everyone to enjoy”. It is a DNR challenge to figure this out. Parks said that whatever happens at the Eagle Tower will set precedent for its other towers.

John Mitchell asked if DNR could use a scissor lift using a car battery. DNR could ramp it up to a certain level and then use the scissor lift. John indicated there is one type made in Georgia. Jim said there is a similar lift used in Montana. Ben liked this idea and said he wanted to explore this further.

Ben will meet with the DAC again sometime in the near future when he has more information to share. He would like to see a recommendation from the DAC.

Anthonette said that usually the DAC has discussion after the presenters leave and make a motion that is a public record. She will make sure Parks gets a copy of the minutes with the motion that is made at this meeting.

There was lots of discussion with the Council regarding this issue. It was determined if questions arise, one should contact the Federal Department of Justice in D.C. or the Access Board. Anthonette has made contact and handed out an email from Peggy Greenwell of the US Access Board from May, 2012 specific to newly constructed observation towers and the exceptions related to “raised areas”. They are found in 203 General Exceptions of the ADA and in the Title II regulations for Exception for Structural Impracticability. She also handed out the DNR news article on Eagle Tower dated September 20th and Florida Wall Springs Park observation tower project that was now closed due to ADA requirements and a wheelchair ramp will be completed before the tower can be reopened.

Cathryn made a motion that the construction of Eagle Tower follow the ADA standards for new construction. If questions arise regarding ADA compliance regarding new construction, contact the Federal Department of Justice in D.C. or the United States Access Board. Steve seconded the motion and all were in favor. Keith supported the motion.

Next on the agenda was the topic of antlerless tags. Nick led the discussion. In the 2016 deer hunting regulations, Page 11 Disabled Hunters section, a Class A and C permit hunters can get one bonus antlerless deer tag and it is land type specific. This was in last year’s regulations as well. The issue for disabled hunters is for the special hunt. Let’s say a disabled hunter specifies “private” land, but the hunter doesn’t get a doe. So now the disabled hunter wants to hunt on “public” land to get a doe and he or she can’t. The disabled hunter now has to purchase a bonus tag and there might not be any available in certain counties at that time. Nick suggested that the rules be changed for the disabled hunter to allow the use of either public or private land antlerless tag.

Jim said back in 1992, a disabled hunter could shoot two bucks and the disabled hunter community agreed to give up the right to shoot two bucks in order to hunt a buck or a doe.

Steve asked if DNR can correct this. Anthonette said DNR didn’t change the statute regarding this issue. The statutory reference is SS. 29.193, and the statute has authority over the regulations. There is an inconsistency here. Scott Loomans is in the midst of writing the rules (changes) and these changes need to be in the register in October. Scott said there are two options. 1) Spring hearing in 72 counties or 2) House- keeping rule (a bit faster).

It is unknown if there is an administrative code reference to this issue. Anthonette or Julie will check on this.

Keith asked about the Managed Forest Land (MFL). Barry indicated there is much more closed land than public lands. Again it was reiterated in order to hunt in the disabled hunt you need to choose private tag and if you don't get a doe in that hunt and if your only other land option is public, then your doe permit cannot be used.

John Mitchell made a motion to allow any Class A, long term Class B, Class C, or Class D disabled permit holder to use any valid deer tag to hunt anywhere in the State and not be land type specific. Jim Rutledge seconded the motion and all were in favor.

Next Anthonette talked about NR 45 Language update. She handed out and read the revised language. The Council approved of the new language.

Next, Barry gave his updates.

Barry handed out the deer tag packet that is being handed out at all service centers for hunters.

- Contact information for the different hunts for hunters with disabilities.
 - Deer Hunt - Derek Johnson
 - Waterfowl Hunt - Taylor Finger
 - Turkey Hunt - Mark Witecha

- Regulations Error
 - Please note there are two errors in the 2016 Deer Hunting Regulations regarding what tags may be used during the Gun Deer Hunt for Hunters with Disabilities (Oct. 1 – 9).
 - Page 40, first bullet point – incorrectly states “Anyone participating in this hunt may use any antlerless deer tag to tag an antlerless deer in any unit statewide, ...” **Bonus tags are not valid statewide, but rather the farmland tags are valid statewide and are land type specific.**
 - Page 41, second dash under third bullet point incorrectly states “Bonus Antlerless Deer Carcass Tags are valid for tagging one antlerless deer in any unit statewide...” **Bonus antlerless tags are unit specific and land type specific. Buck tags are weapon specific.**
 - Looking to notify sponsors and participants of the Deer Hunt for Hunters with Disabilities of the error and correct information. **Nick said that all sponsors should be notified via a letter.**
 - Will be corrected in the online version of the regulations
 - Will notify Customer Service Staff

- Deer tagging options for the upcoming seasons for hunters with Class A and C disability permits
 - 2016 Archery Hunt
 - Carcass Tags are Paper
 - Archery Buck Carcass Tag
 - Protect with zip lock – See example
 - Does not need to be attached unless separated from the deer.
 - Archery Buck Carcass Tag
 - Valid in any DMU statewide for harvesting one buck deer with an archer or crossbow license during an open archery or crossbow season, except it is not valid in any DMU where an antlerless-only hunt is taking place. This tag is valid for tagging a buck in DMUs not offering the Holiday Hunt. This tag is weapon-specific and may not be filled with a deer harvested with a firearm.

- Farmland Antlerless (Zone 2) Tags
 - Class A and Class C disabled permit holders are authorized to tag one antlerless deer with a Farmland (Zone 2) Antlerless deer tag in any unit statewide, including buck-only units. The tag is land-type specific.
- Bonus Antlerless Carcass Tags
 - Bonus tags are valid only for tagging antlerless deer in the zone, DMU and land type (public access or private) specified on the tag and are NOT weapon- or season-specific.
- 2016 October Gun Deer Hunt for hunters with disabilities (Oct. 1-9)
 - Comparable sign-up to previous years
 - Good turn out with 350 participants as of Sept. 7
 - Carcass Tags
 - Gun Buck Carcass Tag
 - Valid for tagging a buck deer statewide. It may not be used to tag an antlerless deer
 - Farmland Antlerless (Zone 2) Carcass Tags
 - Disabled permit holders are authorized to tag one antlerless deer with a Farmland (Zone 2) Antlerless deer tag that came with their gun license in any unit statewide, including buck-only units. Tags are land-type specific (public-access or private).
 - If the disabled hunter has an archery/crossbow license or patron license, they can tag one additional antlerless deer during this hunt with one of the Farmland (Zone 2) tags that came with their archery/crossbow license in any unit statewide, including buck only units. Tags are land-type specific (public-access or private)
 - Bonus Antlerless Carcass Tag
 - Bonus tags are valid only for tagging antlerless deer in the zone, DMU and land type (public access or private) specified on the tag and are NOT weapon- or season-specific.
- Youth hunt is Oct. 8-9
- 2016 Regular Gun Deer Hunt
 - Gun Buck Carcass Tag
 - Valid for tagging a buck deer statewide during any firearm deer season including antlerless only hunts. It may not be used to tag an antlerless deer
 - Farmland Antlerless (Zone 2) Tags
 - Class A and Class C disabled permit holders are authorized to tag one antlerless deer with a Farmland (Zone 2) Antlerless deer tag in any unit statewide, including buck-only units, during firearm seasons. The tag is land-type specific.
 - Bonus Antlerless Carcass Tags
 - Bonus tags are valid only for tagging antlerless deer in the zone, DMU and land type (public access or private) specified on the tag and are NOT weapon- or season-specific.

- GameReg – Registering your deer
 - Registering any deer online is the easiest and most efficient – You will have the ability to change the county of harvest
 - Registering an antlerless deer
 - Able to use GameReg (1-844-426-3734) to register a deer if the deer is harvested in the county specified on the tag.
 - Call the DNR INFO line (1-888-936-7463) to register a deer harvested in a unit that is not the same as what is indicated on tag.

- Off Highway Motorcycles (OHM)
 - On track for Oct. 1 launch
 - There will be a Go Wild release on Sept. 27 in preparation
 - 2 year registration
 - Expiration with will be the same as ATVs on May 31
 - News Release went out yesterday
 - New web page is up and running as of Sept. 21
 - Legal use for hunting
 - Need public registration
 - Can operate on roadway with Class A and B shoot from a vehicle permit
 - Hunting is an exception for roadway use
 - Non-resident must register in Wisconsin DNR
 - Non-Resident Trail Pass is not available at this time

 - Gary Eddy (ATV Administrator) is working on OHM regulations
 - If a person has already taken an ATV safety course, then the OHM is a supplemental course.

- Customer Service has put together a team designated to process disabled permits to provide a quick turn-around time while entering the hunting season.

Next on the agenda was the Accessibility Coordinator Updates. In 1990 Anthonette worked in partnership with the Telephone Pioneers on a 10 point project including the accessible cabin at Mirror Lake. Another project was to pave a portion of Tumbled Rocks Trail at Devil’s Lake to give people with disabilities a view of the lake from the trail that is boulder strewn and difficult to navigate. The Telephone Pioneers and DNR tried to make it as accessible as they could. That portion is now 26 years old and has not had any other major maintenance to it. Unfortunately boulders have made their way through the asphalted portion of the trail. The Trail is no longer accessible and is very difficult to fix. The Pioneers and DNR wheeled in asphalt hot mix and it was done by a large crew of volunteers. Anthonette didn’t think it was listed as an accessible trail on the current Park map. She will check on this. Kirsten asked about the sign and asked if it was removed. Anthonette talked with Steve Schmelzer and asked to have the sign taken down. Nick went to Devil’s Lake and checked out using his vehicle to get up the bluff. He got up part way and then it rained. Nick and Anthonette are still pursuing this option for disabled visitors and will be meeting with the Park Superintendent to discuss accessibility issues at Devil’s Lake.

Next item to be discussed was the beach chair. The beach chair at Harrington Beach Park is still there and is available. Likewise, the kayak at Mirror Lake SP is still there and belongs to the State. An organization called Assist Wisconsin uses it and can return it on a moment’s notice. It was determined that it should not be taken off the property. Devil’s Lake kayak will be replaced as it had a broken hull.

Next the Council discussed the shower benches. At Lake Kegonsa the bench is 72 “by 29” by 20”. The photo Anthonette showed to the Council of the shower bench was not placed correctly. The newer unisex showers are not like the unisex showers constructed in 2003 of which the DNR standards exceeded the ADA dimensions. The new Toilet Shower buildings meet minimal ADA standards. In addition, the shower bench is placed wrong at some of the properties that we have visited. The shower heads are now fixed. The handheld ones are much more accessible and recommended by people with disabilities. Anthonette and Nick plan to have discussions with Ben Bergey to discuss some of the design deficiencies and accessible campsites. She also encouraged DNR to use Chapter 70 of DNR design standards handbook for any new showers that are to be constructed.

Steve made a motion DNR use 2003 Department standards handbook for toilet shower facilities as the 2010 ADA standards are minimal. John Mitchell seconded the motion and all were in favor.

Anthonette handed out the calendars so the Council could select dates for future meetings. The DAC scheduled out the meetings for December 2016 and all of 2017. December 16th will be a conference call and open to those who want to travel to the DNR Fitchburg Service Center (10:00 a.m.-1:00 p.m.).

There was a lot of discussion regarding attendance at the DAC meetings. Anthonette said there are always interested persons waiting for a chance to get on the Council. The Council asked to have this topic added to the agenda for next meeting. Julie was asked to look at the meeting minutes for 2016 and determine who has missed meetings and how many. The Chair will be contacting members who have missed several meetings.

Member’s Updates:

Steve Johnson:

Since the last DAC meeting, NASA continues to provide services to our target groups; persons with disabilities, disabled veterans, elders over age 72, and youth.

The NASA pontoon came off the water after 5 months of service, and we are estimating another high usage year. We put the pontoon on the water on May 1, and it is taken off on September 30. We are anticipating between 3500-400 individuals used the pontoon again this year. We provide all of our services at no charge to our target populations, and we provide a trained captain to assist with each outing. We are now getting the accessible ice-fishing shack ready to put on the water once we have enough ice (10 inches or more).

Over the past 2 years, NASA has worked with La Crosse County, the City of Onalaska, the City of La Crosse and the DNR to work toward coordinating a managed deer hunt at the County landfill site off of State Highway 16 in Onalaska. This finally came to fruition this fall when the first 2 weekends were set aside in September, and 5 individuals were selected to participate in the hunt each evening which ran from 5:00-7:00. The hunt was very successful and a total of 16 deer were harvested. The partners were very pleased, and it is highly likely that this hunt will be conducted again next year. NASA will again conduct the Hixton Forest managed hunt during the antlerless hunt in December. Applications are available at www.NASAsquirrel.org. Please remember that these are not part of the DNR/private owner hunts, but rather managed or nuisance deer hunts.

NASA again worked with an individual whose primary goal is to get youth with disabilities out bear hunting. A total of 4 names were submitted for this hunt which took place in the southern Clark County area during the first season. A 17 year old blind woman was selected for this hunt, and on Tuesday, September 6, she shot a 300 pound black bear at approximately 15 yards. The remaining youth were invited to participate in the landfill managed hunt.

In mid-September, NASA again held the 3rd annual disabled veterans pheasant hunt at Woods and Meadows. 23 veterans participated, and of approximately 100 birds put out, 74 were taken! This hunt's primary purpose is to bring veterans together to share a common interest. The next disabled veteran's event will be the annual 2017 spring turkey hunt, and BASS fishing tournament. The NASA Upland Game Committee will continue to provide pheasant hunts from now through March. If interested, contact Steve Earp with NASA to arrange a hunt.

NASA recently worked with the city of La Crosse to replace a severely damaged accessible fishing pier at Pettibone Park. A ribbon cutting was held on September 17. NASA was able to work with partners to bring the estimated \$70 thousand pier, down to a cost of \$17 thousand of which NASA contributed half of the cost.

John Martinson:

John will be hunting deer with Rock Creek Disabled Outdoors in Willard WI on October 1st - 4th, 2016. This is a great non-profit organization to get disabled people out hunting!

Chair Martinson adjourned the meeting at 4:05.