

Disability Advisory Council Meeting  
Meeting Minutes  
Fitchburg Community Room  
March 25, 2011

Members Present: Chairman Werner Burkat, Vice Chair Tom Zimmer, Jim Rutledge, Jim Martinson, Joe Greene, Steve Johnson, and Alternate Kirsten Engel.

Members Absent: Dale Petkovsek and John Kocourek

Others Present: Carl Mesman, Andy Janicki, and Julie Amakobe

Chair Werner Burkat called the Disability Advisory Council (DAC) meeting to order at approximately 10:10. The agenda was reviewed and there were two additions. John Mitchell wanted to add *Bow group hunting for Class A permit holders* and Jim Rutledge wanted to add *Allowing UTV vehicles the same privileges as ATV vehicles for Class A and C permit holders*.

**Joe Greene made a motion to accept the agenda with the additions and Steve Johnson seconded the motion. All were in favor.**

Next, the minutes from the November 12, 2010, meeting were reviewed. Tom Zimmer had a question regarding Carl's comment of interdepartmental versus intradepartmental. Carl clarified that "inter" meant that the Department of Agriculture, Trade and Consumer Protection (DATCP) would be enforcing some the laws and not DNR, which is considered "intra". Also there was a typo referring to Steve's dog, but the "g" was left off (do).

**Joe Greene made a motion to accept the minutes and Tom Zimmer seconded the motion. All were in favor.**

Next on the agenda was the election of officers. Chairman Burkat opened the floor for nominations for Chair. Werner indicated that he would not be running this time. Jim Rutledge nominated Tom Zimmer for Chair and John Martinson seconded the motion. There were no other nominations for Chair, therefore, Tom Zimmer is the new Chair. Congratulations Tom!! Next Chair Burkat opened the nominations for Vice Chair. Jim Rutledge nominated John Martinson for Vice Chair and John Mitchell seconded the motion. Tom Zimmer nominated Joe Greene for Vice Chair and Steve Johnson seconded the motion. A secret ballot was conducted. John Martinson is the new Vice Chair. Congratulations John!

Next, Andy discussed the DAC's proposed Charter and By-laws. Werner first explained the difference between a Charter and By-laws.

The Council first discussed the proposed Charter. Tom had two questions—Who to notify when a member is absent and who to contact when a member resigns. The Charter had two different persons. It was pointed out that if a member can not attend a meeting that he/she should contact the DAC liaison, but if the member wants to resign, he/she should contact the DAC technical advisor. The language in the proposed Charter is correct. The second question—Is it now mandatory that the Council meet 4 times per year? It was determined that "yes" the DAC will need to meet 4 times per year. There was also discussion regarding the "voting rights of members and the alternate" All DAC members, but not the alternate can vote. The only

exception to this rule is outlined in the By-laws (Article VI) where if a situation arises where a quorum would only be met with the inclusion of the alternate taking the place of a Council member, the meeting would continue and the alternate would have voting rights. Lastly, John Mitchell didn't really like the word "sensitivity" under Council Purpose (4<sup>th</sup> paragraph). He thought the word was weak. It was pointed out that the word sensitivity in this case meant that the DAC wants to increase the understanding and reasoning behind the needs of persons with disabilities and thus making the public more compassionate (sensitive).

**Joe Greene made a motion to accept the changes in the Charter and Steve Johnson seconded the motion. All were in favor.**

Next, the proposed By-laws were discussed. Werner had comments on Article III and wanted language to be added. In the sentence...." that the role of the alternate is similar to that of a Council member, but without voting privileges, Werner wants to add "except as stated in Article VI (lack of quorum)".

Tom commented that under Article V - Member Participation, that may be an additional criterion for dismissal of a Council member be added other than just being absent from several meetings. Tom was thinking of adding a disruptive member could also be dismissed. It was decided that this language would not be necessary since there were other mechanisms set in place to get rid of a disruptive member. (I.e. the Secretary of the Department can dismiss a Council member, as recommended by the DAC liaison or Chair).

**Steve Johnson made a motion to accept the By-laws as amended by Werner and Tom Zimmer seconded the motion. All were in favor.**

The next agenda item was the e-mail from Rob Stobb regarding the use of a crossbow by persons with visual impairments. Carl discussed this issue and said he is working on an amendment to the Class B that would allow certain individuals with bad eyesight who need to use a crossbow, the ability to get a Class B permit. Carl pointed out that even with the proposed changes; it is likely that Mr. Stobb still would not qualify. Carl mentioned that there is an ophthalmologist in his area that he can work with and Carl will run the draft language by him for comments. This amendment will take a while since it will be an administrative rule proposal.

John Mitchell introduced the next agenda item. A summary of the U.S. Forest Service proposed rule was handed out. This was an FYI item. Andy indicated that accessibility at the national forests should not be affected by this new rule since the Forest Service is known for its accessible trails, etc. John Mitchell suggested that a letter be sent to the U.S. Forest Service letting them know to keep accessibility in mind. The Council discussed this and wondered if a letter was even necessary since the Forest Service already is doing a good job. Jim Rutledge suggested that Andy draft a letter stating that the DNR's DAC is willing to offer input on accessibility if needed.

**Tom Zimmer made a motion to have Andy draft this letter and John Mitchell seconded the motion. All were in favor.**

Next, Andy led the discussion on the Motorized Vehicle Use/ Federal DOJ ruling. He handed out the Federal Register 35.137. There was a very long discussion. Andy also handed out the Application for Motorized Vehicles for Disabled Hunting on State Lands and the Power-Driven Mobility Device Application and Permit for Disabled Non-Hunting Purpose on State Lands. The DAC determined that "mobility disability" is not defined by the Feds. This new law is very hard

to comprehend and so difficult to implement. Andy will keep the Council informed on how the DNR will implement this legislation.

Next on the agenda was the upper extremity hunting permit draft language which Carl is working on and, therefore, he led the discussion. Carl indicated that this is difficult to write. A person with any upper extremity disability could potentially get a crossbow permit and could use special apparatus. The applicants will still need assistance and, therefore, may be able to go on the special hunts with this new permit. Class D may be the new permit name.

Next, Andy discussed the accessible cabin development criteria. These are the criteria that are to be used by the Bureau of Parks when selecting locations for the full accessible cabins. This is part of the Parks Comprehensive Plan and it currently includes five main criteria which Andy handed out to the Council for review. The location chosen should match most, if not all, of these criteria. The DAC wants to add one more criterion and this is *location in the state*. Currently, there are no accessible cabins in the West or Northwest of the State. In addition, the Council thought that the criterion, *near other accessible tourism attractions*, was not as important as the four criteria.

Next, Carl handed out and went over the open water waterfowl hunting rule change. Carl said that he has never gotten a call from anyone saying that he/she couldn't get close enough to vegetation. The problem is that many Class A and Class B disabled hunters can not participate in waterfowl hunting because the watercraft or blind that is handicap functional for the hunter will not allow them to meet the concealment requirements of NR 10.001(20) "Open Water". Many of these disabled hunters are not physically able to get into a canoe, flat bottom boat, duck skiff, boat or blind and/or maneuver a watercraft/blind into sufficient height and density vegetation. The Conservation Congress (CC) at its annual meeting held in Oneida County on April 12, 2010, recommended that the CC work with the Department to take action to correct this situation by introducing rule changes(s) allowing a disabled hunter to hunt from a watercraft (pontoon boat) and/or specially designed blind that may not meet the natural vegetation concealment requirements of NR 10.001(20) "Open Water".

Jim Rutledge let the Council know that the Paralyzed Veterans Association (PVA) will have a trap shoot the 3<sup>rd</sup> weekend of July and it is sponsoring 20-25 disabled youth between the ages of 12 and 17. If the Council members have any youth to recommend for this event, please let Jim know.

The next meeting date is set for **Friday, June 10<sup>th</sup>** at the Schmeckle Reserve in Stevens Point.

**Joe Greene made a motion to adjourn the meeting. Jim Rutledge seconded the motion and all were in favor.**

The meeting was adjourned at approximately 3:00 p.m.