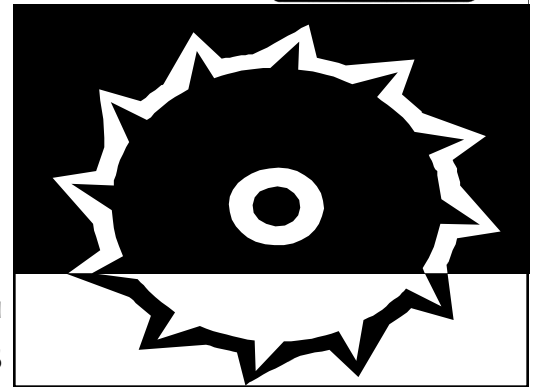


# the Cutting Edge

Volume 6, Issue 11  
November 2015



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## CALENDAR OF EVENTS:

- Nov. 10 BOD/GM Meeting  
Altona Supper Club
- Dec. 4 Christmas Party & Installation Banquet  
Millhome Supper Club, Kiel  
5:30 p.m. Cocktails  
6:30 p.m. Dinner  
Awards, Installations & Auction following Dinner - Reservations Required by Nov. 27, form enclosed
- Jan. 12 MSHBA BOD/GM Meeting
- Jan. 29 WBA Board Day & President's Installation  
Edgewater Hotel, Madison
- Feb. 24 Business Day in Madison
- March 5 & 6 MSHBA Home & Garden Expo at Vande Hey Brantmeier, Chilton

## PRESIDENT'S MESSAGE

By Jerry Mallmann, *Chilton Furniture Inc.*

Greetings to my Fellow MSHBA members,  
As I write this letter this evening, I'm glancing out into my yard admiring the beauty of the Autumn season, while at the same time wondering when I'm going to get those leaves raked. It could be worse. Next month at this time, I'll probably be complaining that my snow blower is on the fritz! It's simply amazing how fast the year is flying by.

Just a few points for discussion to keep you abreast of what's happening at MSHBA:

Our 2015 Parade of Homes was held on Oct. 2-4. Although this year's Parade was a bit smaller than last year (4 homes), we had a very diverse mix of projects that proved to offer plenty of ideas and options for all that attended. Thanks to Vonda Heiberger, Tena, and the rest of the POH committee for all of their hard work and dedication. Also thank you to all of our participating Builders, Subcon-

tractors, advertisers, sponsors and everyone else who had a hand in its success. This is truly a Team Effort!

Thank You to all who have been selling our Raffle Tickets as they have been gradually trickling in. We will be drawing our Winner at the Christmas Party. I hate to say it, but time is now starting to run out. Mark your calendars for our Annual Christmas Party/Installation banquet on Dec. 4 at Millhome Supper club. As in the past, we will also be conducting our PAC auction. We are looking for auction items for this event. Please let Tena know if you can help us out with this. But most of all, I hope you will plan

on attending as it always proves to be a great evening.

Finally, please join us for our General Membership meeting at the Altona on Tuesday, Nov. 10 at 6:30. Our Guest Speaker will be Brad Boycks, WBA Executive Director. It will be a great time to find out what's happening in Madison and how our Industry and our interests are being represented.

That's all for now. As always, thanks for all that you do for MSHBA!

**Jerry Mallmann**



## GENERAL MEMBERSHIP MEETING

November 10 | Altona Supper Club

2306 Calumet Dr., New Holstein

5:30 pm Board of Directors

6:00 pm Cocktails | \$11.50 Buffet payable to MSHBA

6:30 pm General Membership Meeting & Buffet

Speaker: Brad Boycks, WBA Executive Director



**Mid-Shores  
Home Builders  
Association, Inc.**

**2014 MSHBA OFFICERS**

**President Jerry Mallmann**  
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920-849-9023  
jerry@chiltonfurniture.biz

**President-Elect Tom Heiberger**  
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**Kevin Schmitz**  
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**Ted Klapperich**  
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Glenn Christel

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Dan Schneider



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## MSHBA Membership

### THANK YOU FOR RENEWING YOUR MEMBERSHIP!

Abstract Electric LLC  
Bank Mutual  
Birschbach Builders LLC  
Great Midwest Bank  
PVR Plastering Services  
Premier Properties Realty LLC  
Jannette Trucking and Exc., Inc.  
Scott Umland Insurance Services  
TK Hardwood Floor Co. LLC

### MEMBERSHIPS DUE:

June: JMR Builders, LLC  
Nov.: Silica For Your Home  
Karr-Bach Builders, Inc.  
Thiel Real Estate  
Todd's Plumbing LLC  
Wisconsin Bank & Trust  
Dec.: Manitowoc Heating & Refrigeration Services, Inc.  
RAM Enterprises

### Mid-Shores HBA offers a 3-Pay Dues Payment Program...

MSHBA offers an option to pay your dues in three consecutive monthly payments of \$140.00. Your membership will take into effect on your final payment. A 3-Pay Dues payment contract will be included with your renewal statement.

### WBA Installation Dinner & Celebration



Registration Now Open  
[www.wisbuild.org](http://www.wisbuild.org)

January 29, 2016  
The Edgewater Hotel, Madison

### STACK YOUR OFFERS FOR AN EVEN BETTER DEAL

Benefit from our private offer for NAHB members.  
For private-offer details, visit [nabh.org/gm](http://nabh.org/gm).



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### Auction Items are Needed for Mid-Shores HBA's BBW Auction

To raise much need funds for the Building a Better Wisconsin Fund, a live auction will held in conjunction with our Christmas Party on December 4. Please consider a donation.

### What is Building a Better Wisconsin (BBW)?

BBW is WBA's political action committee, most commonly referred to as a PAC. It is WBA members from across the state combining their resources to support pro-housing, pro-business candidates running for office in Wisconsin.

### Thank you for Your Support of MSHBA's 50/50 Raffle \$380.00 in tickets have been sold so far!

Annually MSHBA awards two \$500 scholarships to area high school graduates pursuing secondary education in the construction field. You have received 24 raffle tickets. Please support your association scholarship fund by selling or purchasing all 24 tickets. The drawing will be held at December 4th's Christmas Party at Millhome Supper Club. Thank you Chilton Furniture for sponsoring the ticket printing!

### SPIKES Thank You for Everything you Do!

On behalf of all members of the Mid-Shores Home Builders Association, Inc., I would like to extend a heartfelt THANK YOU to you and all of our Spikes for your dedication to this association and our industry!





**Mark your Calendar  
for MSHBA's 2016  
Parade of Homes!  
October 7-9**

**THANK YOU to everyone who helped make MSHBA's 13th Annual Parade of Homes a success.**

We made approximately \$5,000.00. Average attendance was 260 per home. Total ticket attendance was 354!

We extend a big thank you to our parade committee for all their time and hard work. Thank you to our event sponsors, door prize sponsors and also to all parade book advertisers. Last but not least, thank you to our participating builders who put much time and effort into preparing for this event. Through everyone's combined effort our parade was once again a success.

**Parade Committee**

- Vonda Heiberger, Chairperson, Christel & Heiberger Builders, Inc.
- Rhonda Roepke, Chilton Furniture
- Jackie Plagemann, Christel & Heiberger Builders, Inc.
- Dave Amel, Premier Properties Realty, LLC
- Greg Garton Jr., Great Midwest Bank
- Joan Lechler, Bank Mutual
- Denise Bangart, Wisconsin Bank & Trust
- Jeff Sabel, Builders Supply of NE Wisconsin
- Jenny Seimers, Kraus Construction, Inc.
- Pam Van Dera, FirstMerit Bank
- Lynn Christel, Christel & Heiberger Builders, Inc.

**Gas Card Door Prize Winners:** Brent Guell and Ruth Larsen

*Mid-Shores*  
HOME BUILDERS ASSOCIATION INC.

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**Thank You 13th Annual Parade Sponsors!**

**Builders:** Christel & Heiberger Builders, Inc., Schneider & Schneider Construction LLC and K & J Construction and Design LLC and

**Event:** Chilton Furniture and Drexel Building Supply

**Door Prize:** TK Hardwood Floor Co. LLC and Vande Hey Brantmeier

**Book Advertisers:** This year's book features 52 ads!

**Attendee Bags:** Bank Mutual and FirstMerit Bank



## ALL THINGS POLITICAL

By Gary Roehrig, MSHBA Government Affairs Chair

13 months to go to the next Presidential election.

What do we know today?

1. Unless something completely unexpected happens, Hilary Clinton will be the Democratic nominee for the Presidency for 2016.
2. Unless the Republican party can unite behind one candidate in the next six to nine months, Hilary Clinton will be the next President of the United States!

Say it ain't so!

The harsh realities of the caustic and divisive political scene we are experiencing now makes the opening statements above the reality we will face one year from now.

Republicans managed to force John Boehner out as Speaker of the House; shot down Kevin McCarthy as his successor, and then found themselves in a leadership vacuum with no alternative candidate that could get a majority of the votes needed to elect a new Speaker. Some even considered asking Nancy Pelosi to assume her former position. This is from the party that had been elected to one of the largest majorities in recent years. Finally, they prevailed upon our own Wisconsin Congressman, Paul Ryan, to run for the position, which may happen on Thursday of this week (as I am writing this column). Ryan is willing to accept the position on his terms-including

weekends off so he can spend time with his young family. Ryan does not want the job-he prefers to stay as Chairman of the Ways and Means Committee, where he can have greater influence over the budget and related items (Ways and Means was Ryan's dream job).

As of this writing, a new 2-year budget bill is being submitted to Congress with the hope that this bill will pass before Ryan assumes the Speaker's position; thereby eliminating a nasty fight laid at the new Speaker's feet.

On the Presidential front, Carson, Trump, Rubio, Fiorina and Kasich appear to be the leading candidates. After another debate within the next week, the field may begin to clear out. Some of the low-hanging Republican hopefuls need to get out, and get out soon.

Carson seems to be getting traction over Trump, but polls can be misleading. Only the course of time will tell us what direction the Republican party is going to take. How many of its party voters, along with the independent voters, will support the eventual winning candidate, is the critical question that must be answered before next November.

The fun is just beginning!

**Gary**

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## Introducing the WBA Member Rebate Program



What would you think if you could get a rebate for your loyalty to many of the nation's leading housing industry Manufacturers? Well, now you can!

Build a house.

For more information and to register, visit:

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**Get Started Today!**

*Mid-Shores Home Builders Association Requests the Honor of Your Presence at Its*

## *Annual Christmas Party, Installation & Awards Banquet*

***Friday, December 4, 2015***

*Millhome Supper Club*

*16524 Lax Chapel Rd, Kiel*

*Cocktails 5:30 pm (cash bar)*

*Dinner 6:30 pm*

*Cost \$15.00 per person*

***RSVP By November 27***

*All employees and guests are invited to attend*

***Join us for Induction of Officers***

*By WBA Treasurer, David Belman*

***Presentation of Awards***

*Membership Awards*

*Builder Member of the Year*

*Associate Member of the Year*

*President's Award*

***Live Auction***

*To raise much needed funds for the Build a Better Wisconsin Fund, all members are asked to donate items valued from \$25.00-\$100.00.*

*In the Spirit of Christmas Giving we are asking everyone to bring a donation for Toys for Tots and/or bag of non-perishable food items for the Calumet County Salvation Army Bread of Life Assistance Center*



# Annual Christmas Party, Installation & Awards Banquet

Friday, December 4, 2015  
Millhome Supper Club

Company Name \_\_\_\_\_

Guest(s) Name \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Item(s) to donate for Auction \_\_\_\_\_

Value of Item(s) \_\_\_\_\_

*Cash donations must be made from a personal checkbook per state law.*

\_\_\_\_\_ X \$15.00 each = \_\_\_\_\_

Attendees

Total Due

Please submit this form by e-mail to [hartwigs1@charter.net](mailto:hartwigs1@charter.net) or by fax to 920-827-2132 or by mail to P.O. Box 125, New Holstein, WI 53061

**All reservations need to be in by November 27, 2015**

If you have any question, please contact Tena Hartwig at 920-898-5030.



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The conference that brings leaders of the residential building community together for three days of sessions, networking and fun in Wisconsin Dells. Connect technical strategies for building and remodeling homes with business strategies to help you succeed.

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March 2-4  
Kalahari, Wisconsin Dells





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## CHANGE ORDERS...“What we’ve got here is a Failure to Communicate.”

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



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[nahb.org/MA](http://nahb.org/MA)





By Brad Boycks  
Executive Director, WBA

**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

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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 often-times 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.