

LET'S LEVEL

the Official Publication of the Wausau Area Builders Association

AUGUST 2010

VOLUME 29 - ISSUE 8



LET'S LEVEL

August 2010
Volume 29, Issue 8



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MISSION STATEMENT:

The Wausau Area Builders Association, chartered in 1967 and affiliated with the Wisconsin Builders Association and National Association of Home Builders, is a professional non-profit trade association. Serving the community we represent the interests and concerns of the consumer, building trades, industry suppliers and all facets of the building industry.

The primary goal of our association is to provide quality, affordable housing through community and government involvement, while promoting high standards of professionalism.



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UPCOMING EVENTS

TUESDAY, AUGUST 17

WABA Board Meeting

FRIDAY, AUGUST 27

Sporting Clay Shoot
Wausau Skeet and Trap Club

TUESDAY, SEPTEMBER 14

WABA Board Meeting

THURSDAY, SEPTEMBER 16

Membership Dinner Meeting
VFW - Family Style - Tailgate Party

THURSDAY, OCTOBER 7

WBA Board Meeting - Chula Vista

TUESDAY, OCTOBER 19

WABA Board Meeting

THURSDAY, OCTOBER 21

Membership Dinner Meeting
The Great Dane - Halloween Party

TUESDAY, NOVEMBER 16

WABA Board Meeting

THURSDAY, NOVEMBER 18

Membership Dinner Meeting
Dales Weston Lanes - Parade Table Top Night

TUESDAY, DECEMBER 14

WABA Board Meeting

2011

JANUARY 22

WABA Annual Party - The Great Dane

JANUARY 12-16

International Builders Show - Orlando, FL

FEBRUARY 11-12

WBA Convention - Chula Vista

THURSDAY, FEBRUARY 17

Membership Dinner Meeting
The Rose Garden

THURSDAY, MARCH 17

Membership Dinner Meeting
Dales Weston Lanes

THURSDAY, APRIL 21

Membership Dinner Meeting
The Rose Garden - Silent Auction

THURSDAY, MAY 19

Membership Dinner Meeting - VFW

A NOTE FROM YOUR EXECUTIVE OFFICER



Well, summer is sailing by in a hurry. It's difficult to believe that the WoodChucks night has come and gone, we're in August and the Sporting Clay Shoot is right around the corner!

The WABA WoodChucks Family Night was again an excellent time. As with the Golf Outing, rain flirted with our event, but never came so we all settled in and watched the WoodChucks dominate the game and caught up on everyone's summer activities.

On behalf of Kristin Flamang and the Membership Committee, we'd like to congratulate Jeremy Voigt for being the top performer in the Membership Drive. Good Job Jeremy for bringing 5 new members to the Association. Look for more exciting things to come from the Membership Committee in the future, for instance the Dinner Meeting lineup for the coming season. The Committee is meeting regularly to organize a distinct feel for each of the upcoming Dinner Meetings. Watch for further details!

For you Builders and Remodelers, we will be having two Lead classes in the near future. The dates aren't set but as soon as they are I will email the registration to you. I can't stress the importance of signing up right away as the past two classes filled immediately as there is only room for 24 people in each class.

As mentioned, the second annual Sporting Clay Shoot is Friday, August 27 at the Wausau Skeet and Trap Club. Registration forms are already coming in so if you're considering participating, contact me right away. Larry Meyer and Brent Kriewaldt are heading up the planning so if you aren't a shooter but would still like to participate as a volunteer, or donate a prize, let us know.

See you on the 27th!

— Chris Briquet

PRESIDENT'S MESSAGE



Compared to last year, this summer has had plentiful days of sunshine and warmth. It's hard to believe it's already August and fall is right around the corner. With that comes our monthly membership meetings. This is the time we nominate and vote for officers and directors. Please give this some thought and if interested contact myself or Chris.

I was unable to attend the Woodchucks picnic but am hoping everyone had a great time.

Enjoy the rest of your summer. We'll see you at the dinner meeting in September.

Sincerely, — Garry Volm, Volm Builders LLC

MEMBERSHIP INFORMATION

WELCOME NEW MEMBERS

No New Members This Month

THANK YOU FOR RENEWING

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<i>Heinrich Landscaping & Design</i>	<i>Ruffi Law Offices</i>
<i>In The Lite</i>	<i>Ruthe Carpentry</i>
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<i>Kolbe & Kolbe</i>	<i>Seaway Printing</i>
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Executive Officer	Chris Briquet

STATE DIRECTORS

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Mike Richie

ALTERNATE NATIONAL DIRECTOR

Dan Sillars Garry Volm

COMMITTEE CHAIRPERSONS

Marketing	Jim Weimerskirch
Associates Advisory	Ray Bodenheimer
	Jason Brettingen
	Kristin Flamang
BLDR-PAC	Andy Radant
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Events Committee	Andrea Reede
Building A Better Wisconsin Trustee	Mike Richie
Governmental Affairs	Cory Sillars
Home Show	Russ Utech
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WABA Annual Picnic





"The best thing to give to your enemy is forgiveness; to an opponent, tolerance; to a friend, your heart; to your child, a good example; to a father, deference; to your mother, conduct that will make her proud of you; to yourself, respect; to all men, charity."

"He who does not have the courage to speak up for his rights cannot earn the respect of others."

- Ren G. Torres



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2010
Wausau Area Builders Association



Sporting Clay Shoot

Friday, August 27

Wausau Skeet & Trap Club, Brokaw

Registration 8:00am - Shotgun Start 9:00am

\$60 per shooter (\$300 per team)



Registration Fee Includes:
17 Sporting Clay Shooting Stations
Lunch and Refreshments
Door Prizes

Five Shooters per Team / 100 Rounds per Shooter

Plus - Two Side Events Available:

Rabbit Station and 5-Stand Event

6 boxes of #7 1/2 or smaller shells will be necessary to participate in all events
(Boxes of shells will be available at the Gun Club)

Eye and Ear protection required with no exceptions

Business Name: _____ **Phone:** _____

Shooter #1: _____ **Phone:** _____ **Email:** _____

Shooter #2: _____ **Phone:** _____ **Email:** _____

Shooter #3: _____ **Phone:** _____ **Email:** _____

Shooter #4: _____ **Phone:** _____ **Email:** _____

Shooter #5: _____ **Phone:** _____ **Email:** _____

*** Payment must be received with registration to ensure participation ***

Mail Registration with Payment to:

WABA—141 W. Thomas Street—Wausau, WI 54401

Questions can be directed to (715) 842-9510 - Fax (715) 845-5435



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Top Ten Benefits for You Wisconsin Builders Association®

1

3 in 1

When you join your local association, you automatically become a full member at the state and national level. That's three memberships for the price of one!

2

Political Advocacy

WBA's Government Affairs team are professional lobbyists dedicated to representing your interests at the state capitol in legislative and legal issues that affect your business and the building industry. Their focused efforts provide members a unified, strong voice direct to state law-makers to defeat excessive regulations and defend affordable housing initiatives.

3

Legal & Building Code Hotline

As an exclusive WBA member benefit, WBA provides members a means to get legal information and education about building-related issues from our Legal Counsel as well as answers to questions about building codes and ordinances. 1-(888) WIS-BILT (947-2458)

4

Insurance

WBA Insurance Services offers a full line of insurance services exclusively to members. Property & Casualty, health, life, disability, retirement planning and voluntary benefit insurance plans are available to members, their employees and their families including groups of one.

5

Business Contracts and Forms

The WBA Home Construction Contract is *the* industry standard available to members for no charge! Other business tools include Change Orders, Specification List, Warranty Document, Sub Contractor Agreement and a Remodelers Contract.

6

Member Referrals

Member-only referrals at the local and state level. When the public or media contacts the state association seeking builders, remodelers or other services we exclusively refer members.

7

Publications

Stay on top of legislative calls to action, industry news and the activities of both the state and local associations through our monthly *Wisconsin Building News* e-newsletter. Get information fast by joining our Twitter, Facebook and Linked In networks.

8

Networking

With opportunities to serve on state and national committees & councils, there are many options for you to meet and learn from peers, potential customers, and vendor representatives.

9

Events

WBA's annual convention now the Wisconsin Builders Conference, is the largest gathering in the state of building industry professionals for education, networking and recognition.

10

Professional Credibility

Signal your commitment to professional standards, continuing education, and fair business practices through your membership which includes the widely-recognized and well-established National Association of Home Builders.

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What has WBA Done for you Lately?

August, 2010 Government Affairs

WBA defeated several proposals that would have cost you money, either directly in the form of needless higher standards, or indirectly in the form of more complicated red tape. Some of the misguided legislation that WBA stopped included:

- Requiring builders to withhold 1% of payments to independent contractors.
- Restoring “joint and several liability,” which means you could pay 100% of the damages in a lawsuit, even if you were only 1% of the cause.
- Forcing landowners to pay higher taxes on land being used for farming, if that land is slated for eventual development.
- Imposing a variety of new licensing and certification requirements on construction work, ranging from licensing “iron workers” who install wrought iron, to licensing “crane operators” who operate forklifts.
- Requiring local builders associations and others from paying exorbitant fees just to register builder education classes.

Weekly updates are provided in [The Friday Update](#) which you can request to receive by [e-mail](#), or check out the current and archived issues on the member side of www.wisbuild.org > Member Information > Government Affairs > Friday Update.

- BLAR dollars supported an effort to establish new rules by the Wisconsin Supreme Court. The rules suggested by WBA and other business groups were approved in their entirety by the Wisconsin Supreme Court. These new rules will assure that a personal or political action donation or endorsement or an independent ad campaign during election time are not reasons by themselves for justices to recuse themselves from court cases.
- WBA submitted comments to DHS in regards to Emergency Rule on Lead Safe renovations. Specifically disagreed with how the rule package goes beyond federal rule requirements both from a legal and policy standpoint.
- Citing inconsistencies, faulty data and regulatory overreach, NAHB and the Wisconsin Builders Association filed their principal brief supporting a lawsuit against the U.S. Environmental Protection Agency over the new effluent limitation guidelines (ELG) and new source performance standards (NSPS) that builders and developers now must follow under the Clean Water Act. The lawsuit charges the EPA with exceeding its authority under the act and relying on improperly vetted studies to arrive at its numeric limits for the ELG and NSPS.
- WBA successfully opposed a fee proposal from the Department of Commerce. According to DOC Safety and Buildings Administrator Greg Jones, DOC is not moving forward with a continuing education course approval fee of \$40, plus \$5 per half hour of approval requested. One local association indicated this fee would have cost it \$3200, while Commerce estimated the fee would have generated \$54,000 annually.

- WBA testified at a DOC hearing on a rule relating to the use of REScheck software to demonstrate compliance with the UDC energy requirements. Among other items, we raised concerns regarding the costs associated with meeting some of the new energy requirements as they are reflected in REScheck.
- WBA continues involvement in litigation to help builders statewide, including litigation relating to Federal Effluent Limitation Guidelines for the Construction and Development industry, a challenge to an impact fee ordinance, and challenge to a decision that potentially greatly expands DNR's regulatory authority.
- WBA continues to represent builders on a variety of regulatory issues, including rule proposals from EPA, DNR and Commerce.
- WBA Legal Counsel provided legal information to over 125 Legal and Building Code Hotline inquires.

WBA Insurance Services

- We provide discounted group health insurance for single employee companies all the way up to large companies. Health insurance, life insurance, executive benefits, business continuation planning, retirement plans, education planning and investment planning and analysis. WBA Insurance Services has made major changes to the builder exclusive plan to make the plan more competitive and a better value for the members.
- We are now licensed to sell health insurance plans through the following insurance carriers: Dean Health Plan, Group Health Cooperative of Southern Wisconsin(GHC), Unity Health Insurance, Humana Group, HumanaOne Individual and Anthem Blue Cross Blue Shield. WBA Insurance Services continues to offer the member only health plans through Arise Health Plan and WPS Health Insurance.
- We offer a benefit discount card to all members of the association and their employees free of charge. This discount card gives discounts on prescription drugs, vision care and dental care. Information on how to obtain this discount card will be placed on the WBA website and distributed to all the local EO's. For more information you may contact the WBA Insurance Services offices.

The WBA Remodelers Council

The WBA Remodelers Council is a member's only council that provides industry information, education and certification.

- WBA Remodelers has a member's only group for discussions and information sharing on LinkedIn. Discussions, information sharing is available for members only. Keep informed about new lead regulations and learn how to protect your business against DATCP 110 and the fallout from the Wisconsin Supreme Court decision in Stuart v. Weisflog.

Convention

- Convention Committee is already meeting to plan and prepare for an exciting conference February 11-12, 2011 at Chula Vista Resort in Wisconsin Dells. Besides all the great

networking and recognition opportunities of past conventions we are offering more value with the addition of continuing education classes. Both Friday & Saturday will include 3 marketing, business & building tracks all in one location for your convenience. Watch for ways to put your company in front of industry professionals from around the state by partnering with WBA.

Local Officers Council

- The Local Officers Council is working with the Remodeler's Council to update the WBA Remodelers Contract. The final product will be present to the WBA board of directors at their October 7, 2010 meeting in WI Dells.

Building a Better Wisconsin

- Twelve local association PAC auctions have been scheduled for 2010, with several other local associations planning to hold various PAC fundraisers throughout the year. Through the first and second quarters of 2010, members of WBA have already raised \$79,850 in BBW PAC, Builder Direct Conduit, and NAHB BUILD-PAC funds, while distributing over \$68,000 to support our friends in the local, state, and national political races who are running in elections this fall.

Associate Advisory Council

- Established a WBA Associates group in LinkedIn for all associate members to connect & network.

Will be hosting a webinar on LinkedIn in the near future for those wanting to know more about it.



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THE "MONDAY MORNING" REVIEW



Fact check on home tax from health care bill

Recently we have received a number of e-mails asking us to check into a recent article concerning the healthcare overhaul bill that was passed in April.

The article generating the concern was printed in the Spokesman-Review (Spokane, Washington) on March 28, 2010. It said the health care bill "imposes a 3.8% tax on home sales and other real estate transactions."

I sent the quote to NAHB to confirm or deny and received the following information: *"A tax exists, but not in the way that the media portrayed it.*

Basically, the capital gains exclusions still exist. If you are single and sell a home, you still can exclude up to \$250,000 of gains from taxation...up to \$500,000 if you are a married couple. If you have gains above these levels and your adjusted gross income is greater than \$250,000 per year, you would pay the 3.8% tax on the difference between your actual gains

and your excluded gains. So if your gains were \$300,000 and you were single, (making more than \$250,000), you would pay the tax only on the \$50,000 difference between your \$250,000 cap gains exclusion, and the actual \$300,000 gains from your sale. So the tax exists, but it only applies in certain circumstances where you have exceeded your capital gains exclusion and your income is above a certain level."

Ziegelbauer goes Independent

Recently Representative Bob Ziegelbauer (D-Manitowoc) announced that he will be running as an Independent this fall.

Ziegelbauer was challenged by another Democrat in the primary before making the switch.

As long as Ziegelbauer gets the required 200 signatures from people who reside in his Assembly seat he will be placed on the ballot as an Independent.

In a statement making the switch Ziegelbauer stated, "I have always been a staunchly independent voice, working hard to do the right thing to represent the people of this community, but now the party machinery has made it clear that they want another "yes man", someone who will blindly go along with every tax increase or expansion of their power without the backbone to stand up for the people. That won't work for me."

Membership survey on utility fees

Are municipalities in your area charging big fees for right-of-way access permits?

It has come to our attention that a few communities in Brown County have recently increased the fees they charge to utilities for the simple permits they need to install gas, electric and other utility distribution infrastructure in municipal streets and other rights-of-way. These increases have been shocking. The old permit fee was typically \$60 per project, but the new permits cost hundreds and sometimes thousands of dollars as higher fees are applied to each boring and excavation involved in the project. In addition to causing increased utility rates, the utility can pass some of these fees onto homeowners, builders and developers when the utility work is done in connection with their projects.

WBA is trying to get a handle on how widespread this problem has become. Please reply with your feedback: What are local governments in your area charging for

utility installation permits? Has there recently been an increase? Have you heard anything from Public Works Directors in your area about "standardized" permit processes, applications and fees?

As our experience with impact fees shows, municipalities often copy one another when it comes to new fee revenues, so we are working with our utility company partners to try to nip this problem in the bud. To do that, however, we need to know where the problem is already occurring. Please email me (bboycks@wisbuild.org) and let me know what's going on in your area.

Collins out of Lt. Gov race

In an e-mail to supporters recently Ben Collins, GOP candidate for lieutenant governor, announced he was suspending his campaign.

In his e-mail announcement Collins said, "When I came back from Afghanistan and entered this campaign for lieutenant governor, it was clear to me how important new leadership in Madison was for the future of our state."

Collins concluded in his e-mail that he now wanted to focus on the election for Wisconsin Governor and that he would be helping Scott Walker in his efforts this summer.

(This is a monthly report from the Wisconsin Builders Association, our "political arm" at the state Capitol in Madison. Each month, the Monday Morning Review will highlight the going's on under the Capitol Dome with an eye toward what matters to the housing industry.)

THE "MONDAY MORNING" REVIEW

From NAHB: Home Buyer Tax Credit Update

On June 30 both houses of Congress approved legislation that extends the closing deadline for qualified first-time and repeat home buyer tax credit purchases from June 30, 2010, to September 30, 2010. President Obama is expected to sign The Homebuyer Assistance and Improvement Act of 2010 into law in the next few days. The extension only applies, however, to those home buyers who had a binding sales contract in place prior to May 1, 2010. For home builders and lenders, this legislation provides an additional three months to complete construction and backlogged paperwork in order for home buyers to close on the home and still receive the tax credit.

In past weeks, Senators Reid and Isakson offered amendments to the tax extenders legislation (H.R. 4213) to move the deadline to the end of September. However, after three failed attempts to muster 60 votes to end debate on the bill, it appeared that the deadline extension effort would not succeed. On June 29, the House approved fully paid-for, stand-alone legislation (H.R. 5623) introduced by Representative Dahlkemper of Pennsylvania by a vote of 409-5. The Senate unanimously approved the legislation on June 30.

The \$140 million cost of the extension is completely paid

for by several small revenue raisers, including a provision that increases the penalties associated with bad electronic payments of tax liability.

As of May 22, the Department of the Treasury indicates that for the tax credit program as a whole, more than 3 million home buyers have claimed the credit for a total tax savings of more than \$21 billion. The extension will help thousands of otherwise qualified home buyers claim the credit for sales that weren't able to close in time due to conditions beyond the buyer's control.

The news on the extension will be updated on NAHB's consumer website www.federalhousingtax-credit.com and posted on NAHB's tax credit Facebook page and Twitter feed.

Commerce Forfeiture Rule Moves to Legislature *By WBA Legal Counsel Pat Stevens*

After being substantially revised to address concerns raised by WBA and others during the hearing process, a Department of Commerce proposed rule imposing forfeitures for failing to comply with certain licensing, certification and registration requirements has been sent to the Legislature.

WBA objected to this rule, arguing among other things that the forfeiture amounts were excessive. More specifically, under the original rule draft, the fines for failure to meet these requirements were as follows: first offense, \$1000; second offense, \$1500; and third offense, \$2000. In addition, for an individual or entity that had its credentials, but contracted with an individual or entity that did not, the fines were as follows: first offense, \$1500; second offense, \$1750; and third offense, \$2000.

In the final version of the rule sent to the legislature, the forfeiture amounts were significantly reduced. Under the revised rule, the forfeitures for failing to comply with the licensing/ certification/ registration requirements, or for contracting with an entity that does not meet these requirements, are as follows: first offense, \$250; second offense, \$500; and third offense, \$1000.

Although the timing could vary depending upon whether the Legislature decides to modify the rule, it is anticipated that this rule will become effective in the late fall.

For more information on the above legislative matters please contact WBA Director of Government and Political Affairs Brad Boycks (bboycks@wisbuid.org or 608-242-5155, ext. 16).

• Free Financing Available

Carpet City

WAUSAU 842-5277 5400 W. Stewart Ave.	WISC. RAPIDS 421-4556 3640 Plover Rd., Hwy 54 East	RHINELANDER 362-5554 3816 Shawnee Ln., Hwy 17 N
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NAHB Status Credits for month ending June 30, 2010

SUPER SPIKE (250-499)

Dan Sillars (475)

ROYAL SPIKE (150-249)

Dave Framke (228.50)

Rod Werner (209)

Ken Bauer (198)

Jim Woller (184)

Guy Reedy (180.50)

Doug Knight (159.50)

Larry Voigt (159.50)

RED SPIKE (100-149)

Sid Sorensen (133)

Jim Voigt (120)

Dave Kautza (118)

Jerry Draxler (111.50)

GREEN SPIKE (50-99)

Rick Kuharske (99)

Jerry Jarosz (85.50)

Larry Meyer (85)

Dwight Dorpat (72)

Will Keener (70)

LIFE SPIKE (25-49)

James Koebe (46.50)

Cory Sillars (43.50)

Arden Emmerich (41)

Bernie Wood (36.50)

Bob Sundell (34.50)

Jeremy Voigt (35)

Dan Thomas (27)

Kolby Muscha (27)

BLUE SPIKE (6-24)

Garry Volm (21)

Bob Kolbeck (20)

Ted Peotter (20)

Rob Mork (18.50)

James Wanserski (17.50)

Ken Wanta, Jr. (17.50)

Brian Luedtke (17)

Ray Bodenheimer (16.50)

Shane Brzezinski (15)

Leroy Kazmierczak (13.50)

Jason Brettingen (14)

Bill Schnowske (10.50)

SPIKE CANDIDATE

Jesse Graveen (4.50)

Michael Bolen (3)

Tim Brown (2)

Don Marquardt (2)

John Proulx (2)

Mark Reede (2)

Gary Guerndt (1.50)

David Kempf (1.50)

John Ohrmundt (1.50)

Andy Radant (1.50)

Gary Rusch (1.50)

Matthew Waldvogel (1.50)

Rick Wanta (1.50)

Joan Belke (1)

Mike Polencheck (1)

Sarah Ruffi (1)

Jonathon Smith (1)

David Zick (1)

Bill Raasch (.50)

Spikes - What Are They?

Spikes are very valuable to our association because they work to bring in new members and encourage current members to renew their membership. Their efforts are essential to the growth and well-being of our association. We are pleased to join with NAHB and its affiliates across the country in recognizing our "Spikes".

Created in 1953, the NAHB Spike Program is designed to recognize and reward those members who are actively involved in recruitment and retention of members. There are currently 15,164 Spikes in local associations across the country and almost an equal number of Spike Candidates, those individuals working to obtain Spike status. Through the NAHB Spike Club, these members receive awards of silver and gold lapel pins, plaques, blazers and sweaters for their efforts in membership development.

At local membership meetings and at the NAHB annual Convention, Spikes proudly wear their hard-earned blazers and sweaters, and on Spike Color Day at the Convention, thousands of Spikes are recognized on the board floor by the NAHB Board of Directors.

As additional recognition, all Spikes in good standing that have also recruited at least one new member during the Membership Year, are invited to attend the annual NAHB Spike Party held during the Convention in January.

To become a Spike, an individual must obtain 6 credits within two consecutive years. Spike members must then earn two credits until they reach Life Spike status with 25 credits.

If you are interested in learning more about how you can become a member of the Spike Club and enjoy its rewards, contact the Wausau Area Builders Association at 842-9510.

Help is Only a Phone Call Away

NAHB: 1-800-368-5242

State: 1-800-362-9066

Local: 715-842-9510