



**Scott Walker, Governor**  
**Dave Ross, Secretary**

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**TELECONFERENCE/VIRTUAL MEETING  
AUCTIONEER BOARD  
Room 121A, 1400 E. Washington Avenue, Madison  
Contact: Brittany Lewin (608) 266-2112  
March 8, 2016**

*The following agenda describes the issues that the Board plans to consider at the meeting. At the time of the meeting, items may be removed from the agenda. Please consult the meeting minutes for a description of the actions of the Board.*

**AGENDA**

**9:30 A.M.**

**OPEN SESSION – CALL TO ORDER – ROLL CALL**

**A. Adoption of Agenda (1-3)**

**B. Approval of Minutes of January 13, 2016 (4-7)**

**C. Administrative Matters**

- 1) Staff Updates

**D. Legislative Update**

**E. Wisconsin Auctioneer Association Update**

**F. Items Added After Preparation of Agenda**

- 1) Introductions, Announcements and Recognition
- 2) Election of Board Officers
- 3) Appointment of Board Liaison(s)
- 4) Administrative Matters
- 5) Education and Examination Matters
- 6) Credentialing Matters
- 7) Practice Matters
- 8) Legislative/Administrative Rule Matters
- 9) Liaison Reports
- 10) Informational Items
- 11) Disciplinary Matters
- 12) Presentations of Petitions for Summary Suspension
- 13) Petitions for Designation of Hearing Examiner
- 14) Presentation of Proposed Stipulations, Final Decisions and Orders

- 15) Presentation of Proposed Final Decision and Orders
- 16) Presentation of Interim Orders
- 17) Petitions for Re-Hearing
- 18) Petitions for Assessments
- 19) Petitions to Vacate Orders
- 20) Requests for Disciplinary Proceeding Presentations
- 21) Motions
- 22) Petitions
- 23) Appearances from Requests Received or Renewed
- 24) Speaking Engagement(s), Travel, or Public Relation Request(s)

#### G. Public Comments

**CONVENE TO CLOSED SESSION to deliberate on cases following hearing (s. 19.85(1)(a), Stats.); to consider licensure or certification of individuals (s. 19.85(1)(b), Stats.); to consider closing disciplinary investigations with administrative warnings (ss. 19.85 (1)(b), and 440.205, Stats.); to consider individual histories or disciplinary data (s. 19.85 (1)(f), Stats.); and to confer with legal counsel (s. 19.85(1)(g), Stats.).**

#### H. Deliberation on Division of Legal Services and Compliance (DLSC) Matters

- 1) Proposed Stipulations, Final Decisions and Orders
  - a. 14 AUC 010 – Douglas A. Ferris **(8-13)**
- 2) Case Closing
  - a. 15 AUC 006 – A.L. **(14-17)**

#### I. Deliberation of Items Added After Preparation of the Agenda

- 1) Education and Examination Matters
- 2) Credentialing Matters
- 3) Disciplinary Matters
- 4) Monitoring Matters
- 5) Professional Assistance Procedure (PAP) Matters
- 6) Petitions for Summary Suspensions
- 7) Petitions for Designation of Hearing Examiner
- 8) Proposed Stipulations, Final Decisions and Order
- 9) Administrative Warnings
- 10) Review of Administrative Warnings
- 11) Proposed Final Decision and Orders
- 12) Matters Relating to Costs/ Orders Fixing Costs
- 13) Case Closings
- 14) Proposed Interim Orders
- 15) Petitions for Assessments and Evaluations
- 16) Petitions to Vacate Orders
- 17) Remedial Education Cases
- 18) Motions
- 19) Petitions for Re-Hearing
- 20) Appearances from Requests Received or Renewed

**J.** Consulting with Legal Counsel

**RECONVENE TO OPEN SESSION IMMEDIATELY FOLLOWING CLOSED SESSION**

**K.** Vote on Items Considered or Deliberated Upon in Closed Session, if Voting is Appropriate

**L.** Open Session Items Noticed Above not Completed in the Initial Open Session

**ADJOURNMENT**

**NEXT MEETING: July 19, 2016**

**AUCTIONEER BOARD  
VIRTUAL TELECONFERENCE MEETING MINUTES  
January 13, 2016**

**PRESENT:** Heather Berlinski, Randy Stockwell, Jerry Thiel, Timothy Sweeney, James Wenzler (*in-person arrived at 9:35 a.m.*)

**EXCUSED:** Ronald Polacek, Leonard Yoap

**STAFF:** Brittany Lewin, Executive Director; Samantha Weishan, Bureau Assistant, and other DSPS Staff.

**CALL TO ORDER**

Timothy Sweeney, Chair, called the meeting to order at 9:32 a.m. and a quorum of five (5) members was confirmed.

**ADOPTION OF AGENDA**

**MOTION:** Jerry Thiel moved, seconded by Randy Stockwell, to adopt the agenda as published. Motion carried unanimously.

**APPROVAL OF MINUTES OF OCTOBER 20, 2015**

**MOTION:** Jerry Thiel moved, seconded by Heather Berlinski, to approve the minutes of October 20, 2015 as published. Motion carried unanimously.

**ELECTION OF OFFICERS**

**BOARD CHAIR**

**NOMINATION:** Timothy Sweeney nominated Jerry Thiel for the Office of Board Chair.

Brittany Lewin called for nominations three (3) times.

Jerry Thiel was elected as Chair by unanimous consent.

**VICE CHAIR**

**NOMINATION:** Timothy Sweeney nominated Randy Stockwell for the Office of Vice Chair.

Brittany Lewin called for nominations three (3) times.

Jerry Thiel was elected as Vice Chair by unanimous consent.

**SECRETARY**

**NOMINATION:** Timothy Sweeney nominated Heather Berlinski for the Office of Secretary.

Brittany Lewin called for nominations three (3) times.

Heather Berlinski was elected as Secretary by unanimous consent.

*(James Wenzler arrived at 9:35 a.m.)*

<b>2016 ELECTION RESULTS</b>	
<b>Board Chair</b>	Jerry Thiel
<b>Vice Chair</b>	Randy Stockwell
<b>Secretary</b>	Heather Berlinski

#### **LIAISON APPOINTMENTS**

<b>2016 LIAISON APPOINTMENTS</b>	
<b>Practice Questions Liaison:</b>	Jerry Thiel
<b>Website Liaison:</b>	Heather Berlinski
<b>Professional Assistance Procedure (PAP) Liaison:</b>	Timothy Sweeney
<b>Monitoring Liaison:</b>	Jerry Thiel
<b>Credentialing Liaison:</b>	Jerry Thiel
<b>Education and Exams Liaison:</b>	Jerry Thiel
<b>Screening Panel Members</b>	Timothy Sweeney, Jerry Thiel, Ronald Polacek Alternate: Heather Berlinski

**MOTION:** James Wenzler moved, seconded by Timothy Sweeney, to affirm the Chair's appointment of liaisons for 2016. Motion carried unanimously.

## DELEGATION MOTIONS

### *Delegated Authority for Urgent Matters*

**MOTION:** Timothy Sweeney moved, seconded by James Wenzler, that, in order to facilitate the completion of assignments between meetings, the Board delegates its authority by order of succession to the Chair, highest ranking officer, or longest serving member of the Board, to appoint liaisons to the Department to act in urgent matters, make appointments to vacant liaison, panel and committee positions, and to act when knowledge or experience in the profession is required to carry out the duties of the Board in accordance with the law. Motion carried unanimously.

### *Delegated Authority for Application Denial Reviews*

**MOTION:** James Wenzler moved, seconded by Jerry Thiel, that the Board counsel or another department attorney is formally authorized to serve as the Board's designee for purposes of Wis. Admin Code § SPS 1.08(1). Motion carried unanimously.

### *Document Signature Delegation*

**MOTION:** James Wenzler moved, seconded by Timothy Sweeney, to delegate authority to the Chair or chief presiding officer, or longest serving member of the Board, by order of succession, to sign documents on behalf of the Board. In order to carry out duties of the Board, the Chair, chief presiding officer, or longest serving member of the Board, has the ability to delegate this signature authority for purposes of facilitating the completion of assignments during or between meetings. The Chair, chief presiding officer, or longest serving member of the Board delegates the authority to Executive Director or designee to sign the name of any Board member on documents as necessary and appropriate. Motion carried unanimously.

### *Credentialing Authority Delegations*

**MOTION:** James Wenzler moved, seconded by Randy Stockwell, to delegate authority to the Credentialing Liaisons to make all credentialing decisions. Motion carried unanimously.

### *Monitoring Delegations*

**MOTION:** James Wenzler moved, seconded by Timothy Sweeney, to affirm the Chair's appointment of Jerry Thiel as the Monitoring Liaison, to adopt the 'Roles and Authorities Delegated to the Monitoring Liaison and Department Monitor; document as presented. Motion carried unanimously.

## **LETTER FROM WISCONSIN AUCTIONEER ASSOCIATION**

**MOTION:** Randy Stockwell moved, seconded by Timothy Sweeney, to authorize the Chair as the Legislative Liaison regarding online auctions. Motion carried unanimously.

**MOTION:** Timothy Sweeney moved, seconded by Randy Stockwell, to delegate the Chair to work with DSPS staff to respond to the practice question regarding online auctions. Motion carried. Abstained: James Wenzler.

## **ADJOURNMENT**

**MOTION:** James Wenzler moved, seconded by Timothy Sweeney, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 10:12 a.m.