

**AUCTIONEER BOARD  
TELECONFERENCE/LIVE MEETING MINUTES  
JANUARY 25, 2012**

**PRESENT:** Kathryn Daley, Patrick J. McNamara, Ronald Polacek, Timothy J. Sweeney, Jerry L. Thiel, James Wenzler

**EXCUSED:** Kathryn Daley

**STAFF:** Berni Mattsson, Executive Director; Lydia Thompson, Legal Counsel; David Carlson, Bureau Assistant; other DSPS staff

**GUESTS:** None

**CALL TO ORDER**

Timothy Sweeney, Chair, called the meeting to order at 9:18 a.m. A quorum of five (5) members was confirmed.

**ADOPTION OF AGENDA**

**MOTION:** McNamara moved, seconded by Polacek, to adopt the agenda as published. Motion carried unanimously.

**APPROVAL OF MINUTES OF OCTOBER 18, 2011**

**MOTION:** Thiel moved, seconded by McNamara, to approve the minutes of October 18, 2011 as written. Motion carried unanimously.

**EXECUTIVE DIRECTOR MATTERS**

Berni Mattsson introduced herself as the new Executive Director and David Carlson as the new Bureau Assistant. Berni also asked members to review the new Board Member Guidebook and return the signed Signature page.

**PRESENTATION OF PROPOSED STIPULATIONS,  
FINAL DECISIONS AND ORDERS**

There were no stipulations to present.

**LEGISLATION/ADMINISTRATIVE RULE MATTERS**

**Wisconsin Auctioneers Association proposals-**The Board received a request to review proposals from the WI Auctioneers Association. Board discussed Item 2, qualifications for being able to provide continuing education. Legal Counsel Lydia Thompson noted that a temporary auctioneer permit is available and may qualify to present continuing education, but a temporary permit can't be renewed.

**James Wenzler left the meeting at 9:50 a.m.**

**MOTION:** McNamara moved, seconded by Thiel to table discussion of Item 2 in WAA Board proposal to next meeting. Motion carried.

**MOTION:** McNamara moved, seconded by Sweeney to take no action on item #3, pending receipt of more information on changes needed in Wisconsin law. Motion carried.

**MOTION:** Moved by Sweeney, Seconded by McNamara that the Board has determined it can take no action to regulate on-line auctions. Motion carried.

**SPS 128-CR029-**Lydia reported that the rules have been published and are ready to be implemented.

**INFORMATIONAL ITEMS**

Pat McNamara mentioned that Jerry Thiel is now a member of the Auctioneer Hall of Fame.

**NEW BUSINESS**

There was no new business to discuss.

## PUBLIC COMMENTS

There were no public comments.

### CONVENE TO CLOSED SESSION

**MOTION:** Thiel moved, seconded by McNamara, to convene the meeting to Closed Session pursuant to Sections 19.85 (1)(a), (b), and (f), Wis. Stats., to deliberate on cases following hearing (s. 19.85(1)(a), Stats.; consider closing disciplinary investigation with administrative warning (s. 19.85(1)(b), Stats. 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.) Roll call vote: Pat McNamara-yes; Ronald J. Polacek-yes; Timothy D. Sweeney-yes; Jerry L. Thiel-yes. Motion carried.

Open session recessed at 10:15 a.m.

### RECONVENE IN OPEN SESSION

**MOTION:** Patrick McNamara moved, seconded by Sweeney, to reconvene to Open Session. Motion carried unanimously.

Open session reconvened at 10:21 a.m.

### VOTING ON ITEMS CONSIDERED/DELIBERATED IN CLOSED SESSION IF VOTING IS APPROPRIATE

#### CASE CLOSINGS

##### 11 AUC 004

**MOTION:** Sweeney moved, seconded by McNamara, to close case 11 AUC 004 against respondent Cedarburg Auction and Estate Sales LLC for Prosecutorial Discretion (P2). Motion carried unanimously.

**MOTION:** Polacek moved, seconded by McNamara, to close case 11 AUC 004 against respondent Cedarburg Auction Co Inc and Tarquino Durante for Prosecutorial Discretion (P3). Motion carried unanimously.

**11 AUC 005**

**MOTION:** Sweeney moved, seconded by Polacek, to adopt the department recommendation to close case 11 AUC 005 for P1. Motion carried unanimously.

**OTHER BOARD BUSINESS**

Pat McNamara said he thinks board should meet at least once a year in person.

**ADJOURNMENT**

**MOTION:** Polacek moved, seconded by Thiel, to adjourn the meeting at 10:30 a.m. Motion carried unanimously.