

**AUCTIONEER BOARD
VIRTUAL MEETING MINUTES
JANUARY 23, 2013**

PRESENT: Patrick McNamara, Ronald Polacek, Timothy Sweeney (at DSPS), Jerry Thiel, James Wenzler (joined at 10:05 a.m.)

STAFF: Tom Wightman, Executive Director; Pamela Stach, Legal Counsel; Karen Rude-Evans, Bureau Assistant; Sharon Henes, Paralegal; other DSPS staff

CALL TO ORDER

Timothy Sweeney, Chair, called the meeting to order at 9:40 a.m. A quorum of four (4) members was confirmed.

ADOPTION OF AGENDA

Amendments

- Item E3 (open) – insert additional information after page 8
- Item M7 (closed) – Insert after page 36
 - Order Fixing Costs in the Matter of the Disciplinary Proceedings Against Dean K. George – 08 AUC 017 and 0P AUC 006
 - Objection to the Penalties and Costs
- Case Status Report – insert at the end of closed session

MOTION: Patrick McNamara moved, seconded by Jerry Thiel, to adopt the agenda as amended. Motion carried unanimously.

APPROVAL OF MINUTES OF OCTOBER 16, 2012

Corrections

- On page 2, in the heading CONSIDERATION OF OBJECTION..., correct the first case number to 08 AUC 017

MOTION: Patrick McNamara moved, seconded by Ronald Polacek, to approve the minutes of October 16, 2012 as corrected. Motion carried unanimously.

ELECTION OF OFFICERS

NOMINATION: Patrick McNamara nominated Timothy Sweeney for Chair.

Tom Wightman called for nominations three times. Hearing no additional nominations, a vote was called.

MOTION: Patrick McNamara moved, seconded by Ronald Polacek, to elect Timothy Sweeney as Chair. Motion carried unanimously.

NOMINATION: Timothy Sweeney nominated Jerry Thiel for Vice Chair.

Tom Wightman called for nominations three times. Hearing no additional nominations, a vote was called.

MOTION: Patrick McNamara moved, seconded by Ronald Polacek, to elect Jerry Thiel as Vice Chair. Motion carried unanimously.

NOMINATION: Patrick McNamara nominated Ronald Polacek for Secretary.

Tom Wightman called for nominations three times. Hearing no additional nominations, a vote was called.

MOTION: Timothy Sweeney moved, seconded by Patrick McNamara, to elect Ronald Polacek as Secretary. Motion carried unanimously.

2013 ELECTIONS

CHAIR	Timothy Sweeney
VICE CHAIR	Jerry Thiel
SECRETARY	Ronald Polacek

BOARD APPOINTMENTS/LIAISONS

Practice Questions Liaison: Jerry Thiel
 Screening Panel: Timothy Sweeney, Patrick McNamara, Ronald Polacek
 Credentialing Liaison: Patrick McNamara
 Education and Exams Liaison: Patrick McNamara
 DLSC Liaison: Timothy Sweeney
 Website Liaison: Timothy Sweeney

MOTION: Patrick McNamara moved, seconded by Ronald Polacek, to approve the Liaison and screening panel appointments. Motion carried unanimously.

CLOSED SESSION

MOTION: James Wenzler moved, seconded by Ronald Polacek, to convene to closed session 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: Patrick McNamara - yes; Ronald Polacek - yes; Timothy Sweeney - yes; Jerry Thiel - yes; James Wenzler - yes. Motion carried unanimously.

Open session recessed at 10:25 a.m.

RECONVENE TO OPEN SESSION

MOTION: Patrick McNamara moved, seconded by Ronald Polacek, to reconvene in open session. Motion carried unanimously.

Open session reconvened at 10:45 a.m.

VOTING ON ITEMS CONSIDERED/DELIBERATED IN CLOSED SESSION

MOTION: James Wenzler moved, seconded by Patrick McNamara, to reaffirm all motions made in closed session. Motion carried unanimously.

PROPOSED STIPULATION(S), FINAL DECISION(S) AND ORDER(S)

MOTION: James Wenzler moved, seconded by Jerry Thiel, to adopt the Findings of Fact, Conclusions of Law, Final Decision and Order in the disciplinary proceedings against **William F. Cain, 12 AUC 006**. Motion carried unanimously.

MOTION: James Wenzler moved, seconded by Jerry Thiel, to adopt the Findings of Fact, Conclusions of Law, Final Decision and Order in the disciplinary proceedings against **Donald A. Wagner, 12 AUC 007**. Motion carried unanimously.

MOTION: James Wenzler moved, seconded by Timothy Sweeney, to adopt the Findings of Fact, Conclusions of Law, Final Decision and Order in the disciplinary proceedings against **Douglas A. Ferris, 12 AUC 008**. Motion carried unanimously.

ADMINISTRATIVE WARNING(S)

MOTION: Patrick McNamara moved, seconded by James Wenzler, to issue the administrative warning in **case 12 AUC 002 (John H.)**. Motion carried unanimously.

ORDER FIXING COSTS

MOTION: James Wenzler moved, seconded by Jerry Thiel, to issue an Order Fixing Costs in the amount of \$7,218.28 in the matter of the disciplinary proceedings against **Dean K. George, 08 AUC 017 and 09 AUC 006 (Order No. 0001937)**. Motion carried. Timothy Sweeney recused himself and did not vote.

CASE CLOSING(S)

MOTION: James Wenzler moved, seconded by Jerry Thiel, to close **case 12 AUC 002 (Jeffrey H.) for no violation**. Motion carried unanimously.

MOTION: Timothy Sweeney moved, seconded by James Wenzler, to close **case 12 AUC 013 for lack of jurisdiction**. Motion carried unanimously.

ADJOURNMENT

MOTION: James Wenzler moved, seconded by Jerry Thiel, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 10:47 a.m.