

**REAL ESTATE APPRAISERS BOARD
MINUTES
FEBRUARY 23, 2011**

PRESENT: Marla Britton (Live Meeting), Sharon Fiedler (teleconference), Lawrence Nicholson, Edward Potter, Henry Simon

EXCUSED: Jose Perez

STAFF: Michele Miller Hayes, Legal Counsel; Karen Rude-Evans, Bureau Assistant; other DRL staff

GUESTS: Debbi Conrad and Joe Murray, WRA; Michael Robertson

CALL TO ORDER

Marla Britton, Chair, called the meeting to order at 9:05 a.m. A quorum of five (5) members was confirmed.

APPROVAL OF AGENDA

Amendments:

- Under PRESENTATION OF PROPOSED STIPULATIONS (open)...one additional stipulation:
 - Francis J. Holzer 10 APP 016
- Under DELIBERATION OF PROPOSED STIPULATIONS (closed)... one additional stipulation:
 - Francis J. Holzer 10 APP 016
- Under INFORMATIONAL ITEMS (open), add Review of Voluntary Disciplinary Action Matrix from The Appraisal Foundation
- Case Status Report – insert at the end of closed session items

MOTION: Lawrence Nicholson moved, seconded by Sharon Fiedler, to approve the agenda as amended. Motion carried unanimously.

APPROVAL OF MINUTES OF NOVEMBER 10, 2010

MOTION: Lawrence Nicholson moved, seconded by Henry Simon, to approve the minutes of November 10, 2010 as written. Motion carried unanimously.

ADMINISTRATIVE REPORT

Annual Policy Review

Michele Miller Hayes briefly reviewed the Department policies with the Board. Board members were asked to complete the emergency contact form.

Rules Update

A public hearing is scheduled for today.

DRL Staff Updates

Dave Ross is the new DRL Secretary, John Scocos is the Deputy Secretary and John Murray is the Executive Assistant. Dan Williams has been promoted from the Division of Enforcement to a Bureau Director in Board Services. Mr. Williams will start his new position next week and he has been assigned to work with this Board.

PRESENTATION OF PROPOSED STIPULATIONS

DOE staff gave presentations on the proposed stipulations. All the stipulations will be deliberated in closed session.

PUBLIC HEARING RELATING TO PROPOSED LANGUAGE CHANGES TO RL 80-87 RELATING TO LICENSURE AND CERTIFICATION REQUIREMENTS IF LICENSED IN ANOTHER STATE OR TERRITORY, APPROVED INSTRUCTORS FOR EDUCATIONAL PROGRAMS AND CONTINUING EDUCATION, EXAMINATION REQUIREMENTS, RULES OF PROFESSIONAL CONDUCT, AND FIRREA AND AQB CRITERIA

Marla Britton called the public hearing to order at 9:33 a.m. There were no speakers and one public member submitted a written comment that was read. Marla Britton thanked the public for their attendance and the hearing concluded at 9:39 a.m.

REVIEW OF CLEARINGHOUSE REPORT REGARDING PROPOSED LANGUAGE CHANGES TO RL 80-87

The Board reviewed and discussed the Clearinghouse Report with the proposed language changes to RL 80-87. The Board made a number of changes to the proposed language and legal counsel will draft the changes for review at the May meeting. The discussion was tabled at this time to the next meeting.

RULEMAKING

Review email from Ashley Northrup regarding AQB Proposed USPAP changes

The rules have not yet passed. Legal counsel will reply to Ashley Northrup.

LEGISLATION AND ADMINISTRATIVE RULES

No additional information at this time. Michele Miller Hayes will look into the AMC issue and will report back to the Board in May.

BOARD MEMBER ACTIVITY

Edward Potter met with the Real Estate Board on December 2 to discuss Bill 8472, which did not pass.

NEW BUSINESS

There was no new business.

INFORMATIONAL ITEMS

The Board reviewed and discussed the Voluntary Disciplinary Action Matrix from The Appraisal Foundation.

Henry Simon voiced his objection to using Live Meeting. Mr. Simon prefers the Real Estate Appraisers Board meet in person.

PUBLIC COMMENTS

There were no public comments.

CONVENE TO CLOSED SESSION

MOTION: Edward Potter moved, seconded by Henry Simon, to convene to Closed Session to deliberate on cases following hearing (s. 19.85(1) (a), Stats.; to consider licensure or discipline (s. 19.85(1)(b), 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. Motion carried by roll call vote: Marla Britton-yes, Sharon Fiedler-yes; Lawrence Nicholson-yes; Edward Potter-yes, Henry Simon - yes.

Open Session recessed at 11:48 a.m.

RECONVENE TO OPEN SESSION

MOTION: Henry Simon moved, seconded by Lawrence Nicholson, to reconvene into Open Session. Motion carried unanimously.

Open session reconvened at 1:28 p.m.

**VOTING ON ITEMS CONSIDERED OR DELIBERATED UPON
IN CLOSED SESSION**

PROPOSED STIPULATIONS, FINAL DECISIONS AND ORDERS

**MICHAEL D DENIS
07 APP 014**

MOTION: Henry Simon moved, seconded by Edward Potter, to adopt the Findings of Fact, Conclusions of Law, Final Decision and Order in the disciplinary proceedings against Michael D. Denis. Motion carried unanimously.

**JOSEPH P HASELWANDER
07 APP 101**

MOTION: Lawrence Nicholson moved, seconded by Sharon Fiedler, to adopt the Findings of Fact, Conclusions of Law, Final Decision and Order in the disciplinary proceedings against Joseph P. Haselwander. Motion carried unanimously.

THOMAS M PROCK
08 APP 114

MOTION: Edward Potter moved, seconded by Henry Simon, to adopt the Findings of Fact, Conclusions of Law, Final Decision and Order in the disciplinary proceedings against Thomas M. Prock. Motion carried unanimously.

JODI L KRIEWALDT
09 APP 023 AND 09 APP 039

MOTION: Sharon Fiedler moved, seconded by Edward Potter, to adopt the Findings of Fact, Conclusions of Law, Final Decision and Order in the disciplinary proceedings against Jodi L. Kriewaldt. Motion carried unanimously.

BEAU KRIEWALDT
09 APP 039

MOTION: Lawrence Nicholson moved, seconded by Sharon Fiedler, to adopt the Findings of Fact, Conclusions of Law, Final Decision and Order in the disciplinary proceedings against Beau Kriewaldt. Motion carried unanimously.

CARA BARTON
09 APP 058

MOTION: Sharon Fiedler moved, seconded by Edward Potter, to adopt the Findings of Fact, Conclusions of Law, Final Decision and Order in the disciplinary proceedings against Cara Barton. Motion carried unanimously.

CHARLES GLASSING
09 APP 074

MOTION: Edward Potter moved, seconded by Sharon Fiedler, to adopt the Findings of Fact, Conclusions of Law, Final Decision and Order in the disciplinary proceedings against Charles Glassing. Motion carried unanimously.

BRENT D NUDI
09 APP 088

MOTION: Edward Potter moved, seconded by Lawrence Nicholson, to adopt the Findings of Fact, Conclusions of Law, Final Decision and Order in the disciplinary proceedings against Brent D. Nudi. Motion carried unanimously.

ROBERT T LEGGATE
10 APP 007

MOTION: Henry Simon moved, seconded by Sharon Fiedler, to adopt the Findings of Fact, Conclusions of Law, Final Decision and Order in the disciplinary proceedings against Robert T. Leggate. Motion carried unanimously.

CHRISTOPHER F PALUMBO
10 APP 033

MOTION: Sharon Fiedler moved, seconded by Edward Potter, to adopt the Findings of Fact, Conclusions of Law, Final Decision and Order in the disciplinary proceedings against Christopher F. Palumbo. Motion carried unanimously.

FRANCIS J HOLZER
10 APP 016

MOTION: Lawrence Nicholson moved, seconded by Edward Potter, to reject the Proposed Stipulation, Final Decision and Order in the disciplinary proceedings against Francis J. Holzer and to return the matter to the Division of Enforcement. Motion carried unanimously.

CASE CLOSINGS

09 APP 036

MOTION: Edward Potter moved, seconded by Lawrence Nicholson, to close case **09 APP 036** for prosecutorial discretion (P6). Motion carried unanimously.

10 APP 015

MOTION: Edward Potter moved, seconded by Henry Simon, to close case **10 APP 015** for no violation. Motion carried unanimously.

10 APP 044

MOTION: Edward Potter moved, seconded by Sharon Fiedler, to close case **10 APP 044** for no violation. Motion carried unanimously.

09 APP 094

MOTION: Sharon Fiedler moved, seconded by Edward Potter, to close case **09 APP 094** for prosecutorial discretion (P3). Motion carried unanimously.

10 APP 035

MOTION: Lawrence Nicholson moved, seconded by Henry Simon, to close case **10 APP 035** for prosecutorial discretion (P5). Motion carried unanimously.

10 APP 072

MOTION: Lawrence Nicholson moved, seconded by Sharon Fiedler, to close case **10 APP 072** for insufficient evidence. Motion carried unanimously.

MONITORING

ROSS LARSSON

MOTION: Edward Potter moved, seconded by Lawrence Nicholson, to deny the request for reinstatement of full licensure to Ross Larsson and the suspension remains in place. After the Mr. Larsson provides proof of registering and paying for the course and providing evidence to the Department Monitor, the suspension will be automatically lifted. Mr. Larsson must complete the course within six (6) months or the suspension will be reinstated. Mr. Larsson must still petition the Board to remove the limitations. Motion carried unanimously.

ALVIN COUNARD

MOTION: Sharon Fiedler moved, seconded by Edward Potter, to grant the request for reinstatement of full licensure to Alvin Counard. Motion carried unanimously.

TERRI L GLEASON

MOTION: Edward Potter moved, seconded by Sharon Fiedler, to maintain the current monitoring order for Terri L. Gleason and to refer the new appraisals submitted by Ms. Gleason to the Division of Enforcement to open a new case. Motion carried unanimously.

ADJOURNMENT

MOTION: Henry Simon moved, seconded by Edward Potter, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 1:39 p.m.

THE NEXT SCHEDULED MEETING IS MAY 11, 2011