



**VIRTUAL/TELECONFERENCE
AUCTIONEER BOARD
Virtual, 4822 Madison Yards Way, Madison
Contact: Adam Barr (608) 266-2112
April 6, 2021**

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 12, 2021 (4-8)**
- C. Reminders: Conflicts of Interest, Scheduling Concerns
- D. Administrative Matters – Discussion and Consideration**
 - 1) Department, Staff, and Board Updates
 - 2) Board Members – Term Expiration Date
- E. COVID-19 – Discussion and Consideration**
- F. Discussion and Consideration of Items Added After Preparation of Agenda
 - 1) Introductions, Announcements and Recognition
 - 2) Nominations, Elections, and Appointments
 - 3) Administrative Matters
 - 4) Election of Officers
 - 5) Appointment of Liaisons and Alternates
 - 6) Delegation of Authorities
 - 7) Education and Examination Matters
 - 8) Credentialing Matters
 - 9) Practice Matters
 - 10) Legislative and Policy Matters
 - 11) Administrative Rule Matters
 - 12) Liaison Reports
 - 13) Board Liaison Training and Appointment of Mentors
 - 14) Division of Legal Services and Compliance (DLSC) Matters
 - 15) Presentations of Petitions for Summary Suspension
 - 16) Petitions for Designation of Hearing Examiner
 - 17) Presentation of Stipulations, Final Decisions and Orders

- 18) Presentation of Proposed Final Decisions and Orders
- 19) Presentation of Interim Orders
- 20) Petitions for Re-Hearing
- 21) Petitions for Assessments
- 22) Petitions to Vacate Orders
- 23) Requests for Disciplinary Proceeding Presentations
- 24) Motions
- 25) Petitions
- 26) Appearances from Requests Received or Renewed
- 27) Speaking Engagements, Travel, or Public Relation Requests, and Reports

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 of Items Added After Preparation of the Agenda

- 1) Education and Examination Matters
- 2) Credentialing Matters
- 3) Monitoring Matters
- 4) Professional Assistance Procedure (PAP) Matters
- 5) Petitions for Summary Suspensions
- 6) Petitions for Designation of Hearing Examiner
- 7) Proposed Stipulations, Final Decisions and Orders
- 8) Proposed Interim Orders
- 9) Administrative Warnings
- 10) Review of Administrative Warnings
- 11) Proposed Final Decisions and Orders
- 12) Matters Relating to Costs/Orders Fixing Costs
- 13) Case Closings
- 14) Board Liaison Training
- 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

I. Consulting with Legal Counsel

RECONVENE TO OPEN SESSION IMMEDIATELY FOLLOWING CLOSED SESSION

J. Vote on Items Considered or Deliberated Upon in Closed Session if Voting is Appropriate

K. Open Session Items Noticed Above Not Completed in the Initial Open Session

ADJOURNMENT

NEXT MEETING: JULY 31, 2021

MEETINGS AND HEARINGS ARE OPEN TO THE PUBLIC, AND MAY BE CANCELLED
WITHOUT NOTICE.

Times listed for meeting items are approximate and depend on the length of discussion and voting. All meetings are held at 4822 Madison Yards Way, Madison, Wisconsin, unless otherwise noted. In order to confirm a meeting or to request a complete copy of the board's agenda, please call the listed contact person. The board may also consider materials or items filed after the transmission of this notice. Times listed for the commencement of disciplinary hearings may be changed by the examiner for the convenience of the parties. Requests for interpreter services for the deaf or hard of hearing, or other accommodations, are considered upon request by contacting the Affirmative Action Officer, 608-266-2112, or the Meeting Staff at 608-266-5439.

**VIRTUAL/TELECONFERENCE
AUCTIONEER BOARD
MEETING MINUTES
JANUARY 12, 2021**

PRESENT: Heather Berlinski, Bryce Hansen, Stanley Jones, Randy Stockwell, Jerry Thiel

EXCUSED: Ronald Polacek, Deana Zentner

STAFF: Valerie Payne, Acting Executive Director; Adam Barr, Executive Director; Jameson Whitney, Board Legal Counsel; Kimberly Wood, Program Assistant Supervisor-Adv.; and other DSPS Staff

CALL TO ORDER

Jerry Thiel, Chairperson, called the meeting to order at 9:30 a.m. A quorum of five (5) members was confirmed.

ADOPTION OF AGENDA

MOTION: Stanley Jones moved, seconded by Bryce Hansen, to adopt the Agenda as published. Motion carried unanimously.

APPROVAL OF MINUTES OF SEPTEMBER 29, 2020

MOTION: Randy Stockwell moved, seconded by Stanley Jones, to approve the Minutes of September 29, 2020 as published. Motion carried unanimously.

ADMINISTRATIVE MATTERS

Election of Officers

Chairperson

NOMINATION: Randy Stockwell nominated Jerry Thiel for the Office of Chairperson.

Valerie Payne, Executive Director, called for nominations three (3) times.

Jerry Thiel was elected as Chairperson by unanimous voice vote.

Vice Chairperson

NOMINATION: Jerry Thiel nominated Randy Stockwell for the Office of Vice Chairperson.

Valerie Payne, Executive Director, called for nominations three (3) times.

Randy Stockwell was elected as Vice Chairperson by unanimous voice vote.

Secretary

NOMINATION: Stanley Jones nominated Heather Berlinski for the Office of Secretary.

Valerie Payne, Executive Director, called for nominations three (3) times.

Heather Berlinski was elected as Secretary by unanimous voice vote.

ELECTION RESULTS	
Chairperson	Jerry Thiel
Vice Chairperson	Randy Stockwell
Secretary	Heather Berlinski

Appointment of Liaisons and Alternates

LIAISON APPOINTMENTS	
Credentialing Liaison(s)	Jerry Thiel <i>Alternate: Randy Stockwell</i>
Education and Exams Liaison(s)	Heather Berlinski <i>Alternate: Stanley Jones</i>
Monitoring Liaison(s)	Jerry Thiel <i>Alternate: Randy Stockwell</i>
Professional Assistance Procedure (PAP) Liaison(s)	Jerry Thiel <i>Alternate: Stanley Jones</i>
Legislative Liaison(s)	Stanley Jones <i>Alternate: Randy Stockwell</i>
Website Liaison(s)	Heather Berlinski <i>Alternate: Bryce Hansen</i>
Screening Panel Members	Ronald Polacek, Randy Stockwell, Jerry Thiel <i>Alternate: Stanley Jones</i>

Delegation of Authorities

Document Signature Delegations

MOTION: Stanley Jones moved, seconded by Randy Stockwell, to delegate authority to the Chairperson (or in absence of the Chairperson, the highest-ranking officer or longest serving board member in that succession) to sign documents on behalf of the Board in order to carry out its duties. Motion carried unanimously.

MOTION: Randy Stockwell moved, seconded by Stanley Jones, in order to carry out duties of the Board, the Chairperson (or in absence of the Chairperson, the highest-ranking officer or longest serving board member in that succession) has the ability to delegate signature authority for purposes of facilitating the completion of assignments during or between meetings. The members of the Board hereby delegate to the Executive Director or DPD Division Administrator, the authority to sign on behalf of a board member as necessary. Motion carried unanimously.

Delegated Authority for Urgent Matters

MOTION: Bryce Hansen moved, seconded by Randy Stockwell, that in order to facilitate the completion of urgent matters between meetings, the Board delegates its authority to the Chairperson (or, in the absence of the Chairperson, the highest-ranking officer or longest serving board member in that succession), to appoint liaisons to the Department to act in urgent matters. Motion carried unanimously.

Delegation to Chief Legal Counsel Due to Loss of Quorum

MOTION: Bryce Hansen moved, seconded by Stanley Jones, to delegate the review of disciplinary cases to the Department's Chief Legal Counsel due to lack of/loss of quorum after two consecutive meetings. Motion carried. Opposed: One

Monitoring Delegations

Delegation of Authorities for Monitoring

MOTION: Jerry Thiel moved, seconded by Bryce Hansen, to adopt the "Roles and Authorities Delegated for Monitoring" document as presented in the January 12, 2021 agenda materials on pages 11-12. Motion carried unanimously.

Delegation of Authorities for Legal Counsel to Sign Monitoring Orders

MOTION: Heather Berlinski moved, seconded by Bryce Hansen, to delegate to Board Legal Counsel the authority to sign Monitoring orders that result from Board meetings on behalf of the Chairperson. Motion carried unanimously.

Voluntary Surrenders

MOTION: Jerry Thiel moved, seconded by Heather Berlinski, to delegate authority to the assigned case advisor to accept or refuse a request for voluntary surrender pursuant to Wis. Stat. § 440.19 for a credential holder who has a pending complaint or disciplinary matter. Motion carried unanimously.

Education and Examination Delegation(s)

MOTION: Stanley Jones moved, seconded by Bryce Hansen, to delegate authority to the Education and Examination Liaison(s) to serve as a liaison between DSPS and the Board and to act on behalf of the Board when making recommendations on education, continuing education, and examinations. Motion carried unanimously.

Authorization for DSPS to Provide Board Member Contact Information to National Regulatory Related Bodies

MOTION: Heather Berlinski moved, seconded by Stanley Jones, to authorize DSPS staff to provide national regulatory related bodies with all board member contact information that DSPS retains on file. Motion carried unanimously.

Optional Renewal Notice Insert Delegation

MOTION: Stanley Jones moved, seconded by Randy Stockwell to designate the Chairperson (or, in the absence of the Chairperson, the highest-ranking officer or longest serving board member in that succession) to provide a brief statement or link relating to board-related business within the license renewal notice at the Board's or Board designee's request. Motion carried unanimously.

Legislative Liaison Delegation

MOTION: Heather Berlinski moved, seconded by Randy Stockwell, to delegate authority to the Legislative Liaisons to speak on behalf of the Board regarding legislative matters. Motion carried unanimously.

CLOSED SESSION

MOTION: Stanley Jones moved, seconded by Bryce Hansen, to convene to Closed Session to deliberate on cases following hearing (§ 19.85(1)(a), Stats.); to consider licensure or certification of individuals (§ 19.85(1)(b), Stats.); to consider closing disciplinary investigations with administrative warnings (§§ 19.85(1)(b), Stats. and 440.205, Stats.); to consider individual histories or disciplinary data (§ 19.85(1)(f), Stats.); and to confer with legal counsel (§ 19.85(1)(g), Stats.). Jerry Thiel, Chairperson read the language of the motion aloud for the record. The vote of each member was ascertained by voice vote. Roll Call Vote: Heather Berlinski-yes; Bryce Hansen-yes; Stanley Jones-yes; Randy Stockwell-yes; and Jerry Thiel-yes. Motion carried unanimously.

The Board convened into Closed Session at 10:53 a.m.

**DELIBERATION ON DIVISION OF LEGAL SERVICES AND
COMPLIANCE (DLSC) MATTERS**

Proposed Stipulations, Final Decisions and Orders

17 AUC 016 – Trent L. Nehls

MOTION: Randy Stockwell moved, seconded by Stanley Jones, to adopt the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against Trent L. Nehls, DLSC Case Number 17 AUC 016. Motion carried unanimously.

RECONVENE TO OPEN SESSION

MOTION: Stanley Jones moved, seconded by Bryce Hansen, to reconvene into Open Session. Motion carried unanimously.

The Board reconvened into Open Session at 11:00 a.m.

VOTE ON ITEMS CONSIDERED OR DELIBERATED UPON IN CLOSED SESSION

MOTION: Stanley Jones moved, seconded by Randy Stockwell, to affirm all motions made and votes taken in Closed Session. Motion carried unanimously.

(Be advised that any recusals or abstentions reflected in the Closed Session motions stand for the purposes of the affirmation vote.)

ADJOURNMENT

MOTION: Randy Stockwell moved, seconded by Bryce Hansen, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 11:02 a.m.