



Scott Walker, Governor
Laura Gutiérrez, Secretary

**TELECONFERENCE/VIRTUAL
AUCTIONEER BOARD
Room N208, 4822 Madison Yards Way, 2nd Floor, Madison
Contact: Tom Ryan (608) 266-2112
October 16, 2018**

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 April 10, 2018 (4-8)

C. Introductions, Announcements, and Recognition

- 1) Bryce Hansen – New Auctioneer Member (Replaces: Sweeney)
- 2) Timothy Sweeney – Resignation

D. Administrative Matters – Discussion and Consideration

- 1) Staff Updates
- 2) Nominations, Reappointments, and Announcements
- 3) Board Member – Term Expiration Date
 - a) Heather Berlinski – 5/1/2016
 - b) Ronald Polacek – 5/1/2013
 - c) Randy Stockwell – 5/1/2020
 - d) Timothy Sweeney – 5/1/2012
 - e) Jerry Thiel – 5/1/2018
 - f) Leonard Yoap – 5/1/2014

E. Legislative and Administrative Rules Matters

- 1) Update on Legislation and Pending or Possible Rulemaking Projects

F. Update on Definition of the Word ‘Auction’ – Discussion and Consideration

G. Items Added After Preparation of Agenda

- 1) Introductions, Announcements and Recognition
- 2) Election of Officers
- 3) Appointment of Liaisons and Alternates

- 4) Administrative Matters
- 5) Education and Examination Matters
- 6) Credentialing Matters
- 7) Practice Matters
- 8) Legislative and Administrative Rule Matters
- 9) Liaison Reports
- 10) Informational Items
- 11) Division of Legal Services and Compliance (DLSC) 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) Motions
- 21) Petitions
- 22) Appearances from Requests Received or Renewed
- 23) Speaking Engagement(s), Travel, or Public Relation Request(s)

H. 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.).

I. Deliberation of Division of Legal Services and Compliance (DLSC) Matters

- 1) **Proposed Stipulations, Final Decisions, and Orders**
 - a. 17 AUC 007 – Douglas A. Ferris **(9-14)**

J. Consulting with Legal Counsel

K. 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 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) 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

RECONVENE TO OPEN SESSION IMMEDIATELY FOLLOWING CLOSED SESSION

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

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

ADJOURNMENT

NEXT SCHEDULED MEETING: JANUARY 15, 2019

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. Interpreters for the hearing impaired provided upon request by contacting the Affirmative Action Officer, 608-266-2112.

**AUCTIONEER BOARD
VIRTUAL TELECONFERENCE
MEETING MINUTES
April 10, 2018**

PRESENT: Heather Berlinski (*via GoToMeeting*), Ronald Polacek (*via GoToMeeting; excused at 10:31 a.m.*), Randy Stockwell (*via GoToMeeting*), Timothy Sweeney (*via GoToMeeting*), Jerry Thiel (*via GoToMeeting*), James Wenzler (*left at 9:54 a.m.*)

EXCUSED: Leonard Yoap

STAFF: Dan Williams, Executive Director; Kate Stolarzyk, Bureau Assistant; and other DSPS Staff.

CALL TO ORDER

Jerry Thiel, Chair, called the meeting to order at 9:31 a.m. and a quorum of six (6) members was confirmed.

ADOPTION OF AGENDA

MOTION: Ronald Polacek moved, seconded by James Wenzler, to adopt the agenda as published. Motion carried unanimously.

APPROVAL OF MINUTES OF DECEMBER 12, 2017

MOTION: Randy Stockwell moved, seconded by Ronald Polacek, to approve the minutes of December 12, 2017 as published. Motion carried unanimously.

ADMINISTRATIVE MATTERS

Election of Officers

BOARD CHAIR

NOMINATION: James Wenzler nominated himself for the Office of Board Chair.

NOMINATION: Jerry Thiel nominated himself for the Office of Board Chair.

Dan Williams called for nominations three (3) times.

Jerry Thiel was elected as Chair by consent of the majority.

VICE CHAIR

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

Dan Williams called for nominations three (3) times.

Randy Stockwell was elected as Vice Chair by consent of the majority.

SECRETARY

NOMINATION: Jerry Thiel nominated Heather Berlinski for the Office of Secretary.

Dan Williams called for nominations three (3) times.

Heather Berlinski was elected as Secretary by consent of the majority.

2018 ELECTION RESULTS	
Board Chair	Jerry Thiel
Vice Chair	Randy Stockwell
Secretary	Heather Berlinski

LIAISON APPOINTMENTS

2018 LIAISON APPOINTMENTS	
Credentialing Liaison	Jerry Thiel
Education and Exams Liaison	Ronald Polacek
Monitoring Liaison	Jerry Thiel
Professional Assistance Procedure (PAP) Liaison	Jerry Thiel
Legislative Liaison	Randy Stockwell
Website Liaison	Heather Berlinski
Screening Panel Members	Ronald Polacek, Timothy Sweeney, Jerry Thiel Alternate: Heather Berlinski

(James Wenzler left the meeting at 9:54 a.m.)

MOTION: Timothy Sweeney moved, seconded by Ronald Polacek, to affirm the Chair's appointment of liaisons for 2018. Motion carried unanimously.

DELEGATION OF AUTHORITIES

Occupational Licensure Study Liaison

MOTION: Heather Berlinski moved, seconded by Ronald Polacek, to designate Randy Stockwell as the Board's liaison to represent and speak on behalf of the Board regarding occupational license review and related matters. Motion carried unanimously.

Document Signature Delegation

MOTION: Timothy Sweeney moved, seconded by Randy Stockwell, 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.

Delegated Authority for Urgent Matters

MOTION: Timothy Sweeney moved, seconded by Randy Stockwell, that, in order to facilitate the completion of urgent matters between meetings, the Board delegates its authority to the Chair (or, in the absence of the Chair, 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.

Monitoring Delegations

MOTION: Timothy Sweeney moved, seconded by Randy Stockwell, to adopt the “Roles and Authorities Delegated to the Monitoring Liaison and Department Monitor” document as presented. Motion carried unanimously.

Credentialing Authority Delegations

Delegation of Authority to Credentialing Liaison

MOTION: Timothy Sweeney moved, seconded by Randy Stockwell, to delegate authority to the Credentialing Liaisons to make recommendations to the Department on credentialing matters. Motion carried unanimously.

Continuing Education or Education Delegation(s)

MOTION: Timothy Sweeney moved, seconded by Ronald Polacek, to delegate authority to the Office of Education and Examination Liaison(s) to address all issues related to CE, education and examinations. Motion carried unanimously.

Legislative Liaison Delegation

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

(Ronald Polacek was excused at 10:31 a.m.)

CLOSED SESSION

MOTION: Heather Berlinski moved, seconded by Randy Stockwell, 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 § 448.02 (8), Stats.); to consider individual histories or disciplinary data (§ 19.85 (1) (f), Stats.); and to confer with legal counsel (§ 19.85 (1) (g), Stats.). The Chair 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; Randy Stockwell-yes; Timothy Sweeney-yes; and Jerry Thiel-yes. Motion carried unanimously.

The Board convened into Closed Session at 10:33 a.m.

RECONVENE TO OPEN SESSION

MOTION: Timothy Sweeney moved, seconded by Heather Berlinski, to reconvene in Open Session. Motion carried unanimously.

The Board reconvened into Open Session at 10:42 a.m.

VOTE ON ITEMS CONSIDERED OR DELIBERATED UPON IN CLOSED SESSION

MOTION: Timothy Sweeney 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.)

DIVISION OF LEGAL SERVICES AND COMPLIANCE (DLSC) MATTERS

Proposed Stipulations, Final Decisions, and Orders

16 AUC 004 – Nicholas C. Schaetzel and Qic Bid, LLC

MOTION: Timothy Sweeney moved, seconded by Randy Stockwell, to accept the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against Nicholas C. Schaetzel and Qic Bid, LLC, 16 AUC 004. Motion carried unanimously

ADJOURNMENT

MOTION: Timothy Sweeney moved, seconded by Heather Berlinski, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 10:44 a.m.