



Scott Walker, Governor
Dave Ross, Secretary

VIRTUAL TELECONFERENCE

AUCTIONEER BOARD
Room 121A, 1400 E. Washington Avenue, Madison
Contact: Brittany Lewin (608) 266-2112
March 17, 2015

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 (1-2)

B. Approval of Minutes of January 13, 2015 (3-5)

C. Administrative Matters (6-7)

- 1) Appointment of Liaison and Delegation of Authority

D. Items Added After Preparation of Agenda

- 1) Informational Items
- 2) DLSC Matters
- 3) Status of Statute and Administrative Rule Matters
- 4) Education and Examination Matters
- 5) Credentialing Matters
- 6) Practice Questions
- 7) Legislative/Administrative Rule Matters
- 8) Liaison Report(s)
- 9) Speaking Engagement(s), Travel, or Public Relation Request(s)
- 10) Consulting with Legal Counsel

E. Public Comments

CONVENE TO CLOSED SESSION to deliberate on cases following hearing (Wis. Stat. s. 19.85(1)(a),); to consider licensure or certification of individuals (Wis. Stat s. 19.85(1)(b), Stats.; to consider closing disciplinary investigations with administrative warnings (Wis. Stat. s. 19.85 (1)(b), and 440.205,); to consider individual histories or disciplinary data (Wis. Stat. s. 19.85 (1)(f),); and to confer with legal counsel (Wis. Stat. s. 19.85(1)(g),).

F. Deliberation of Partial Remand Order from Rock County Circuit Court (12 CV 1595) in the matter of Dean K George , Respondent (Order # 0001937)(DLSC case # 08 AUC 017 and 09 AUC 006) (8-21)

G. Division of Legal Services and Compliance (DLSC) Matters

- 1) **Administrative Warnings (22-23)**
 - a. 15 AUC 001 (T.J.E.)
- 2) **Case Status Report (24)**

H. Consulting with Legal Counsel

I. Deliberation of Items Received After Preparation of the Agenda

- 1) Professional Assistance Procedure (PAP)
- 2) Monitoring Matters
- 3) Administrative Warnings
- 4) Review of Administrative Warning
- 5) Proposed Stipulations, Final Decisions and Orders
- 6) Proposed Final Decisions and Orders
- 7) Orders Fixing Costs/Matters Related to Costs
- 8) Petition(s) for Summary Suspensions
- 9) Petition(s) for Extension of Time
- 10) Petition(s) for Re-hearings
- 11) Complaints
- 12) Education and Examination Issues
- 13) Credential Issues
- 14) Appearances from Requests Received or Renewed
- 15) Case Closings
- 16) Motions

RECONVENE TO OPEN SESSION IMMEDIATELY FOLLOWING CLOSED SESSION

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

ADJOURNMENT

**AUCTIONEER BOARD
VIRTUAL/TELECONFERENCE MEETING MINUTES
January 13, 2015**

PRESENT: Heather Berlinski, Ronald Polacek (via GoToMeeting: *joined at 9:31 a.m.*), Randy Stockwell (via GoToMeeting), Timothy Sweeney (via GoToMeeting), Jerry Thiel (via GoToMeeting), James Wenzler, Leonard Yoap (via GoToMeeting)

STAFF: Brittany Lewin, Executive Director; Kimberly Wood, Bureau Assistant

CALL TO ORDER

Timothy Sweeney, Chair, called the meeting to order at 9:30 a.m. and a quorum of seven (7) members was confirmed.

(Ronald Polacek joined the meeting at 9:31 a.m.)

ADOPTION OF AGENDA

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

APPROVAL OF MINUTES OF OCTOBER 21, 2014

MOTION: Ronald Polacek moved, seconded by Randy Stockwell, to approve the minutes of October 14, 2014 as published. Motion carried unanimously.

ELECTION OF OFFICERS

Chair

NOMINATION: Jerry Thiel nominated Timothy Sweeney for the Office of Chair.

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

Executive Director Brittany Lewin called for nominations three (3) times.

Timothy Sweeney was elected as Chair by unanimous consent.

Vice Chair

NOMINATION: Timothy Sweeney nominated Jerry Thiel for the Office of Vice Chair.

Brittany Lewin called for called for nominations three (3) times.

Jerry Thiel was elected as Vice Chair by unanimous consent.

Secretary

NOMINATION: Leonard Yoap nominated Randy Stockwell for the Office of Secretary.

Executive Director Brittany Lewin called for nominations three (3) times.

Randy Stockwell was elected as Secretary.

2015 OFFICER ELECTION RESULTS	
Board Chair	Timothy Sweeney
Vice Chair	Jerry Thiel
Secretary	Randy Stockwell

APPOINTMENT OF LIAISONS AND DELEGATED AUTHORITIES

2015 LIAISON APPOINTMENTS	
Practice Questions Liaison:	Jerry Thiel
Website Liaison	Heather Berlinski
DLSC Liaison (PAP)	Timothy Sweeney
DLSC Liaison (Monitoring)	Jerry Thiel
Credentialing Liaison	Jerry Thiel

2015 SCREENING PANEL APPOINTMENTS	
January – December 2015	Timothy Sweeney, Jerry Thiel, Ronald Polacek Alternate: Heather Berlinski

MOTION: Leonard Yoap moved, seconded by Jerry Thiel, in order to facilitate the completion of assignments between meetings, the Board delegates its authority by order of succession to the Chair, highest ranking officer, or longest serving member of the Board, to appoint liaisons to the Department to act in urgent matters, make appointments to vacant liaison, panel and committee positions, and to act when knowledge or experience in the profession is required to carry out the duties of the Board in accordance with the law. Motion carried unanimously.

MOTION: Timothy Sweeney moved, seconded by Jerry Thiel, 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.

MOTION: Timothy Sweeney moved, seconded by Leonard Yoap, to delegate authority to the Credentialing Liaison(s) to address all issues related to credentialing matters. Motion carried unanimously.

ADJOURNMENT

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

The meeting adjourned at 9:50 a.m.

**State of Wisconsin
Department of Safety & Professional Services**

AGENDA REQUEST FORM

1) Name and Title of Person Submitting the Request: Ashley Horton Department Monitor Division of Legal Services and Compliance		2) Date When Request Submitted: January 13, 2015 Items will be considered late if submitted after 4:30 p.m. and less than: <ul style="list-style-type: none"> ▪ 10 work days before the meeting for Medical Board ▪ 14 work days before the meeting for all others 	
3) Name of Board, Committee, Council, Sections:			
4) Meeting Date:	5) Attachments: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	6) How should the item be titled on the agenda page? Delegation to Monitoring Liaison and Department Monitor	
7) Place Item in: <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session <input type="checkbox"/> Both	8) Is an appearance before the Board being scheduled? <input type="checkbox"/> Yes (Fill out Board Appearance Request) <input checked="" type="checkbox"/> No	9) Name of Case Advisor(s), if required:	
10) Describe the issue and action that should be addressed: Delegated Authority Motion: <p style="text-align: center;"><i>“_____ moved, seconded by _____ to adopt/reject the Roles and Authorities Delegated to the Monitoring Liaison and Department Monitor document as presented in today’s agenda packet.”</i></p>			
11) Authorization <div style="display: flex; justify-content: space-between;"> <div style="width: 40%;">  </div> <div style="width: 40%; text-align: right;"> January 13, 2015 </div> </div> <hr/> <div style="display: flex; justify-content: space-between;"> <div style="width: 60%;">Signature of person making this request</div> <div style="width: 20%; text-align: right;">Date</div> </div> <hr/> <div style="display: flex; justify-content: space-between;"> <div style="width: 60%;">Supervisor (if required)</div> <div style="width: 20%; text-align: right;">Date</div> </div> <hr/> <div style="display: flex; justify-content: space-between;"> <div style="width: 60%;">Executive Director signature (indicates approval to add post agenda deadline item to agenda)</div> <div style="width: 20%; text-align: right;">Date</div> </div>			
Directions for including supporting documents: 1. This form should be attached to any documents submitted to the agenda. 2. Post Agenda Deadline items must be authorized by a Supervisor and the Policy Development Executive Director. 3. If necessary, Provide original documents needing Board Chairperson signature to the Bureau Assistant prior to the start of a meeting.			

Roles and Authorities Delegated to the Monitoring Liaison and Department Monitor

The Monitoring Liaison (“Liaison”) is a Board/Section designee who works with department monitors to enforce Board/Section orders as explained below.

Current Authorities Delegated to the Monitoring Liaison

The Liaison may take the following actions on behalf of the Board/Section:

1. Grant a temporary reduction in random drug screen frequency upon Respondent’s request if he/she is unemployed and is otherwise compliant with Board/Section order. The temporary reduction will be in effect until Respondent secures employment in the profession. The Department Monitor (“Monitor”) will draft an order and sign on behalf of the Liaison.
2. Grant a stay of suspension if Respondent is eligible per the Board/Section order. The Monitor will draft an order and sign on behalf of the Liaison.
3. Remove the stay of suspension if there are repeated violations or a substantial violation of the Board/Section order. In conjunction with removal of any stay of suspension, the Liaison may prohibit Respondent from seeking reinstatement of the stay for a specified period of time. The Monitor will draft an order and sign on behalf of the Liaison.
4. Grant or deny approval when Respondent proposes continuing/remedial education courses, treatment providers, mentors, supervisors, change of employment, etc. unless the order specifically requires full-Board/Section approval.
5. Grant a maximum of one 90-day extension, if warranted and requested in writing by Respondent, to complete Board/Section-ordered continuing education.
6. **Grant a maximum of one extension or payment plan for proceeding costs and/or forfeitures if warranted and requested in writing by Respondent.**

Monitoring Liaison currently has the authority to grant an extension up to 90 days. This change will allow the Liaison to grant payment plans and longer extensions on a case-by-case basis, which will be particularly helpful for Board/Sections that do not meet every month.

7. **Grant full reinstatement of licensure if Respondent has fully complied with all terms of the order without deviation. The Monitor will draft an order and obtain the signature or written authorization from the Liaison.**

This addition was initiated and approved by the Medical Examining Board in October 2014. The Liaison may choose to defer a particular request to the full Board/Section for review if needed.

Current Authorities Delegated to the Department Monitor

The Monitor may take the following actions on behalf of the Board/Section, draft an order and sign:

1. Grant full reinstatement of licensure if CE is the sole condition of the limitation and Respondent has submitted the required proof of completion for approved courses.
2. Suspend the license if Respondent has not completed Board/Section-ordered CE and/or paid costs and forfeitures within the time specified by the Board/Section order. The Monitor may remove the suspension and issue an order when proof completion and/or payment have been received.