

WISCONSIN DEPARTMENT OF REGULATION & LICENSING



Wisconsin Department of Regulation & Licensing Access to the Public Records of the Reports of Decisions

This Reports of Decisions document was retrieved from the Wisconsin Department of Regulation & Licensing website. These records are open to public view under Wisconsin's Open Records law, sections 19.31-19.39 Wisconsin Statutes.

Please read this agreement prior to viewing the Decision:

- The Reports of Decisions is designed to contain copies of all orders issued by credentialing authorities within the Department of Regulation and Licensing from November, 1998 to the present. In addition, many but not all orders for the time period between 1977 and November, 1998 are posted. Not all orders issued by a credentialing authority constitute a formal disciplinary action.
- Reports of Decisions contains information as it exists at a specific point in time in the Department of Regulation and Licensing data base. Because this data base changes constantly, the Department is not responsible for subsequent entries that update, correct or delete data. The Department is not responsible for notifying prior requesters of updates, modifications, corrections or deletions. All users have the responsibility to determine whether information obtained from this site is still accurate, current and complete.
- There may be discrepancies between the online copies and the original document. Original documents should be consulted as the definitive representation of the order's content. Copies of original orders may be obtained by mailing requests to the Department of Regulation and Licensing, PO Box 8935, Madison, WI 53708-8935. The Department charges copying fees. *All requests must cite the case number, the date of the order, and respondent's name as it appears on the order.*
- Reported decisions may have an appeal pending, and discipline may be stayed during the appeal. Information about the current status of a credential issued by the Department of Regulation and Licensing is shown on the Department's Web Site under "License Lookup." The status of an appeal may be found on court access websites at: <http://ccap.courts.state.wi.us/InternetCourtAccess> and <http://www.courts.state.wi.us/wscca>.
- Records not open to public inspection by statute are not contained on this website.

By viewing this document, you have read the above and agree to the use of the Reports of Decisions subject to the above terms, and that you understand the limitations of this on-line database.

Correcting information on the DRL website: An individual who believes that information on the website is inaccurate may contact the webmaster at web@drl.state.wi.gov

FILE COPY

STATE OF WISCONSIN
BEFORE THE EXAMINING BOARD OF ARCHITECTS,
PROFESSIONAL ENGINEERS, DESIGNERS AND LAND SURVEYORS

IN THE MATTER OF : MEMORANDUM AND ORDER
THE INVESTIGATION OF : ON SETTLEMENT CONFERENCE
:
ALLEN C. NYHAGEN, R.L.S., :
LICENSEE. : File No. 86 A&E 30

TO: Allen C. Nyhagen, R.L.S.
108 Walnut Street
Hudson, WI 54016

Sherry Steffel
Attorney at Law
P.O. Box 8935
Madison, WI 53708

Pursuant to notice, a settlement conference was held before officials of the Land Surveyors Section of the Board on August 6, 1987. The purpose of the conference was to provide all interested parties with an opportunity to discuss the allegations received pertaining to the practice of Allen C. Nyhagen as a registered land surveyor, and attempt to reach a fair resolution of the matter.

APPEARANCES

Presiding over the settlement conference was Donald L. Paulson, Chairman of the Land Surveyors Section of the Board. Other board members present were Frederic Copp, Mary Hall Sullivan, and Bernard Watermolen. The board's legal counsel, Wayne R. Austin, was also present.

Attorney Sherry Steffel appeared representing the Division of Enforcement to provide information concerning the allegations made against the licensee.

The licensee, Allen C. Nyhagen, appeared personally and without legal counsel.

PROCEEDINGS

The presiding officer made an introductory statement describing the procedures by which the settlement conference would be conducted.

Oral presentations of the positions of the parties were made. These statements were made for the sole purpose of negotiating a binding, consensual agreement. They were received without prejudice to later changes and may not be used against the licensee in any formal hearing.

Subsequent to the receipt of the oral statements the parties presented recommendations for terms of settlement. The board members considered the presentations and made a recommendation of settlement terms on behalf of the board.

After discussion, Mr. Nyhagen accepted the terms of the proposed settlement, and thereafter entered into a Stipulation with the board, a copy of which is attached hereto and made a part hereof.

Based upon the proceedings at the settlement conference, and upon the Stipulation executed by the parties, the board orders as follows:

ORDER

IT IS HEREBY ORDERED that the license of Allen C. Nyhagen to practice as a land surveyor in Wisconsin be, and hereby is, suspended for a period of 14 days effective commencing on September 14, 1987, and ending September 29, 1987.

Dated at Madison, Wisconsin this 2 day of September, 1987.

Examining Board of Architects,
Professional Engineers, Designers,
and Land Surveyors

by Donald L. Paulson
Donald L. Paulson, R.L.S., P.E.
Chairman, Land Surveyors Section

WRA:jrb
4192

BEFORE THE STATE OF WISCONSIN
EXAMINING BOARD OF ARCHITECTS, PROFESSIONAL
ENGINEERS, DESIGNERS AND LAND SURVEYORS

IN THE MATTER OF THE
INVESTIGATION OF

ALLEN C. NYHAGEN, R.L.S.,
LICENSEE.

STIPULATION

Allen C. Nyhagen, R.L.S., and the Examining Board of Architects, Professional Engineers, Designers and Land Surveyors, Land Surveyors Section, having reached an agreement for disposition of the informal complaint identified as 86 A&E 30, stipulate and agree as follows:

1. This Stipulation shall be included as part of a Memorandum and Order on Settlement Conference to be issued by the board, and all the terms of this Stipulation shall be binding on Allen C. Nyhagen (Nyhagen) as a part of the board's order.

2. This Stipulation and the board's order shall be placed in Nyhagen's permanent file in the board's records, and may be used if there are subsequent complaints against him.

3. Nyhagen was granted a license to practice as a land surveyor in Wisconsin on June 17, 1977 (license number 1407).

4. Nyhagen renewed his license on January 31, 1979. A renewal notice was mailed to Nyhagen in December, 1981, indicating that Nyhagen's license would expire on January 31, 1982; however, Nyhagen failed to renew his license at that time.

5. From January 31, 1982, until on or about June 1, 1987, Nyhagen practiced as a land surveyor without a current registration. Nyhagen's renewal on June 1, 1987, occurred after the department became aware of his previous failure to renew through an unrelated matter and notified Nyhagen of his unlicensed status.

6. In practicing from January 31, 1982, until approximately June 1, 1987, without having renewed his registration as required by Wis. Stats. sec. 443.02(4)(a), Nyhagen has violated Wis. Adm. Code sec. A-E 8.03(3)(a), and has thereby engaged in misconduct within the meaning of Wis. Stats. sec. 443.12(1).

7. Nyhagen and the board agree that appropriate discipline to be imposed in recognition of the misconduct found in this case is suspension of Nyhagen's license to practice land surveying for fifteen days, commencing September 14, 1987, and ending September 29, 1987.

Dated at Hudson, Wisconsin, this 21 day of August, 1987.

Allen C. Nyhagen
Allen C. Nyhagen, R.L.S.

Dated at Madison, Wisconsin, this 12th day of August, 1987.

Department of Regulation & Licensing
Division of Enforcement

by Sherry Steffel
Sherry Steffel, Attorney

Dated at Madison, Wisconsin, this 2 day of ~~August~~^{Sept.}, 1987.

Examining Board of Architects,
Professional Engineers, Designers
and Land Surveyors

by Donald L. Paulson
Donald L. Paulson, P.E., R.L.S.
Chairman

WRA:rjt
109-244