

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
THE INVESTIGATION OF

STANLEY D. BUCHANAN, P.E.,

Licensee

MEMORANDUM AND ORDER ON SETTLEMENT CONFERENCE

TO: Stanley D. Buchanan, P.E.
2228 22nd Street
Rice Lake, WI 54868

Richard Castelnovo
Attorney at Law
1400 East Washington Avenue
P.O. Box 8935
Madison, WI 53708

An informal settlement conference was conducted in the above-captioned matter before an informal settlement conference committee of the Engineers Section of the Examining Board of Architects, Professional Engineers, Designers and Land Surveyors on August 8, 1990. The purpose of the conference was to provide interested parties with an opportunity to discuss allegations received pertaining to the practice of Mr. Buchanan as a professional engineer, and to attempt to reach a fair and consensual resolution of the matter.

The committee consisted of Jane Pavis, Marvin DeVries, P.E., and Mark Nurczyk, P.E. Mr. Buchanan appeared in person and without legal counsel. Others present included Richard Castelnovo, attorney for the Department of Regulation & Licensing, Division of Enforcement, and Wayne Austin, the board's legal counsel.

The parties orally presented their respective positions regarding the matter to the committee, and the committee deliberated on a possible disposition of the matter. The committee thereafter presented a proposed Stipulation for Mr. Buchanan's consideration, a copy of which is attached hereto and made a part hereof. The Stipulation was ultimately executed by Mr. Buchanan and by Ms. Pavis, as Chair of the Professional Engineers Section.

Based upon the proceedings at the conference, and upon the Stipulation of the parties, the board enters the following order.

ORDER

NOW, THEREFORE, IT IS ORDERED that based on the findings and conclusions in this case, as set forth in the Stipulation of the parties hereto, no discipline shall be imposed.

Dated this 21 day of ^{September}~~August~~, 1990.

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

by Jane R. Pavis
Jane Pavis
Chair, Professional Engineers Section

wra:BDLS:684

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

IN THE MATTER OF
THE INVESTIGATION OF

STANLEY D. BUCHANAN, P.E.,

Licensee

STIPULATION

Stanley D. Buchanan, P.E. (Buchanan), and the Professional Engineers Section of the Examining Board of Architects, Professional Engineers, Designers and Land Surveyors (board), having reached agreement on disposition of the informal complaint identified as 88 Eng 006, agree and stipulate as follows:

1. This Stipulation shall be made a part of a Memorandum and Order on Settlement Conference to be issued by the board, and all terms of the Stipulation shall be binding on Buchanan as a part of the board's order.
2. This Stipulation and the board's order shall be placed in Buchanan's permanent file, and may be used if there are further complaints against him.
3. Buchanan is licensed to practice as a professional engineer in Wisconsin by license #17930, issued on August 25, 1978, and he resides at 2228 22nd Street, Rice Lake, WI 54868.
4. The Village of Dallas, Wisconsin retained Buchanan as consulting engineer in the construction of a second municipal water well. As a part of his responsibilities, Buchanan was to secure any necessary governmental approvals.
5. Buchanan did not initially seek authorization of the Public Service Commission (PSC) in constructing the well based upon his understanding that because the well was being constructed by the municipality rather than by the municipality's water utility, Wis. Stats. sec. 196.49 and Wis. Adm. Code ch. PSC 184 did not require prior authorization to construct.
6. The PSC first became aware of the construction of the new well through receipt of a copy of a Department of Natural Resources permit letter. On August 2, 1988, Scott Cullen, P.E., Administrator of the PSC Engineering Division, wrote to the Dallas Village Clerk and to Buchanan notifying them that PSC authorization was required and directing them to submit an application for commission authorization and requesting an explanation why prior approval had not been sought.

NOTICE OF APPEAL INFORMATION

(Notice of Rights for Rehearing or Judicial Review,
the times allowed for each and the identification
of the party to be named as respondent)

The following notice is served on you as part of the final decision:

1. Rehearing.

Any person aggrieved by this order may petition for a rehearing within 20 days of the service of this decision, as provided in section 227.49 of the Wisconsin Statutes, a copy of which is attached. The 20 day period commences the day after personal service or mailing of this decision. (The date of mailing of this decision is shown below.) The petition for rehearing should be filed with the State of Wisconsin Examining Board of Architects, Professional Engineers, Designers & Land Surveyors.

A petition for rehearing is not a prerequisite for appeal directly to circuit court through a petition for judicial review.

2. Judicial Review.

Any person aggrieved by this decision has a right to petition for judicial review of this decision as provided in section 227.53 of the Wisconsin Statutes, a copy of which is attached. The petition should be filed in circuit court and served upon the State of Wisconsin Examining Board of Architects, Professional Engineers, Designers & Land Surveyors.

within 30 days of service of this decision if there has been no petition for rehearing, or within 30 days of service of the order finally disposing of the petition for rehearing, or within 30 days after the final disposition by operation of law of any petition for rehearing.

The 30 day period commences the day after personal service or mailing of the decision or order, or the day after the final disposition by operation of the law of any petition for rehearing. (The date of mailing of this decision is shown below.) A petition for judicial review should be served upon, and name as the respondent, the following: the State of Wisconsin Examining Board of Architects, Professional Engineers, Designers & Land Surveyors.

The date of mailing of this decision is September 26, 1990.

WLD:dms
886-490