

# DEALER POINT

Official Publication of the Wisconsin Automobile & Truck Dealers Association | 1928-2020 | Volume 56 Winter 2020



**INSIDE:**  
**Jim Moeller, 2020**  
**WATDA Chairman**

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 Association focusing on the human side  
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The Wisconsin Automobile & Truck Dealers Association, an organization of licensed dealers of new and used motor vehicles, is dedicated to advancing the common good of its members, consumers and their communities by promoting professionalism and prosperity through education, advocacy, information and service.

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On the cover: Isabella, Claire & Nico; back: Jim, John, & Michelle Moeller

# JIM MOELLER: A MAN OF ACTION

BY CHRYSTE L. MADSEN

The first thing you notice when in a discussion with Jim Moeller, Chief Executive Officer and Dealer Principal of CSM Companies, is his contagious enthusiasm. Because his focus is never on himself, it's easy to get caught up in his vision and passion for the business. His straight-shooting, positive attitude reinforces his credibility as he stresses his philosophy of "more action and less talking. It's about the 'we'...not the 'I'". A constant deflection to the achievements of CSM crediting the people working with Jim rather than the focus on Jim. Attributes that help to explain the successful path of CSM.

Jim's path has also, happily, merged now with that of WATDA serving as WATDA's 2020 Board Chairman. He holds a unique position as the first to Chair in WATDA history being both a heavy-duty truck and auto dealer.

Jim's industry experience began doing the same hard work all dealers do, but with a bit of a twist. Adopted at the age of five and raised in Eagle, WI, Jim has lived an example of the American dream. He got his entrepreneurial business sense

and motivation from watching his father own and operate a small business based in Milwaukee called Remy Battery Company. Although father and son may look very different, the mannerisms—including the work ethic, unwavering integrity and attitude to always do better, look identical. The auto and truck dealership bug came from working at his family business and calling on auto and truck dealerships. Jim continued working at Remy through his high school years at Glendale Martin Luther—near Milwaukee—and his college years at the University of Wisconsin-Whitewater, where he graduated in 1999.

Following college, Jim started with PACCAR, Inc., headquartered in Bellevue, WA working as a district manager for PACCAR Parts division. PACCAR has a long and storied history dating back to 1905 and, in addition to other ventures, now makes heavy-duty trucks bearing the Kenworth, Peterbilt and DAF name plates. And like many Fortune 200 firms, the opportunities to expand experiences and take on new challenges were abundant and led to three jobs in a matter of eight years.

Wisconsin Kenworth Madison located in Windsor.



Through his work with his family's small business and the years he spent with PACCAR, Jim became acquainted with Curt Collins and Bob Sorrentino, dealer principals of Wisconsin Kenworth. Curt and Bob had built a stellar reputation in Wisconsin with five Kenworth stores across the state. Bob Sorrentino served on WATDA's Board of Directors and was the first heavy-duty truck dealer to serve as Chair. But they had no named successor when Jim Moeller was offered the opportunity to become a partner and—over time—take ownership of the company. The newly formed CSM Companies, Inc. was off and running.

In 2007, Jim was named President of CSM. Under Jim's leadership and belief that industry consolidation was an opportunity for organizations like CSM to grow, the company and employees began a measured and steady rise.

- 2008** CSM launched a Premier Leasing & Rental company to meet their customers' growing needs.
- 2010** Michigan Kenworth was for the first out-of-state acquisition adding two locations and approximately 100 associates.
- 2010** In 2010, Sahling Kenworth, with three locations in NE, became another extension of the CSM Companies expanding footprint.
- 2013** In 2013, Jim Moeller served as Kenworth Dealer Council Chairman.
- 2013** In 2013, Wisconsin Kenworth was awarded Kenworth Dealer of the Year for the first time in the company's history.
- 2014** In 2014, CSM merged with French-Ellison Truck Center of Texas and added four more Kenworth locations while also adding Mack.
- 2016** In 2016, Wisconsin Kenworth was named Kenworth Dealer of the Year; the third time a CSM division received the honor in the past ten years.
- 2016** In 2016, few were surprised when Jim, a big believer in diversification and life-long admirer of the 'new car smell', led the group into the automotive division. CSM Companies started CSM Automotive and acquired the Dearth family of dealerships in Monroe, WI.
- 2017** In 2017, the purchase of Lake Geneva Chevrolet added a third auto dealership rooftop and the Chevrolet, GMC and Buick lineup.
- 2018** In 2018 all Kenworth outlets in east Michigan were purchased by CSM Companies, adding another three locations to the Kenworth group becoming the only heavy-duty truck dealership to operate in every county in Michigan.
- 2018** PACCAR named CSM Companies, Inc. the Parts Dealer of the Year in 2018.

The CSM group has grown from 130 employees when Jim came on board in 2007 to over 1,100 today. CSM has a truck dealership presence in four states including Wisconsin, Texas, Nebraska and Michigan. CSM Companies operates 18 Kenworth dealerships, 1 Mack dealership, 4 independent shops and 3 auto dealerships. Today, CSM is the second largest dealer in the Kenworth dealer network and transacts close to a billion in annual revenue.

Through this tremendous growth, Jim always remained focused on enhancing solutions for customers and creating an environment of opportunities for the CSM associates. He points the success he's had to many things but the most influential has been the opportunity provided by Bob and Curt in the initial purchase of the truck dealerships and of the strong upbringing and role modeling from his father.

Under Jim's leadership the company continues to add talented and experienced staff to complement the measured growth of the group. One of those people, now the company's Chief Financial Officer, Jon Parker, is a familiar face to Jim. Jon and Jim have known each other since childhood. Parker, having been a former partner with KPMG – a global accounting firm – has been a trusted advisor before and since joining CSM. "While we went in different directions for university and work afterwards," Parker said, "we had always stayed in touch and had thoughts to team up, and that's just what happened five years ago. Jim's charisma, sincerity and desire to take action and make a difference were all attributes that he possessed early on and which all are cornerstones of his (and our) approach today."

Another and more recent member of the team is Bill Kozek, the Chief Operating Officer of CSM. Bill comes from Jim's more recent past and brings some excellent credentials with him. Bill



was Kenworth General Manager at PACCAR from 2008-2012; Peterbilt General Manager from 2012-2013 and then President of International Truck until 2018. When Bill was asked why he chose to align his talents with CSM, he responded, "CSM's culture and team appealed to me because they are a progressive group; well-managed, customer focused with an eye towards growth. Jim's ability to connect with customers, employees and the Wisconsin community enables CSM to create solutions for our stakeholders needs."

Surrounding himself with great people allows Jim the essential balance of work and family life he finds important; great advice provided by his many mentors throughout his career. Jim and his wife, Michelle have four children: John (15), Claire (13), Isabella (10), Nico (7), creating a full house. As well, life is a full circle and so it doesn't surprise those close to Jim and Michelle when they adopted kids themselves. "Michelle and I

want to provide our kids the gift of memories of quality family time. That can include things we love to do together such as time at the cabin, skiing in snow or water and traveling the world." Michelle agrees, "While I joke that if he's awake, he's working, he does do a really good job of connecting with all of us and being involved."

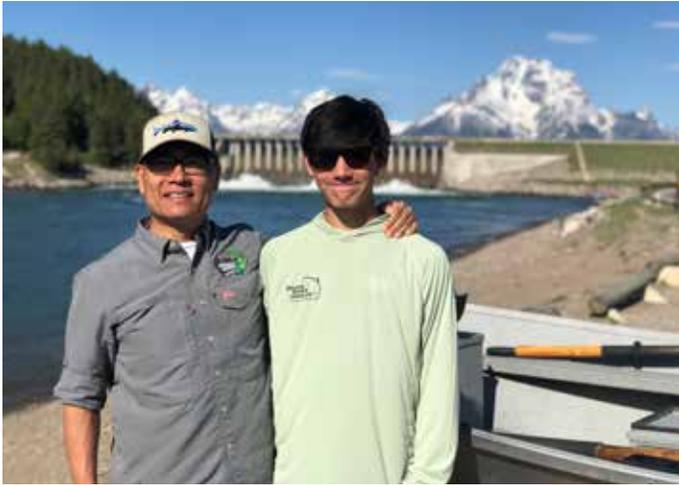
When asked about their children, Michelle said, "Having four kids from 7 to 15, most of my time and focus is on our family. I am extremely grateful to be able to spend so much time with them. All of our kids are active and connected." Michelle continued, "Of course, I also love to be able to get out with my husband and meet with other dealers and people in our industry. I enjoy getting to know fellow dealers and sharing a common bond. We are surrounded by thoughtful, dedicated, hard-working people. Jim is excited and honored to be this year's Chairman. He's modest, but I have to say he brings an

Jim & Michelle Moeller



incredible positive energy to everything he does. His ability to see the big picture is unlike anyone I've met (and a good reason not to play chess with him!). He works very hard, is honest and I'm sure will bring a lot to WATDA this year. We both look forward to seeing old friends and making new ones through the events this year and appreciate the opportunity."

Jim echoes Michelle's sentiment concerning the opportunity as Chairman. With Jim's attitude and ability to get things done, along with his belief in the common good of the Association's purpose, it looks like a very good year for the members of WATDA.



When asked if he had a message for the WATDA members, Jim said the following, "The Wisconsin Auto and Truck Dealers Association is one of the strongest in the country. Continuing that legacy is vitally important for me and the members of this group. As I've said many times, the inclusiveness and support of the varying and diversified membership is what makes WATDA unique and long lasting. It's my great honor to be Chairman and I want to express my gratitude for the opportunity. At any time, please don't hesitate to contact me to discuss any opportunities or topics. Thank you again and I look forward to a great year and a bright future together."

Congratulations, Chairman Moeller! ●



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# CenterStage

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## ► Service Business of the Year

Shawano Auto Sales had been awarded the Service Business of the Year by the Shawano County Chamber of Commerce. "We've won a lot of awards in our 62 years of operation, but this one is at the top of our list because its from our local community that has supported us so well," said Jeff Roloff, who owns the dealership along with siblings Pam, Rick, and Paula. The franchised Chrysler Dodge and Ram dealership has been in operation since 1957, when the late Earl and Vi Roloff purchased the shop on Green Bay Street and began a wrecker service. Since 2008 the business has been reformed into a limited family partnership. It has 20 full time employees and one part time. The most significant issue that faces the company is competition from larger dealerships with more inventory that reach a larger audience. The Roloff's have managed to combat that issue with their long-standing reputation as well as the encouragement and support of the local community, including six area high schools, three local churches, ten area clubs, twelve are societies and both the Shawano and Oconto county fairs.



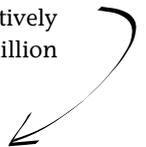
## ► Badger Chevrolet Buick awarded Business of the Year

Badger Chevrolet Buick, a division of Badger Truck & Automotive Group Inc., based in Milwaukee has been awarded 2019 Business of the Year by the Lake Mills Chamber of Commerce. Each year the Chamber chooses one local business for the award as a reflection of the business' impact in the community, charitable giving, volunteerism and stewardship. Badger Truck & Auto Group, established in 1965 by the Schlagenhauf family, is a commercial truck and auto dealership group with locations throughout southern Wisconsin.

## ► Kayser Ford Lincoln: 95 Years

In 1925, twenty-two years after Henry Ford founded Ford Motor Company, Paul Kayser, son of former Mayor Adolph Kayser opened Madison's first Ford dealership and began selling Model T's. After thirty years in operation, Paul sold his dealership to longtime employee Ken Kimport in the 1950s. After another thirty years, Patrick Baxter acquired the dealership, and what is now known as Kayser Automotive Group has remained in the Baxter family ever since. "The Kayser name stayed given its legacy, and because it is synonymous with Ford in the Madison market," says Sean Baxter, Patrick's son who is now president of Kayser. Younger brothers Ryan and Brendan serve as vice presidents and Patrick remains chairman of the board. Today, Kayser Automotive Group has five dealerships in four Wisconsin cities; Madison, Pulaski, Sauk City and Watertown. Franchise brands include Ford, Buick, Chevrolet, Chrysler, Dodge, Isuzu, Jeep, Lincoln, and Ram. Collectively Kayser employs 350 people and generates \$300 million in annual revenue.

Congratulations on your longevity!



## ► Junior Achievement auction nets nearly \$500K

The Junior Achievement of Wisconsin Holiday Auction and Gala, held December 7, raised \$497,000 for student programs and activities in the metro Milwaukee area. The auction was hosted at the new Russ Darrow Group Chrysler Dodge Jeep Ram and Honda dealerships in the Metro Auto Mall on the northeast side of Milwaukee. More than 240 community leaders and guests were in attendance.

## ► Thanksgiving Gift

Jim Schmit (front), co-owner of Schmit Bros., Saukville, as is tradition, donated 100 turkeys to the food pantries in Port Washington and Saukville. Also, on hand for the presentation: Chris Flint, director of the Port Food Pantry (front right); middle row from left) Tom Caravella, volunteer; Saukville Pantry director Mark Gierach; and volunteers John Zelewski, Randy Lenser. The turkeys are from Bernie's Fine Meats; owner Steve Bennett (back)



## ► Celebrating 60 Years of Keller

Founded as Keller Structures in 1960, the Keller name has grown the last 60 years into who they are today; Keller, Inc.-Planners Architects Builders; an award winning, single-source, design/build firm headquartered in Kaukauna, with offices in Madison, Milwaukee, Tomah, and Wausau.

Keller, Inc. has consistently shown progress in all areas of the organization. Starting with one building erection crew, and growing to 45 full-time crews, with decades of expertise in the commercial and professional industries; expanding from their original footprint well beyond Wisconsin. Their in-house team of architects, interior designers, project managers and field crews specialize in concrete, building erection, rough and finished carpentry, they provide innovative design/build services to commercial and agricultural industries throughout the state of Wisconsin and the Midwest.

One of the founders, Walter Keller, oversaw the company's transformation from a family-owned business to an employee-owned corporation through the Employee Stock Ownership Plan in 1986. Keller, Inc. gradually transitioned ownership and by 2005, officially became 100% employee-owned. Walter retired as President in 1989, but his original values of integrity, honesty, and commitment to putting the customer first still inspires today. Led today by CEO Wayne Stellmacher and President Cory Vande Wettering, they currently have more than 265 employee owners who take pride designing and building every project as if it were their own.

Congratulations to our Associate member Keller, Inc. a five-year *Dealer Point* advertiser. ●





# NADA Report

JOSHUA JOHNSON • [jjohnson@donjohnsonmotors.com](mailto:jjohnson@donjohnsonmotors.com)



Today auto dealers from across the nation are paving the way for the future despite a wave of technological change and the threat of broad tariffs on auto parts affecting our industry. NADA and WATDA stood together on the steps of Capitol Hill to ensure that both dealers and our employees will thrive over the next ten years.

NADA's top priority has been defending dealers against the threat of 25% tariffs across the entire automobile landscape. We are all aware that the U.S. auto industry is built on an integrated global supply chain. An essential building block of which is favorable trading relationships with our two biggest trading partners: Canada and Mexico. In fact, 25% of new vehicles and 48% of auto parts sold in the U.S. are imported from these two countries. Existing tariff-free exchanges have enhanced the global competitiveness of the U.S. auto market and allowed dealers to offer consumers more choices and competitive prices. As no vehicle assembled in America is 100% American-made; the sweeping tariff proposed would have been devastating to our Main Street businesses. A 25% tariff would have increased the average price of every car, resulting in the annihilation of millions of vehicle sales and thousands of American jobs.

The entire U.S. auto industry banded together on this critical issue, and I'm proud to say that Washington heard our voices. Just weeks ago, President Trump signed into law the new U.S.-Mexico-Canada Agreement—better known as USMCA. This agreement will both strengthen North American trade and mitigate the threat of new tariffs. The USMCA will maintain

auto production and distribution in North America while preserving the strength of our industry. Most importantly, it will enable dealers to continue providing affordable vehicle options for American consumers. Please be sure to thank everyone at WATDA for their tireless work advocating for fellow dealers, dealership employees, and our customers.

Unfortunately, as one challenge subsides for us, another one begins. Together we must continue to guard against other threats on the horizon: the FTC's new proposed changes to the Safeguards Rule, which would dictate how we manage our customer data; a slowly evolving landscape including autonomous vehicle technology and electrification; and a relentless effort to avert a workforce shortage in our dealerships.

With these—and all—challenges, I want to remind members that we are never alone. Please lean on our state and national associations, knowing that they have our backs. Finally, I encourage everyone to download and read the results of NADA's latest commissioned study: The Dealership of Tomorrow 2.0. This study examines how our businesses will evolve in the next decade, separating the facts from the myths. The results of this significant study are being revealed at the 2020 NADA Show in Las Vegas.

On behalf of NADA, thank you to all our Wisconsin dealers for the hard work and dedication you've shown the past year. It's my honor to serve as your Director for another year and advocate for your interests. Together, we will help pave the way for a bright future for both our businesses and our industry! ●



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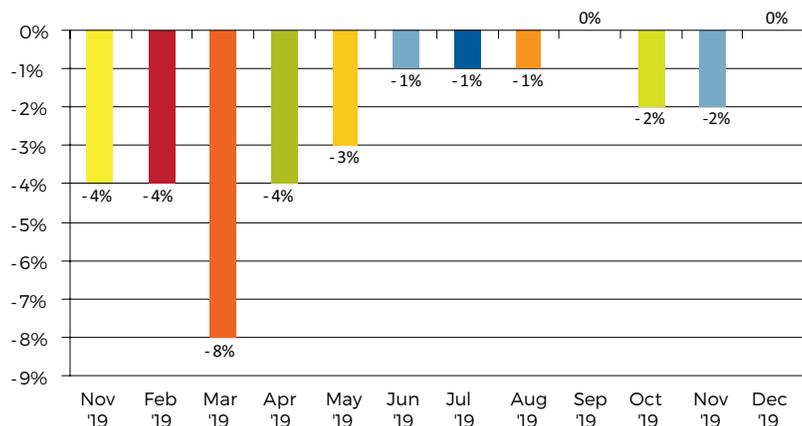
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# New Vehicle Sales Trends

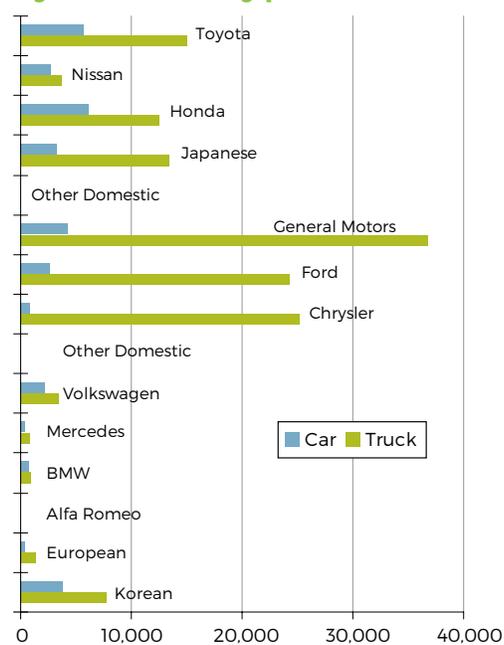
## Wisconsin New Vehicle Trends: December 2019

	Previous Two Months			Year to Date			Year to Date Market Share		
	11/18	11/19	% change	'18 YTD	'19 YTD	% change	'18 YTD	'19 YTD	change
Industry Total	36,125	36,051	-0.2%	227,175	222,537	-2.0%	100.0%	100.0%	0.0%
Car	6,752	5,456	-19.2%	49,698	41,102	-17.3%	21.9%	18.5%	-3.4%
Truck	29,373	30,595	4.2%	177,477	181,435	2.2%	78.1%	81.5%	3.4%
Japanese	11,911	12,484	4.8%	77,724	78,069	0.4%	34.2%	35.1%	0.9%
Toyota	3,905	4,370	11.9%	25,832	25,911	0.3%	11.4%	11.6%	0.2%
Honda	3,417	3,658	7.1%	22,357	23,316	4.3%	9.8%	10.5%	0.7%
Nissan	1,420	1,121	-21.1%	9,500	8,020	-15.6%	4.2%	3.6%	-0.6%
Other	3,169	3,335	5.2%	20,035	20,822	3.9%	8.8%	9.4%	0.6%
Domestic	20,526	19,013	-7.4%	124,498	117,449	-5.7%	54.7%	52.7%	-2.0%
General Motors	9,213	8,571	-7.0%	52,586	51,264	-2.5%	23.1%	23.0%	-0.1%
Ford	5,687	5,407	-4.9%	37,087	33,703	-9.1%	16.3%	15.1%	-1.2%
Chrysler	5,626	5,035	-10.5%	34,825	32,482	-6.7%	15.3%	14.6%	-0.7%
European	1,804	2,157	19.6%	11,832	12,581	6.3%	5.2%	5.6%	0.4%
Volkswagen	951	1,175	23.6%	6,264	6,985	11.5%	2.8%	3.1%	0.3%
BMW	331	323	-2.4%	2,020	2,032	0.6%	0.9%	0.9%	0.0%
Mercedes	217	305	40.6%	1,417	1,451	2.4%	0.6%	0.7%	0.1%
Alfa Romeo	17	5	-70.6%	84	42	-50.0%	0.0%	0.0%	0.0%
Other	288	349	21.2%	2,047	2,071	1.2%	0.9%	0.9%	0.0%
Korean	1,884	2,397	27.2%	13,121	14,438	10.0%	5.8%	6.5%	0.7%
Other	1,884	2,397	27.2%	13,121	14,438	10.0%	5.8%	6.5%	0.7%

**3 Month % Change – and view annual trend.**  
Compares most recent 90 days vs. same 90-day period from last year.



**YTD Registrations by Vehicle Type.**



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# Franchise Bill

BY CHRIS SNYDER

On November 26, 2019, Governor Evers signed the Fair Compensation bill (commonly referred to as the surcharge prohibition bill). Once signed into law the bill became Act 67. The new law prohibits manufacturers from taking retaliatory actions against their dealers, if those dealers are following the Wisconsin Motor Vehicle Franchise Law (WMVDL). Below is the provision that was passed.

218.0116 (1) (z) 1. In this paragraph, “adverse action” includes all of the following:

- a. Increasing a price charged for services or goods.
  - b. Assessing a penalty, fee, or surcharge.
  - c. Withholding, reducing, or delaying an incentive or other payment.
  - d. Transferring or shifting costs.
  - e. Limiting allocations of vehicles or parts.
  - f. Failing to act in good faith.
  - g. Failing to make timely payment of compensation.
  - h. Establishing or applying a discriminatory standard.
  - i. Conducting or threatening to conduct a nonroutine or nonrandom audit.
2. Being a manufacturer, importer, or distributor who directly or indirectly takes or threatens to take an adverse action against a dealer for any of the following reasons:
- a. For the purpose of recovering costs of compensating dealers under s. 218.0125.
  - b. In retaliation for a dealer's exercising a right or seeking a remedy under ss. 218.0101 to 218.0163 or under rules promulgated by the department of transportation under ss. 218.0101 to 218.0163.

The new law lists a number of “adverse actions” that motor vehicle manufacturers are prohibited from taking against dealers either (1) for the purpose of recovering their costs of compensating dealers for compensating dealers at the statutory warranty reimbursement rate, or (2) in retaliation for a dealer having exercised any other right or remedy provided by the WMVDL.

This list of prohibited “adverse actions” expands the legal protections afforded to dealers against coercive, unfair or discriminatory treatment by manufacturers. For example, there are existing provisions in the WMVDL that prohibit manufacturers from requiring dealers to make costly facility improvements that are not justified by reasonable business considerations or from requiring dealers to provide or maintain exclusive facilities. In the past, manufacturers have “persuaded” dealers to comply or participate through

incentive programs that pay incentives only to dealers who upgrade their facilities and/or make them exclusive by moving other line makes to a different facility. Under the new law, a manufacturer who withholds an incentive payment from a dealer because it has exercised its right not to make a costly and unjustified facility upgrade or not to un-dual its facility, may be subject to a suit for damages by the dealer.

The bill was heavily contested by the Alliance of Automobile Manufacturers, General Motors and Wisconsin Manufacturers and Commerce. Despite a strenuous and consistent misinformation campaign by opposition groups, the bill passed on a 27-6 vote in the Senate and by a voice vote (with 4 nays registered) in the Assembly.

WATDA extends our gratitude to legislative leadership, Speaker of the Assembly Robin Vos (R-Rochester) and Senate Majority Leader Scott Fitzgerald (R-Juneau), for keeping the bill on track and allowing it to matriculate through the process, and of course Governor Evers for signing the bill into law.

The legislative stalwarts of the bill were the assembly authors; Representatives **Joan Ballweg** (R-Markesan) and **Jason Fields**, (D-Milwaukee) and Senators **Howard Marklein** (R-Spring Green) and **Janis Ringhand** (D-Evansville). These legislators put their name on the bill before it was introduced and preserved the bill's language (with no amendments) throughout the process.

Further, and very noteworthy, the bill received overwhelming bi-partisan support in both houses. Assembly co-signors were Representatives: Bowen (D-Milwaukee), Brandtjen (R-Menomonee Falls), Considine (D-Baraboo), Crowley (D-Milwaukee), Gundrum (R-Slinger), Knodl (R-Germantown), Kolste (D-Janesville), Kuglitsch (R-New Berlin), McGuire (D-Kenosha), Meyers (D-Bayfield), Milroy (D-South Range), Murphy (R-Greenville), Mursau (R-Crivitz), Novak (R-Dodgeville), Petryk (R-Town of Washington), Ramthun (R-Campbellsport), Rohrkaste (R-Neenah), Shankland (D-Stevens Point), Sinicki (D-Milwaukee), Skowronski (R-Franklin), Steffen (R-Green Bay), Thiesfeldt (R-Fond du Lac), Tusler (R-Harrison), VanderMeer (R-Tomah), Vruwink (D-Milton), and Zimmerman (R-River Falls).

Senate co-signors were Senators: Cowles (R-Green Bay), Darling (R-River Hills), Erpenbach (D-West Point), Feyen (R-Fond du Lac), Hansen (D-Green Bay), Miller (D-Monona), Nass (R-Whitewater), Olsen (R-Ripon), Taylor (D-Milwaukee), Testin (R-Stevens Point) and Wanggaard (R-Racine).

A special thanks goes out to the Committee Chairs, Senator Jerry Petrowski (R-Marathon) and Representative Treig Pronchinske (R-Mondovi), who kept the bills moving through the Committee hearing process and presided over some very contentious hearings.

All that being said, the invaluable participation of the Wisconsin dealers and their employees who contacted their legislators to tell them how important the passage of the bill was to them is what really lent credibility to our position amidst the onslaught of conflicting representations being communicated by opposition lobbyists.

## Direct Mailers and Prize Give-away Bill

Over the past six years, Wisconsin dealers have been under the microscope of the Department of Agriculture Trade and Consumer Protection (DATCP) regarding direct mail pieces that offer customers a chance at winning a prize. The current law requires a cumbersome and extremely precise process to comply. Consequently, dealers have paid out hundreds of thousands of dollars in settling advertising disputes with DATCP. One frustrated dealership employee contacted their state senator and assembly representative and asked for help.

Currently if you advertise a prize give-away, you must provide the verifiable retail value of the prize, the odds of receiving the prize, and a description of any requirement for the individual to view or hear a sales presentation in order to claim the prize. Further, the statements of retail value and odds of winning the prize must be stated in verbatim language and placed next to any picture of the prize.

Senate bill 292 and Assembly bill 296, are companion bills (identical bills that run simultaneously through their respective branch, both bills are referred to as the bill here) that would make complying with the law easier, while preserving all of the consumer protections of the current law. The proposed changes to the law under the bill would allow the disclosure of verifiable retail value (of the prize) and the odds of winning to be provided on the first page of the prize notice in 10-point font. Further it eliminates that the statement of odds be in verbatim language.

The bill does not eliminate the requirement to provide recipients with notice of the verifiable retail value and the odds of winning, it just allows that information to be provided in another area on the advertisement page. By requiring a minimum of 10-point font, practically guarantees that the disclosures can't be buried in the bottom of the ad disclosures.

The senate bill has passed through committee and the full senate unanimously. The assembly version of the bill had a hearing, but DATCP lobbied the governor's office for help and interested parties met to discuss possible compromises. After some time had passed after that meeting, and not receiving any feedback from the executive branch, the bill was scheduled for a committee vote and was passed out of committee on a 14-1 vote. It is now waiting to be scheduled for a vote before the full assembly. While the bill appears to have solid legislative support, it is still a real possibility that it could be vetoed by the governor.

## Repossession Bill

Prior to 2006, in order to repossess a motor vehicle, a lienholder had to go to court and get a court order to repossess a vehicle. In 2006 the law was changed to allow lienholders a nonjudicial route to repossess a vehicle.

Basically, once a debtor has missed two consecutive payments they are in default. Once the debtor is in default a lienholder can send a Notice to Cure, via certified mail return receipt requested, informing the debtor that they are in default, the reason why they are in default, how much it costs to get out of default and who to contact to rectify the default; or they can request a court hearing. The debtor has 15 days from the date of receipt of the Notice to Cure to either rectify, make acceptable arrangements or request a court hearing. If they do nothing (which well over 95% of debtors do) the lienholder can repossess the vehicle, provided they do not breach the peace.

Assembly bill 669 and Senate bill 613 (companion bills) address a loophole in the law concerning "breach of the peace." Under current law a lienholder and reposessor can be found to have breached the peace simply by following the law and taking back the secured property, if the debtor verbally states that they don't want their vehicle taken. In such cases the violation of breach of the peace, constitutes a violation of the repossession law and the penalty for that is, the debtor is entitled to receive all of the payments made on the vehicle and they get to keep the vehicle free and clear.

The bill states that the debtor is the only party that can be found to have breached the peace, if the reposessor follows the law when taking back possession of the vehicle. This bill has had committee hearings in the assembly and senate. Opponents of the bill are crying foul but have no real substantive arguments. There is no record of abuse of process, only the whimpers of trial attorneys and consumer advocates lamenting the loss of a handy loophole. That being said, the likelihood of this bill making it to the finish line does not look probable.

## Baseball Stadium Sales Tax Ends March 31, 2020

2019 Wis. Act 28 amend secs. 77.707(1) and 229.68(intro.) and create sec. 77.76 (6), effective November 22, 2019)

The Act provides retailers and consumers certainty that the 0.1% baseball stadium sales and use tax ends in 2020. The local professional baseball park district board plans to make certification to the department in March 2020 for the tax to end March 31, 2020.

Beginning April 1, 2020, retailers cannot collect baseball stadium tax. The following sales and use tax rates apply to taxable sales and taxable purchases in the five Wisconsin counties in the "baseball stadium district:"

Wisconsin County	Sales and Use Tax Rate
Milwaukee	5.5% (includes 0.5% county tax)
Ozaukee	5.5% (includes 0.5% county tax)
Washington	5.5% (includes 0.5% county tax)
Racine	5.0%
Waukesha	5.0%



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The following publications provide additional information:

- Transitional provisions which apply to the baseball stadium tax are found in Part 18.E. of Publication 201, Wisconsin Sales and Use Tax Information.
- Publication 229, Brackets for Collecting Wisconsin Sales or Use Tax on Retail Sales, provides information on collecting the 5.0% state tax and the combined 5.5% state and county sales and use tax

## Cyber Insurance

As a business owner, certain insurance coverages are required, and others are recommended. A new type of policy that is moving from the recommended to required category is cyber insurance. Dealers are required to protect the privacy of their customer's private personal information that they have access to and are required to maintain under the Information Safeguard Rule. Almost every aspect of your business is tied to your DMS or computer system, and protected information is being sent electronically to manufacturers, lenders and authorized vendors. This all puts dealers increasingly at risk for a systems breach. So, what should you be looking for in cyber insurance, to protect your business in the event of a breach?

Heck if I know, so we asked WATDA's insurance carrier if they would provide the dealers with a 30,000 foot view of what to look for when trying to decide what type of cyber coverages are available and what questions to ask when making a decision on whether and what to buy.

## The Basics of Cyber Insurance:

By Marc Flood, Principal-Hausmann-Johnson Insurance, Inc.



You can't open the newspaper or turn on the television now-a-days without hearing about another cybercrime. Whether it's the Target breach or the Yahoo data hack, these crimes affect millions of people every single day. Sadly, while you are more likely to hear about these large-scale breaches, these crimes are happening every day on a smaller scale right in your community on a daily basis as well.

Cybercrime happens in several forms and can affect businesses and individuals in different ways. For example, most people are aware of the large Target breach that occurred in 2013. Hackers infiltrated Target's POS system and collected data on individuals for several years. Once the breach was identified, Target had to find out how much information had been compromised, whose information had been compromised, and where the information went. What many people don't know is that the hackers gained access to Target's system through a third-party vendor and that it cost Target well over \$100 million dollars.

Cyber insurance is meant to protect your business from a cyber breach. The use of technology in our commerce is an absolute necessity for a successful business. We are dependent on electronics, computers, and the internet to operate our businesses and cyber criminals know this. What many business

owners don't realize is that cyber criminals are almost certainly monitoring your business right now.

So, what does cyber insurance cover and does your company really need it? Cyber insurance was created to protect your business, and more precisely, your data from criminals. There are several key components to every cyber policy that a business owner should be aware of. These policies are designed to protect your data. But what is "your data"? Your data is personal confidential information, of other people or organizations located on your company's servers. This can be information about your employees, your clients or your vendors. In the event of a data breach, you are responsible for what happens to this information. You are also accountable to find out how the criminals accessed your information, what information they viewed or even deleted from your computer system. In Wisconsin, as with most other states, you also have a legal obligation to notify any potentially affected individuals and pay for credit monitoring on their behalf.

While not all cyber policies are created equally, the key components of a Cyber Policy are:

- Third Party Coverage (Liability) for expenses related to a data breach, which could include, a digital forensics team, legal counsel and defense, notification costs, crisis communications and credit monitoring for those affected by the data breach.
- First Party coverage which would include coverage to repair and restore your systems and information. This can also include coverage for ransomware, which locks your system unless a ransom is paid. Most policies also provide some forensic IT work to determine the cause of a breach and provide necessary upgrades.
- Business Interruption is a first party coverage to pay for your lost revenue and profit as a result of a cyberattack.

Some additional coverages to consider are:

- Social Engineering: coverage to pay for financial loss due to voluntary compliance with a fraudulent request to transfer money on behalf of someone impersonating a vendor or you / a key member of your management team.
- Bricking: pays for your computer being digitally locked down and rendered inoperable.

One of the greatest benefits of having your own cyber policy is that these policies come with access to 24/7 resources to help you prior to, during, and immediately after an attack. You will also have complete access to professionals skilled in helping you through this very difficult and complex situation. One other important consideration is that many businesses use third-party IT companies for their systems. If you do utilize one of these vendors, you should require that they carry both Professional Liability and Cyber Liability coverage to protect you and your company.

Computers are wonderful tools that have made our businesses more productive and efficient. Unfortunately, they have also created a portal into our most important resource, our data that can be exploited. Take time to research what your business needs are and where cyber security fits along with other valuable resources such as firewalls and encryption. ●



# From Around the State

Please send your news From Around the State to [jfarmer@watda.org](mailto:jfarmer@watda.org)

## KUNES COUNTRY AUTO GROUP GROWS

Kunes Country Auto Group has acquired two dealerships from Ubersox Auto Group. Ubersox Chrysler Dodge Jeep Ram of Platteville and Ubersox of Iowa County in Barneveld are joining the Kunes Country family which owns fifteen dealerships in southern Wisconsin (Stoughton, Elkhorn and Delavan) and northern Illinois. Kunes dealerships have won ten Dealer of the Year awards from Dealer Rater and 22 Best Dealerships to Work For awards from *Automotive News*.

## MORRIE'S AUTOMOTIVE ADDS NEW HONDA STORE

West Bend Honda, the newest Morrie's Automotive Group location in Wisconsin opened recently; the culmination of a three-year process. Morrie's has thirteen locations in the metro Minneapolis area and two others in Wisconsin (Chippewa Valley Mazda and Audi Volkswagen in LaCrosse). The store expects to eventually employ 70; and by opening day the 35,000 square foot dealership had 125 new cars and 69 used cars delivered to the lot. A grand opening will be scheduled in the spring.

## KLEIN AUTO GROUP TO EXPAND FORD STORE

Klein Ford has announced plans to move and expand in Winneconne. Klein Automotive has entered into an agreement to purchase the property and building most recently vacated by Shopko Hometown, near the current dealership. The purchase is expected to be finalized in March and renovations should begin soon after. Klein Automotive, a second-generation family owned dealership has two other locations in Clintonville selling Chevrolet, Buick, Chrysler, Dodge Jeep and Ram.

## NEW HYUNDAI LOCATION FOR VAN HORN

Van Horn Automotive opened a new Hyundai facility on the south side of Sheboygan, next to their Nissan and Volkswagen stores. The new 16,000 square foot, energy efficient building features a state-of-the-art service facility with two interior service drive-through lanes and eleven service bays.

Adjacent to the service area is a comfortable customer lounge and 2,600 square foot showroom. The exclusive design is only the second of its kind in Wisconsin. ●



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# WISCO, YOUR COMPANY

BY JOHN HACKMAN



**W**ISCO exists with the sole purpose of saving our members money on their purchases. Dealership owners know the more their managers purchase from WISCO the more the dealership saves money and improves their bottom line. What better place to look than WISCO and what better way to see what WISCO offers than the

WISCO Show? One of our biggest challenges in saving our membership money on their purchases is educating them on all the products and programs we have available. The annual show is an excellent way to do just that. The 49th annual WISCO Show will be held on Saturday March 21, 2020 at the Chula Vista Resort and Waterpark in Wisconsin Dells. Attendees will see our vendors' product offerings, new products, and will be able to take advantage of money saving specials. Many of our suppliers, including our major equipment manufacturers, have developed "WISCO Show Specials" on their products. Often these specials yield the year's best pricing available anywhere on these products. Look to your Co-op to save money on your equipment needs.

There will be up to 60 vendor booths to browse at the WISCO Show which runs 9:00-4:30 on Saturday. Door prizes will be given out throughout the day. Saturday night will start with a cocktail reception followed by a dinner and dance. We are very

excited to have The Brew City Rockers from the Milwaukee area as our entertainment this year. The combination of their great musical talents and unending energy will prove to be highly entertaining and a big hit with our attendees. The WISCO Show is, and always has been, free for our members. The only expense for attendees is the cost of their room if they stay overnight. You can register with WISCO for the show online. Go to [wisco.com](http://wisco.com) and click on the WISCO Show tab and enter the requested information.

The show weekend is a good blend of business and fun for our members and their spouses, especially at such an excellent venue as the Chula Vista. We hope to see you along with your managers at this year's show. WISCO has reserved a block of rooms at the Chula Vista with a special group show rate of \$149 for a junior suite or \$269 for the EL Grande 2-bedroom condo. Each room includes waterpark passes for each occupant up to 6 maximum. Phone number for reservations is 888-477-1717. Refer to the WISCO Show block of rooms with a room code of F18958 to receive the special group price. Plan now to attend. You can save your dealership money and have an enjoyable weekend with your fellow WISCO members.

Also, our annual meeting and golf outing will be held on Tuesday June 23rd at the Lake Arrowhead Country Club. Information will be sent out as it gets closer but keep the date open and plan to attend. ●

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# 2020 WATDA Seminar Schedule

Registration opens at 8:00 a.m. for all seminars. For full day seminars, lunch is on your own.

Seminar	Date	Location	Facility	Address
Laws of Vehicle Sales	6/9	Eau Claire	Best Western Plus Eau Claire	3340 Mondovi Rd, Eau Claire
	6/11	Neenah	Best Western Bridgewood Resort	1000 Cameron Way, Neenah
	6/16	Madison	Banquet Room at Harley Davidson of Madison	6200 Millpond Road
	6/18	Pewaukee	The Ingleside Hotel & Conference Center	2810 Golf Road, Pewaukee
Title & Registration/ Dealertrack User Groups	8/11	Eau Claire	Best Western Plus Eau Claire	3340 Mondovi Rd, Eau Claire
	8/13	Neenah	Best Western Bridgewood Resort	1000 Cameron Way, Neenah
	8/18	Madison	Hilton Garden Inn Sun Prairie	1220 S Grand Avenue, Sun Prairie
	8/20	Pewaukee	The Ingleside Hotel & Conference Center	2810 Golf Road, Pewaukee
F & I Conference	10/20	Wisconsin Dells	Clarion Hotel; Wintergreen Conference Center	60 N Gasser Road, Wisconsin Dells

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To participate, simply enroll, complete an online questionnaire and submit your payroll data (no personal or dealer identifiable data is shared).

All participating NADA Members will receive:

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- A complimentary copy of the 2020 National & Regional Trends in Compensation, Retention and Benefits Report
- Exclusive one year access to the NADA Database Search tool with data from all NADA workforce studies

For any questions please contact or [workforcestudy@nada.org](mailto:workforcestudy@nada.org) or call 800.557.6232

Deadline to submit data and survey questions is April 15, 2020



# Foundation Continues to Set Records

BY KARA S. NANIA, VICE PRESIDENT, FOUNDATION

When I started with our Foundation, I said to the foundation team, "I'm going to keep throwing things at you; if it ever gets to the point where you're at your limit just let me know." From that moment on we took off running at a pace that can only be described as crazy. Ok and maybe exhausting. Every time I'd think we can't possibly take on one more project, help one more school, one more student, keep growing at this rate, we'd step up to the challenge. It's simple. We all share the same goal. To create interest in our industry and motivate individuals to join our workforce. Supporting our teachers, schools and students. Giving everyone their best possible chance in this industry, every step of the way. It's amazing what you can accomplish when you have passion for what you're doing.

Last year our scholarship applications hit an all-time high, but with the gray cloud of a technician shortage hanging over us, that couldn't be good enough. Efforts continued to expand as did our partnerships around the state and it gives me great pleasure to announce that we've exceeded last year's record by almost 100 applications!



Top: Julie Olson working the record number of scholarship applications.  
Bottom: Nitro X camp geared to interest middle schoolers.

Teachers Institute at Madison College.



Another record was set this year at our Teachers Institute, with 111 teachers attending. That included 20 new teachers that have never attended one of our events before. In addition to our coursework in the automotive and diesel areas, we added coursework in auto body/collision and small engines. A lot of schools in Wisconsin only have a small engine program so for

*continued next page...*



# 4th Quarter Donors

October – December 2019



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Bergstrom Victory Lane Imports	Mark Geiger	John Schlagenhauf
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		Gary & LuAnn Williams

## Foundation continued...

those schools that is the only exposure their students get to our field.

The foundation is now supporting over 100 schools along with five CESA programs in rural areas of the state. In addition, we've expanded our Nitro-X middle school summer camps to four technical colleges throughout the state with another three set to join this summer.

We also launched our elite four-year high school automotive curriculum and made it available to the teachers of Wisconsin at no charge. This way no matter what level of economic status

their school may happen to fall into, they have the very best curriculum to teach their students.

This is such an exciting time to be a part of this industry. Yes, there is a technician crisis looming, but fire IS catching! And your Foundation is leading the way!

This is only possible because of donations from you dealers. Please help us continue to fight to get the future workforce into our industry and into your dealership.

Go to: <http://www.watda.org/Foundation> and click the button to donate today! ●

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# Tribute

## David M. Lavold

Dave Lavold, age 74, of De Forest passed away October 26 at Cleveland Clinic in Ohio from complications following a lung transplant he received in June after a five-year battle with Idiopathic Pulmonary Fibrosis. He was surrounded by his family in his final moments.

David was born October 17, 1945 in La Crosse, the son of Norman and Rachael (Lepley) Lavold. He was a 1964 graduate of Monona Grove High School, and he married his high school sweetheart Mary Litel on June 12, 1970.

Dave owned and operated his used car dealership for over 20 years, then continued to work for other local dealerships and finally for ADESA Auto Auction. Dave was instrumental in forming the WATDA Used Car Council as a forum for independent association members.

Dave loved golf, cars, and his family fiercely. Cars were always a part of his life. At just ten years of age, he got his start in the car business, pumping gas for customers at Ralph's on Monona Drive. He even managed to buy a car in Europe while on a six-week trip with Mary in 1970. You never know what car he might show up in next.

He is survived by his wife Mary, who was by his side every day in Cleveland; his son Scott (Carrie); daughter Jena Hoffman (Steve); four grandsons, Max, Ian, Charlie and Chase; his brother Daniel Lavold (Donna); cousin Jon Pierce (Jan); sister-in-law Joan Blackwood (Tom); nieces and nephews. He was preceded in death by his parents. ●

## Peter W. Leahy



Peter W. Leahy, age 86 of Portage passed away December 21 at Tivoli Assisted Living facility in Portage.

Peter was born May 3, 1933, the son of Winston and Zona (Betts) Leahy. He married the love of his life, Norma Lohr on June 28, 1954. She preceded him in death on March 19, 2016. After serving his country in the Korean War, he joined his father Winston "Pete" in the management and operation of the family owned automobile dealership, Leahy Motors in Portage. Peter was a lifelong automobile businessman and was recognized for his leadership skills in the industry. He was elected by his peers to serve in 1978 as Chairman of the Board of the Wisconsin Automobile and Truck Dealers Association (WATDA). He served on the board for many years helping to craft and direct state legislation that benefitted consumers and auto dealers alike.

As committed to his career s he was, he also found time to raise a family; they had four children together. He is survived by Peter (Susan) Leahy and Nina Lindman of Portage; Michael Leahy of Madison; and Stephan (Cheryl) of Longmont, CO; grandchildren Nicholas (Jessica) Leahy, Sarah (Drew) Hundelt, Patrick Lindman and Natalie Lindman; a great-grandson, Adler Hundelt; other relatives and many friends. He was preceded in death by his parents and his wife. ●

## Kenneth C. Vance



Ken Vance, 79, passed away peacefully at Landmark Hospital in Naples, FL on January 24 after being diagnosed with Hamman-Rich Syndrome, a rare and aggressive pneumonia.

Ken was born in Huron SD on September 30, 1940 to Kenneth and Marie Vance. He attended Northern State University in Aberdeen SD on a music scholarship.

Ken and Roberta Redlin met on a blind date and were married August 3, 1963. Ken spent his early career working for the Chamber of Commerce in Mitchell, SD, Madison and Rhinelander, WI until 1973, when they move to Eau Claire to work for Lee Markquart. Ken purchased the Pontiac, Cadillac and Oldsmobile franchises from Lee in 1981. Over the years he acquired GMC, Hyundai, Buick, Honda, Volkswagen and Audi franchises.

Ken was very active and engaged in his community and the auto industry. He was involved in the Society of Founders for the Eau Claire Community Foundation; 2006 Small Business of the Year recipient honored by the Eau Claire Chamber. Ken served many years on the Board of Directors of the Wisconsin Automobile and Truck Dealers Association(WATDA), including Chairman in 2000; served the Foundation of WATDA Board of Directors, including two years as Chairman (2006-2007);and was elected as the Wisconsin Director for the National Auto Dealer Association (NADA) for four years (2010-2013). Ken was afforded WATDA's highest honor when he was presented their Gold Award for Outstanding Contribution in 2008. He was honored as Wisconsin TIME Quality Dealer of the year in 1996; UWEC Honorary Alumnus and inducted into the Chamber of Commerce Hall of Fame in 2019.

Ken was preceded in death by his parents and a brother, Randy Vance. He is survived by his loving wife of 56 years, Roberta; his children Christopher (Irene) Vance; Jason Vance and Suzanne (Brad Stuckert) Ashley; his grandchildren Amanda, Lauren, Mackenzie, Kayla, Jaxon, Aidan and Dylan; step-grandchildren William (Melanie) and Maxwell Stuckert; brother Terry (Kathy) Vance; brother-in-law Robert (Joanne) Redlin and sister-in-law Elaine Vance. ●

# Pete Leahy and Ken Vance

## “A Personal Tribute”

By Gary Williams

### Pete Leahy

It could be said of Pete that he was the most likable person to ever wear the title of dealer. When Pete was present, everyone just felt better. He enjoyed each person he would be with. His focus was always on you, not on himself. Pete’s leadership style was consensus building.

His smile and laugh were always present and warming. Pete could approach any person, any time. He was a natural at creating relationships with persons from all walks of life. It seemed that he knew everyone. If you needed something, Pete knew someone who could help.

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### His smile and laugh were always present and warming.

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All dealers can be eternally thankful that Pete was a friend of Tommy Thompson, who became the most important political supporter ever in WATDA’s history. Yes, Pete had a grasp of the critical political role of the Association, yet he never abused that friendship.

About six months into his term as Chairman, Pete suffered a heart attack while jogging near his home. He could not continue. Bob Moody, River Falls, was next in line to step in. All of the officers continued to work as a team. Over time Pete healed and remained interested and active for decades after. He was a true “go to guy,” so valuable on many levels.

Norma had already passed. In the end it was kidney cancer that took Pete. By chance LuAnn and I visited him two days before his death. He was upbeat.

The priest at Pete’s funeral service made it personal and truly beautiful. Full military honors... Pete served in Korea.



Gary & LuAnn Williams with Roberta & Ken Vance in FL.

### Ken Vance

Mr. Energy! Whether walking or thinking, it was hard to keep up with Ken. If there was a job to get done, he would see it first and start right in. Soon he would have everyone pulled in.

Ken stayed close to the political world at all levels. He served the Wisconsin dealers as NADA director for many years, where he gladly took on numerous posts. Ken was respected for his insight and for being forthright.

In 1996, the dealers nominated Ken for the TIME Magazine Quality Dealer of the Year award. He was quite proud of his employees, including his children, and he generously shared the TIME honor with them.

When it came time for me to transition to retirement from WATDA, it was Ken who was called upon to lead the search team which brought Bill Sepic in to be the Association’s third president.

Ken partnered to create a leadership development program for the UW-Eau Claire Business School students, and enjoyed his role of being a regular lecturer. This program was innovative, and a point of pride for Ken.

On a personal basis, Ken enjoyed noting that he was part Sioux Indian. He was originally from the Dakotas. And, he liked to sing. Mention a piano bar, Ken was on his way! Chryste Madsen believes that Ken had a secret desire to be the lead in Broadway musicals. I would add that he would want to sing everyone’s parts.

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### If there was a job to get done, he would see it first and start right in.

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Ken’s death came unexpectedly and rapidly, just three weeks after feeling ill. A rare lung disease and pneumonia took him. Bert, all children and grandchildren were present as Ray Pedersen said final prayers.

### Pete and Ken

Both held themselves and their businesses to the highest standards. Each had a spiritual side. Each was generous. Each made our staff members feel important.

It is my experience that every WATDA leader has been remarkable in what they have brought to the effort to give all dealers a chance for success. These two, in separate generations, were stalwarts. Their impact begs the question, “What if we never had Pete and Ken?” ●

# DEALER POINT

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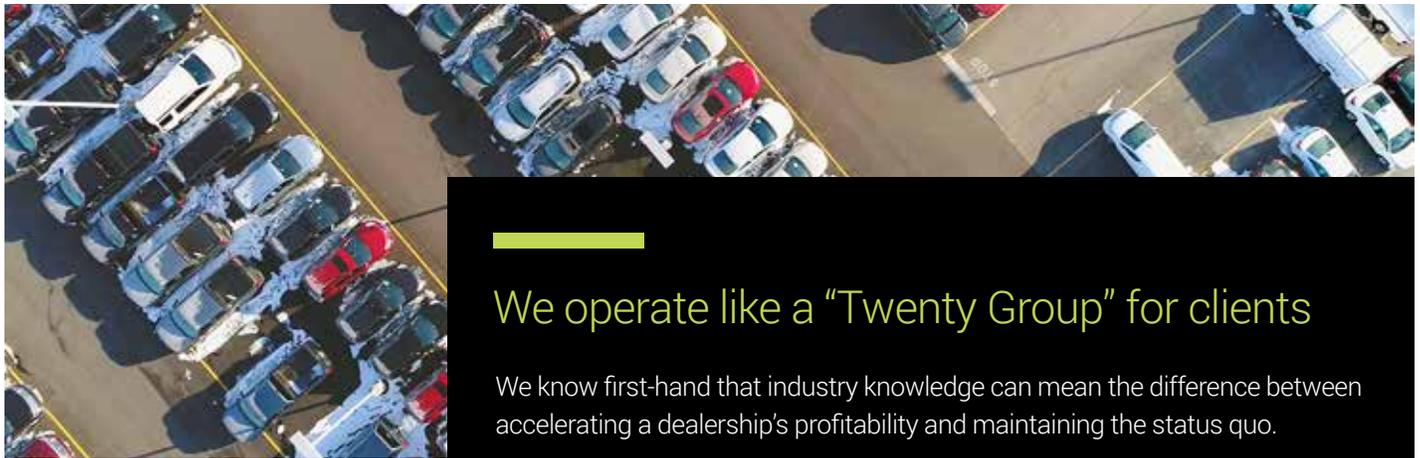
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