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COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF STATE
BUREAU OF PROFESSIONAL AND OCCUPATIONAL AFFAIRS

F I N A L M I N U T E S

MEETING OF:

STATE BOARD OF AUCTIONEER EXAMINERS

TIME: 10:42 a.m.

Held at

PENNSYLVANIA DEPARTMENT OF STATE

2601 North Third Street

One Penn Center, Board Room C

Harrisburg, Pennsylvania 17110

as well as

VIA MICROSOFT TEAMS

Monday, May 8, 2023

State Board of Auctioneer Examiners
May 8, 2023

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BOARD MEMBERS:

Nevin B. Rentzel, AU, Chairman, Professional Member
Arion R. Claggett, Acting Commissioner, Bureau of Professional and Occupational Affairs
Sherman E. Hostetter Jr., AU, Professional Member
Gerald A. Rader, AU, Professional Member
Daniel A. Trace, AU, Secretary, Professional Member
Hayley Dull, Consumer Protection Agent, Office of Attorney General - Absent

BUREAU PERSONNEL:

Jason E. McMurry, Esquire, Board Counsel
J. Karl Geschwindt, Esquire, Board Prosecution Liaison
Terrie Kocher, Board Administrator
Andrew LaFratte, MPA, Executive Policy Specialist, Department of State
Amanda Richards, Fiscal Chief, Bureau of Finance and Operations, Department of State
Michelle Witmer, Fiscal Management Specialist, Bureau of Finance and Operations, Department of State

ALSO PRESENT:

Charles (Chachi) Angelo, Director of External Affairs,
Pennie
George A. Michak, Esquire, Michak Legal
Anthony Cox Jr., Esquire, Eckert Seamans, on behalf of the Pennsylvania Auctioneers Association
Gary Smith
Derek Richmond

1 ***

2 State Board of Auctioneer Examiners

3 May 8, 2023

4 ***

5 [Pursuant to Section 708(a)(5) of the Sunshine Act,
6 at 9:00 a.m. the Board entered into Executive Session
7 with Jason E. McMurry, Esquire, Board Counsel, for
8 the purpose of conducting quasi-judicial
9 deliberations and to receive legal advice on matters
10 that are currently pending before the Board. The
11 Board returned to open session at 10:30 a.m.]

12 ***

13 The regularly scheduled meeting of the State
14 Board of Auctioneer Examiners was held on Monday,
15 May 8, 2023. Nevin B. Rentzel, Chairman,
16 Professional Member, called the meeting to order at
17 10:42 a.m.

18 ***

19 Roll Call of Board Members
20 [Nevin B. Rentzel, Chairman, Professional Member,
21 requested a roll call of Board members.]

22 ***

23 Introduction of Attendees
24 [Terrie Kocher, Board Administrator, provided an
25 introduction of attendees.]

1 ***

2 Approval of minutes of the January 9, 2023 meeting

3 CHAIRMAN RENTZEL:

4 The first thing on the agenda is
5 approval of the minutes. Could I have
6 a motion to approve?

7 MR. HOSTETTER:

8 Motion to approve.

9 MR. RADER:

10 Second.

11 CHAIRMAN RENTZEL:

12 Roll call vote.

13
14 Nevin Rentzel, abstain; Arion Claggett,
15 aye; Sherman Hostetter, aye; Gerald
16 Rader, aye; Daniel Trace, aye.

17 [The motion carried. Nevin Rentzel abstained from
18 voting on the motion.]

19 ***

20 Approval of Agenda

21 MR. MCMURRY:

22 Motion to approve the agenda for
23 today's meeting?

24 MR. RADER:

25 So moved.

1 MR. TRACE:

2 Second.

3 CHAIRMAN RENTZEL:

4 Roll call vote.

5

6 Nevin Rentzel, aye; Arion Claggett,
7 aye; Sherman Hostetter, aye; Gerald
8 Rader, aye; Daniel Trace, aye.

9 [The motion carried unanimously.]

10

11 Report of Board Counsel - Proposed Adjudication and
12 Order

13 MR. MCMURRY:

14 Number 4 at Case No. 20-64-008246 and
15 Case No. 20-64-009971, Kenneth L.
16 Rivenburg Jr.

17 In that matter, the Board met prior
18 to this public session meeting in
19 Executive Session today to discuss
20 matters on the agenda and conduct
21 quasi-judicial deliberations for these
22 matters.

23 I look for a motion to direct Board
24 Counsel to draft an Adjudication and
25 Order consistent with discussions in

1 Executive Session.

2 MR. HOSTETTER:

3 So moved.

4 MR. RADER:

5 Second.

6 CHAIRMAN RENTZEL:

7 Roll call vote.

8

9 Nevin Rentzel, aye; Arion Claggett,
10 aye; Sherman Hostetter, aye; Gerald
11 Rader, aye; Daniel Trace, aye.

12 [The motion carried unanimously.]

13

14 Report of Board Counsel - Applications

15 MR. MCMURRY:

16 Number 5 on the agenda is the
17 Application for Approved Course of
18 Study for Continental Auctioneers
19 School as a Group B school.

20 I look for a motion to approve that
21 school as a Group B school.

22 MR. HOSTETTER:

23 So moved.

24 MR. TRACE:

25 Second.

1 MS. KOCHER:

2 Nevin Rentzel, aye; Arion Claggett,
3 aye; Sherman Hostetter, aye; Gerald
4 Rader, aye; Daniel Trace, aye.

5 [The motion carried unanimously.]

6 ***

7 MR. MCMURRY:

8 Number 6 on the agenda is the
9 Application for Approved Course of
10 Study for Florida Auctioneer Academy as
11 a Group B school.

12 I look for a motion to approve
13 Florida Auctioneer Academy as a Group B
14 school.

15 MR. HOSTETTER:

16 So moved.

17 MR. TRACE:

18 Second.

19 MS. KOCHER:

20 Nevin Rentzel, aye; Arion Claggett,
21 aye; Sherman Hostetter, aye; Gerald
22 Rader, aye; Daniel Trace, aye.

23 [The motion carried unanimously.]

24 ***

25 Appointment - Bureau of Finance and Operations

1 Annual Budget Presentation

2 [Amanda Richards, Chief of Fiscal Management, Bureau
3 of Finance and Operations, Department of State,
4 provided the Board's annual budget presentation. She
5 referred to licensee population over the past seven
6 years, noting 2,226 licensees in FY21-22 and 2,033
7 licensees at the time of the report for a decrease of
8 193 licensees from the previous year.

9 Ms. Richards noted license classes are apprentice
10 auctioneer, auctioneer, auction company, trading
11 assistant company, and trading assistant. She also
12 noted FY20-21 with the previous renewal prior to the
13 one in February showed 2,437 licenses and FY22-23
14 down to 2,033 licenses at the time of the report.
15 She reported an increase this morning to 2,039
16 licenses.

17 Ms. Richards addressed revenue on a biennial
18 basis. She referred to the FY20-21 and FY21-22
19 revenue, noting the biennial total. She noted 97.5
20 percent of revenue is from renewals and applications.
21 She stated that revenue is received from other
22 categories but is not a consistent source of revenue.

23 Ms. Richards stated FY22-23 is the first step of
24 their incremental biennial renewal fee increase,
25 another one would be in FY24-25, and then again in

1 FY26-27.

2 Ms. Richards addressed revenue and expenses,
3 noting the two main categories when reviewing
4 expenses are administrative and legal costs. She
5 stated costs can hit the Board through direct
6 charges, timesheet-based charges, and license
7 population. She reported Board expenses in FY20-21,
8 FY21-22, and at the time of the report. She informed
9 Board members that the budgeted figure was adequate.

10 Mr. Hostetter referred to the meager amount in
11 revenue from hearings and investigations, noting the
12 hearing expenses for this year and asked whether
13 there was a way to offset some of that because the
14 Board is not getting much in the way of money in the
15 process.

16 Acting Commissioner Claggett stated the Board
17 would have to take that discussion offline and then
18 come back.

19 Ms. Richards referred to the Board's projected
20 balance at the end of FY22-23. She reported that it
21 does not look good even with the renewal increase the
22 next three fiscal years, but the Bureau of Finance
23 and Operations (BFO) is hoping things improve with an
24 increase in license population. She also mentioned
25 that there is a possibility that expenses could

1 decrease with the decrease in licenses. She mentioned
2 that BFO would continue to monitor it and would
3 contact the Board if expenses are not rebounding.

4 Mr. Hostetter commented that what is happening
5 with the Board is happening nationally, where the
6 numbers are dropping but looking at the company
7 aspect in the documentation, the Board is up from 2
8 years ago, showing more companies but a decrease in
9 individuals. He requested suggestions on how to
10 increase the base.

11 Acting Commissioner Claggett explained that the
12 Board would have to do some type of advertising and
13 decreases are also happening on other boards. He
14 noted the Board would have to figure out ways to
15 increase the licensure population.

16 Mr. Hostetter mentioned that the biggest problem
17 is state costs and the day-to-day running of the
18 Board.

19 Chairman Rentzel thanked Ms. Richards for the
20 presentation.]

21 ***

22 Appointment - Pennsylvania Insurance Department -

23 Pennie Health Insurance Presentation

24 [Charles (Chachi) Angelo, Director of External

25 Affairs, Pennie, informed everyone that Pennie is the

1 Pennsylvania Health Insurance Exchange Authority and
2 the official health insurance marketplace in
3 Pennsylvania. He stated Pennie was established from
4 unanimous bipartisan legislation passed in 2019 for
5 Pennsylvania to move away from HealthCare.gov to set
6 up a its own health insurance marketplace to ensure
7 quality and set up a reinsurance program to save
8 middle income families on health insurance. Mr. Angelo
9 explained that Pennie is focused on maximizing the
10 number of Pennsylvanians with affordable, quality
11 health coverage and to help them find the best
12 coverage with tax incentives. He noted that
13 individuals and families who do not have coverage
14 through an employer receive coverage through Pennie.

15 Mr. Angelo referred to the prior discussion,
16 where there are more licenses under auctioneer
17 companies than individuals. He explained that Pennie
18 could be a source of access to health insurance for
19 an auctioneer working for a company who wanted to go
20 out on their own.

21 Mr. Angelo stated Pennie also assists those who
22 are uninsured and on Medical Assistance and operates
23 a no wrong door policy to provide the right coverage.

24 Mr. Angelo referred to the third open enrollment,
25 noting over 371,000 Pennsylvanians are enrolled with

1 about 90 percent eligible for tax credits. He
2 addressed advanced premium tax credits, which is an
3 immediate tax credit to lower the monthly premium,
4 along with cost-sharing for those who qualify for
5 additional savings to help with copays, deductibles,
6 and coinsurance.

7 Mr. Angelo reported 1 out of 4 Pennie customers
8 pay less than \$1 a day, 14 percent pay less than \$1,
9 and 40 percent pay less than \$71 a month for health
10 coverage. He mentioned that someone could buy the
11 coverage outside of the marketplace because it is
12 commercial coverage but Pennie helps individuals
13 connect with the tax credit to lower the cost of
14 coverage.

15 Mr. Angelo addressed open enrollment, noting
16 individuals have from November 1 to January 15 to
17 enroll, along with a special enrollment period that
18 runs throughout the year for a qualifying life event.

19 He mentioned that awareness to Pennie is low and
20 encouraged Board members to spread the message. He
21 provided a list of qualifying life events, along with
22 creating new qualifying life events, specifically for
23 those at or below 150 percent of the federal poverty
24 level.

25 Mr. Angelo discussed the Path to Pennie for those

1 who miss open enrollment, where individuals could
2 fill out Form REV-1882 when filing Pennsylvania
3 taxes. He noted the collaboration between the
4 Department of Revenue and Pennie estimates how much
5 financial assistance someone could receive to
6 purchase health coverage through Pennie.

7 Mr. Angelo stated anyone receiving Medicaid did
8 not have to respond with a renewal packet since the
9 pandemic, but Congress passed a law in December to
10 start a redetermination process April 1, where those
11 receiving Medicaid must respond to the renewal
12 packet. He noted that those deemed ineligible would
13 be transferred to Pennie. He mentioned that many
14 people may not know about Pennie or are unaware that
15 the tax credits have increased because of the
16 American Rescue Plan and Inflation Reduction Act.

17 Mr. Angelo noted the importance of individuals
18 responding to the renewal packet and the Department
19 of Human Services (DHS), Pennie, managed care
20 organizations (MCOs), and qualified health plans
21 (QHPs) have been working together to make sure
22 individuals do not go uninsured.

23 Mr. Angelo noted Pennie's infrastructure,
24 including a phone number, assistors and brokers all
25 over the state available by phone, virtually, in

1 person, and chat in their preferred language. He
2 also noted countless tools are available at
3 pennie.com. He encouraged the State Board of
4 Auctioneer Examiners and associations to spread the
5 word.

6 Mr. Angelo mentioned that Pennie's outreach team
7 could provide in-person or virtual education
8 sessions. He also mentioned that Pennie has a
9 community workgroup that meets once a month to
10 discuss things happening with the exchange. He also
11 offered to provide fliers and brochures at no cost.

12 Chairman Rentzel thanked Mr. Angelo for the
13 presentation.]

14 ***

15 Report of Board Prosecution

16 [J. Karl Geschwindt, Esquire, Acting Senior
17 Prosecutor and Board Prosecution Liaison, noted being
18 aware of prosecution being one of the Board's larger
19 expenses. He explained that prosecution has been
20 trying to keep costs down by issuing citations when
21 able for things like unlicensed practice and bring in
22 revenue by imposing costs.]

23 ***

24 Report of Board Counsel

25 [Jason E. McMurry, Esquire, Board Counsel, referred

1 to the final draft of Act 41 regulations and the
2 preamble. He noted the annex was not adjusted based
3 on any discussions in concert with the Auctioneers
4 Association comments but just cleaned up a few of the
5 minor pieces that were discussed.

6 Mr. McMurry stated the preamble was amended to
7 address the questions and concerns brought up by the
8 individuals that made comments on the regulations.
9 He also noted there were some specific provisions,
10 especially from the Auctioneers Association that were
11 addressed with them personally when they were present
12 and now also appear in the preamble. He asked
13 whether Board members had any questions.]

14 MR. MCMURRY:

15 I look for a motion to approve those
16 today to push through the final phase
17 of the regulatory process.

18 MR. TRACE:

19 So moved.

20 MR. HOSTETTER:

21 Second.

22 MS. KOCHER:

23 Nevin Rentzel, aye; Arion Claggett,
24 aye; Sherman Hostetter, aye; Gerald
25 Rader, aye; Daniel Trace, aye.

1 [The motion carried unanimously.]

2 ***

3 Report of Acting Commissioner - No Report

4 ***

5 Report of Board Chairperson

6 [Nevin B. Rentzel, Chairman, Professional Member,
7 addressed the importance discussing the general
8 revisions at the next meeting and putting that forth
9 through the regulatory process for approval.]

10 Chairman Rentzel reminded everyone that all 4
11 professional members would be coming up for renewal
12 within the next 12 months and encouraged them to
13 contact their State Senators.]

14 ***

15 Report of Board Administrator - No Report

16 ***

17 [Sherman E. Hostetter Jr., Professional Member,
18 requested Board approval for travel to attend the
19 National Auctioneer Association's International
20 Conference & Show July 17-22 in Oklahoma City, OK.]

21 Ms. Kocher informed Board members that they would
22 probably need a motion to approve Mr. Hostetter for
23 traveling on behalf of the Board.]

24 MR. MCMURRY:

25 Do I have a motion to amend the agenda

1 to include travel to the upcoming
2 national conference?

3 MR. TRACE:

4 So moved.

5 MR. RADER:

6 Second.

7 MS. KOCHER:

8 Nevin Rentzel, aye; Arion Claggett,
9 aye; Sherman Hostetter, aye; Gerald
10 Rader, aye; Daniel Trace, aye.

11 [The motion carried unanimously.]

12 ***

13 MR. MCMURRY:

14 Motion to approve Sherm on behalf of
15 the Board?

16 MR. RADER:

17 Motion to approve

18 MR. TRACE:

19 Second.

20 MS. KOCHER:

21 Nevin Rentzel, aye; Arion Claggett,
22 aye; Sherman Hostetter, aye; Gerald
23 Rader, aye; Daniel Trace, aye.

24 [The motion carried unanimously.]

25 ***

1 [Nevin B. Rentzel, Chairman, Professional Member,
2 noted the next scheduled Board meeting date is
3 Monday, July 10.]

4 ***

5 Adjournment

6 CHAIRMAN RENTZEL:

7 Do I hear a motion to adjourn?

8 MR. TRACE:

9 So moved.

10 MR. HOSTETTER:

11 Second.

12 CHAIRMAN RENTZEL:

13 Meeting is adjourned.

14 ***

15 [There being no further business, the State Board of
16 Auctioneer Examiners Meeting adjourned at 11:29 a.m.]

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CERTIFICATE

I hereby certify that the foregoing summary minutes of the State Board of Auctioneer Examiners meeting, was reduced to writing by me or under my supervision, and that the minutes accurately summarize the substance of the State Board of Auctioneers meeting.



Derek Richmond,
Minute Clerk
Sargent's Court Reporting
Service, Inc.

STATE BOARD OF AUCTIONEER EXAMINERS
REFERENCE INDEX

May 8, 2023

TIME	AGENDA
9:00	Executive Session
10:30	Return to Open Session
10:42	Official Call to Order
10:42	Roll Call of Board Members
10:42	Introduction of Attendees
10:44	Approval of Minutes
10:44	Approval of Agenda
10:45	Report of Board Counsel
10:47	Appointment - Bureau of Finance and Operations Annual Budget Presentation
11:04	Appointment - Pennsylvania Insurance Department - Pennie Health Insurance Presentation
11:20	Report of Prosecution
11:21	Report of Board Counsel (cont.)
11:24	Report of Board Chairperson
11:29	Adjournment