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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
VIA MICROSOFT TEAMS**

TIME: 10:39 a.m.

2601 North Third Street
One Penn Center, Board Room C
Harrisburg, Pennsylvania 17110

Monday, May 9, 2022

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State Board of Auctioneer Examiners
May 9, 2022

BOARD MEMBERS:

Nevin B. Rentzel, Chairman, Professional Member
Arion R. Claggett, Acting Commissioner, Bureau of
Professional and Occupational Affairs
Sherman E. Hostetter Jr., Professional Member
Gerald A. Rader, Professional Member
Daniel A. Trace, Secretary, Professional Member
Christopher Dey, Deputy Attorney General, Consumer
Protection Division

BUREAU PERSONNEL:

Jason E. McMurry, Esquire, Board Counsel
J. Karl Geschwindt, Esquire, Board Prosecution
Liaison
Terrie Kocher, Board Administrator

1 ***

2 State Board of Auctioneer Examiners

3 May 9, 2022

4 ***

5 [Pursuant to Section 708(a)(5) of the Sunshine Act, at
6 9:00 a.m. the Board entered into executive Session
7 with Jason E. McMurry, Esquire, Board Counsel, for the
8 purpose of conducting quasi-judicial deliberations and
9 to receive legal advice on matters that are currently
10 pending before the Board. The Board returned to open
11 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 9, 2022. Nevin B. Rentzel, Chairman, Professional
16 Member, called the meeting to order at 10:39 a.m.

17 ***

18 Introduction of Board Members

19 [Chairman Rentzel requested an introduction of Board
20 members.]

21 ***

22 Amendment to the Agenda

23 MR. MCMURRY:

24 We need to amend the agenda to include a
25 request for travel to the national

1 conference.

2 I would ask for the chair to
3 entertain a motion at this time to
4 approve amending the agenda to include
5 discussion about sending a member of the
6 Board to the national conference in
7 July.

8 MR. TRACE:

9 So moved.

10 MR. MCMURRY:

11 Could I get a second?

12 ACTING COMMISSIONER CLAGGETT:

13 Second.

14 MR. MCMURRY:

15 We'll do a roll call vote.

16
17 Nevin Rentzel, yes; Arion Claggett, aye;
18 Sherman Hostetter, aye; Gerald Rader,
19 aye; Daniel Trace, aye; Christopher Dey,
20 aye.

21 [The motion carried unanimously.]

22 ***

23 Approval of minutes of the January 10, 2022 meeting

24 CHAIRMAN RENTZEL:

25 First order of business is approval of

1 our minutes. Everyone has had those
2 distributed to them. I'd ask for a
3 motion to accept the minutes as
4 presented.

5 MR. HOSTETTER:

6 So moved.

7 MR. TRACE:

8 Second.

9 CHAIRMAN RENTZEL:

10 The motion has been moved and seconded.
11 We need a roll call for that as well.

12

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

17 Any discussion? The minutes are
18 approved.

19 [The motion carried. Arion Claggett and Christopher
20 Dey abstained from voting on the motion.]

21

22 Report of Prosecutorial Division

23 [J. Karl Geschwindt, Esquire, Board Prosecution
24 Liaison, presented the Consent Agreement for Case No.
25 19-64-011232 and Case Nos. 18-64-002562 & 18-64-

1 002561.]

2 MR. MCMURRY:

3 For Consent Agreement Case No. 19-64-
4 011232, the chair would entertain a
5 motion to approve that Consent
6 Agreement.

7 MR. TRACE:

8 I make the motion.

9 MR. MCMURRY:

10 Second?

11 MR. HOSTETTER:

12 Second.

13 MR. MCMURRY:

14 We'll do a roll call vote.

15

16 Nevin Rentzel, aye; Arion Claggett, aye;
17 Sherman Hostetter, aye; Gerald Rader,
18 abstain; Daniel Trace, aye; Christopher
19 Dey, aye.

20 [The motion carried. Gerald Rader abstained from
21 voting on the motion. The Respondent's name is
22 Michael T. Wilson.]

23

24 MR. MCMURRY:

25 The chair would entertain a motion to

1 approve the Consent Agreement at Case
2 Nos. 18-64-002562 & 18-64-002561.

3 Do I have a motion to approve that
4 Consent Agreement?

5 MR. TRACE:

6 So moved.

7 MR. HOSTETTER:

8 Second?

9 MS. KOCHER:

10 Nevin Rentzel, aye; Arion Claggett, aye;
11 Sherman Hostetter, aye; Gerald Rader,
12 abstain; Daniel Trace, aye; Christopher
13 Dey, aye.

14 [The motion carried. Gerald Rader abstained from
15 voting on the motion. The Respondent's name is Best
16 Buy Auctioneers and Joseph Benigno.]

17 ***

18 Report of Board Counsel

19 [Jason E. McMurry, Esquire, Board Counsel, provided an
20 update on Act 41 regarding licensure by endorsement
21 that was previously approved by the Board. He noted
22 the regulations would be published officially as
23 proposed on May 11 for public comment.

24 Mr. McMurry stated the auctioneer fee regulation
25 has already gone through the process and would be

1 returned to the Board for approval of the final
2 version based on any comments and then get those to
3 the public and approved.]

4 ***

5 Report of Board Chairman - No Report

6 ***

7 Report of Acting Commissioner

8 [Arion R. Claggett, Acting Commissioner, Bureau of
9 Professional and Occupational Affairs, informed Board
10 members that the department is currently in the
11 process of replacing the Pennsylvania Licensing System
12 (PALS) and should have the new system identified and
13 in place by the end of 2023.]

14 ***

15 Report of Board Administrator

16 [Terrie Kocher, Board Administrator, requested
17 approval of the proposed 2023 Board meeting dates.]

18 CHAIRMAN RENTZEL:

19 Would someone make a motion?

20 MR. TRACE:

21 So moved.

22 MR. HOSTETTER:

23 Second.

24 MS. KOCHER:

25 Nevin Rentzel, aye; Arion Claggett, aye;

1 Sherman Hostetter, aye; Gerald Rader,
2 aye; Daniel Trace, aye; Christopher Dey,
3 aye.

4 [The motion carried unanimously.]

5 ***

6 [Sherman E. Hostetter Jr., Professional Member,
7 requested the Board make a decision regarding
8 reciprocity and what they are going to offer to other
9 states.

10 Mr. Hostetter also requested having someone from
11 the financial division return to the Board to explain
12 all of the figures at a previous meeting and how the
13 process works to better understand how the Board is
14 billed.

15 Mr. Hostetter addressed work on class B schools,
16 where it has been approved in the license, but they do
17 not have the specifics. He requested getting the
18 application and outline of requirements for class B
19 schools from Mr. Suter for the next meeting.

20 Chairman Rentzel requested Ms. Kocher have
21 someone from finance attend the July meeting to
22 clarify how they came up with those figures. He
23 suggested having a work session in September to
24 clarify things within their regulations as far as
25 which states have reciprocity with Pennsylvania to

1 streamline the process so applications could be
2 approved or disapproved quickly.

3 Chairman Rentzel noted the need to entertain more
4 information concerning criteria for acceptance of
5 class B schools and having a framework, so any class B
6 schools would be able to apply and know what they are
7 teaching would be accepted by Pennsylvania or not. He
8 requested it be placed on the September agenda.

9 Ms. Kocher stated there are regulations in place
10 for reciprocity, and the new law did not negate
11 reciprocity in any way. She noted that individual
12 agreements with other states basically went away, but
13 there are still qualifications in place to apply by
14 reciprocity. She requested further explanation so
15 everyone is on the same page.

16 Mr. McMurry explained that Act 41 was passed and
17 changed reciprocity by recognizing licensure by
18 endorsement. He noted that reciprocity is just a
19 different way of looking at it to make licensure more
20 uniform and streamlined in relation to other states
21 and jurisdictions. He further explained that
22 reciprocity is only in regard to other states within
23 the United States, but Act 41 expands out and away
24 from having a formalized written agreement with a
25 particular state as long as their requirements are

1 substantially equivalent to Pennsylvania.

2 Ms. Kocher commented that the law opens it up for
3 more people to be able to apply by reciprocity. She
4 stated, once the applications are received and
5 reviewed, they go to counsel to ensure requirements
6 are met with the other state, and then the
7 applications come before the Board.

8 Mr. Hostetter asked how the Board would thank
9 Heather Troutman and Kalonji Johnson for their
10 service.

11 Ms. Kocher informed the Board that she personally
12 thanked Heather Troutman for her service through an
13 email that included Board members but is not aware of
14 another mechanism.

15 Acting Commissioner Claggett commented that there
16 is not a mechanism other than a phone call or email.]

17 ***

18 CHAIRMAN RENTZEL:

19 Do I hear a motion to approve travel
20 expense to the national convention in
21 July?

22 MR. RADER:

23 So moved.

24 MR. TRACE:

25 Second.

1 MS. KOCHER:

2 I think we need a roll call vote on
3 that.

4

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

9 [The motion carried unanimously.]

10 ***

11 [Board members congratulated Sherman Hostetter on his
12 position as president of the National Auctioneers
13 Association starting in July.]

14 ***

15 Adjournment

16 CHAIRMAN RENTZEL:

17 Do I hear a motion to adjourn?

18 MR. HOSTETTER:

19 So moved.

20 MR. TRACE:

21 Second.

22 CHAIRMAN RENTZEL:

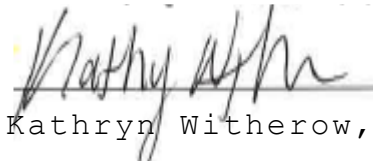
23 All in favor, give their consent by
24 saying aye. Opposed, the same.

25 [The motion carried unanimously.]

[There being no further business, the State Board of Auctioneer Examiners Meeting adjourned at 11:04 a.m.]

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.



Kathryn Witherow,

Minute Clerk

Sargent's Court Reporting

Service, Inc.

STATE BOARD OF AUCTIONEER EXAMINERS
REFERENCE INDEX

May 9, 2022

TIME	AGENDA
9:00	Executive Session
10:30	Return to Open Session
10:39	Official Call to Order
10:40	Introduction of Board Members
10:40	Amendment to the Agenda
10:41	Approval of Minutes
10:42	Report of Prosecutorial Division
10:47	Report of Board Counsel
10:48	Report of Acting Commissioner
10:49	Report of Board Administrator
11:04	Adjournment

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