

**Alabama State Board of Public Accountancy
Minutes of Board Meeting
January 23, 2015**

I. Date, Place and Attendance of Meeting:

A special meeting of the Alabama State Board of Public Accountancy was held on Friday, January 23, 2015 at 10:00 a.m., in the office of the Board located in Montgomery, Alabama.

Board Members Present: Mr. Steven M. Barranco, CPA
Mr. Michael Terry Comer, PA
Ms. Leighanne M. Faught, CPA
Mr. Steven H. Richards, CPA
Mr. M. Chad Singletary, CPA
Mr. Neill S. Wright

Board Members Absent: Mr. Kenneth R. Odom, CPA

A lawful quorum of the Board was present for the meeting.

Also present were Carol J. Preston, Acting Executive Director; Nicole T. Robinson, CPE Administrator; William D. Little, Assistant Attorney General; and Jeannine P. Birmingham, President and CEO of the Alabama Society of CPAs.

Present for reinstatement hearings only were Kathy Brown, Esq., Governmental Hearing Officer and Dee Coker, Court Reporter and Commissioner for the State of Alabama at Large.

Sufficient prior notice of the meeting had been given as required by the Alabama Open Meetings Act.

II. Call to Order:

The meeting was called to order by Steven H. Richards, CPA, Chair.

III. Approval of Agenda:

Mr. Comer made a motion to approve the agenda as presented for the January 23, 2015 meeting. Mr. Barranco seconded and the motion carried unanimously.

IV. Approval of Minutes:

Ms. Faught made a motion to approve the minutes of the November 7, 2014 meeting. Mr. Barranco seconded and the motion carried unanimously.

V. Disciplinary Hearings on Delinquent 2013-2014 Annual Registrations:

Mr. Richards turned the meeting over to Kathy Brown, Esq., Governmental Hearing Officer, to serve as hearing officer and preside over the disciplinary hearings for licensees with delinquent 2013-2014 annual registrations. None of the respondents attended the hearings and the hearings

were conducted in their absence. At the conclusion of the hearings, Mr. Singletary made a motion that the Board find each respondent listed on Board Exhibit No. 1, guilty of all charges in the Summons and Complaints. He further moved that the license, registration, certificate and/or permit to practice of each of the respondents listed on Board Exhibit No. 1 be revoked, that each respondent be fined \$2,000.00 and that each respondent return the revoked certificate and/or permit to practice to the Board office within 30 days of this date. Mr. Wright seconded and the motion carried unanimously on a roll call vote. Voting in favor of the motion were Ms. Faught, Messrs. Barranco, Comer, Richards, Singletary and Wright. A sample Board Order, a sample Summons and Complaint, and a transcript of the hearings are attached and become a part of these minutes. The 10 CPAs and 2 firms who had Delinquent 2013-2014 registrations and who had disciplinary action taken against them are as follows:

CERTIFIED PUBLIC ACCOUNTANTS

<u>Case No.</u>	<u>Licensee</u>	<u>Certificate No.</u>
15R-4	H. A. Beasley, Jr., CPA	7848-R
15R-15	Kathryn Ann Fallon, CPA	8965
15R-21	Fran C. Hooper, CPA	2624
15R-24	James William King, CPA	7014
15R-37	Elizabeth G. Roberts, CPA	4083
15R-42	Jodi Elan Taylor, CPA	7435
15R-43	Robert Bryan Thompson, CPA	4000
15R-44	Becky Ann Tolomeo, CPA	8662
15R-48	Kathryn Margaret Watterson, CPA	8588-R
15R-50	Elwood Ladon West, Jr., CPA	9389

FIRMS

<u>Case No.</u>	<u>Licensee</u>	<u>Certificate No.</u>
15R-58	R. Bryan Thompson, CPA	4000
	d/b/a Thompson Walker & Assoc., LLC	Firm 2148
15R-59	Abner Benjamin Young, CPA	11879
	d/b/a A. Ben Young, CPA	Firm 2243

VI. Disciplinary Hearings on Licensees with Delinquent Peer Reviews as of December 31, 2013:

Ms. Kathy Brown, Esq., Governmental Hearing Officer served as hearing officer and presided over the disciplinary hearing for John Earl Ingram, CPA. Mr. Ingram did not attend the hearing and it was conducted in his absence. At the conclusion of the hearing, Mr. Singletary made a motion that the Board find Mr. John Earl Ingram, CPA doing business as Ingrams Accounting & Financial Management, Inc. in noncompliance of the Peer Review Program requirements established by the Board, and that this act constitutes a failure to satisfy the Peer Review Program requirements of the Board and constitutes a violation of the rules of professional conduct established by the Board. He further moved that Mr. John Earl Ingram, CPA be fined \$2,000.00 and that his CPA Certificate No. 790 and Firm Certificate No. 476 be revoked and that the revoked certificate be returned to the Board Office within 30 days of this date. Mr. Barranco seconded and

the motion carried unanimously on a roll call vote. Voting in favor of the motion were Ms. Faught, Messrs. Barranco, Comer, Richards, Singletary and Wright. The Board Order, Summons and Complaint and the transcript of the hearing is attached and becomes a part of these minutes. The firm who had a Delinquent Peer Review as of December 31, 2013 and who had disciplinary action taken against him is as follows:

FIRMS

<u>Case No.</u>	<u>Licensee</u>	<u>Certificate No.</u>	<u>Peer Review Due Date</u>
15R-63	John Earl Ingram, CPA d/b/a Ingrams Accounting & Financial Management, Inc.	790 Firm 476	October 31, 2013

VII. Request for Reinstatement – Johanna L. Martin:

A letter from Johanna L. Martin, CPA Certificate No. 9634 requesting reinstatement to inactive status was presented to the Board. Her reinstatement request included all of the completed forms and fees that the Board had decided at their March 21, 1997 meeting would be necessary to gain favorable consideration for reinstatement. Ms. Martin did not attend the hearing and it was conducted in her absence. Ms. Martin's written request also included a completed Compliance Requirement Form, a completed 2014-2015 Registration Form, and money orders in the amount of \$800.00. The money orders comprised the Reinstatement Fee of \$100.00; the \$50.00 registration fee for of the fiscal years 2013-2014 and 2014-2015; the \$500.00 registration late renewal penalty for the fiscal year 2013-2014; and the \$100.00 registration late renewal penalty for the fiscal year 2014-2015. After discussion, Mr. Singletary made a motion to reinstate Ms. Martin's CPA Certificate No. 9634 to inactive status. Mr. Comer seconded the motion and it carried unanimously on a roll call vote with Ms. Faught, Messrs. Barranco, Comer, Richards, Singletary and Wright voting in favor of the motion.

VIII. Request for Reinstatement – Adam John Ryan:

A letter from Adam John Ryan, CPA Certificate No. 10168 requesting reinstatement to inactive status was presented to the Board. His reinstatement request included all of the completed forms and fees that the Board had decided at their March 21, 1997 meeting would be necessary to gain favorable consideration for reinstatement. Mr. Ryan did not attend the hearing and it was conducted in his absence. Mr. Ryan's written request also included a completed Compliance Requirement Form, a completed 2014-2015 Registration Form, and a cashier's check in the amount of \$3,900.00. The cashier's check comprised the Reinstatement Fee of \$100.00; the \$2,000.00 administrative fine levied in the Board Order; the \$50.00 registration fee for of the fiscal years 2011-2012, 2012-2013, 2013-2014 and 2014-2015; the \$500.00 registration late renewal penalty for the fiscal years 2011-2012, 2012-2013, and 2013-2014; and the \$100.00 registration late renewal penalty for the fiscal year 2014-2015. After discussion, Ms. Faught made a motion to reinstate Mr. Ryan's CPA Certificate No. 10168 to inactive status. Mr. Wright seconded the motion and it carried unanimously on a roll call vote with Ms. Faught, Messrs. Barranco, Comer, Richards, Singletary and Wright voting in favor of the motion.

IX. Approval of October – November 2014 CPA Examination Grades:

The Board was presented with the AICPA Advisory Grades for the October – November 2014 Uniform CPA Examination for review. After review, Ms. Faught made a motion to approve the grades as released to candidates on December 8, 2014 and January 9, 2015. Mr. Wright seconded and the motion carried unanimously.

X. Alabama CPA Examination Statistics:

A statistical summary of the Alabama CPA Examination was presented to the Board for review. A brief discussion ensued but no action was taken.

XI. FY 2013-2014 Delinquent Licensees Update:

A statistical summary of FY 2013-2014 delinquent licensees was presented to the Board. A brief discussion ensued but no action was taken.

XII. Peer Review Delinquencies Update December 31, 2013:

A statistical summary of Peer Reviews as of December 31, 2013 was presented to the Board. A brief discussion ensued but no action was taken.

XIII. CPE Audits Update:

A statistical summary of the CPE audit results to date for the CPE reporting period ended September 30, 2013 was presented to the Board. A brief discussion ensued but no action was taken.

XIV. Complaints Update:

A complaints summary for FY 2009-2010 through 2014-2015 was presented to the Board. A brief discussion ensued but no action was taken.

XV. Licensees Count:

A statistical summary of the number of Board licensees by category as of January 23, 2015 was presented to the Board. A brief discussion ensued but no action was taken.

XVI. Information Items:

The Board was presented with some information items for review. The information items were:

(a) NASBA Regional Director's Focus Questions – November 19, 2014

(b) NASBA Leadership and Committee Assignments FY 2014-2015

Mr. Richards reported that the Nominating Committee will have its next meeting in April. Mr. Richards also stated that he would like to take this time to recognize the service of Kenneth R. Odom to the Board and to NASBA over the past eight years, as his second term has expired. Ms. Jeannine Birmingham said that we will plan to recognize Mr. Odom's service to the Board at the Alabama Society of CPAs Annual Meeting on June 4,

2015. Ms. Birmingham also stated that she plans to have a special recognition for Mr. Lamar Harris, retired Executive Director of the Alabama State Board of Public Accountancy.

(c) State Travel Mileage Rate Increases to 57.5 cents per mile effective 01-01-15

(d) Update from 120/150 Hour Task Force

Ms. Faught listed the members on the Task Force and reported that the first meeting would be on January 23, 2015 at 2:00 p.m.

(e) Update from Executive Director Search Committee

As chairman of the Executive Director Search Committee, Mr. Singletary informed the Board that thirteen resumés had been submitted to the Board office and copies had been distributed to each of the Board members. The thirteen applicants for the Executive Director position are Lisa F. Barrett, D. Boyd Busby, Ronald D. Cooley, Ann M. Franklin, W. Scott Gulley, Patricia C. Haigler, Paul M. Hamilton, Jr., J. Mark Killingsworth, George M. Nemeth, Carol J. Preston, Michael D. Vaughn, Gina Williams, and Ann F. Winborne. Discussion ensued regarding the specific role of the committee. Mr. Singletary made a motion for the Board to charge the Executive Director Search Committee with the responsibility of interviewing no more than five candidates and arriving at a recommendation of no more than three candidates for the full Board to discuss at a subsequent meeting. Mr. Barranco seconded the motion and it carried unanimously on a roll call vote with Ms. Faught, Messrs. Barranco, Comer, Richards, Singletary and Wright voting in favor of the motion.

Mr. Richards made a motion to take a break at 11:46 a.m. and return at approximately 12:15 p.m. Mr. Singletary seconded and the motion carried unanimously. Mr. Wright left the meeting and did not return after the break.

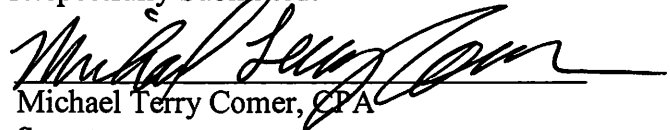
The Board returned from the break at 12:14 p.m. Mr. Barranco made a motion to go into Executive Session to discuss the general reputation, character and professional competence of the applicants for the Executive Director position. Mr. Comer seconded and the motion carried unanimously on a roll call vote with Ms. Faught, Messrs. Barranco, Comer, Richards, and Singletary voting in favor of the motion. Everyone except qualified Board members was excused at 12:22 p.m. with an estimated time of 1:00 p.m. to return from Executive Session. The Board then deliberated in Executive Session.

After deliberation, at 12:58 p.m., Mr. Richards called the meeting back to order, and Mr. Barranco made a motion for the committee to interview the following candidates, and after interviewing each, for the committee to recommend to the Board no more than two of the candidates for the position of Executive Director: D. Boyd Busby, Paul M. Hamilton, Jr., Carol J. Preston, and Ann F. Winborne. Mr. Comer seconded the motion and it carried unanimously on a roll call vote with Ms. Faught, Messrs. Barranco, Comer, Richards, and Singletary voting in favor of the motion.

XVII. Adjournment of Meeting:

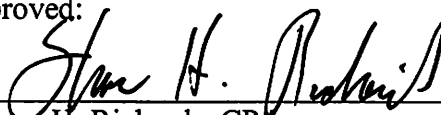
The next meeting of the Board is scheduled for Friday, March 20, 2015 at 10:00 a.m. in the office of the Board. There being no further business to come before the Board, Mr. Singletary made a motion to adjourn. Mr. Barranco seconded and the motion carried unanimously. The meeting adjourned at 1:15 p.m.

Respectfully Submitted:



Michael Terry Comer, CPA
Secretary

Approved:



Steven H. Richards, CPA
Chair