

**Alabama State Board of Public Accountancy
Minutes of Board Meeting
January 20, 2023**

1. Date, Place and Attendance of Meeting:

A regular meeting of the Alabama State Board of Public Accountancy was held on Friday, January 20, 2023, at The University of Alabama at Birmingham located in Birmingham, Alabama at 10:00 a.m.

Board Members Present: Mr. Wim Schaffers, CPA
Mr. J. Earl Blackmon, CPA
Dr. Steve Grice, CPA
Mr. Michael Kintz, CPA
Mr. Delbert Madison
Ms. Rita Prince, CPA
Mr. Steve Smith, CPA

No Board Members were absent.

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

Also present were D. Boyd Busby, Executive Director; Billington M. Garrett, General Counsel; Amy Thompson, Chief of Staff; Teresa Taylor, Enforcement Coordinator; Alise Ellis, Exam Coordinator; and Kathy Brown, Administrative Law Judge.

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

2. Call to Order:

The meeting was called to order by Mr. Wim Schaffers, CPA, Chair.

3. Approval of Agenda:

Mr. Kintz made a motion to approve the agenda as presented for the January 20, 2023 meeting. Mr. Smith seconded and the motion carried on a roll call vote. Voting in favor of the motion were Messrs. Blackmon, Grice, Kintz, Madison, Schaffers, Smith and Ms. Prince.

4. Approval of Minutes:

Mr. Blackmon made a motion to approve the minutes of the November 15, 2022 meeting. Mr. Kintz seconded and the motion carried on a roll call vote. Voting in favor of the motion were Messrs. Blackmon, Grice, Kintz, Madison, Schaffers, Smith and Ms. Prince.

5. Disciplinary Hearings:

a. Case No. 22-15 – Barry Stewart Thompson, Cert. 7270; Thompson Accounting, Firm F1114:

Ms. Kathy Brown, Esq., Governmental Hearing Officer served as hearing officer and presided over the disciplinary hearings for Mr. Barry Stewart Thompson. Mr. Thompson did not attend the meeting and the hearing was conducted in his absence. At the conclusion of the hearing, Dr. Grice made a motion to go into Executive Session to deliberate evidence in a public hearing. Mr. Blackmon seconded and the motion carried on a roll call vote. Voting in favor of the motion were Messrs. Blackmon, Grice, Kintz, Madison, Schaffers and Ms. Prince. Mr. Smith abstained from all voting and discussion related to this case. Board members excused themselves at 10:23 a.m. and qualified Board members met in executive session to deliberate with an estimated time of 10 minutes needed to discuss the matter. After deliberation, at 10:33 a.m., Mr. Schaffers called the meeting back to order and called for a motion in the matter. Dr. Grice made a motion that the Board find Mr. Thompson guilty of all charges made in the summons and compliant, that Mr. Thompson's certificate be revoked, and that Mr. Thompson be fined \$2,000 per count for a total of \$6,000. Dr. Grice further stated that the Board could reduce the fine to zero for count 3 if records were returned to the client. Mr. Madison seconded and the motion carried on a roll call vote. Voting in favor of the motion were Messrs. Blackmon, Grice, Kintz, Madison, Schaffers and Ms. Prince. Mr. Smith abstained. The Board's Order, Summons and Complaint, and the transcript of the hearing are attached and become a part of these minutes.

b. Case No. 23PR-2 – Charles Shane Sanders, Cert. 7419; Sanders & Associates CPA LLC, Firm F2227:

Ms. Kathy Brown, Esq., Governmental Hearing Officer served as hearing officer and presided over the disciplinary hearings for Mr. Charles Shane Sanders. Mr. Sanders did not attend the meeting and the hearing was conducted in his absence. At the conclusion of the hearing, Dr. Grice made a motion that the Board find Mr. Sanders guilty of all charges made in the summons and compliant, that Mr. Sanders' certificate be revoked, and that Mr. Sanders be fined \$2,000 per count for a total of \$4,000. Dr. Grice further moved that Mr. Sanders return the revoked certificate to the Board office within 30 days and complete the NASBA CPT Ethics course. Mr. Kintz seconded and the motion carried on a roll call vote. Voting in favor of the motion were Messrs. Blackmon, Grice, Kintz, Madison, Schaffers, Smith and Ms. Prince. The Board's Order, Summons and Complaint, and the transcript of the hearing are attached and become a part of these minutes.

c. Case No. 23PR-3 – James Douglas Rhodes, Cert. 11444; Rhodes Company LLC, Firm F2596:

Ms. Kathy Brown, Esq., Governmental Hearing Officer served as hearing officer and presided over the disciplinary hearings for Mr. James Douglas Rhodes. Mr. Rhodes did not attend the meeting and the hearing was conducted in his absence. At the conclusion of the hearing, Dr. Grice made a motion that the Board find Mr. Rhodes guilty of all charges made in the summons and compliant, that Mr. Rhodes' certificate be revoked, and that Mr. Rhodes be fined \$2,000 per count for a total of \$4,000. Dr. Grice further moved that Mr. Rhodes return the revoked certificate to the Board office within 30 days and complete the NASBA CPT Ethics course. Ms. Prince seconded and the motion carried on a roll call vote. Voting in favor of the motion were Messrs. Blackmon, Grice,

Kintz, Madison, Schaffers, Smith and Ms. Prince. The Board's Order, Summons and Complaint, and the transcript of the hearing are attached and become a part of these minutes.

6. Show of Cause/Order to Appear Hearings:

a. Case No. 22CPE-30 – Willis D. Ratliff, Cert. 3294-R:

Ms. Kathy Brown, Esq., Governmental Hearing Officer served as hearing officer and presided over the Show of Cause hearings for Mr. Willis D. Ratliff. Mr. Ratliff did not attend the meeting and the hearing was conducted in his absence. At the conclusion of the hearing, Dr. Grice made a motion that the Board find Mr. Ratliff guilty of not complying with the Board's September 26, 2022 Order, that Mr. Ratliff's certificate be revoked, and that the revoked certificate be returned to the Board office within 30 days. Mr. Madison seconded and the motion carried on a roll call vote. Voting in favor of the motion were Messrs. Blackmon, Grice, Kintz, Madison, Schaffers, Smith and Ms. Prince. The Board's Order, Summons and Complaint, and the transcript of the hearing are attached and become a part of these minutes.

b. Case No. 22CPE-50 – Randal Gene Vellocido, Cert. 13452-R:

Ms. Kathy Brown, Esq., Governmental Hearing Officer served as hearing officer and presided over the Show of Cause hearings for Mr. Randal Gene Vellocido. Mr. Vellocido did not attend the meeting and the hearing was conducted in his absence. At the conclusion of the hearing, Mr. Madison made a motion that the Board find Mr. Vellocido guilty of not complying with the Board's September 26, 2022 Order, that Mr. Vellocido's certificate be revoked, and that the revoked certificate be returned to the Board office within 30 days. Ms. Prince seconded and the motion carried on a roll call vote. Voting in favor of the motion were Messrs. Blackmon, Grice, Kintz, Madison, Schaffers, Smith and Ms. Prince. The Board's Order, Summons and Complaint, and the transcript of the hearing are attached and become a part of these minutes.

c. Case No. 22CPE-2 – Jonathan Shane Sherbert, Cert. 11315:

Ms. Kathy Brown, Esq., Governmental Hearing Officer served as hearing officer and presided over the Show of Cause hearings for Mr. Jonathan Shane Sherbert. Mr. Sherbert did not attend the meeting and the hearing was conducted in his absence. At the conclusion of the hearing, Mr. Blackmon made a motion that the Board find Mr. Sherbert guilty of not complying with the Board's September 26, 2022 Order, that Mr. Sherbert's certificate be revoked, and that the revoked certificate be returned to the Board office within 30 days. Mr. Madison seconded and the motion carried on a roll call vote. Voting in favor of the motion were Messrs. Blackmon, Grice, Kintz, Madison, Schaffers, Smith and Ms. Prince. The Board's Order, Summons and Complaint, and the transcript of the hearing are attached and become a part of these minutes.

d. Case No. 22CPE-29 – Karen C. O'Bannon, Cert. 4254:

Ms. Kathy Brown, Esq., Governmental Hearing Officer served as hearing officer and presided over the Show of Cause hearings for Ms. Karen C. O'Bannon. Ms. O'Bannon did not attend the meeting and the hearing was conducted in her absence. At the conclusion of the hearing, Mr.

Blackmon made a motion that the Board find Ms. O'Bannon guilty of not complying with the Board's September 26, 2022 Order, that Ms. O'Bannon's certificate be revoked, and that the revoked certificate be returned to the Board office within 30 days. Mr. Kintz seconded and the motion carried on a roll call vote. Voting in favor of the motion were Messrs. Blackmon, Grice, Kintz, Madison, Schaffers, Smith and Ms. Prince. The Board's Order, Summons and Complaint, and the transcript of the hearing are attached and become a part of these minutes.

7. Disciplinary Hearing on Delinquent Initial Filer Registration:

a. Case No. 23D-1 – Jeffrey Douglas Schlaman, Cert. 14528-R:

Ms. Kathy Brown, Esq., Governmental Hearing Officer served as hearing officer and presided over the disciplinary hearings for Mr. Jeffrey Douglas Schlaman. Mr. Schlaman did not attend the meeting and the hearing was conducted in his absence. At the conclusion of the hearing, Dr. Grice made a motion to go into Executive Session to deliberate evidence in a public hearing. Mr. Blackmon seconded and the motion carried on a roll call vote. Voting in favor of the motion were Messrs. Blackmon, Grice, Kintz, Madison, Schaffers, Smith and Ms. Prince. Board members excused themselves at 11:25 a.m. and qualified Board members met in executive session to deliberate with an estimated time of 5 minutes needed to discuss the matter. After deliberation, at 11:32 a.m., Mr. Schaffers called the meeting back to order and called for a motion in the matter. Mr. Kintz made a motion that the Board find Mr. Schlaman guilty of all charges made in the summons and complaint, that Mr. Schlaman's certificate be revoked, and that Mr. Schlaman be fined \$500. Mr. Smith seconded and the motion carried on a roll call vote. Voting in favor of the motion were Messrs. Blackmon, Grice, Kintz, Madison, Schaffers, Smith and Ms. Prince. The Board's Order, Summons and Complaint, and the transcript of the hearing are attached and become a part of these minutes.

8. Requests for Reinstatement:

a. Michelle W. Hallmark, Certificate No. 9195:

Mr. Busby presented a letter from Michelle W. Hallmark, CPA Certificate No. 9195, requesting reinstatement to active status. Her reinstatement request included all the completed forms and fees that the Board had decided would be necessary to gain favorable consideration for reinstatement. Ms. Hallmark did not attend the hearing and it was conducted in her absence. Ms. Hallmark's written request included the required assertion on felonies, a completed 2022-2023 personal registration form, submission of catch-up CPE, evidence of completion of the NASBA CPE Ethics Training Course, and payment in the amount of \$200. The payment comprised the \$100 reinstatement fee and \$100 registration fee for the fiscal year 2022-2023. Ms. Hallmark had previously paid the administrative fine that had been ordered in her case. After discussion, Mr. Madison made a motion to reinstate Ms. Hallmark's CPA Certificate No. 9195 to active status. Mr. Kintz seconded and the motion carried on a roll call vote. Voting in favor of the motion were Messrs. Blackmon, Grice, Kintz, Madison, Schaffers, Smith and Ms. Prince.

b. Douglas M. White, Certificate No. 9390:

Mr. Busby presented a letter from Douglas M. White, CPA Certificate No. 9390, requesting reinstatement to active status. His reinstatement request included all the completed forms and fees that the Board had decided would be necessary to gain favorable consideration for reinstatement. Mr. White did not attend the hearing and it was conducted in his absence. Mr. White's written request included the required assertion on felonies, a completed 2022-2023 personal registration form, submission of catch-up CPE, documentation of citizenship, and payment in the amount of \$1,735. The payment comprised the \$100 reinstatement fee, \$1,000 administrative fine, \$500 late renewal penalty for the fiscal year 2006-2007, and \$135 registration fees for the fiscal years 2006-2007 and 2022-2023. After discussion, Mr. Madison made a motion to reinstate Mr. White's CPA Certificate No. 9390 to active status. Mr. Blackmon seconded and the motion carried on a roll call vote. Voting in favor of the motion were Messrs. Blackmon, Grice, Kintz, Madison, Schaffers, Smith and Ms. Prince.

c. David Allen Abrams, Certificate No. 10808:

Mr. Busby presented a letter from David Allen Abrams, CPA Certificate No. 10808, requesting reinstatement to inactive status. His reinstatement request included all the completed forms and fees that the Board had decided would be necessary to gain favorable consideration for reinstatement. Mr. Abrams did not attend the hearing and it was conducted in his absence. Mr. Abrams' written request included the required assertion on felonies, a completed 2022-2023 personal registration form, evidence of completion of the NASBA CPE Ethics Training Course, and payment in the amount of \$1,200. The payment comprised the \$100 reinstatement fee, \$500 administrative fine, \$500 late renewal penalty for the fiscal year 2020-2021, and \$100 registration fees for the fiscal years 2020-2021 and 2022-2023. After discussion, Mr. Madison made a motion to reinstate Mr. Abrams' CPA Certificate No. 10808 to inactive status. Mr. Kintz seconded and the motion carried on a roll call vote. Voting in favor of the motion were Messrs. Blackmon, Grice, Kintz, Madison, Schaffers, Smith and Ms. Prince.

9. Public Hearing – Final Approval of Rule Changes:

Mr. Schaffers opened the meeting to a public hearing to discuss the final approval of Rule changes.

a. 30-X-5-.02 Field of Study Name Change

Mr. Busby presented the final rule change to Section 30-X-5-.02 of the Board's Rules. There were no comments made regarding the proposed changes to the Board's Rules. Dr. Grice made a motion to adopt the final rule changes for Section 30-X-5-.02 of the Board's Rules. Mr. Smith seconded and the motion carried on a roll call vote. Voting in favor of the motion were Messrs. Blackmon, Grice, Kintz, Madison, Schaffers, Smith and Ms. Prince.

b. 30-X-5-.03 Credit for Instructor/Developer

Mr. Busby presented the final rule change to Section 30-X-5-.03 of the Board's Rules. There were no comments made regarding the proposed changes to the Board's Rules. Dr. Grice made a motion to adopt the final rule changes for Section 30-X-5-.03 of the Board's Rules. Mr. Madison seconded and the motion carried on a roll call vote. Voting in favor of the motion were Messrs. Blackmon, Grice, Kintz, Madison, Schaffers, Smith and Ms. Prince.

c. 30-X-5-.04 CPE Qualifying Programs

Mr. Busby presented the final rule change to Section 30-X-5-.04 of the Board's Rules. There were no comments made regarding the proposed changes to the Board's Rules. Dr. Grice made a motion to adopt the final rule changes for Section 30-X-5-.04 of the Board's Rules. Mr. Madison seconded and the motion carried on a roll call vote. Voting in favor of the motion were Messrs. Blackmon, Grice, Kintz, Madison, Schaffers, Smith and Ms. Prince.

d. 30-X-5-.05 NLO CPE Reciprocity

Mr. Busby presented the final rule change to Section 30-X-5-.05 of the Board's Rules. There were no comments made regarding the proposed changes to the Board's Rules. Dr. Grice made a motion to adopt the final rule changes for Section 30-X-5-.05 of the Board's Rules. Mr. Madison seconded and the motion carried on a roll call vote. Voting in favor of the motion were Messrs. Blackmon, Grice, Kintz, Madison, Schaffers, Smith and Ms. Prince.

Mr. Schaffers ended the public hearing portion of the meeting.

10. Approval of new CPA Certificates from 14746 through 14781-R:

Mr. Smith made a motion to approve new CPA Certificates No. 14746 through 14781-R. Mr. Blackmon seconded and the motion carried unanimously.

11. Alabama CPA Examination Statistics:

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

12. Analysis of Current Year Annual Registration:

The Board was presented with statistics and summary of the current year's annual registrations. A brief discussion ensued but no action was taken.

13. Peer Review Delinquencies Update:

A statistical summary of Delinquent Peer Reviews as of December 31, 2021 was presented to the Board. A brief discussion ensued but no action was taken.

14. Complaints Update:

A complaints summary for FY 2009-2010 through 2022-2023 was presented to the Board. A brief discussion ensued but no action was taken.

15. Licensee Count:

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

16. Executive Director Update on Activities:

Mr. Busby updated the Board on activities from the Board office. A brief discussion ensued but no action was taken.

17. Other Business:

There was no additional business presented to the Board.

18. Adjournment of Meeting:

The next meeting of the Board is scheduled for Tuesday, May 24, 2023 at 10:00 a.m. at the Board's Office. There being no further business to come before the Board, Ms. Prince made a motion to adjourn. Mr. Kintz seconded and the motion carried unanimously. The meeting adjourned at 1:25 p.m.

Respectfully Submitted:



Delbert Madison
Secretary

Approved:



Wim Schaffers, CPA
Chair