

OKLAHOMA ACCOUNTANCY BOARD**MINUTES OF REGULAR MEETING**

November 20, 2015

The Oklahoma Accountancy Board (OAB) convened in regular session on Friday, November 20, 2015, at the Oklahoma Accountancy Board, 201 NW 63rd Street; Suite 210, Oklahoma City, OK 73116. A recording of the meeting is on file in the OAB office. Members present at Call to Order:

Jay Engelbach, CPA, Chair
Barbara Ley, CPA, Vice Chair
David Greenwell, CPA, Secretary
Mike Sanner, CPA, Member
Marc Delametter, CPA, Member
Karen Cunningham, Member
Jody Manning, Member

Board staff present at the meeting: Randy Ross, Executive Director; Colin Autin, Deputy Director; Lalisa Semrad, Enforcement Coordinator; and Rebekah Flanagan, Administrative Assistant. Assistant Attorney General John Crittenden was also present.

Agenda Item #1a – Call To Order: At approximately 8:30 AM Chair Engelbach called the meeting to order.

Agenda Item #1b – Declaration of Quorum: Chair Engelbach declared a quorum.

Agenda Item #1c – Announcement of Legal Meeting Notice: Executive Director Ross confirmed the notice of the meeting was filed with the Secretary of State and the agenda for the meeting was properly posted in compliance with the Open Meeting Act.

Agenda Item #1d – Announcement of Absences and Action, if Necessary, to Determine Whether Absence(s) Were Unavoidable Pursuant to Title 59, Section 15.3(B)(5): There were no absences.

Agenda Item #2 – Announcement of Visitors: The following visitors were present for the appropriate time: Jim Nolen, representing the OSA; Patty Hurley, representing the OSCPA; Carlos Johnson, CPA; Julie Corley, with the Oklahoma Attorney General's Office; Janet Morrow and Gene Lidyard, with OMES Division of Capital Assets Management; and the court reporter.

Agenda Item #3 – Public Comment Period: Executive Director Ross advised the Board that he had not received any requests for public comment.

Agenda Item #6 – Discussion and possible action on the presentation from Janet Morrow, Insurance and Administration Manager for OMES Capital Assets Management, regarding insurance coverage of Board of Directors and Officers: Janet Morrow, the Insurance and Administration Manager for OMES Capital Assets

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Management, came before the Board and explained the details of the insurance coverage for Board members against any possible law suits in light of the new issues regarding anti-trust.

Board members proceeded to ask Ms. Morrow questions and discussion took place.

Agenda Item #4 – Consent Agenda: The Consent Agenda contained four items for the OAB's consideration: (1) Approve the Minutes of the October 16, 2015, Regular Meeting of the OAB; (2) Take official notice of the preliminary OAB financial statements for FY 2016, for the month ending October 31, 2015; (3) Take official notice of the experience verification applications which have been approved by the Executive Director; and (4) Approve the actions taken by the Executive Director on applications and registrations filed since the previous meeting.

Motion by Ley that the Board approve the Consent Agenda with the addition of the names to the corresponding Administrative Consent Order in the October Minutes.
Second by Manning.

Affirmative Votes: Engelbach, Ley, Greenwell, Delameter, Sanner, Cunningham, and Manning.

Note: Chair Engelbach called for a break at approximately 8:55 AM and reconvened at 9:00 AM.

Hearing Docket

Case No. 2079 – Hearing in the matter of the Application to Reinstate the Certificate of Wayne Doyle Chambers: This matter came for hearing at 9:00 AM. The members of the Oklahoma Accountancy Board present were seated on the hearing panel.

Assistant Attorney General John Crittenden advised the Board. Special Prosecutor Randy Calvert represented the State. Respondent was present and was not represented by counsel.

The purpose of the hearing was to consider the Respondent's application to reinstate his certificate.

The Respondent made opening statements. Special Prosecutor Calvert presented the State's case. During the presentation of the State's case, Mr. Calvert moved for the admission of State's Exhibits 1-16. At the recommendation of Assistant Attorney General Crittenden, Chair Engelbach accepted the Exhibits into the record. Special Prosecutor Calvert proceeded to question the Respondent on the conduct that led to his certificate being revoked. Member Cunningham briefly questioned the Respondent. Special Prosecutor Calvert gave a closing statement with the recommendation that the Board not reinstate the Respondent's certificate. The Respondent called no witnesses and did not give a closing statement.

Motion by Cunningham that the Board go into Executive Session. Second by Delametter.

Affirmative Votes: Engelbach, Ley, Greenwell, Delameter, Sanner, Cunningham, and Manning.

The Board entered into Executive Session at approximately 9:53 AM.

Motion by Manning that the Board come out of Executive Session. Second by Cunningham.

Affirmative Votes: Engelbach, Ley, Greenwell, Delameter, Sanner, Cunningham, and Manning.

The Board came out of Executive Session at approximately 10:45 AM. Assistant Attorney General Crittenden noted for the record that during the Executive Session no votes or any other actions were taken.

Motion by Cunningham that the Board reinstate the Respondent's certificate in Case No. 2079 in the matter of the application to reinstate the certificate of Wayne Doyle Chambers. Second by Sanner.

Affirmative Votes: Engelbach, Greenwell, Sanner, Cunningham, and Manning. Dissenting Votes: Ley and Delametter.

At this time Chair Engelbach entertained a motion to adjourn the hearing.

Motion by Cunningham that the Board adjourn the hearing. Second by Manning.

Affirmative Votes: Engelbach, Ley, Greenwell, Delameter, Sanner, Cunningham, and Manning.

The hearing was adjourned at approximately 10:46 AM.

Agenda Item #5 – Discussion and possible action on Administrative Actions and recommendations from the Enforcement Committee:

ADMINISTRATIVE CONSENT ORDERS:

Case No. 2061 – Steven D. Eisenberg, CPA, PA - Unregistered firm

This case was opened as a Department of Labor audit referral, which reported Respondent performed three years of ERISA audits for an Oklahoma based client while not registered with the Board. An Administrative Consent Order was offered by the

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Enforcement Committee and accepted by the Respondent whereby Respondent is assessed a fine of \$500, plus costs and attorney fees in the amount of \$381.96 which must be paid within 30 days from the effective date of this Order. In addition, Respondent must register with the Board and obtain a permit if it intends to perform future audits for Oklahoma based clients. A proven violation of this ACO, the Act or the Board's Rules authorizes the Board to take such other and further action as the Board may deem appropriate under the Act. The Enforcement Committee recommends the Administrative Consent Order in this case be approved by the Board.

Case No. 2068 – Jackie Ray Whomble, CPA

This case was opened as a result of a referral by the CPE Coordinator that Respondent was 11 hours short of the 120-hour minimum for the three year period 2012-2014. An Administrative Consent Order was offered by the Enforcement Committee and accepted by the Respondent whereby Respondent is assessed a fine of \$500, plus costs and attorney fees in the amount of \$229.24, which must be paid within 30 days from the effective date of this Order. In addition, Respondent shall complete 11 hours of CPE within 30 days to apply to the shortage. A proven violation of this ACO, the Act or the Board's Rules authorizes the Board to take such other and further action as the Board may deem appropriate under the Act. The Enforcement Committee recommends the Administrative Consent Order in this case be approved by the Board.

OAB Records Summary

CPE Status: Registrant is not in compliance. Registrant reported 43 hours for 2012 (includes 2 hours ethics); 44 hours for 2013 (includes 3 hours ethics); and 22 hours for 2014 (includes 2 hours ethics).

Peer Review Status: N/A.

Case No. 2073 – Ronda C. Jenkins-Thompson, CPA

This case was opened as a result of a referral by the CPE Coordinator that Respondent was 32 hours short of the 120-hour minimum for the three year period 2012-2014. An Administrative Consent Order was offered by the Enforcement Committee and accepted by the Respondent whereby Respondent is assessed a fine of \$500, plus costs and attorney fees in the amount of \$239.24, which must be paid within 30 days from the effective date of this Order. In addition, Respondent shall complete 32 hours of CPE within 60 days to apply to the shortage. A proven violation of this ACO, the Act or the Board's Rules authorizes the Board to take such other and further action as the Board may deem appropriate under the Act. The Enforcement Committee recommends the Administrative Consent Order in this case be approved by the Board.

OAB Records Summary

CPE Status: Registrant is not in compliance. Registrant reported 24 hours for 2012 (includes 2 hours ethics); 32 hours for 2013 (includes 2 hours ethics); and 32 hours for 2014 (includes 2 hours ethics).

Peer Review Status: N/A.

Case No. 2074 – David W. Bair, CPA

This case was opened as a result of a referral by the CPE Coordinator that Respondent was 13.5 hours short of the 120-hour minimum for the three year period 2012-2014. An Administrative Consent Order was offered by the Enforcement Committee and accepted by the Respondent whereby Respondent is assessed a fine of \$500, plus costs and attorney fees in the amount of \$239.24, which must be paid within 30 days from the effective date of this Order. In addition, Respondent shall complete 13.5 hours of CPE within 30 days to apply to the shortage. A proven violation of this ACO, the Act or the Board's Rules authorizes the Board to take such other and further action as the Board may deem appropriate under the Act. The Enforcement Committee recommends the Administrative Consent Order in this case be approved by the Board.

OAB Records Summary

CPE Status: Registrant is not in compliance. Registrant reported 38.5 hours for 2012 (includes 1 hour ethics); 43 hours for 2013 (includes 4 hours ethics); and 25 hours for 2014 (includes 0 hours ethics).
Peer Review Status: N/A.

Case No. 2077 – Ross Martin Duke, CPA

This case was opened as a result of a referral by the CPE Coordinator that Respondent was 46 hours short of the 120-hour minimum for the three year period 2011-2013 and 49.5 hours short for 2012-2014. An Administrative Consent Order was offered by the Enforcement Committee and accepted by the Respondent whereby Respondent is assessed a fine of \$1,000, plus costs and attorney fees in the amount of \$239.24, which must be paid within 30 days from the effective date of this Order. In addition, Respondent shall complete 49.5 hours of CPE within 60 days to apply to the shortage. A proven violation of this ACO, the Act or the Board's Rules authorizes the Board to take such other and further action as the Board may deem appropriate under the Act. The Enforcement Committee recommends the Administrative Consent Order in this case be approved by the Board.

OAB Records Summary

CPE Status: Registrant is not in compliance. Registrant reported 40 hours for 2011 (includes 0 hours ethics); 34 hours for 2012 (includes 4 hours ethics); 0 hours for 2013; and 36.5 hours for 2014 (includes 0 hours ethics).
Peer Review Status: N/A.

Case No. 2078 – Jay Richard Bennett, CPA

This case was opened as a result of a referral by the CPE Coordinator that Respondent was 8 hours short of the 120-hour minimum for the three year period 2012-2014. An Administrative Consent Order was offered by the Enforcement Committee and accepted by the Respondent whereby Respondent is assessed a fine of \$500, plus costs and attorney fees in the amount of \$219.24, which must be paid within 30 days from the

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effective date of this Order. In addition, Respondent shall complete 8 hours of CPE within 30 days to apply to the shortage. A proven violation of this ACO, the Act or the Board's Rules authorizes the Board to take such other and further action as the Board may deem appropriate under the Act. The Enforcement Committee recommends the Administrative Consent Order in this case be approved by the Board.

OAB Records Summary

CPE Status: Registrant is not in compliance. Registrant reported 49 hours for 2012 (includes 2 hours ethics); 42 hours for 2013 (includes 4 hours ethics); and 21 hours for 2014 (includes 0 hours ethics).

Peer Review Status: N/A.

Motion by Ley that the Board approves the following Administrative Consent Orders in Case Nos: 2061, 2068, 2073, 2074, 2077 and 2078. Second by Sanner.

Affirmative Votes: Engelbach, Ley, Greenwell, Delameter, Sanner, Cunningham, and Manning.

Agenda Item #7 – Discussion and possible action on the AICPA Exposure Draft: Maintaining the Relevance of the Uniform CPA Examination: Executive Director Ross informed the Board of the AICPA's request for comment regarding the presented Exposure Draft. Brief discussion took place among the Board.

Agenda Item #8 – Discussion and possible action on report from the Peer Review Committee: Deputy Director and Peer Review Coordinator Autin presented the Quarterly PROC report to the Board.

Motion by Sanner that the Board receive the PROC report as presented. Second by Greenwell.

Affirmative Votes: Engelbach, Ley, Greenwell, Delameter, Sanner, Cunningham, and Manning.

Agenda Item #9 – Discussion and possible action on: FTC Staff Guidance on Active Supervision of State Regulatory Boards Controlled by Market Participants: Executive Director Ross summarized the relevant information from the report for the Board. A lengthy discussion took place among the Board members.

Agenda Item #10 – Discussion and possible action on November 2015 AICPA/NASBA Exposure Draft: Proposed Revisions to Uniform Accountancy Act and NASBA Uniform Accountancy Act Rules, Section 6(d) and Rule 6-7: Chair Engelbach informed the Board that comments are due by February 2, 2016.

Agenda Item #11 – Discussion and possible action on Oklahoma Accountancy Board appointment to the Incentive Review Commission in accordance with

HB2182: The Board recommends that Carlos Johnson, CPA, be appointed to the Incentive Review Commission.

Motion by Ley that the Board appoint Carlos Johnson, CPA, to the Incentive Review Commission. Second by Delametter.

Affirmative Votes: Engelbach, Ley, Greenwell, Delameter, Sanner, Cunningham, and Manning.

Agenda Item #12 – Discussion and possible action on report from Board members on the NASBA 108th Annual Meeting: Member Ley summarized for the Board the events of NASBA's 108th Annual Meeting.

Agenda Item #13 – Discussion and possible action on list of proposed meeting dates for the Oklahoma Accountancy Board in 2016: Chair Engelbach presented the proposed 2016 Board meeting dates.

- January 22
- February 19
- March 18
- April 22
- May 20
- June 16
- July 22
- August 19
- September 23
- October 21
- November 18
- December 16

Member Delametter inquired as to whether the June meeting date was purposely scheduled for a Thursday rather than the routine Friday meeting. It was determined to be a mistake and the June meeting was amended to Friday June 17, 2016.

Motion by Greenwell that Board approve the proposed 2016 Board meeting dates. Second by Manning.

Affirmative Votes: Engelbach, Ley, Greenwell, Delameter, Sanner, Cunningham, and Manning.

Agenda Item #14 – New Business: There was no new business.

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Agenda Item #15 – Discussion and possible action on report from the Executive Director:

Updates

- Met with OMES IT regarding Phase II logic for AMANDA
- Continued meetings with other Executive Directors regarding AG opinion and future potential legislation.
- Presented ethics CPE to Norman Chapter of OSCP.
- Ceremony on Saturday with registration at 10:30 and ceremony beginning at 11:00.
- Presented to the Oklahoma chapter of the Association of Government Accountants.
- New PC's are due in at any time. We will stagger implementation to insure compatibility with all systems and software.
- Continue to scan and free up space within the office.
- Christmas lunch will be at Oklahoma City Golf and Country Club at 11:30 following the December Board meeting.
- Responded as required to Secretary Preston Doerflinger regarding Executive Order 2015-46 banning non-core mission critical out of state travel and reducing non-core mission expenditures by 10%.

Expenditures made by the Executive Director between \$2,500 and \$5,000 since the preceding Board meeting:

- BEP One; Nov 2015 rent - \$4,392.00

Expenditures made by the Executive Director with approval of the Chair between \$5,000 and \$10,000 since the preceding Board meeting:

- State Auditor and Inspector; Sep 2015 Auditing services - \$5,055.00

Agenda Item #16 – Discussion and possible action on report from Chair:

- Announcements
- Announce date and location of the Oklahoma Accountancy Board semi-annual New CPA Recognition Ceremony – 11:00 a.m., November 21, 2015, in the House of Representative Chambers within the Oklahoma State Capitol, 2300 North Lincoln Boulevard, Oklahoma City, OK 73105

- Announce date and location of the next meeting – 8:30 a.m., December 18, 2015, at the Oklahoma Accountancy Board, 201 NW 63rd Street; Ste. 210, Oklahoma City, OK 73116

Agenda Item #17 – Adjourn: There being no further business to come before the Board, Chair Engelbach entertained a motion to adjourn.

Motion by Ley to adjourn the meeting. Second by Delametter.

Affirmative Votes: Engelbach, Ley, Greenwell, Cunningham, Sanner, Delametter, and Manning.

The meeting was adjourned at approximately 11:43 AM.

Jay Engelbach, Chair Date

ATTEST:

David Greenwell, Secretary Date

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APPENDIX I

Actions Approved by the Executive Director As of November 20, 2015

APPLICATIONS FOR CERTIFICATION (Successful Candidates):

Rachael S. Braggs
Sarah M. Chapman
Tanner Rex Cunningham
Isaac John Davis
Haley A. DeMarco
James Calvin Diemart
Kristen Anne Head
Sidney Owen Hoffsommer
Elaine Ann Jolly
Kevin Lahn
John M. Perry IV
Shannon D. Porter
Brittni Jayne Kelly Schwennesen

APPLICATIONS FOR RECIPROCAL CPA CERTIFICATES:

Sarah Minnett Bates (Texas)
Scott Christopher Booren (Louisiana)
Garett Michael Brown (Missouri)
James D. Erickson (Colorado)
Neill P. Schultz (Hawaii)

APPLICATIONS FOR REINSTATEMENT OF CPA CERTIFICATES:

Steven Flowers	3627
Brooklyn Gorton	15572

INITIAL FIRM REGISTRATIONS OF PROFESSIONAL LIMITED LIABILITY PARTNERSHIPS:

Habif, Arogeti & Wynne, LLP (Georgia)
Templeton & Company, LLP (Florida)

INITIAL FIRM REGISTRATIONS OF PROFESSIONAL CORPORATIONS:

Amelia Daniel CPA, PC
Kathryn D. Lund CPA, P.C.

INITIAL FIRM REGISTRATIONS OF PROFESSIONAL LIMITED LIABILITY COMPANIES:

Jeff Herbers PLLC
Papin CPA, PLLC
Tracy Reed, PLLC

REINSTATEMENT OF CPA PROFESSIONAL LIMITED LIABILITY COMPANIES:

Martha E. Wooton CPA, PLLC (New Mexico)

CERTIFICATES SURRENDERED BY REGISTRANTS:

CPAs:

Surrendering CPA Certificate Due To CPE Requirements:

James Crumpley	10641	Issued January 25, 1990
Jamie Gable	10196	Issued January 26, 1989
David Johnson	6278	Issued July 22, 1982
Michael Ladd	8283	Issued July 26, 1985
Clare Miller	6664	Issued January 17, 1983

No Longer Practicing in Oklahoma:

Julia Clarey	8779	Issued July 31, 1986
Angela Doyle	10925	Issued July 26, 1990
Karlene Lacy	8282	Issued July 26, 1985
Terry Parker	12417	Issued October 15, 1993
Claire Watson	17407	Issued November 26, 2012

No Longer Residing in Oklahoma:

Batbayar Delger	16373	Issued October 19, 2007
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Retired:

Gene Cartwright	1250	Issued August 5, 1958
David Clark	3324	Issued January 27, 1975
Dennis Featherngill	14040	Issued February 2, 1998
Leslee Loosen	4811	Issued July 27, 1979
Coy Martin	3534	Issued July 28, 1975
Randall Philpot	9054	Issued September 18, 1986
Michael Read	10979	Issued July 26, 1990
Clarence Shiery	2565	Issued July 30, 1971
Michael Smith	3395	Issued January 27, 1975

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DECEASED REGISTRANTS:

CPAs:

David Green	13309	Issued January 29, 1996
Leonard Jones	2190	Issued June 23, 1969

INDIVIDUALS AUTOMATICALLY REVOKED AS A RESULT OF NON-COMPLIANCE WITH 68 O.S. § 238.1 AND 59 O.S. § 15.14:

Cert No.	Name	Revocation Date
6491	Mark Hauptman	Nov 1, 2015
12023	Melinda Heitz	Nov 1, 2015
17102	Christian Roderick	Nov 1, 2015

EXPERIENCE VERIFICATION:

Applications approved by the Executive Director as of November 20, 2015

Jordan M. Biggs
Rachael S. Braggs
Tanner R. Cunningham
Haley A. DeMarco
James C. Diemart
Zachary A. Frankfurt
Kristen A. Head
Sidney O. Hoffsommer
Trevor Horstmann
Elaine A. Jolly
Catherine Krautkramer
Joseph K. Miller
Kolby J. Miller
Jamie D. Pilkington