

**Alabama State Board of Public Accountancy  
Minutes of Board Meeting  
January 18, 2019**

**1. Date, Place and Attendance of Meeting:**

A regular meeting of the Alabama State Board of Public Accountancy was held on Friday, January 18, 2019, in the 5<sup>th</sup> Floor Conference Room of the RSA Plaza, located in Montgomery, Alabama at 10:00 a.m.

Board Members Present: Mr. Steven M. Barranco, CPA  
Mr. J. Earl Blackmon, CPA  
Mr. Michael Terry Comer, PA  
Dr. Steve Grice, CPA  
Mr. Delbert Madison  
Mr. Wim Schaffers, CPA  
Ms. Connie Sheppard-Harris, CPA

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

Also present were D. Boyd Busby, Executive Director; Billington M. Garrett, Assistant Attorney General; Amy Thompson, Senior Accountant; Nicole Robinson, CPE Administrator; and Jeannine P. Birmingham, President and CEO of the Alabama Society of CPAs.

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 J. Earl Blackmon, CPA, Chair.

**3. Approval of Agenda:**

Mr. Schaffers made a motion to approve the agenda as presented for the January 18, 2019 meeting with a change to move Ms. Birmingham's discussion on Scholarship Letter to after the approval of the minutes. Mr. Madison seconded and the motion carried unanimously.

**4. Approval of Minutes:**

Mr. Grice made a motion to approve the minutes of the November 15, 2018 meeting. Mr. Barranco seconded and the motion carried unanimously.

**5. Other Business:**

Ms. Birmingham discussed scholarships provided by the ASCPA and other ASCPA news. A brief discussion ensued but no action was taken.

6. Disciplinary Cases:

a. Disciplinary Case No. 18-5—Gilbert Lloyd Crenshaw, CPA, Certificate No. 8342:

Mr. Busby presented a consent agreement for Mr. Gilbert Lloyd Crenshaw in which Mr. Crenshaw waived his right to a formal hearing and agreed to a censure. Mr. Grice and Mr. Schaffers both recused and did not participate in discussion or voting on this case. The consent order included Mr. Crenshaw's agreement to payment of an administrative fine in the amount of \$1,000.00. Ms. Sheppard-Harris made a motion that the Board accept the consent agreement with regard to Mr. Gilbert Lloyd Crenshaw, CPA certificate No. 8342, that Mr. Crenshaw pay the administrative fine of \$1,000 and that Mr. Crenshaw complete the NASBA Center for the Public Trust Ethical Leadership Course within 45 days of acceptance of this agreement. Mr. Comer seconded and the motion carried on a roll call vote. Voting in favor of the motion were Messrs. Barranco, Blackmon, Comer, Madison, and Ms. Sheppard-Harris. Mr. Grice and Mr. Schaffers recused. The Board's Consent Agreement is attached and becomes a part of these minutes.

b. Disciplinary Case No. 19-2—Clayton Allen Harmon, CPA, Certificate No. 12407:

Mr. Busby presented a consent agreement for Mr. Clayton Allen Harmon in which Mr. Harmon waived his right to a formal hearing and agreed to a censure. Mr. Barranco and Mr. Madison both recused and did not participate in discussion or voting on this case. The consent order included Mr. Harmon's agreement to payment of an administrative fine in the amount of \$5,000.00 and the revocation of his CPA certificate. Ms. Sheppard-Harris made a motion that the Board accept the consent agreement with regard to Mr. Clayton Allen Harmon, CPA certificate No. 12407, that Mr. Harmon pay the administrative fine of \$5,000 and that Mr. Harmon complete the NASBA Center for the Public Trust Ethical Leadership Course before requesting reinstatement. Mr. Grice seconded and the motion carried on a roll call vote. Voting in favor of the motion were Messrs. Blackmon, Comer, Grice, Schaffers, and Ms. Sheppard-Harris. Mr. Barranco and Mr. Madison recused. The Board's Consent Agreement is attached and becomes a part of these minutes.

7. Disciplinary Hearings on Delinquent 2017-2018 Annual Registrations:

Mr. Blackmon 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 2017-2018 annual registrations. None of the respondents attended the hearings and the hearings were conducted in their absence. At the conclusion of the hearings, Mr. Grice made a motion that the Board find each respondent listed on Board Exhibit No. 1, excluding cases 19D-9, 19D-22 and 19DF-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, excluding the cases listed above, 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. Comer seconded and the motion carried unanimously on a roll call vote. Voting in favor of the motion were Messrs. Barranco, Blackmon, Comer, Grice, Madison, Schaffers and Ms. Sheppard-Harris. The Board's Order, Summons and

Complaint, and the transcript of the hearing are attached and become a part of these minutes. The 6 CPAs who had Delinquent 2017-2018 registrations and who had disciplinary action taken against them are as follows:

**CERTIFIED PUBLIC ACCOUNTANTS**

<u><b>Case No.</b></u>	<u><b>Licensee</b></u>	<u><b>Certificate No.</b></u>
19D-1	Timothy Heath Andrews	9960
19D-16	Colleen S Dresser	4486
19D-18	Iesha Denise Ellerbe	12159-R
19D-54	Ben F Powel	1947
19D-72	Julia Anne Vigneault	10949
19D-76	Estelle C Mitchell	N045

8. Disciplinary Hearings on Delinquent Peer Reviews at December 31, 2017:

a. Disciplinary Case No. 19PR-4—Harvey F Cutter, CPA 3648

Mr. Blackmon turned the meeting back over to Kathy Brown, Esq., Governmental Hearing Officer, to serve as hearing officer and preside over the disciplinary hearing for a licensee with delinquent peer review at December 31, 2017. At the conclusion of the hearing, Mr. Schaffers made a motion to go into Executive Session to deliberate evidence in a public hearing. Mr. Comer seconded and the motion carried on a roll call vote. Voting in favor of the motion were Messrs. Barranco, Blackmon, Comer, Grice, Madison, Schaffers and Ms. Sheppard-Harris. Qualified Board members excused themselves at 11:05 a.m. to deliberate with an estimated time of 10 minutes needed to discuss the matter. The Board then deliberated in Executive Session. After deliberation, at 11:15 a.m., Mr. Blackmon called the meeting back to order and called for a motion in the matter. Mr. Schaffers made a motion that the Board find Mr. Harvey F. Cutter, CPA doing business as Cutter Company LLC, 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. Harvey F. Cutter, CPA be fined \$2,000.00 and that his CPA Certificate No. 1975 be revoked and that the revoked certificate be returned to the Board Office within 30 days of this date. Ms. Shepard-Harris seconded and the motion carried unanimously on a roll call vote. Voting in favor of the motion were Messrs. Barranco, Blackmon, Comer, Grice, Madison and Schaffers, and Ms. Sheppard-Harris. The Board Order, Summons and Complaint and the transcript of the hearing are attached and become a part of these minutes.

9. Request for Reinstatement—Andrew Leach Cash, CPA, Certificate No. 11931-R:

Mr. Busby presented a letter from Andrew Leach Cash, CPA Certificate No. 11931-R, requesting reinstatement to inactive status. 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. Cash did not attend the hearing and it was conducted in his absence. Mr. Cash's written request also included the required assertion on felonies, a completed 2018-2019 personal registration form, and payment in the amount of

\$3,350.00. The payment comprised the reinstatement fee of \$100.00; the \$2,000.00 administrative fine levied in the Board's Order; the \$150.00 registration fees for the fiscal years 2016-2017 through 2018-2019; and \$1,100.00 for late renewal penalties for fiscal years 2016-2017 through 2018-2019. After discussion, Mr. Grice made a motion to reinstate Mr. Cash's CPA Certificate No. 11931-R to inactive status. Mr. Schaffers seconded and the motion carried on a roll call vote. Voting in favor of the motion were Messrs. Barranco, Blackmon, Comer, Grice, Madison, Schaffers and Ms. Sheppard-Harris.

10. Discussion on Licensee with Multiple CPE Extension Requests:

Mr. Busby presented the CPE reporting history of Mr. Otis Stewart for the Board's review, including a current request for a CPE extension after two letters warning him that he would no longer be granted CPE extensions. After a brief discussion, Mr. Schaffers made a motion to deny Mr. Stewart's request for a CPE extension, require him to register as inactive, close his firm and be subject to catch-up CPE in order to return to active status. Mr. Grice seconded and the motion carried unanimously.

11. Executive Director's Update & Report on Activities:

(a) Update on enforcement activities:

Mr. Busby updated the Board on enforcement activities over the past year. Mr. Busby provided the Board with statistical data regarding the number of visits made and the results found.

(b) Online CPA Exam Applications:

Mr. Busby informed the Board of the goal to have our CPA exam application online by the fall of 2018.

(c) Enforcement Project for Next Year/Proactive Enforcement Actions:

Mr. Busby updated the Board on plans for upcoming enforcement actions.

(d) Scanning Project:

Mr. Busby updated the Board on the progress of scanning files in the office.

(e) Contract for Collections Attorney:

Mr. Busby updated the Board on the progress of the collections attorney.

(f) CPE Audit Tool:

Mr. Busby updated the Board on the plans to use the NASBA CPE audit tool for the CPE audit in 2019 for FY 2018.

(g) Other items:

Mr. Busby discussed potential Board appointment for the Executive Director and the Board encouraged Mr. Busby to take the appointment. Mr. Busby also discussed early stages of possible a legislative bill entitled "Order of Limited Relief Bill."

12. Sunset Review Item for Discussion:

Mr. Busby informed the Board of a letter from a complainant that would be included in the Sunset Audit Report and the Board agreed to take no action on the matter.

13. Board Review of CPE Rules:

Mr. Busby discussed the final changes to the CPE Board Rules and the Board was in agreement for beginning the Rule change process in May 2019.

14. Approval of October-November-December 2018 CPA Examination Grades:

The Board was presented with the AICPA Advisory Grades for the October – December 2018 Uniform CPA Examination. After review, Mr. Comer made a motion to approve the grades as released to candidates. Mr. Grice seconded and the motion carried unanimously.

15. Approval of New CPA Certificates:

Mr. Grice made a motion to approve new CPA Certificates No. 13640 through 13683-R. Mr. Schaffers seconded and the motion carried unanimously.

16. 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.

17. Peer Review Delinquencies Update December 31, 2017:

A statistical summary of Delinquent Peer Reviews as of December 31, 2017 was presented to the Board. A brief discussion ensued but no action was taken.

18. Complaints Update:

A complaints summary for FY 2009-2010 through 2018-2019 was presented to the Board. A brief discussion ensued but no action was taken.

19. 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.

20. Adjournment of Meeting:

The next meeting of the Board is scheduled for Friday, May 10, 2019 at 10:00 a.m. in the 5<sup>th</sup> Floor Conference Room of the RSA Plaza. There being no further business to come before the Board,

Mr. Madison made a motion to adjourn. Mr. Schaffers seconded and the motion carried unanimously. The meeting adjourned at 1:25 p.m.

Respectfully Submitted:



Michael Terry Comer, PA  
Secretary

Approved:



J. Earl Blackmon, CPA  
Chair