

Minutes of the South Carolina Board of Accountancy
Monday, June 28, 2004, at 9:00 A.M. in Meeting Room 108
Synergy Office Park, Kingstree Building, 110 Centerview Drive
Columbia, South Carolina

H. McRoy Skipper, Chairman, called the meeting of the South Carolina Board of Accountancy to order at 9:00 a.m. with a quorum present. Other Board members present: Debra A. Turner, Vice-Chairman, Charles L. Talbert, III, Secretary, K. Brodie Brigman, Jr., Donald H. Burkett, Joseph S. Cone, and Robert T. Foster.

Based on advance notice, the absence of Jamison Hinds was excused. One Board Member position is legally vacant at the present time awaiting appointment by the Governor.

Staff members participating during the meeting included: Doris E. Cubitt, Administrator, Sharon Dantzler, Deputy General Counsel, LLR-Office of General Counsel, Larry Hall, Investigator, Kathy Prince, Investigator, and Margery McWhorter, Administrative Assistant.

The Chairman announced the meeting was being held in accordance with section 30-4-80 of the South Carolina Freedom of Information Act by notice mailed to The State Newspaper, Associated Press, WIS-TV and all other requesting persons, organizations, or news media. In addition, notice was posted on the bulletin board at the main entrance of the Kingstree Building.

A moment of silence was observed after which Debra Turner led all present in the Pledge of Allegiance to the Flag of Our Country.

1. On motion by Donald Burkett, seconded by Robert Foster, and unanimously passed, an agenda was adopted for the meeting.
2. On motion by Charles Talbert, seconded by Debra Turner, and unanimously passed, the minutes of the meeting held on Monday, June 28, 2004, were approved provided Item 6 A.1. be changed to list Donald Burkett as abstaining.
3. A hearing was conducted on the Complaint against Jerry D. Gambrell, holder of CPA certificate No. 1178, Case No 57-1320. David L. Morrison, Esq., represented the Board, Louis Rosen acted as advice counsel to the Chairman. And Anthony B. O'Neill, Esq., represented Mr. Gambrell.

After the testimony of witnesses and the arguments and rebuttals were presented by counsel and rebuttal by Respondents, on motion by Brodie Brigman, seconded by Joseph Cone, and unanimously passed, the Board went into executive session to receive legal counsel. On coming out of executive session on motion by Joseph Cone, seconded by Robert Foster, and unanimously passed, the Chairman announced that no vote had been taken

On motion by Debra Turner, seconded by Brodie Brigman, and passed by a majority, with two no votes, the Board found the respondent in violation of SC Code Sec 40-2-290 (A) (6) and of Regulation 1-21(A) in that he has committed acts discreditable to the profession as evidenced by his failure to timely provide auditing services for which he was retained and failure to respond to Board communications and imposed a fine of \$500.

4. Executive Session:
On motion by Debra Turner, seconded by Charles Talbert, and unanimously passed, the Board went into executive session to receive legal advice. Upon coming out of executive session on motion by Charles Talbert, seconded by Debra Turner, and unanimously passed, the Chairman announced that no vote had been taken
5. Complaint/Investigative Activity:
 - A. The two consent orders were presented to the Board with the following action taken:
 1. Cheryl C. Monahan and Monahan & Company LLC, Case No 57-1010, License CPA Certificate No. 2406. On motion by Debra Turner, seconded by Brodie Brigman, and unanimously passed, the Consent Order was rejected and a hearing is to be scheduled.
 2. Charles A. Finley, Jr., Case No. 57-1389, CPA Certificate No. 2442. On motion by Brodie Brigman, seconded by Joseph Cone, and unanimously passed, the Consent Order was approved as presented. A copy is attached to these minutes and will be made part of the public record.
 - B. Review of new complaints and approval of dismissal report:

The list of new complaints was presented and received as information by the Board. The following case was approved for dismissal on motion by Debra Turner, seconded by Joseph Cone, and unanimously passed: Case No. 57-971.
6. Information Update:
 - A. There were no remarks by the Chairman..
 - B. There were no advisory opinions.
 - C. Legislative update: See report of Regulation/Legislative Review Committee.
 - D. The Administrator's report was received as information.
 - E. The financial report was received as information.
 - F. The report on the NASBA Regional Meeting given by Donald Burkett and Brodie Brigman was received as information.

Action Items:

7. Old business. There was no old business.

8. New Business:

A. Qualifications for Licensure Committee:

On motion by Charles Talbert, seconded by Joseph Cone, and unanimously passed CPA and Accounting Practitioner Certificates issued April 23, through June 28, 2004, were approved. (Attachments #1 and 1a)

B. CPE/Renewal Committee. No report.

C. Experience/Education Committee: No report

D. Regulation/Legislative Review Committee: Charles Talbert reported that the bill has passed the Senate and the House and is now awaiting ratification by the Governor. The Ratification Number is 391.

E. Computerized Examination Committee:

1. On motion by Debra Turner, seconded by Charles Talbert, and unanimously passed, the release of the grades from the computer based examination will be handled administratively and that the Board will be informed at regular meetings of the candidates passing the examination.
2. On motion by Brodie Brigman seconded by Robert Foster, and unanimously passed, the Board accepted the report of the BOE dated June 21, 2004.

F. Position Response Committee. No report

G. Investigative Guidance Committee: Copies of the final draft of the Character and Fitness Committee by the Board of Accountancy were distributed. The Board will bring recommendations for those to serve on the committee to the next Board meeting.

H. The CPE reporting form for 2004 was approved by consensus.

I. Election of Officers to serve for the year 2004/05:

1. On motion by Charles Talbert, seconded by Donald Burkett, and unanimously passed, Debra Turner was nominated for the position of Chairman. There being no other nominations, Debra Turner was elected Chairman by acclamation.
2. On motion by Brodie Brigman, seconded by Debra Turner, and unanimously passed, Charles Talbert was nominated as Vice-Chairman. There being no other nominations, Charles Talbert was elected Vice-Chairman by acclamation.
3. On motion by Debra Turner, seconded by Charles Talbert, and unanimously passed, Donald Burkett was nominated as Secretary. There being no other nominations, Donald Burkett was elected Secretary by acclamation.

Item No. 8. New Business. Election of Officers – continued

4. On motion by Charles Talbert, seconded by Donald Burkett, and unanimously passed, Austin Sheheen was elected as Investigative Review Chairman.

J. The following committees were appointed by Debra Turner, Chairman:

1. CPE/Renewal: Brodie Brigman, Chairman, Charles Talbert, and Robert Foster.
2. Qualifications for Licensure: McRoy Skipper.
3. Experience/Education: Jamison Hinds.
4. Regulation/Legislative Review: Donald Burkett, Chairman, Charles Talbert, and Brodie Brigman.
5. Position Response: McRoy Skipper.
6. Examination Committee: Joseph Cone.

9. There was no public comment.

10. The next meeting dates are as follows:

For the year 2004: Thursday, August 26 (Room 111); September – no meeting; Thursday, October 28 (Room 108); November – no meeting; Thursday, December 9 (Room 111).

For the year 2005: Wednesday, January 26, Room 108; February – no meeting; March – no meeting; Thursday, April 28, Room 108; May – no meeting; Thursday, June 23, Room 108; July – no meeting; Thursday, August 25, Room 108; September – no meeting; Thursday, October 27, Room 108; November – no meeting; Thursday, December 8, Room 108.

Members are to reserve the afternoon before each meeting in the event a hearing is scheduled.

11. The meeting adjourned at 4:15pm on motion by Brodie Brigman, seconded by Robert Foster, and unanimously passed.

Respectfully submitted,

Doris Cubitt, Administrator

Page 5
June 28, 2004

Approved at the August 26th 2004 Board Meeting.

Debra A. Turner, Jr., Chairman

Donald H. Burkett, Secretary-Treasurer