

Minutes of the South Carolina Board of Accountancy  
Tuesday, April 29, 2003, 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: Charles L. Talbert, III, Secretary, K. Brodie Brigman, Jr., Joseph S. Cone, Robert T. Foster, J. Louis Grant, Jamison W. Hinds and Malcolm N. Robinson.

Based on advanced notice, the absence of Debra A. Turner was excused.

Staff members participating during the meeting included: Doris E. Cubitt, Administrator, Larry Hall, Investigator, Sharon Dantzler, Deputy General Counsel, LLR-Office of General Counsel, Kenneth P. Woodington, Prosecuting Attorney, Louis Rosen, Advice Counsel, and Margery McWhorter, Administrative Assistant. Also in attendance were Edwin Breazeale, Chairman of the Business Department at Midlands Technical College, and Rene V. Smith, Business Instructor with Horry-Georgetown Technical College.

The Chairman announced the meeting was being held in accordance with section 30-4-80 of the South Carolina Freedom on 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 Brodie Brigman led all present in the Pledge of Allegiance.

1. On motion by Louis Grant, seconded by Charles Talbert, and unanimously passed, an agenda was adopted for the meeting.
2. On motion by Brodie Brigman, seconded by Charles Talbert, and unanimously passed, the minutes of the meeting held on Tuesday, January 28, 2003, and the telephone conference call held on Monday, March 10, 2003, were approved.
3. A hearing was conducted on the Complaint against Steven Szer, holder of South Carolina CPA certificate No. 4746, Case No. 57-802. Kenneth P. Woodington, Esq., represented the Board and Louis Rosen acted as advice counsel to the Chairman. Mr. Szer was not present and was not represented by counsel.

After the testimony of a witness and the arguments were presented by counsel, on motion by Brodie Brigman, seconded by Robert Foster, and unanimously passed, the Board went into executive session to receive legal counsel. On coming out of executive session on motion by Malcolm Robinson, seconded by Louis Grant, and unanimously passed, the Chairman announced that no vote had been taken.

Item #3 Hearing in the matter of Steven Szer: continued

On motion by Louis Grant, seconded by Brodie Brigman, and unanimously passed, the Board found the respondents guilty of violating South Carolina Code Ann. Section 40-2-290(A)(7) in that he was convicted of a felony as evidenced by his conviction of 28 counts of forgery in the Court of General Sessions for York County on January 22, 2003, and would, therefore, revoke his certificate of registration as a Certified Public Accountant and that the respondent pay a fine of \$1,000 and reimburse the administrative costs of this case. An order is to be prepared within thirty days and served on respondent.

4. Executive Session:

On motion by Brodie Brigman, seconded by Robert Foster, and unanimously passed, the Board went into executive session to receive legal advice. Upon coming out of executive session on motion by Jamison Hinds, seconded by Robert Foster, and unanimously passed, the Chairman announced that no vote had been taken.

5. Complaint/Investigative Activity:

A. The Administrator reported for Patrick Hanks, attorney with the office of General Counsel, that Judge Stevens accepted another additional brief in respect to the matter in the complaint against Clyde Hiers, CPA, from Mr. Manley, the attorney representing Mr. Hiers. The ALJ gave the Board an opportunity to submit an additional brief which has been timely submitted.

B. On motion by Brodie Brigman, seconded by Robert Foster, and unanimously passed, the following cases are to be added to the log: Nos. 57-914, 57-929, 57-931, 57-932, 57-933, 57-960, 57-968, 57-971, 57-972, and 57-973.

C. On motion by Louis Grant, seconded by Robert Foster, and unanimously passed, the following cases were dismissed: Nos. 57-931, 57-932, 57-973, 57-929, and 57-960.

D. On motion by Brodie Brigman, seconded by Louis Grant, and unanimously passed the Board asked the Administrator to start publishing all Cease and Desist orders that are issued.

E. Doris Cubitt reported that the review of the audits under the Quality Review have been scheduled for May 14 and 15, 2003, and Robert Keisler will again head up this program. Approximately 20 licensees have volunteered to review audits. The Board discussed ways of obtaining more audits to review and asked the Administrator to check with other agencies to determine if there are other agencies who require an audit in order to issue a license and if so, would the audits be available for review.

6. Information:

A. Chairman's remarks:

The Chairman announced with the many changes taking place in the area of continuing education, he was appointing the following committee to review CPE and determine what is appropriate for licensure: Robert Foster, Debra Turner and Doris Cubitt.

B. There were no Advisory Opinions.

C. Sharon Dantzler reported that the proposed legislation has been turned into the Legislative Council by the legal counsel. The Board asked that they be notified when the legislation is to go before the committees.

D. The Administrator's report was received as information and contained the following:

- a. When applications for transfer of credit have situations similar to ones already decided by the Board, by consensus, the Board gave the Administrator the authority to approve those applications.
- b. The financial report was received as information.

Action Items:

7. Old business. There was no old business.

8. New Business:

A. Malcolm Robinson, Qualifications for Licensure Committee, reported that he had performed a review of a random sampling of the credentials of applicants for certificates and found no exceptions. On motion by Malcolm Robinson, seconded by Robert Foster, and unanimously passed, the CPA and Accounting Practitioner Certificates issued January 29, 2003, through April 29, 2003, were approved. (Attachments #1, 1a and 1b)

B. Robert Foster, CPE/Renewal Committee: No report.

C. Louis Grant, Experience Committee: Reported that after review of a file submitted to him for review, he had requested additional information and stated the applicant's application would be tabled until the next meeting.

Item #8. New Business: continued--

D. Charles Talbert – Regulation/Legislative Review Committee, included in Sharon Dantzler’s legislative update report.

E. Brodie Brigman, Computerized Examination Committee: The computerized exam will be given starting in April 2004 at the three ProMetric exam sites which are Columbia, Greenville and Charleston. He will continue to check on how the security of the transmission of the exam will be handled.

F. Debra Turner, Position Response Committee: In the absence of Debra Turner, Doris Cubitt reported that several position responses had been submitted.

G. Malcolm Robinson, May 2003 Examination:

- a. Doris Cubitt reported that no new information was reported on the SLED check on a random selection of candidates.
- b. Doris Cubitt reported that the following candidates with disabilities had requested special accommodations for the examination. All candidates have been approved previously and were approved for this examination by consensus.

1. Bryan Lamar Rabon, Florence, SC, will be permitted an additional 1.5 hours for all sections and will be seated in a separate testing area and will have a reader available.

2. Valerie Farr Warrington, Newberry, SC, will have an enlarged booklet to 18-point and will be allowed one additional hour per section.

- c. Malcolm Robinson reported he had conducted a review of the examination applications using statistical sampling and found them to be in order. The Board approved the examination applications on motion by Malcolm Robinson, seconded by Charles Talbert, and unanimously passed

- d. Malcolm Robinson will be proctor the exam on Wednesday, May 6 and Charles Talbert will proctor on Thursday, May 7.

H. Report on Composition of IRC:

Doris Cubitt reported that SCORE was not receptive to submitting any other resume for review since the original resume submitted was not approved. Austin Sheheen is looking for someone and make a recommendation to the Board.

Item #8. New Business: continued

9. Public Comment

Rene V. Smith, Business Instructor with Horry-Georgetown Technical College and Edwin Breazeale, Chairman of the Business Department at Midlands Technical College addressed the Board with the concerns of the Technical Colleges relating to the proposed change in the education requirement.

10. Because several Board members have a conflict with the June 24, 2003, meeting date, by consensus, the June meeting was changed to June 16, 2003.

11. The next meeting dates are as follows:

For the year 2003: Wednesday, July 23; Tuesday, August 26; Tuesday, September 23; Wednesday, October 22; November - no meeting; Wednesday, December 3.

For the year 2004: Tuesday, January 27; February no meeting; March, no meeting; Thursday, April 22; May – no meeting; Tuesday, June 22; Tuesday, July 27; Tuesday, August 24; Tuesday, September 21; Wednesday, October 27; November – no meeting; Tuesday, December 7.

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

12. The meeting was adjourned on motion by Brodie Brigman, seconded by Robert Foster, and unanimously passed..

Respectfully submitted,

Doris Cubitt, Administrator