

**MINUTES OF THE KANSAS BOARD OF ACCOUNTANCY
JANUARY 18, 2019
LANDON STATE OFFICE BUILDING, ROOM 509
TOPEKA, KS**

1. ADMINISTRATIVE MATTERS:

A. CALL TO ORDER:

Kathryn J. Mitchell, CPA, Chair, called the meeting to order. Board members in attendance were Ms. Mitchell; Corlene R. Lange, CPA; John R. Helms, CPA; Michael L. Marsh, CPA; Meredith Richey, Public Member; and Sean P. Weaver, CPA. Also in attendance was Susan L. Somers, Executive Director; Randall J. Forbes, Disciplinary Counsel to the Board; Darin M. Conklin, General Counsel to the Board; Natasha Schamberger, Jay Langley, and Rita Barnard, members of the KSCPA's 20 up to 40 Leadership Program, on behalf of the Kansas Society of CPAs; and Joyce Schartz, on behalf of the Public Accountants Association.

Ms. Mitchell welcomed Jay Langley, Chair, Natasha Schamberger, and the members of the KSCPA 20 up to 40 Leadership Class for 2019. Ms. Mitchell and Ms. Somers provided a brief explanation as to the role of the Board, and the other Board members took turns introducing themselves.

B. CONSENT CALENDAR:

1-3. The Board reviewed the minutes of the December 7, 2018 meeting; reciprocity certificates/permits to practice; firm registrations; and the December 31, 2018 financials. Mr. Helms moved, and Ms. Richey seconded to approve the Consent Calendar. Upon a vote, the motion carried.

4. The Board reviewed the Governor's budget recommendations which were to concur with the Division of Budget, which concurred with the agency's request. No action was required to be taken.

2. CPA EXAM:

A. The Board reviewed the exam scores for the October/November/December 2018 exam window. After review, Ms. Lange moved, and Mr. Weaver seconded to ratify the grades. Upon a vote, the motion carried.

B. The Board reviewed the CPA exam statistics. No action was required to be taken.

C. The Board reviewed, pursuant to K.A.R. 74-2-7(g), two requests for waiver of a course requirement to sit for the CPA exam, as follows

1. The Board reviewed a request from Bryce Zerener to waive a Business Law course. Mr. Helms moved, and Ms. Richey seconded to approve Mr. Zerener's request based upon his work experience. Upon a vote, the motion carried.

2. The Board reviewed a request from Maureen Dombrow to waive 2 semester hours of communications. After review and discussion, Mr. Weaver moved, and Ms. Richey seconded to approve Ms. Dombrow's request based upon her work experience. Upon a vote, the motion carried.

D. The Board reviewed the overall exam statistics for testing window Q4 2018. No action was required to be taken.

E. This agenda item was tabled.

3. CPE/PERMIT TO PRACTICE/PEER REVIEW/FIRM REGISTRATIONS:

A. Ms. Somers presented to the Board the list of firms with peer reviews either due or in process. No action was required to be taken.

B. The Board reviewed the list of firms who had not renewed as of the Board meeting date. Ms. Somers indicated that a letter would be sent to the in-state firms where evidence existed to suggest that the firm was still practicing certified public accountancy.

C. The Board reviewed the list of firms that had notified the Board that they would not be renewing. No action was required to be taken.

4. HEARINGS AND OTHER DISCIPLINARY MATTERS

A. KEVIN IAN GORDON STIPULATION AND CONSENT ORDER: Kathryn J. Mitchell, CPA, the investigator in this matter, recused herself. Mr. Gordon appeared in person. This matter was before the Board for approval of a Stipulation and Consent Order arising from an investigation and subsequent determination that Mr. Gordon had engaged in the practice of certified public accountancy without holding a valid permit. The terms of the Stipulation and Consent Order censured Respondent; directed him to appear before the Board; ordered him to pay a fine in the amount of \$500.00 and costs pursuant to K.S.A. 1-206, to include attorney's fees and court reporter fees incurred in the matter.

Mr. Marsh moved, and Ms. Richey seconded to accept the Stipulation and Consent Order. Upon a vote, the motion carried, with Ms. Mitchell not participating.

B. CHARLENE ANN HARRISON, CPA STIPULATION AND CONSENT ORDER: Sean P. Weaver, CPA, the investigator in this matter, recused himself. Respondent appeared in person with counsel, Anne Kindling. This matter was before the Board for consideration of a Stipulation and Consent Order relating to Respondent's failure to comply with applicable professional standards. The terms of the Stipulation and Consent

Order censured Respondent; required Respondent to appear before the Board; required Respondent to undergo preissuance reviews of all review services until further notice of the Board; prohibited Respondent from performing or offering to perform audit services without prior written permission of the Board; and ordered Respondent to pay costs pursuant to K.S.A. 1-206, to include attorney's fees and court reporter fees.

Mr. Helms moved, and Ms. Lange seconded to accept the Stipulation and Consent Order, with Mr. Weaver not participating.

Mr. Helms then moved, and Mr. Marsh seconded to issue a protective order pursuant to K.S.A. 1-501(h) closing that portion of the agency records regarding the results and content of peer review. Upon a vote, the motion carried, with Mr. Weaver not participating.

C. PICKEL & BRUCKNER, L.L.C.; THOMAS E. PICKEL, CPA & JOHN H. BRUCKNER, CPA STIPULATION AND CONSENT ORDER: Sean P. Weaver, CPA, the investigator in this matter, and Corlene Lange recused themselves. Respondents appeared in person and on behalf of the firm. This matter was before the Board for consideration of a Stipulation and Consent Order relating to Respondents' failure to comply with applicable professional standards. The terms of the Stipulation and Consent Order censured Respondents; required Respondents to appear before the Board; required Respondent to undergo preissuance reviews of all review and compilation services until further notice of the Board; and ordered Respondent to pay costs, pursuant to K.S.A. 1-206, to include attorney's fees and court reporter fees.

Mr. Marsh moved, and Ms. Richey seconded to accept the Stipulation and Consent Order as presented. Upon a vote, the motion carried, with Mr. Weaver not participating.

Mr. Helms then moved, and Mr. Marsh seconded to issue a protective order pursuant to K.S.A. 1-501(h) closing that portion of the agency records regarding the results and content of peer review. Upon a vote, the motion carried, with Mr. Weaver not participating.

D. CLARENCE ROY MESSICK, III, CPA STIPULATION AND CONSENT ORDER: Mr. Messick appeared in person with counsel, Joel Krieger. John R. Helms, CPA, the investigator in this matter, recused himself. This matter was before the Board for approval of a Stipulation and Consent Order for fraud, dishonesty or deceit in obtaining a permit to practice, failure to maintain compliance with the requirements to renew a permit, violation of a regulation of the Board, willful violation of a rule of professional conduct, and conduct reflecting adversely on Respondent's fitness to practice certified public accountancy. The Stipulation and Consent Order directed Respondent to appear before the Board; complete 40 hours of CE by April 30, 2019; complete an ethics exam specifically designed by the Board for disciplinary purposes on or before April 30, 2019; to pay a fine in the amount of \$1,000.00 and costs pursuant to K.S.A. 1-206 to include attorney's fees and court reporter fees incurred in this matter. After review, Mr. Marsh

moved, and Ms. Richey seconded, to accept the Stipulation and Consent Order. Upon a vote, the motion carried.

E. TRONCONI SEGARRA & ASSOCIATES, L.L.C STIPULATION REGARDING AMOUNT OF COSTS: Mr. Forbes, the Board's disciplinary counsel presented to the Board a Stipulation wherein it was agreed that Respondent shall pay costs pursuant to K.S.A. 1-206 to the Board in the amount of \$810.10. Ms. Lange moved, and Ms. Richey seconded to accept the Stipulation. Upon a vote, the motion carried.

5. OTHER: There was no other business to discuss.

6. ADJOURN

Upon motion of Mr. Helms, seconded by Mr. Marsh, the meeting was adjourned. Upon a vote, the motion carried.

/s/ Susan L. Somers
Susan L. Somers, Executive Director