

**MINUTES OF THE KANSAS BOARD OF ACCOUNTANCY
AUGUST 20, 2021
9:00 AM
VIRTUAL MEETING**

1. ADMINISTRATIVE MATTERS:

A. CALL TO ORDER:

Jim Gillespie, CPA called the meeting to order. Other Board members in attendance virtually were John Helms, CPA; Julie Spiegel, CPA; and Sean Weaver, CPA. Jeff Bottenberg, public member, joined later in the meeting. Also in attendance virtually was Susan L. Somers, Executive Director; Tim Resner, Disciplinary Counsel to the Board; and Darin M. Conklin, General Counsel to the Board; Rita Barnard, on behalf of the Kansas Society of CPAs; and Joyce Schartz, of the Public Accountants Association.

B. CONSENT CALENDAR:

1-3. The Board reviewed the minutes of the July 16, 2021 meeting; certificates/permits to practice; firm registrations; and the July 31, 2021 financials. Mr. Weaver moved, and Mr. Helms seconded to approve the Consent Calendar. Upon a vote, the motion unanimously carried.

2. CPA EXAM:

A. The Board reviewed the CPA exam scores for July 13, 2021 to July 15, 2021. Mr. Weaver moved, and Ms. Spiegel seconded, to ratify the scores. Upon a vote, the motion unanimously carried.

B. The Board reviewed the Q2 2021 Candidate Performance Report. No action was required to be taken.

C. The Board reviewed a request from Fatoumatta Darboe for an extension of her FAR score, set to expire August 31, 2021, pursuant to K.A.R. 74-1-3(f). After discussion, Mr. Weaver moved, and Mr. Helms seconded to deny her request. Upon a vote, the motion carried.

3. CPE/CERTIFICATES/PERMITS 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 a list of CPAs who have indicated that they were not renewing, or that the Board could not locate. No action was required to be taken.

C. The Board reviewed a list of CPAs that had not renewed by 8.13.21. Mr. Somers reported that she would be sending inquiry/investigative letters to those individuals where evidence was found that they were continuing to practice without a permit.

4. DISCIPLINARY ACTION AND SETTLEMENT AGREEMENT;

A. C. TODD MATHENY, CPA AND C. TODD MATHENY, CPA, INC. STIPULATION AND CONSENT ORDER: Mr. Bottenberg, the investigator, was not present for this portion of the meeting. Mr. Matheny appeared virtually before the Board on behalf of himself and the firm. This matter was before the Board for approval of a Stipulation and Consent Order arising from an investigation and subsequent determination that Respondent Firm had been practicing certified public accountancy without a lawful Kansas firm registration, and Respondent Matheny had committed a willful violation of a rule of professional conduct and engaged in conduct reflecting adversely on his fitness to practice certified public accountancy. The terms of the Stipulation and Consent Order required Respondent Matheny to appear before the Board; Respondent Matheny to pay a fine in the amount of \$1,700.00 and costs pursuant to K.S.A. 1-206, to include attorney's fees and court reporter fees; and censure of both Respondent Matheny and the Respondent Firm. Respondent Firm's application for firm registration was approved. Mr. Weaver moved, and Ms. Spiegel seconded to approve the Stipulation and Consent Order. Upon a roll call vote, the motion carried, with Mr. Bottenberg not participating.

B. LARRY D. SOWERS, CPA; LEO FELDMAN, CPA; SOWERS & FELDMAN, CPA P.A. STIPULATION AND CONSENT ORDER: Mr. Weaver, the investigator, recused himself from this matter. Mr. Sowers and Mr. Feldman appeared virtually and on behalf of the firm. This matter was before the Board for approval of a Stipulation and Consent Order arising from an investigation and subsequent determination that Respondent Firm, Respondent Sowers and Respondent Feldman had failed to comply with applicable professional standards. The terms of the Stipulation and Consent Order required Respondents to appear before the Board; Respondent Firm to pay costs pursuant to K.S.A. 1-206, to include attorney's fees and court reporter fees; and censure of Respondents. In addition, Respondents were prohibited from performing or offering to perform attest and compilation services without prior written permission of the Board. After discussion, Ms. Spiegel moved, and Mr. Helms seconded to approve the Stipulation and Consent Order. Upon a vote, the motion carried, with Mr. Weaver not participating. Thereafter, Ms. Spiegel moved, and Mr. Helms seconded for the Board to close those portions of the record as required pursuant to K.S.A. 1-501. Upon a vote, the motion carried, with Mr. Weaver not participating.

C. JOSEPH J. WOOD, CPA STIPULATION AND CONSENT ORDER: Mr. Weaver, the investigator recused himself from this matter. Mr. Wood appeared virtually before the Board. This matter was before the Board for approval of a Stipulation and Consent Order arising from an investigation and subsequent determination that Mr. Woods had failed to comply with the requirements for renewal of a permit in that he did not obtain the required 2 hours of ethics for renewal; and committed an act discreditable to the profession. The terms of the Stipulation and Consent Order required Mr. Wood to appear before the Board; payment of a fine in the amount of \$500.00; reimbursement of costs pursuant to K.S.A. 1-206, to include attorney's fees and court reporter fees; and censure. After discussion, Ms. Spiegel moved, and Mr. Helms seconded, to approve the Stipulation and Consent Order. Upon a vote, the motion carried, with Mr. Weaver not participating.

D. SCHNURR AND COMPANY, LLP STIPULATION AND CONSENT ORDER: Mr. Weaver, the investigator, recused himself from this matter. Murray Stanley appeared on behalf of the Respondent firm. This matter was before the Board for approval of a Stipulation and Consent Order arising from an investigation and subsequent determination that Respondent firm had failed to timely comply with Peer Review. The terms of the Stipulation and consent Order required the firm to appear before the Board; payment of a fine in the amount of \$1,000; reimbursement of costs pursuant to K.S.A. 1-206, to include attorney's fees and court reporter fees; and censure. After discussion, Mr. Helms moved, and Ms. Spiegel seconded to approve the Stipulation and Consent Order. Upon a vote, the motion carried, with Mr. Weaver not participating.

E. FRED H. CORNER, CPA AND FRED H. CORNER, LLC STIPULATION AND CONSENT ORDER: Mr. Bottenberg joined the meeting, and as investigator, recused himself from this matter. Mr. Corner appeared in person and on behalf of the firm. This matter was before the Board for approval of a Stipulation and Consent Order arising from an investigation and subsequent determination that Respondent Firm had been practicing without a lawful Kansas firm registration. The Board determined that Respondent had committed a willful violation of a rule of professional conduct and engaged in conduct reflecting adversely on his fitness to practice certified public accountancy; and that Respondent Firm violated a provision of the Accountancy Act. The terms of the Stipulation and Consent Order required Respondent Corner to appear before the Board and to pay a fine in the amount of \$2,000.00 and costs pursuant to K.S.A. 1-206, to include attorney's fees and court reporter fees. Both parties were censured. Respondent Firm's application for firm registration was approved. After discussion, Mr. Weaver moved, and Ms. Spiegel seconded to approve the Stipulation and Consent Order. Upon a roll call vote, the motion carried, with Mr. Bottenberg not participating.

F. BARRALE RENSHAW CPAS AND ADVISORS, LLC STIPULATION AND CONSENT ORDER: Mr. Weaver, the investigator, recused himself from this matter. Respondent firm was not required to appear. This matter was before the Board for approval of a Stipulation and Consent Order. Respondent was previously required to undergo a preissuance review of an audit performed for a Kansas client. The results of that preissuance review reflected that Respondent had failed to comply with applicable

professional standards. Respondent subsequently requested to surrender its firm registration, based upon the premise that Respondent Firm will no longer be performing or offering to perform audits for Kansas clients. The terms of the Stipulation and Consent Order provide that Respondent's firm registration is revoked pursuant to K.S.A. 1-312(a)(6); Respondent shall not perform or offer to perform any audit services for Kansas clients without the written permission of the Board; and reimbursement of costs pursuant to K.S.A. 1-206, to include attorney's fees and court reporter fees. After discussion, Ms. Spiegel moved, and Mr. Bottenberg seconded, to approve the Stipulation and Consent Order. Upon a vote, the motion carried, with Mr. Weaver not participating. Thereafter, Ms. Spiegel moved, and Mr. Bottenberg seconded for the Board to close those portions of the record as required pursuant to K.S.A. 1-501. Upon a vote, the motion carried, with Mr. Weaver not participating.

G. STEPHEN R. ILIFF, CPA AND STEPHEN R. ILIFF, CPA, LLC STIPULATION AND CONSENT ORDER: Mr. Bottenberg, the investigator, and Mr. Helms, recused themselves from this matter. Neither Mr. Iliff nor Stephen R. Iliff, CPA, LLC were required to appear; however, their legal counsel, James Rankin virtually observed this proceeding. This matter was before the Board for approval of a Stipulation and Consent Order arising from an investigation and subsequent determination that Respondent firm had been practicing certified public accountancy without a lawful Kansas firm registration and that Respondent Iliff had committed a willful violation of a rule of professional conduct and engaged in conduct reflecting adversely on his fitness to practice certified public accountancy. The terms of the Stipulation and Consent Order required Respondent Iliff 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, and censure of both Respondent Iliff and Respondent firm. Respondent firm's application for firm registration was approved. After discussion, Mr. Weaver moved, and Ms. Spiegel seconded to approve the Stipulation and Consent Order. Upon a roll call vote, the motion carried, with Mr. Bottenberg and Mr. Helms not participating.

THE FOLLOWING SUMMARY ORDER OF REVOCATION, AS APPROVED BY THE CHAIR, WAS REVIEWED BY THE BOARD. NO FURTHER ACTION WAS REQUIRED TO BE TAKEN.

H. BERKOWER, LLC: Failure to timely comply with Peer Review. Payment of a fine in the amount of \$1,500, reimbursement of costs pursuant to K.S.A. 1-206, to include attorney's fees; return its firm registration; and censure.

5. OTHER:

Ms. Somers reported that she was recently notified by NASBA that the CPA transition document would be disseminated by the end of August. To that end, she announced that representatives of the 7 large colleges in Kansas would be invited to the October Board meeting to discuss CPA evolution and transition and that she would be providing the document to them in advance of the meeting.

6. ADJOURN

There being no further business to come before the Board, Mr. Bottenberg moved, and Mr. Weaver seconded to adjourn the meeting. Upon a vote, the motion carried.

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