PUBLIC SESSION MINUTES
North Carolina State Board of CPA Examiners
March 21, 2012
1101 Oberlin Road
Raleigh, NC 27605

MEMBERS ATTENDING: Jose R. Rodriguez, CPA, President (via telephone); Wm. Hunter Cook, CPA, Vice President; Maria M. Lynch, Esq., Secretary-Treasurer; Barton W. Baldwin, CPA; Bucky Glover, CPA; Jordan C. Harris, Jr.; and Michael C. Jordan, CPA.

STAFF ATTENDING: Robert N. Brooks, Executive Director; J. Michael Barham, CPA, Deputy Director; Frank Trainor, Esq., Staff Attorney; Lisa R. Hearne, Manager-Communications; Ann J. Hinkle, Manager-Professional Standards; Buck Winslow, Manager-Licensing; and Anna Choi, Esq., Legal Counsel.

GUESTS: James T. Ahler, CEO, NCACPA; Sharon Bryson, COO, NCACPA; Debbie Lambert, CPA, NCACPA; Ben Hamrick, CPA, NCACPA; Jason Poole, CPA, NCACPA; Suzanne Jolicoeur, State Regulatory Outreach Manager, AICPA; and Curt Lee, Legislative Liaison, NCSA.

CALL TO ORDER: Vice President Cook called the meeting to order at 1 p.m.

MINUTES: The minutes of the February 20, 2012, meeting were approved as submitted.

FINANCIAL AND BUDGETARY ITEMS: The February 2012 financial statements were accepted as submitted.

ELECTION OF 2012-2013 OFFICERS: Messrs. Harris and Jordan moved to nominate Mr. Rodriguez for President; Mr. Cook for Vice President, and Ms. Lynch for Secretary-Treasurer. Motion passed with seven (7) affirmative votes and zero (0) negative votes.

NATIONAL ORGANIZATION ITEMS: Messrs. Baldwin and Rodriguez moved to nominate Bucky Glover for NASBA Middle Atlantic Regional Director. Motion passed.

REPORT OF THE PROFESSIONAL STANDARDS COMMITTEE: Mr. Baldwin moved and the Board approved the following recommendations of the Committee:

Case No. C2011071 - Robert William Martin - Approve the signed Consent Order (Appendix I).
Case No. C2011178 - Thomas G. Sheaffer - Approve the signed Consent Order (Appendix II).
Case No. C2011180 - M. Dwayne Peeler - Approve the signed Consent Order (Appendix III).
Case No. C2011179 - Close the case without prejudice.
Case No. C2011288 - Close the case without prejudice.
Case No. C2011291 - Close the case without prejudice and with a Letter of Warning.
Case No. C2012019 - Close the case without prejudice.

REPORT OF THE PROFESSIONAL EDUCATION AND APPLICATIONS COMMITTEE:
Ms. Lynch moved and the Board approved the following recommendations of the Committee:

Original Certificate Applications - The following were approved:

James Keith Askew
Benjamin Mark Campsey
Hong Chai
Brittany Ann Drees
Brittany Shepherd Emery
Julie Catherine Esposito
Misko Filipski
Brian Franklin Gantt
Robert Sterling Gentry
Junko Gilbert
Diane Elizabeth Hardy
Laura Wade Hartley
Michael Scott Inglut
Timothy Paul Isom
Justin Earl Layton
Lisa Renae McClinton
Rachel Diane Meinecke
Robert Howard Mitchell, Jr.
Meghan Elise Myers
Leah Michelle Nichols
Ryan Patrick Nicollerat
Marion Wooten Peebles, IV
Jake Carl Rau
Manda Brittany Ritch
Daniel Kenneth Saint, Jr.
Jessica Marie Sanford
Jacob Lee Shortt
Season Loflin West
Christopher Burleson Woolley

Staff reviewed and recommended approval of the original application submitted by Chuan Lin. Mr. Lin failed to disclose pertinent information with his exam application but provided it with his certificate application. Staff recommended approval of the application with a one-year probationary period. The Committee approved staff recommendation.

Staff reviewed and recommended approval of the original application submitted by Peter Frederick Zwerneman. Mr. Zwerneman failed to disclose pertinent information with his exam application but provided it with his certificate application. Staff recommended approval of the application with a one-year probationary period. The Committee approved staff recommendation.

Staff reviewed and requested guidance regarding the original application submitted by Casey Evans Wentz. Mr. Wentz submitted accounting experience completed at his mother’s firm after he graduated from high school and during the first two years of college with only two principles courses. Staff requested guidance. The Committee approved staff recommendation.
Reciprocal Certificate Applications - The following were approved:

Elizabeth Rebecca Anthony
Theresa Selig Berens
Steven John Turk

Temporary Permits - The following temporary permits were approved by the Executive Director and ratified by the Board:

Susan Mary Mann T6750
Laura Kathleen Johnson T6751
Gary Spencer Giovannini T6752
Geoffrey Jason Bremer T6753
David Lane Fred T6754
Richard Douglas Hofrichter T6755
Ryan Matthew Levy T6756
Paul David Musgrave T6757
Karen Gregory Blalock T6758
Kimberly Lynn Nenni T6759
Michael James McGory T6760
Peggy A. Upton T6761
John Peter Schefke T6762

Susanna Buechi Turner T6763
Thomas Graham Turner Sr. T6764
Leslie Mark Coval T6765
Courtney Marie Lee T6766
Francisco Javier Urios Rodriguez T6767
Alexander Orestes Rodriguez T6768
Kevin James McHugh T6769
Rebecca Lynn Johns T6770
Candace Marie Casey T6771
Sheryl Honigbaum Schuff T6782
Kari E. Patton-Motlück T6783
James Leland Washburn T6784
Adam Rafael Pakledinaz T6785

Reinstatements - The following were approved:

Paul Christian Brown #31269
William Taylor Campbell III #30211
Robin DeRae Fairchild #25346

Bradley Stephen Hanover #28787
Headen Bynum Thomas #13616

Firm Registrations - The following professional corporations, professional limited liability companies, and limited liability partnerships were approved by the Executive Director and ratified by the Board:

Katie Blackmon, CPA, PLLC
Brumley CPA PLLC
Linda Coad CPA, PA
Les M. Coval CPA LTD
Fredrick M. Gipson, PC
Patricia A Gorman CPA PA
Green-Kist, CPA PLLC
Cal Hackeman PLLC
S. Andrew Hong, CPA, PLLC
Greg W. Isley, CPA, PA

Perry A. James, CPA, PC
S. D. Johnson, CPA, P.A.
Christine Kar, CPA, PLLC
J. Thomas Laskey, PLLC
Mashburn & Burmester, P.C.
McArthur Wood CPAs, LLP
J. Lewis McKnight, Jr., CPA, Inc.
Cheryl A. Smith CPA PLLC
Donna L. Young CPA PLLC
CPE Matters - The Committee reviewed the CPE Sponsor application submitted by the Executive Director of the NC State Board of CPA Examiners for the NC State Board of CPA Examiners. The Committee approved the application.

The Committee reviewed an Independent Assessment Report for the course “Privacy Law Update: Strategies for Handling Personal Information.”

Extension Requests - The Committee disapproved Thomas P. Gawarecki (#36107) for an extension for completion of CPE.

Examinations - The Committee reviewed and approved the following staff approved applicants to sit for the Uniform CPA Examination:

Camilla Adams
Kodjo Akakpo
Sahirah Al-Uqdah
Travonte Aldrich
William Alexander
Ahmad Alhafer
Catherine Ambler
Brian Antoszyk
Kevin Archer
Megan Bailey
Lauren Barnes
Daniel Bennett
John Bernat
Anthonio Black
Joshua Boos
William Bourbonnais
Lorenzo Bravo
Kevin Brodie
Kirsten Bruenning
Brad Bullis
Carol Burton
Elizabeth Byrd
Shaun Callahan
Robert Carpenter
Margaret Carter
Andrew Chaney
Hannah Comer
Ryan Cote
Scott Croner
Lauren Daughtry
Donna Davidson
Alicia DeAbreu
Andrew Deal
Katie Deal
Emily Dean
Sonya Dean
Ghassan Dib
Elizabeth Dinndorf
Matthew Dodson
Marissa Dotson
Grant Dover
Melissa Duong
Kellie Earnhardt
Joshua Eberle
Charles Elliott
Karen Ellis
Holly Embt
Deborah Epperson
Bobbie Faircloth
Ashley Farrish
Kelly Ferrell
Ellis Freeman
Megan Gabel
Jie Gao
Alexa Gilbert
Bria Gilchrist
Humberto Gonzalez
Cynthia Goodwin
Suzanne Graves
Walter Gray
Ms. Lynch presented a petition form Douglas M. Holmes, Attorney, CPA, requesting an amendment to 21 NCAC 08G.0401 to allow active CPAs age 65 and older who are not serving clients to be exempt from the annual CPE requirement of 40 hours, but remain on active status. NCGS 93-12(8)b gives the Board the authority to only exempt persons who are on retired or inactive status from the annual CPE requirement. The Board is not allowed to promulgate rules that are contrary to North Carolina General Statutes. Therefore, Messrs. Baldwin and Rodriguez moved to deny the petition. Motion passed with seven (7) affirmative and zero (0) negative votes.

CLOSED SESSION: Messrs. Baldwin and Jordan moved to enter Closed Session without the Executive Staff, Staff Attorney, or Ms. Choi present to discuss the report of the Personnel Committee. Motion passed.

PUBLIC SESSION: The Board re-entered Public Session to continue with the agenda.

REPORT OF THE PERSONNEL COMMITTEE: Ms. Lynch moved and the Board approved the report of the Personnel Committee. Motion passed.
ADJOURNMENT: Messrs. Cook and Glover moved to adjourn the meeting at 2:13 p.m. Motion passed.

Respectfully submitted:                                  Attested to by:

Robert N. Brooks                                      Wm. Hunter Cook, CPA
Executive Director                                      Vice President
NORTH CAROLINA
WAKE COUNTY

BEFORE THE NORTH CAROLINA STATE BOARD OF
CERTIFIED PUBLIC ACCOUNTANT EXAMINERS
CASE #: C2011071

IN THE MATTER OF:
Robert Martin, # 17528
Respondent

CONSENT ORDER

THIS CAUSE, coming before the Board at its offices at 1101 Oberlin Road, Raleigh,
Wake County, North Carolina, with a quorum present. Pursuant to N.C. Gen. Stat.
§ 150B-41, the Board and Respondent stipulate to the following:

1. Respondent was the holder of North Carolina certificate number 17528 as a
Certified Public Accountant.

2. Respondent informed the Board on his 2009-2010 individual certificate
renewal (renewal) that he had obtained forty (40) hours of continuing professional education (CPE), had completed an annual Board-approved North Carolina ethics CPE course, and had completed at least eight (8) hours
of non-self-study CPE to meet the 2008 year’s CPE requirement. Respondent
chose not to renew his certificate for the 2010-2011 renewal period.

3. Based on Respondent’s representation, the Board accepted his renewal.

4. Board staff requested that Respondent provide certificates of completion for
the CPE reported to meet his 2008 year’s CPE requirement.

5. Respondent did not provide any CPE certificates of completion for 2008 as
the Board requested.

6. Respondent wishes to resolve this matter by consent and agrees that the
Board staff and counsel may discuss this Consent Order with the Board
ex parte, whether or not the Board accepts this Consent Order as written.
Respondent understands and agrees that this Consent Order is subject to
review and approval by the Board and is not effective until approved by the
Board at a duly constituted Board Meeting.

BASED upon the foregoing, the Board makes the following Conclusions of Law:
Consent Order - 2
Robert Martin

1. Respondent is subject to the provisions of Chapter 93 of the North Carolina General Statutes and Title 21, Chapter 08 of the North Carolina Administrative Code (NCAC), including the Rules of Professional Ethics and Conduct promulgated and adopted therein by the Board.

2. Respondent’s actions as set out above constitute violations of 21 NCAC 08J .0101(b), 08N .0202(a), .0202(b)(3), .0202(b)(4), and .0203(b)(1).

BASED on the foregoing and in lieu of further contested case proceedings, the Board and Respondent agree to the following:

1. By virtue of Respondent’s failure to provide CPE documentation for 2008 and also due to his failure to renew his certificate for the 2010-2011 renewal period, Respondent’s certificate is automatically forfeited pursuant to N.C. Gen. Stat. § 93-12(8b).

2. Respondent must return his certificate to the Board with this signed Consent Order.

3. Respondent may apply for the reissuance of his certificate after one (1) year from the date the Board approves the Consent Order if Respondent’s certificate and the civil penalty required in number five (5) of this Order have been received by the Board.

4. Respondent may apply to return his certificate to active status by submission and approval of a reissuance application which includes:

a. Application form,
b. Payment of the application fee,
c. Three (3) moral character affidavits, and
d. Eighty (80) hours of CPE in the twelve (12) months preceding the application. Forty (40) hours of those hours of CPE must be in a group-study format.

5. Respondent shall pay a one thousand dollar ($1,000.00) civil penalty, to be remitted to the Board prior to submitting any reissuance application.

6. Respondent agrees that failure to timely comply with any terms of this agreement and Consent Order shall be deemed sufficient grounds for revocation of his license.
Consent Order - 3
Robert Martin

CONSENTED TO THIS THE 24th DAY OF February 2012.

[Signature]
Respondent

APPROVED BY THE BOARD THIS THE 21st DAY OF March 2012.

NORTH CAROLINA STATE BOARD OF CERTIFIED
PUBLIC ACCOUNTANT EXAMINERS

[Signature]
President
NORTH CAROLINA
WAKE COUNTY

BEFORE THE NORTH CAROLINA STATE BOARD OF
CERTIFIED PUBLIC ACCOUNTANT EXAMINERS
CASE #: C2011178

IN THE MATTER OF:
Thomas G. Sheaffer, #23566
Respondent

CONSENT ORDER

THIS CAUSE, coming before the North Carolina State Board of CPA Examiners (Board) at its offices at 1101 Oberlin Road, Raleigh, Wake County, North Carolina, with a quorum present. Pursuant to N.C. Gen. Stat. § 150B-41, the Board and Respondent stipulate to the following:

1. Respondent is the holder of North Carolina certificate number 23566 as a Certified Public Accountant.

2. Respondent informed the Board on his 2010-11 individual certificate renewal (renewal) that he had obtained forty-two and one-half (42.5) hours of continuing professional education (CPE) including four and one-half (4.5) hours of carryforward, had completed the annual ethics CPE course, and had completed at least eight (8) hours of non-self-study CPE to meet the 2009 CPE requirement.

3. Based on Respondent’s representation, the Board accepted his renewal.

4. Board staff requested that Respondent provide certificates of completion for the CPE reported to meet his 2009 CPE requirement.

5. Respondent provided the CPE certificates of completion to the Board as requested. However, Respondent failed to provide the certificate or certificates of completion needed to document any of the CPE hours that he claimed between January 1, 2009, and December 31, 2009, as was reported on his renewal.

6. Respondent wishes to resolve this matter by consent and agrees that the Board staff and counsel may discuss this Consent Order with the Board ex parte, whether or not the Board accepts this Consent Order as written. Respondent understands and agrees that this Consent Order is subject to
review and approval by the Board and is not effective until approved by the Board at a duly constituted Board Meeting.

BASED upon the foregoing, the Board makes the following Conclusions of Law:

1. Respondent is subject to the provisions of Chapter 93 of the North Carolina General Statutes and Title 21, Chapter 8 of the North Carolina Administrative Code (NCAC), including the Rules of Professional Ethics and Conduct promulgated and adopted therein by the Board.

2. Respondent’s actions as set out above constitute violations of 21 NCAC 08N .0202(a), .0202(b)(3), .0202(b)(4), and .0203(b)(1).

3. Per N.C. Gen. Stat. § 93-12(9) and also by virtue of Respondent’s consent to this order, Respondent is subject to the discipline set forth below.

BASED on the foregoing and in lieu of further proceedings, the Board and Respondent agree to the following Order:

1. Respondent’s application for renewal is deemed insufficient and untimely under N.C. Gen. Stat. § 150B-3(a). Hence, his certificate is automatically forfeited pursuant to N.C. Gen. Stat. § 93-12(8b).

2. Respondent must return his certificate to the Board with this signed Consent Order.

3. Respondent may not apply for the reissuance of his certificate for at least one (1) year from the date the Board receives Respondent’s forfeited certificate and until the civil penalty required in number five (5) of this Order has been paid by Respondent.

4. Respondent may apply to return his certificate to active status by submission and approval of a reissuance application which includes:
   a. Application form,
   b. Payment of the application fee,
   c. Three (3) moral character affidavits, and
   d. Eighty (80) hours of CPE, of which forty (40) of these hours shall be in the group-study format, in the twelve (12) months preceding the application, including an eight (8) hour accountancy law course as offered by the North Carolina Association of CPAs in a self-study format.
5. Respondent shall pay a one thousand dollar ($1,000.00) civil penalty to be remitted to the Board within six (6) months of the date this signed Order is accepted by the Board.

6. Respondent agrees that failure to timely comply with any terms of this agreement and consent order shall be deemed sufficient grounds for revocation of his license.

CONSENTED TO THIS THE 13 DAY OF February, 2012

[Signature]
Respondent

APPROVED BY THE BOARD THIS THE 21ST DAY OF March, 2012

NORTH CAROLINA STATE BOARD OF CERTIFIED PUBLIC ACCOUNTANT EXAMINERS

[Signature]
President
NORTH CAROLINA
WAKE COUNTY
BEFORE THE NORTH CAROLINA STATE BOARD OF
CERTIFIED PUBLIC ACCOUNTANT EXAMINERS
CASE #: C2011180

IN THE MATTER OF:
M. Dwayne Peeler, #26487
Respondent

CONSENT ORDER

THIS CAUSE, coming before the North Carolina State Board of CPA Examiners (Board) at its offices at 1101 Oberlin Road, Raleigh, Wake County, North Carolina, with a quorum present. Pursuant to N.C. Gen. Stat. § 150B-41, the Board and Respondent stipulate to the following:

1. Respondent is the holder of North Carolina certificate number 26487 as a Certified Public Accountant.

2. Respondent informed the Board on his 2010-2011 individual certificate renewal (renewal) that he had obtained forty-eight (48) hours of continuing professional education (CPE), had completed the annual ethics CPE course, and had completed at least eight (8) hours of non-self-study CPE to meet the 2009 CPE requirement.

3. Based on Respondent’s representation, the Board accepted his renewal.

4. Board staff requested that Respondent provide certificates of completion for the CPE reported to meet his 2009 CPE requirement.

5. Respondent provided the CPE certificates of completion to the Board as requested. However, Respondent could not provide the certificate or certificates of completion needed to document the completion of thirteen (13) hours of the forty-eight (48) hours of CPE that Respondent claimed he earned between January 1, 2009, and June 30, 2010, as was reported on his renewal.

6. Respondent wishes to resolve this matter by consent and agrees that the Board staff and counsel may discuss this Consent Order with the Board ex parte, whether or not the Board accepts this Consent Order as written. Respondent understands and agrees that this Consent Order is subject to review and approval by the Board and is not effective until approved by the Board at a duly constituted Board Meeting.
Consent Order - 2
M. Dwayne Peeler

BASED upon the foregoing, the Board makes the following Conclusions of Law:

1. Respondent is subject to the provisions of Chapter 93 of the North Carolina General Statutes and Title 21, Chapter 8 of the North Carolina Administrative Code (NCAC), including the Rules of Professional Ethics and Conduct promulgated and adopted therein by the Board.

2. Respondent’s actions as set out above constitute violations of 21 NCAC 08N .0202(a), .0202(b)(3), .0202(b)(4), and .0203(b)(1).

3. Per N.C. Gen. Stat. § 93-12(9) and also by virtue of Respondent’s consent to this order, Respondent is subject to the discipline set forth below.

BASED on the foregoing and in lieu of further proceedings, the Board and Respondent agree to the following Order:

1. Respondent’s application for renewal is deemed insufficient and untimely under N.C. Gen. Stat. § 150B-3(a). Hence, his certificate is automatically forfeited pursuant to N.C. Gen. Stat. § 93-12(8b).

2. Respondent must return his certificate to the Board with this signed Consent Order.

3. Respondent may not apply for the reissuance of his certificate for at least one (1) year from the date the Board receives Respondent’s forfeited certificate and until the civil penalty required in number five (5) of this Order has been paid by Respondent.

4. Respondent may apply to return his certificate to active status by submission and approval of a reissuance application which includes:
   a. Application form,
   b. Payment of the application fee,
   c. Three (3) moral character affidavits, and
   d. Fifty-three (53) hours of CPE, of which thirteen (13) of these hours shall be in the group-study format, in the twelve (12) months preceding the application.

5. Respondent shall pay a one thousand dollar ($1,000.00) civil penalty to be remitted to the Board within six (6) months of the date this signed Order is accepted by the Board.
6. Respondent agrees that failure to timely comply with any terms of this agreement and consent order shall be deemed sufficient grounds for revocation of his license.

CONSENTED TO THIS THE 14th DAY OF February 2011.

[Signature]
Respondent

APPROVED BY THE BOARD THIS THE 21st DAY OF March 2011.

NORTH CAROLINA STATE BOARD OF CERTIFIED PUBLIC ACCOUNTANT EXAMINERS

[Signature]
President