

Vermont Secretary of State
Office of Professional Regulation

BOARD OF PUBLIC ACCOUNTANCY

**UNAPPROVED MINUTES
MEETING of TUESDAY, JULY 27, 2004**

1. The meeting was called to order at 9:01 a.m.

Members present: Jeffrey A. Graham, CPA, RPA, Chairman; Pamela J. Douglass, CPA, Secretary; Lee M. Spivey, Jr., CPA; Claire LaVoie, CPA; Cairn G. Cross; and Sherry M. Prehoda, Ad Hoc.

OPR Staff present: Christopher D. Winters, Board Counsel; Robert H. Backus, Prosecuting Attorney; Carla Preston, Unit Administrator; Patty Skinner, Administrative Assistant; and Jackie Cholewa, Staff Investigator.

Others present: Elizabeth C. Campbell, CPA; Karl Anderson, Esq.; Carol P. Greenberger (fka Brown); Richard Freis, President of The Ride Corporation; Cindy A. Rebidue (bookkeeper for The Ride Corporation).

2. The Chairman called for approval of the Minutes of the June 22nd meeting. On page one, the first paragraph under 3 (B) was amended to show that references to captives means captive insurance management companies. On page two, the third sentence in the eighth paragraph was amended for clarification and reads as follows: She said staff of captive managers have exposure to a wide spectrum of industries, have exposure to the public accounting industry, and work with auditors and regulators. The last paragraph was corrected to show that Chairman Graham obtained his license in 1988, not 1986. On page three, the second paragraph was amended to show that Champlain College is also supportive of the captive industry.

Mr. Spivey made a motion, seconded by Ms. LaVoie, to approve the Minutes of the June 22, 2004 meeting as corrected. Motion passed unanimously.

3. **Hearing/Stipulation Review**

At 10:00 a.m. a hearing was held in the matter of Elizabeth C. Campbell, Docket Numbers AC04-0601, AC07-0402, and AC01-0702. Robert H. Backus, Esq. was present for the State. Christopher Winters, Esq. presided for the Board. The Respondent, Elizabeth C. Campbell, and her attorney, Karl Anderson, were present. Witnesses present for the State included Carol P. Greenberger (fka Brown); Richard Freis; Cindy A. Rebidue; and Jackie Cholewa.

Mr. Cross made a motion, seconded by Mr. Spivey, to go into deliberative session at 4:13 p.m. The matter was discussed briefly and members decided to complete the applications and close the meeting before deliberating. After the meeting adjourned, Mr. Cross made a motion, seconded by Mr. Spivey, to go into deliberative session at 4:34 p.m. Deliberations were completed at approximately 5:15 p.m. Claire LaVoie and Pam Douglass, Investigating members, did not participate in any votes or serve on the hearing panel.

3. **Reports**

5. **The Board reviewed and discussed the following applications for licensure.**

- A. Mr. Spivey made a motion, seconded by Ms. LaVoie, to approve the following applicants for licensure based on their completed applications. Motion passed unanimously.

Beer, Kevin H. (Examination)

Burke, Trudy-Mae S. (Examination)

3. Applications - continued

Chuang, Lindsay (Examination)
Kozel, Brian J. (Examination)
Moran, James (Endorsement)
Tsui, Sophia L. (Examination)

Galvin, Gerard Max (Examination)
Lou, King Shui (Examination)
Thompson, Ann Marie D. (Score Transfer)

- B. The Board reviewed the applications listed below and noted that documents were either missing or unacceptable to complete their applications. Applicants will be notified of the Board's findings.

Agarwal, Ram P. (Score Transfer) - The Board reviewed Mr. Agarwal's application and additional information provided. Concerns were raised with regard to how the entity operated and services it provided. Based on the information provided, the Board voted to preliminarily deny Mr. Agarwal's application for licensure for failure to meet the experience requirements of Board Rule 5.9.

Leung, Eugenia S.M. (Examination) - The Board reviewed Ms. Leung's application but was unable to approve it as submitted. It appears from the information provided that Ms. Leung's supervisor became licensed in 2002, therefore, she does not have enough experience under a licensed supervisor.

McCarthy, John F. (Endorsement) - The Board reviewed Mr. McCarthy's application but was unable to approve it as submitted. The States of Massachusetts and Connecticut provided verifications of licensure standing but did not indicate whether or not disciplinary action had been taken.

Moore, Gordon B. (Score Transfer) - The Board reviewed Mr. Moore's application but was unable to approve it as submitted. According to the information provided, Mr. Moore's supervisor is not currently licensed (retired). Mr. Moore must elaborate further with regard to his experience and how it relates to Board Rule 5.9 and the 500/200 hours of attest and audit related functions.

Phelps, Robert F. (Temporary Permit) - The Board reviewed Mr. Phelps' application for a Temporary Permit. Upon further review of the laws and rules, applications for Temporary Permit apply to firms not to individuals. Mr. Phelps will be asked to provide information with regard to his CPA firm. The application for Temporary Permit will be revised accordingly.

6. **Miscellaneous Correspondence**

Review of this information was tabled to the next meeting.

- a. Email from Dennis Gring with the Maryland State Board of Accountancy alerting us to unauthorized individuals conducting a survey identifying themselves as representing the Maryland Board of Public Accountancy.
- b. Email from Chad Binkerd questioning whether two classes that he has taken would qualify for credits.

7. **American Institute of Certified Public Accountants (AICPA) Correspondence**

- a. Review of the letter from the AICPA Board of Examiners on CPA Examination passing standard was tabled to the next meeting.

8. **National Association of State Boards of Accountancy (NASBA) Correspondence**

Review of this information was tabled to the next meeting.

8. **NASBA** - continued
 - c. Address the issue of Norman Vassell, a Canadian, who was previously permitted to sit for the CPA examination in Vermont without a passport, but was denied to sit for the examination in Buffalo, NY by Prometric. Mr. Vassell said that Prometric did not notify him that he would be required to have a passport and would like to be reimbursed for the exam fees.
 - b. NASBA – 97th Annual Meeting
 - c. Letter from Joe Cote with copies of the Review Order Form and the Appeal Order Form.
 - b. Several Quick Polls.
9. **Public Comment**
10. **Other Business Introduced by the Board**
11. The next meeting is scheduled for **Tuesday, August 24, 2004.**
12. The meeting was adjourned at 4:35 p.m.

Respectfully submitted,

Carla Preston
Unit Administrator
Office of Professional Regulation