

OKLAHOMA ACCOUNTANCY BOARD

MINUTES OF REGULAR MEETING

June 21st, 2024

The Oklahoma Accountancy Board (OAB) convened in regular session on Friday, June 21, 2024, at Oklahoma Accountancy Board, 201 NW 63rd St; Ste. 210, Oklahoma City, OK 73116. A recording of the meeting is on file in the OAB office. Members present at Call to Order:

Sandy Siegfried, CPA, Chair
Bryan Storms, CPA, Vice Chair
Mark Whitman, CPA, Secretary
Robin Byford, CPA, Member
John Curzon, CPA, Member
Jody Manning, Member
Taylor S. Green, Member

Board staff present at the meeting: Ashley Plyushko, Executive Director; Melanie King, Office Manager; Joseph Wash, Peer Review Coordinator; and Assistant Attorney General Madalynn Martin was also present.

Agenda Item #1a – Call to Order: At approximately 10:00 AM, Chair Siegfried called the meeting to order.

Agenda Item #1b – Declaration of Quorum: Chair Siegfried declared a quorum.

Agenda Item #1c – Announcement of Legal Meeting Notice: Executive Director Plyushko confirmed the notice of the meeting was filed with the Secretary of State and the agenda for the meeting was properly posted in compliance with the Open Meeting Act.

Agenda Item #1d – Announcement of Absences and Action, if Necessary, to Determine Whether Absence(s) Were Unavoidable Pursuant to Title 59, Section 15.3(B)(5): No absences to report.

Agenda Item #2 – Announcement of Visitors: The following visitors were present for the appropriate time: Blaine Peterson CPA, OSCP; Dean Taylor, OSA.

Agenda Item #3 – Public Comment Period: Executive Director Plyushko advised the Board that she had not received any requests for public comment.

Agenda Item #4 – Consent Agenda: The Consent Agenda contained three items for the OAB's consideration: (1) Approve the Minutes of the April 19, 2024, Regular Meeting of the OAB; (2) Take official notice of the unaudited OAB financial statements for the months ended March 31, 2024, and April 30, 2024 (3) Approve the actions taken by the Executive Director on experience verifications, applications, registrations, and status changes filed since previous meeting. (4) Approve the verification of the administrative posting to the

OAB's records and certification of scores for Quarter 1/2023 Examination [October through December 2023]

Motion by Green that the Board approve the items on the Consent Agenda.
Second by Manning.

A roll call vote was taken and recorded as follows:

Green AYE
Manning AYE
Byford AYE
Storms AYE
Siegfried AYE
Whitman AYE
Curzon AYE

Agenda Item #5 – Discussion and possible action on Administrative Actions and recommendations:

ADMINISTRATIVE CONSENT ORDERS:

RECOMMENDED TO BE APPROVED:

Case No. 2436 – Richard L. Sommer, CPA

This case was opened as a result of a referral from the CPE Coordinator that Respondent was 38 hours short of meeting the 120-hour minimum CPE requirement for compliance period 2020-2022 and 4 hours short of meeting the 4-hour minimum ethics CPE requirement for that same period. In addition, Respondent was 20 hours short of the 20-hour minimum annual requirement for 2021. An Administrative Consent Order was offered by the Enforcement Committee and accepted by the Respondent whereby Respondent is assessed a fine of \$500, plus costs and attorney fees in the amount of \$105, which must be paid within thirty days of the effective date of the order. Respondent must submit 38 hours of CPE to apply to the shortage within sixty days. Four of these hours must be in ethics. A proven violation of this ACO, the Act or the Board's Rules authorizes the Board to take such other and further action as the Board may deem appropriate under the Act. The Enforcement Committee recommends the Administrative Consent Order in this case be approved by the Board.

Case No. 2437 – Lora L. Conger, CPA

This case was opened after Respondent submitted altered CPE certificates and claimed CPE hours for courses Respondent did not take. Once the record was corrected, Respondent was 7 hours short of meeting the 120-hour minimum CPE requirement for compliance period 2018-2020. An Administrative Consent Order was offered by the Enforcement Committee and accepted by the Respondent whereby Respondent is assessed fines of \$2,500 for engaging in misconduct and \$500 for CPE non-compliance, plus costs and attorney fees in the amount of \$105, which must be paid within thirty days of the effective date of the order. Respondent must submit 7 hours of CPE to apply to the shortage within thirty days. A proven violation of this ACO, the Act or the Board's Rules

authorizes the Board to take such other and further action as the Board may deem appropriate under the Act. The Enforcement Committee recommends the Administrative Consent Order in this case be approved by the Board.

Case No. 2438 – Matthew A. Nunez, CPA

This case was opened as a result of a referral from the CPE Coordinator that Respondent was 55 hours short of meeting the 120-hour minimum CPE requirement for compliance period 2021-2023 and 18 hours short of meeting the 20-hour minimum annual requirement for 2022. An Administrative Consent Order was offered by the Enforcement Committee and accepted by the Respondent whereby Respondent is assessed a fine of \$500, plus costs and attorney fees in the amount of \$105, which must be paid within thirty days of the effective date of the order. Respondent must submit 55 hours of CPE to apply to the shortage within ninety days. A proven violation of this ACO, the Act or the Board's Rules authorizes the Board to take such other and further action as the Board may deem appropriate under the Act. The Enforcement Committee recommends the Administrative Consent Order in this case be approved by the Board.

Case No. 2439 – Kyla J. Dinwiddie, CPA

This case was opened as a result of a referral from the CPE Coordinator that Respondent was .5 hours short of meeting the 4-hour minimum ethics CPE requirement for compliance period 2020-2022. An Administrative Consent Order was offered by the Enforcement Committee and accepted by the Respondent whereby Respondent is assessed a fine of \$500, plus costs and attorney fees in the amount of \$105, which must be paid within thirty days of the effective date of the order. Respondent must submit .5 hours of ethics CPE to apply to the shortage within thirty days. A proven violation of this ACO, the Act or the Board's Rules authorizes the Board to take such other and further action as the Board may deem appropriate under the Act. The Enforcement Committee recommends the Administrative Consent Order in this case be approved by the Board.

Case No. 2440 – Julia A. Ahlert, CPA

This case was opened as a result of a referral from the CPE Coordinator that Respondent was 62 hours short of meeting the 120-hour minimum CPE requirement for compliance period 2018-2020 and 4 hours short of meeting the 4-hour minimum ethics CPE requirement for that same period. In addition, Respondent was 20 hours short of the 20-hour minimum annual requirement for 2020. An Administrative Consent Order was offered by the Enforcement Committee and accepted by the Respondent whereby Respondent is assessed a fine of \$500, plus costs and attorney fees in the amount of \$105, which must be paid within thirty days of the effective date of the order. Respondent must submit 62 hours of CPE to apply to the shortage within ninety days. Four of these hours must be in ethics. A proven violation of this ACO, the Act or the Board's Rules authorizes the Board to take such other and further action as the Board may deem appropriate under the Act. The Enforcement Committee recommends the Administrative Consent Order in this case be approved by the Board.

Motion by Byford to approve the recommended administrative consent orders.

Second by Curzon.

A roll call vote was taken and recorded as follows:

Green AYE
 Manning AYE
 Byford AYE
 Storms AYE
 Siegfried AYE
 Whitman AYE
 Curzon AYE

RECOMMENDED TO BE CLOSED:

File 2852 – CPA Firm

This enforcement file was opened as a result of a complaint that alleged the registrant firm performed substandard work on tax return preparation. The Enforcement Committee did not find sufficient evidence of a violation of the Act or Board's Rules; therefore, it recommends that the file be closed.

Motion by Green to close the specific file mentioned.
 Second by Manning.

A roll call vote was taken and recorded as follows:

Green AYE
 Manning AYE
 Byford AYE
 Storms AYE
 Siegfried AYE
 Whitman AYE
 Curzon AYE

Agenda Item #6 – Discussion and possible action to request OK Attorney General review and opinion regarding alternative practice structures – Martin

Executive Director Plyushko gave overview of question regarding registering a firm with an ESOP, stating staff has studied this over the course of many months. There is a lack of clarity when looking at the Professional Entity Act and the Oklahoma Accountancy Act, for the staff to be sure whether or not we can disregard the trust entity. The OAB's Assistant Attorney General suggested the Board request an official AG opinion.

AAG Martin gave overview of the research completed regarding the issue of a trust entity owning shares of a corporation of a professional entity. She agreed that the best option would be to bring this to the Attorney General for discussion and a possible decision to guide the Board. She clarified this could take 3-4 months for the entire process and discussed the process of the requesting an option.

Executive Director Plyuhko detailed that approximately 15 other states do not allow ESOPs; however, few have been approached for new registration.

AAG Martin suggested the submission of two questions to the Attorney General for an opinion.

1. Is the transfer of ownership of shares of an accountancy firm to an employee stock ownership plan permitted under the Professional Entity Act, 18 O.S. § 801 et seq., and the Oklahoma Accountancy Act, 59 O.S. § 15.1 et seq.?
2. Does the Professional Entity Act apply to out-of-state entities that do business in Oklahoma?

There was a brief discussion of how an adverse opinion would be carried out.

Motion by Byford to approve the questions to be asked to the Attorney General's Office as they are described in the letter presented to the Board to the AG's Office.

Second by Manning.

A roll call vote was taken and recorded as follows:

Green AYE
 Manning AYE
 Byford AYE
 Storms AYE
 Siegfried AYE
 Whitman AYE
 Curzon AYE

Agenda Item #7 – Discussion and possible action on BDO USA, LLP firm renewal extension – Plyushko

AAG Martin recommended granting an extension to renew BDO's registration until the AG opinion is received.

Motion by Storms to extend the registration of BDO until a response is received from the Attorney General.

Second by Byford.

A roll call vote was taken and recorded as follows:

Green AYE
 Manning AYE
 Byford AYE
 Storms AYE
 Siegfried AYE
 Whitman AYE
 Curzon AYE

Agenda Item #8 – Discussion and possible action to nominate and elect OK Accountancy Board officer positions for fiscal year 2025 – Siegfried

Discussion and no objections to recommended officers as presented for FY2025.

Motion by Byford to appoint Bryan Storms, CPA as Chair, Mark Whitman, CPA as Vice-Chair, and John Curzon, CPA as Secretary as presented.

Second by Manning.

A roll call vote was taken and recorded as follows:

Green AYE
Manning AYE
Byford AYE
Storms AYE
Siegfried AYE
Whitman AYE
Curzon AYE

Agenda Item #9 – Discussion and possible action to establish OK Accountancy Board committee assignments for fiscal year 2025 – Siegfried

Vice Chair Storms proposed the committee selections as outlined in the supplied materials.

Motion by Manning to approve committee assignment as proposed for fiscal year 2025.

Second by Whitman.

A roll call vote was taken and recorded as follows:

Green AYE
Manning AYE
Byford AYE
Storms AYE
Siegfried AYE
Whitman AYE
Curzon AYE

Agenda Item #10 – Discussion and possible action on OK Accountancy Board proposed budget for fiscal year 2025 – Plyushko

Overview of budget

- Executive Director Plyushko stated revenue is down mainly due to retired status change. Salaries remained flat while the following costs increased: audit, in-state mileage, ceremony venue cost, and administrative expenses. There was a decrease in liability insurance, professional services fees, travel costs, and IT costs. Overall, the total budget is down 8.6% from the FY-2024 budget.

Motion by Manning to accept FY25 budget as presented.

Second by Storms.

A roll call vote was taken and recorded as follows:

Green AYE
 Manning AYE
 Byford AYE
 Storms AYE
 Siegfried AYE
 Whitman AYE
 Curzon AYE

Agenda Item #11 – Proposed Executive Session pursuant to Title 25 O.S. § 307(B)(1) for discussion and possible action on employment, hiring, appointment, promotion, disciplining, resignation, changes to existing salaries, or setting salary ranges for the following individual positions:

- Executive Director
- Deputy Director
- Chief Accountant
- CPE Coordinator (Admin. Programs Officer)
- Enforcement Coordinator (Admin. Programs Officer)
- Examination Coordinator (Admin. Programs Officer)
- Licensing Coordinator (Admin. Programs Officer)
- Peer Review Coordinator (Admin. Programs Officer)
- Records Coordinator (Admin. Programs Officer)
- Office Manager
- CPE / Enforcement Administrative Assistant

Motion by Storms that the board move into Executive Session at .
 Second by Byford.

A roll call vote was taken and recorded as follows:

Green AYE
 Manning AYE
 Byford AYE
 Storms AYE
 Siegfried AYE
 Whitman AYE
 Curzon AYE

Motion by Whitman to end Executive Session.
 Second by Manning.
 Second by Green.

A roll call vote was taken and recorded as follows:

Green AYE
 Manning AYE
 Byford AYE
 Storms AYE
 Siegfried AYE
 Whitman AYE
 Curzon AYE

Motion by Storms to approve salaries for FY25 as discussed in Executive Session.

Second by Green.

A roll call vote was taken and recorded as follows:

Green AYE

Manning AYE

Byford AYE

Storms AYE

Siegfried AYE

Whitman AYE

Curzon AYE

Agenda Item #12 – Discussion and possible action on report from the Executive Director – Plyushko

GENERAL OFFICE UPDATES:

- The Spring 2024 Recognition Ceremony went very well. We had approximately 200 individuals who attended with 8 honorees and 26 new CPAs. The OSCP, OSA, IRS, and the AGA were all present to discuss their organizations with those in attendance.
- We were able to hire for the technical assistant role vacated by Symone. Mykal Kephart will start on July 10th. We look forward to her joining the team!
- The NASBA Communications committee meeting I attended at the end of April went very well. We came up with a few ideas for the communications breakfast which will be implemented at the Western regional.

UPDATES TO PEER REVIEW OVERSIGHT COMMITTEE (PROC) 2023 ANNUAL REPORT:

- Correction 1: RAB visit with the asterisk, we did not have a PROC member in attendance, however Janice was able to put together the information based off Cherry Kid at OSCP.
- Correction 2: Removed South Dakota and Kansas listings of reports off the back page of the RAB checklist.

Agenda Item #13 – New business which could not have been reasonably foreseen prior to posting of the meeting agenda, per 25 O.S. § 311(A)(10)

- No New Business

Agenda Item #14 - Discussion and possible action on report from the Chair – Siegfried

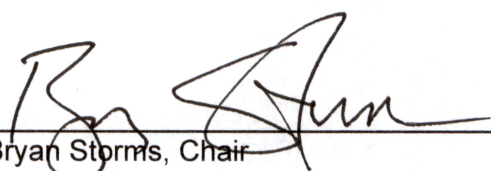
- Thank you to Robin Byford for all your time and dedication to the Board. Presentation of plaque.
- Announce date and location of the next meeting – 10:00 a.m., Friday, July 19, 2024, at the Oklahoma Accountancy Board

Adjourn:

There being no further business to come before the Board, Chair Siegfried adjourned the meeting.

Meeting was adjourned at approximately 11:10am.

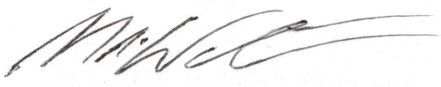
Majority of the Oklahoma Accountancy Board members attended a reception to honor outgoing board member, Robin Byford, CPA, at the board offices immediately following the regularly scheduled, June 21st, 2024, at the Oklahoma Accountancy Board at approximately 11:30am. This was not a meeting, as defined by the open meetings act, so no business was conducted or discussed.



Bryan Storms, Chair

8/16/24
Date

ATTEST:



Mark Whitman, Secretary

8/16/24
Date