

**STATE OF MICHIGAN
DEPARTMENT OF LABOR & ECONOMIC GROWTH
BUREAU OF COMMERCIAL SERVICES
LICENSING DIVISION**
2501 Woodlake Circle, Okemos, Michigan 48864-5955

Board of Accountancy

BOARD MEETING MINUTES

August 22, 2008

In accordance with the Open Meetings Act, 1976 PA 267, as amended, the Board of Accountancy met in Regular Session on August 22, 2008, at the Department of Labor & Economic Growth, Bureau of Commercial Services, 2501 Woodlake Circle, Conference Room 1, Okemos, Michigan. The business meeting was called to order by Chairperson Beth Bialy at 9:03 a.m.

ROLL CALL

Present:	Beth Bialy, Chair	Professional Member
	Richard G. David	Professional Member
	Mary Miller	Public Member
	Stephen H. Epstein	Professional Member
	Sally Fedus, Secretary	Public Member
	Neil DeBoer	Professional Member
	Alan C. Young, Vice Chair	Professional Member
	Thomas R Weirich	Professional Member
	Ellen S Cogen Lipton	Public Member
Staff:	Sara Hernandez	Acting Licensing Administrator
	Joyce Karr	Licensing Director
	Melody Duwe	Secretary
	Angie Diro	Acting Licensing Secretary
	Ann Paruk	Enforcement Staff
	Barrington Carr	Enforcement Manager
	Stephen Gobbo	Legal Affairs Director
	Alan Schefke	Deputy Director, BCS
Visitors:	Peggy Dzierzawski	MACPA
	John Lindley	MACPA
	Dennis Echelbarger	MACPA
	Roger Prough	Petitioner

ADDITIONS TO OR DELETIONS FROM AGENDA

Item 2B change of signature block on minutes was moved to Item 6 to discuss under Public Comment.

APPROVAL OF MINUTES FROM MEETING HELD MAY 16, 2008

A correction in the minutes was required for the addition of a letter that was sent from Jason Giaimo to Neil DeBoer concerning the issue of CPA examinee fingerprinting program.

A change was proposed to the meeting minutes to eliminate the list of board members absent from meetings.

MOTION: It was moved by Mr. Epstein and seconded by Ms. Nickolas to approve the minutes with changes; the motion passed. Ms. Cogen Lipton, Mr. Young and Mr. Weirich abstained.

HEARING REPORTS

A. Randy K. Lane

MOTION: It was moved by Mr. David to receive the Hearing Report for Mr. Lane and seconded by Mr. Young. The motion carried unanimously.

The Board reviewed the Hearing Report which found Mr. Lane violated Sections 601(1), 604(c), 723(2) and 734(g) & (i) of the Occupational Code, 1980 PA 299, as amended and Rule 338.5465(i) of the Administrative Rules.

MOTION: It was moved by Mr. Weirich and seconded by Mr. Young to assess a \$1,000.00 civil fine to be paid within 60 days of the mailing of the Final Order. The motion carried unanimously. The Board also asked that:

1. Mr. Lane's license be looked at to see whether there was enough CPE credits to have his license renewed.
2. Mr. Lane's CPA firm should be looked at for possible violations.
3. The Department review the finding against the firm for possible disciplinary action,

B. Nicholas Dickson Lahr

MOTION: It was moved by Mr. David to receive the Hearing Report for Mr. Lahr and seconded by Mr. Young. The motion carried unanimously.

The Board reviewed the Hearing Report which found Mr. Lahr violated Sections 604(g), and 734(c), (g) & (i) (j), and (k) of the Occupational Code, 1980 PA 299, as amended and Rule 338.5465(m) of the State Administrative Code.

MOTION: It was moved by Mr. David and seconded by Mr. Weirich that Mr. Lahr's license be suspended for a period of five years. If Mr. Lahr applies for relicensure he must appear before the Board before a new license is granted. The motion carried. Mr. DeBoer abstained.

PETITIONS FOR REVIEW

A. Roger Prough

Ms. Hernandez stated that Mr. Prough's application for CPA certificate by reciprocity was denied because he failed to meet the 150-hour education requirement.

MOTION: It was moved by Ms. Fedus and seconded by Mr. Epstein to overturn the Department's denial of Mr. Prough's application. The motion carried unanimously.

PUBLIC COMMENT

In a previous Board meeting, the question was raised that in hearing reports, there are statements of "at times relevant" and "at all times relevant". The Board members requested a definition of the terms. Ms. Paruk addressed the Board to clarify the terms "at times relevant", meaning that the individual was not always licensed during the period of time in question; and "at all times relevant", meaning that the individual was licensed during the time in question.

Ms. Dzierzawski of the MACPA invited everyone to the Board Advisory Meeting, September 22, 2008 and the September 8, 2008 MACPA Awards Ceremony at the Townsend Hotel.

Ms. Dzierzawski also offered video and other presentations on issues and training that are available from MACPA if the Board would be interested in having them at the next Board meeting.

Ms. Dzierzawski thanked the Board for its help in getting the Mobility Act passed. There is concern that forty percent of CPAs will retire within the next ten years and training and continuing education are essential.

Ms. Duwe stated that some other Boards have the Licensing Administrator sign the approved minutes. Ms. Hernandez stated she will have to look into what other Boards have for its signature block on the Board minutes before she would like to bring it before the Board for any changes.

STAFF COMMENT

None.

ITEMS FOR CONSIDERATION FROM BOARD MEMBERS

Ms. Bialy reminded members of the annual NASBA Conference in Boston in October. Ms. Karr and Ms. Bialy will be attending. Mr. Weirich also expressed his interest in attending. The question was raised that a license increase was established to have funds to send members to conferences. The Board requested to know what the balance of the fund was.

Mr. Young stated that this would be his last meeting. He spoke about what has been achieved in his time here and complimented the quality of the Board.

Mr. Epstein questioned the removal of the presentation by Craig Mills of the AICPA that had been on the agenda but later removed on the amended agenda. Ms. Karr stated that protocol had not been properly followed. Prior approval from the Department is required before this item can be added to the agenda. Several members were not satisfied with the answers they received and Ms. Karr offered to have Mr. Schefke, Deputy Director, Bureau of Commercial Services come and speak with the Board. Mr. Schefke explained that due to contractual obligations with NASBA, the content of Mr. Mills's presentation needed to be reviewed by the Department prior to being included in a public forum. Mr. Epstein stated that information can not be censored. Mr. Schefke stated it was not censorship but protocol. Ms. Hernandez stated that the Department would like Mr. Mills to come before the Board, but that they must follow protocol. The Department is working with Mr. Mills on this issue. Several Board members requested that it be on record that they disagree with the decision to remove Mr. Mills from the agenda.

NEXT MEETING DATE

The next scheduled meeting of the Board of Accountancy will be held on November 21, 2008, at 9:00 a.m.

ADJOURNMENT

There being no further business to be brought before the Board at this time, the meeting was adjourned at 11:08 a.m.

Sally Fedus, Secretary

Date

Recording Secretary

Date