

THE VIRGINIA BOARD OF ACCOUNTANCY
Enforcement Committee
Meeting Minutes
October 24, 2006

The Virginia Board of Accountancy's Enforcement Committee met on Tuesday, October 24, 2006, at 3600 W. Broad Street, Conference Room # 395, Richmond, Virginia 23230

The following members of the Committee were present:

Dian T. Calderone, MTX, CPA, Enforcement Chairman
Lawrence D. Samuel, CPA,

The Board's Legal Counsel was present.

Cynthia Norwood, Senior Assistant Attorney General

The following staff members were in attendance:

Nancy T. Feldman, Executive Director
Jean Grant, Enforcement Manager

There were no members of the public in attendance

The meeting convened at 9:15 a.m.

The Enforcement Committee, opened the meeting with the discussion of Agenda Item A, regarding the review of two open cases and 1 closed case. Upon suggestion by the Board's Executive Director and reiteration by Board Counsel and because there are no provision in the law that allows for expungement of disciplinary action taken by the Board, the request for expungement of the closed enforcement case of Stephen Jones cannot be approved. Therefore, the closed case will be maintained in accordance with the Virginia State Library Retention Schedule and release of the file will be made in accordance with the provisions of the Freedom of Information Act (FOIA).

Upon a motion by Ms. Calderone, and seconded by Mr. Samuel, the Committee approved by unanimous vote that the meeting be recessed and that the Committee immediately reconvene in closed session for the purpose of consultation on Committee matters within the jurisdiction of the Board as permitted by § 2.2-3711 A.28 of the Code of Virginia.

The non-members in attendance to reasonably aid the consideration of the topic were:

Cynthia Norwood, Assistant Attorney General
Nancy Taylor Feldman, Executive Director
Jean Grant, Enforcement Manager

The members voting "AYE: were Ms. Calderone and Mr. Samuel.

This motion is made with respect to the matter identified as Agenda Item A, Review of Open Cases.

Mr. Samuel left the room for discussion of File # 2006-E01.

Upon a motion by Ms Calderone, and seconded by Mr. Samuel, the Committee approved by unanimous vote that the closed meeting, as authorized by § 2.2-3711 A.28 of the Code of Virginia, be adjourned, and that the Committee immediately reconvene in open public meeting. The members voting “**AYE**” were Ms. Calderone and Mr. Samuel.

Upon a motion by Ms Calderone, and seconded by Mr. Samuel, the Committee made the following certification:

WHEREAS, the Board of Accountancy’s Enforcement Committee has convened a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, § 2.2-3712 of the Code of Virginia requires a certification by this Board of Accountancy that such closed meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED that the Board of Accountancy’s Enforcement Committee hereby certifies that, to the best of each member’s knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies and (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Board of Accountancy.

ROLL CALL VOTE: Lawrence D. Samuel, CPA – Aye and Dian T. Calderone, MTX, CPA – Aye

VOTE

AYES: Two (2)

NAYS: None.

Upon a motion by Ms Calderone and seconded by Mr. Samuel, the Committee voted to take action, as follows:

Case number – 2005-D13 offer a Consent Order.

Case number- 2006-E01- offer a License Agreement

The meeting was adjourned at 10:15 a.m.

Dian T. Calderone, MTX, CPA
Chairman, Enforcement Committee