

**MISSISSIPPI STATE BOARD OF PUBLIC ACCOUNTANCY
MINUTES
February 22, 2008**

The Mississippi State Board of Public Accountancy met at the Board office at 5 Old River Place, Suite 104, Jackson, Mississippi, on February 22, 2008, beginning at 8:30 a.m. The following record of that meeting was maintained.

Board Members Present

Willie B. Sims, Jr., Chair
Rick Elam, Vice Chair
Jim E. Burkes
Diane S. Day
Angela L. Pannell
Jean T. Shepherd

Board Absent

David Clarke, Secretary

Board Staff Present

Susan M. Harris, Executive Director
Ransom C. Jones, Investigator

Legal Counsel Present

Onetta Whitley, Deputy Attorney General

Others Present

Gary Walker, MSCPA

I. General

1. The Board opened the meeting with an invocation from Willie Sims.
2. The Board members present unanimously approved the minutes from the January 25, 2008, meeting.

I. General (Continued)

3. The Board members signed the CPA certificates of licensure from the January 25, 2008, meeting.
4. The Board members present set the start time for the next meeting and reviewed the tentative meeting dates and activities for the first of 2008.

March 21	8:30	Meeting
April 25		Meeting
April 26		CPA Presentation Ceremony
May 30		Meeting
June 11 - 13		NASBA Eastern Regional
June 18 - 20		NASBA Western Regional
June 26- 29		MSCPA Annual
5. The Board Chair Willie Sims deferred setting 2008 State Board Committee assignments to a later meeting.

II. National Regulatory Concerns

1. The Board members present answered the NASBA Focus Questions as forwarded from Mike Skinner, Chair - Committee on Relations with Member Boards, for response by April 2, 2008.
2. The Board members present noted receipt by email of the NASBA Quarterly Communications.
3. The Board reviewed and discussed the January 2008 NASBA *State Board Report*
4. The Board noted other Boards' recommendations concerning NASBA's January 7, 2008, request for Vice Chair nominations. The Board members present unanimously determined to formally support the nomination of Billy M. Atkinson for NASBA's 2008-2009 Vice Chair position.
5. The Board reviewed and discussed the Public Accounting Oversight Board (PCAOB) Release entitled *Board Approves New Auditing Standard No. 6: Evaluating Consistency of Financial Statements*.
6. Board member Jim Burkes discussed the activities and work of NASBA's Compliance Assurance Review Board (CARB).

III. Administration

1. The Board members present reviewed and discussed the SAAS Summary Trial Balances as of January 31, 2008, for Treasury Funds 3845 and 3850, and the Treasury Fund 3845 SAAS Appropriation/Actual Expenditures for the seven months ended January 31, 2008.
2. The Board members discussed the FY2009 Budget and the Senate & House Appropriations Committee hearings held during February. Board member Jim Burkes and Executive Director Susan Harris attended the hearings and presented requests for amendment to the Legislative Budget recommendation.
3. The Board discussed the 2008 Legislative Regular Session calendar in addition to legislation submitted concerning the Board. Senate Bill 2628 and House Bill 727 have been introduced to amend sections of the Board's enabling act addressing mobility issues. The Board discussed the joint task force with the Society of CPAs and meetings to be held.
4. The Board members present unanimously approved additional per diem days as follows:

Jim Burkes	February 7 & 12, 2008	Budget Hearings
	January 25 - 26, 2008	NASBA CARB Meeting

IV. CPA Examination, Licensing and Firms

1. The Board members present unanimously accepted the listing of candidate applications for the computerized examination (8 initial, 10 reexam) received since the January 25, 2008, meeting.
2. The Board unanimously acted upon the applications for CPA licenses, reciprocals, reinstatements, and CPA firm permits as presented herein:

Applications for Original CPA License

File				
<u>Number</u>	<u>Name</u>	<u>Number</u>	<u>Date</u>	<u>Approved</u>
11865	Brett Wooten Cantrell	5894	02/22/08	Yes
10588	Marshall Haynes Conico	5895	02/22/08	Yes
11938	Wilkins M. Crawford, Jr.	5896	02/22/08	Yes
12030	Kayla Morgan Norris	5897	02/22/08	Yes
11868	Andrea Sue Phillips	5898	02/22/08	Yes

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IV. CPA Examination, Licensing and Firms (Continued)

2. Applications (Continued)

Applications for Reciprocal CPA Licenses

File Number	Name	Number	Date	Approved
12210	E. O'Neal Browder, Jr.	R3350	02/22/08	Yes
12238	Brian C. Hill	R3351	02/22/08	Yes
12202	Linda Gail Jagger	R3352	02/22/08	Yes
12225	Matthew Wade Stringfellow	R3353	02/22/08	Yes
12217	Craig Thomas Taylor	R3354	02/22/08	Yes

Applications for Reinstatement of CPA Licenses

File Number	Name	Number	Approved
11797	Avneesh Ayyar	R3159	Yes
2290	Joe D. Jones	1635	Yes
9815	William David King	5318	Yes
4508	Lynn B. Lister	4937	Yes
8599	Ken Warriner	5054	Yes
5171	Pamela L. Welsh	3745	Yes
6792	Ann Lynnea Wilbur	3732	Yes

Applications for Retired CPA Licenses

File Number	Name	Number	Approved
7185	Colleen Fulgham Bales	4334	Yes
1266	Joan Saller Bertaut	2276	Yes
1601	Eve E. Bobbitt	1790	Yes
1623	Gregory James Bouthilet	1707	Yes
7830	Anna D. Brinkman	4419	Yes
808	Phillip Ralph Brooks	2228	Yes
1693	Margaret Franks Butler	1093	Yes
1757	James Russell Clinton III	770	Yes
66	Donald Lee Clyburn	2527	Yes

IV. CPA Examination, Licensing and Firms (Continued)

2. Applications (Continued)

Applications for Retired CPA Licenses (Continued)

<u>File</u> <u>Number</u>	<u>Name</u>	<u>Number</u>	<u>Approved</u>
4200	Donald Ray Coomer	R2023	Yes
1791	Daniel Wilmer Cranford	1155	Yes
1798	Jim McRae Criss	662	Yes
1803	James Rupert Crockett	1183	Yes
380	Theodore Steven Cwikel, Jr.	2237	Yes
5969	Donald R. Denton	R2132	Yes
1855	Albert J. Derbes III	R1428	Yes
4955	John Valliant Eskrigge	3385	Yes
1911	Larry E. Everett	1550	Yes
737	Samuel James Everett	2054	Yes
1956	Roger Patterson Friou	651	Yes
1993	Carolyn Marie Goldsmith	1862	Yes
130	Michael Scott Gunn	1826	Yes
3818	Linda Beall Hamon	3130	Yes
2089	Hartwell C. Herring III	1158	Yes
149	Russell W. Hill	2598	Yes
2249	Norman D. Hurdle	1372	Yes
11446	Gary Wayne Hutto	R3042	Yes
10079	David Austin Jefcoats	5469	Yes
3474	Ernest Jones, Jr.	R1857	Yes
2322	Arthur Francis Kersh	R1363	Yes
2341	Philip J. Kolman III	1316	Yes
490	Eddo Lee Lewis, Jr.	1940	Yes
1888	Ida B. McBride	2085	Yes
2486	Hugh F. McWilliams III	1073	Yes
4294	Carolyn Ruth Patrick	2855	Yes
2651	Daniel S. Pigott	1616	Yes
2674	Billy Gene Proctor	1100	Yes

IV. CPA Examination, Licensing and Firms (Continued)

2. Applications (Continued)

Applications for Retired CPA Licenses (Continued)

File Number	Name	Number	Approved
8996	Sheila G. Rawson	4946	Yes
3431	Herschel H. Rector Jr.	2629	Yes
700	James M. Rhodes	4122	Yes
5605	Lewis Page Stalcup III	R2086	Yes
2927	Kenneth Eugene Thomas	1602	Yes
2952	Ellis Devon Townsend	1267	Yes
3074	David H. Williams	1548	Yes
6473	Lynn K. Wright	3705	Yes

Applications for CPA Firm Permit to Practice

Name	Number	Approved
Browder & Associates, PC Homewood, AL	F1165	Yes
Ernst & Young LLP New York, NY	F1166	Yes
Kimbrell CPA, LLC Carrollton, MS	F1167	Yes
Pender Newkirk and Company, LLP Tampa, FL	F1168	Yes
Craig T. Taylor, CPA Saraland, AL	F1169	Yes

Applications for Reinstatement of CPA Firm Permit to Practice

Name	Number	Approved
Darron Kendrick, CPA, PC Fairhope, AL	F0903	Yes

3. The Board reviewed amendments to registered CPA firms, as follows:

Name	Number	Description
Dixon Hughes, PLLC Memphis, TN	F0622	Merged with Rhea & Ivy, PLLC

IV. CPA Examination, Licensing and Firms (Continued)

4. The Board noted the voluntary cancellation from Charles P. Wolfe #1272 without compliance with the 2007 CPE requirements.
5. The Board reviewed the listings of individuals who have not registered their CPA licenses, CPA (retired) in addition to CPA firms that have not registered firm permits for calendar year 2008. Final notices were mailed on February 6, 2008, with cancellation effective after ten days from that notice in accordance with Miss. Code 73-33-7. The Board members present unanimously acknowledged and accepted the cancellation of CPA licenses, permits and CPA (retired)s in accordance with the statute.
6. The Board members present unanimously granted late registration fee refund requests from two CPAs with special circumstances (Elizabeth Nance CPA R3256 and Mahlon Sanford CPA 2373).
7. The Board discussed the April 26, 2008, CPA presentation ceremony and a possible keynote speaker.
8. The Board discussed the updated diagnostic report issue from some of the 2007 score notices and unanimously determined not to release; no examination scores were affected by the changed diagnostic reporting.
9. The Board reviewed other information related to the CPA examination:
 - February 1, 2008, NASBA letter addressing AICPA, Prometric and NASBA examination fees;
 - January 31, 2008, NASBA letter requesting feedback concerning the CPA examination; and
 - Candidate Concerns Report- 07Q4, October 1 - December 31, 2007.The Board determined to respond to the NASBA letter requesting CPA feedback.
10. The Board members discussed a request from the North Carolina Association of CPAs related to volunteers working on the Gulfcoast related to Katrina. The Board accepted the request dependent upon the CPAs complying with the Mississippi laws and regulations and properly identifying themselves with their CPA licensing jurisdiction.

V. Continuing Professional Education

1. The Board members present unanimously authorized the following actions on CPE sponsor programs submitted for approval.

	<u>Sponsor/Program Title</u>	<u>Dates</u>	<u>Hours</u>	<u>Approved</u>
A.	Accountants Education Group 1. Mississippi Ethics	QAS Self Study	3 Ethics General 1 Ethics Rules	Yes
B.	MS Bankers Association 1. BSA and Anti-Money Laundering Seminar	1/17/08	6	Yes
C.	MS Society of CPAs 1. The 2007 Revised Yellow Book: Government Auditing Standards 2. AICPA's Federal Tax Update	12/13/07 1/11/08	8 8	Yes Yes
D.	MSCPA - Central Chapter 1. 401(K): A Retirement Option 2. Cost Segregation Basics	11/15/07 1/17/08	1 1	Yes Yes
E.	Mississippi State Tax Commission 1. CF - 102 Forensic Tools and Techniques	10/22- 26/07	40	Yes

2. The Board members present unanimously authorized the following actions on CPE requests from individuals.

	<u>Sponsor/Program Title</u>	<u>Dates</u>	<u>Hours</u>	<u>Approved</u>
A.	National Business Institute 1. Planning for a Small Business Lorman Education Services 1. Title Examination in Mississippi Requested by Michele R. Harris	2/26/08 3/28/08	7 7	Yes Yes
B.	American Health Lawyers Association 1. Long Term Care and the Law Requested by Margaret King	2/27-29/08	21	Yes

VI. Regulatory Matters

1. The Board heard a report from Investigator Ransom Jones and approved the regulatory activities that have occurred from January 25 to February 22, 2008:

<u>Activity</u>	<u>Number</u>
Cases Opened	None
Cases Closed	83
Cases referred to Members	None
Total Cases Open	25

2. The Investigator reviewed the open case log by general description (Exhibit 1) and reported on the investigative activities.

VII. Trial Board

1. The Board members present unanimously voted to convene as the Trial Board for the purpose of considering matters related to disciplinary cases.
2. The Board did convene as Trial Board for the purpose of reviewing and discussing individuals who have not complied with open Board administrative orders and are not eligible for registration of a CPA license. Upon motion by Jim Burkes with second from Jean Shepherd, the Trial Board unanimously approved the "Orders of Remand to the File" for execution by the Board President. Votes were - For: Willie Sims, Rick Elam, Jim Burkes, Diane Day, Angela Pannell, Jean Shepherd; Against: None; and Absent: David Clarke.

These Trial Board remand orders will be placed in individual files noting the noncompliance and remanded for future action if the individuals apply to the Board for reinstatement. Copies of the orders will be sent to the individuals:

<u>Complaint No.</u>	<u>Name</u>	<u>License No.</u>
2007.37 - 05	Joseph B. Anderson	R2833
2005.01	Donald B. Grafton	5126
2007.35 - 57	Donald B. Grafton	5126
2007.38 - 18	Kimberly G. Jones	4610
2007.37 - 66	E. W. McKean, Jr.	R2034
2007.35 - 101	Wade R. Moran	4728
2007.35 - 104	John P. Mullen	4631

VII Trial Board (Continued)

3. The Board continued as Trial Board for the purpose of reviewing for approval consent orders issued by the David Clarke investigative committee related to CPE noncompliance. Upon motion by Angela Pannell with second from Jean Shepherd, the Trial Board approved the following consent orders as issued by the investigative committee and previously agreed to by the respondent. The Board unanimously determined that no explanation submitted justified reimbursement of fines or assessed costs submitted with the orders. Votes were - For: Willie Sims, Rick Elam, Jim Burkes, Diane Day, Angela Pannell, Jean Shepherd; Against: None; and Absent: David Clarke.

<u>Complaint No.</u>	<u>Name</u>	<u>License No.</u>
2007.35 - 105	Jeffrey W. Tipton	4302
2007.35 - 164	Andrew Wells	2193

4. The Board continued as Trial Board for the purpose of reviewing for release from a consent order the following respondent. Licensee was disciplined by Securities Exchange Commission and other Boards; has now satisfied orders and is in good standing. Upon motion by Angela Pannell with second from Jean Shepherd, the Trial Board approved release of the licensee from the consent order. Votes were - For: Willie Sims, Rick Elam, Diane Day, Angela Pannell, Jean Shepherd; Against: None; Recused: Jim Burkes; and Absent: David Clarke.

<u>Complaint No.</u>	<u>Name</u>	<u>License No.</u>
2005.11	Steven H. Barry	R2397

5. The Board continued as Trial Board for the purpose of reviewing for release from consent orders the following respondents because of their complete satisfaction of the ordered requirements as issued by the David Clarke investigative committee related to CPE. Upon motion by Angela Pannell with second from Jean Shepherd, the Trial Board approved release of the licensees from the consent orders. Votes were - For: Willie Sims, Rick Elam, Jim Burkes, Diane Day, Angela Pannell, Jean Shepherd; Against: None; and Absent: David Clarke.

<u>Complaint No.</u>	<u>Name</u>	<u>License No.</u>
2007.35-102	Michelle A. Morris	4630
2007.35-128	Kimberly C. Shearer	5498
2007.37-105	Jeffrey W. Tipton	4302
2007.35-164	Andrew Wells	2193

VII Trial Board (Continued)

6. The Board continued as Trial Board for the purpose of reviewing a request from J. Vincent Robinson, #R2525, revoked at the November 15, 2007, for failure to comply with 2007 CPE requirements. Mr. Robinson did not and has not reported CPE for the year ended June 30, 2007; however, he requests reversal of the revocation order because he states that he has retired. After discussion, the Trial Board agreed to defer any action concerning the matter pending further communication from the respondent.
7. The Board continued as Trial Board for the purpose of reviewing a request from Tina W. Perkins, #4017, for a refund of the disciplinary costs and fine assessed as part of the consent order agreement. Upon motion by Angela Pannell with second by Jim Burkes, the Trial Board unanimously denied her request for a refund of the disciplinary cost and fine. Votes were - For: Willie Sims, Rick Elam, Jim Burkes, Diane Day, Angela Pannell, Jean Shepherd; Against: None; and Absent: David Clarke.
8. The Board continued as Trial Board for the purpose of considering a prior December 19, 2007, action approving a consent order concerning 2007 CPE noncompliance when the respondent in fact did not have a deficit. Stephen John Oberlies, #5244, has demonstrated that he did in fact obtain satisfactory CPE and meets the 2007 CPE requirements. However, Mr. Oberlies was late reporting the CPE hours to the Board. Upon motion by Angela Pannell with second by Jean Shepherd, the Trial Board unanimously approved a motion for reconsideration of the December 19, 2007. The Trial Board unanimously approved the issuance of another consent order concerning the late reporting without the assessment of the \$250 fine, but retaining the requirement to reimburse the Board its costs involved in the case. Votes were - For: Willie Sims, Rick Elam, Jim Burkes, Diane Day, Angela Pannell, Jean Shepherd; Against: None; and Absent: David Clarke.
9. Upon conclusion of Trial Board business, the Board adjourned as Trial Board.

APPROVED:

Chair

Board Member

Vice Chair

Board Member

Secretary

Board Member

Board Member