

**MISSISSIPPI STATE BOARD OF PUBLIC ACCOUNTANCY
MINUTES
May 25, 2011**

The Mississippi State Board of Public Accountancy met at the Board office at 5 Old River Place, Suite 104, Jackson, Mississippi, on May 25, 2011, beginning at 12:00 p.m. The following record of that meeting was maintained.

Board Members Present

David L. Miller, Chair
Willie B. Sims, Jr., Secretary
Jim E. Burkes
David E. Clarke
Rick Elam

Board Members Absent

Shelly B. Boone, Vice Chair

Board Staff Present

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

Legal Counsel Present

Onetta Whitley, Deputy Attorney General
Gloria Green, Special Assistant 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 April 29, 2011, meeting.
3. The Board members present signed the CPA certificates of licensure from the April 29, 2011, meeting.

I. General (Continued)

4. The Board members present set the time for next meeting and reviewed the tentative meeting dates and activities for 2011:

Jun 8-10		NASBA Western Regional, Omaha
Jun 22-24		NASBA Eastern Regional, Point Clear
Jun 23-26		MSCPA Annual Meeting, Destin
Aug 5	8:30	Meeting
Sep 23		Meeting
Oct 23 - 26		NASBA Annual Meeting, Nashville
November 18		Meeting
November 19		CPA Presentation Ceremony
December 16		Meeting

5. The Board members discussed planned Board reports for the National Association of State Boards of Accountancy (NASBA) Regional Meeting roll call and the Mississippi Society of CPAs (MSCPA) Annual Business Meeting, June 25.
6. The Board members present reviewed and approved attendance at the NASBA Annual Meeting, October 23-26, 2011, in Nashville, Tennessee, for all Board members and appropriate staff. The Board also reviewed information but took no action related to the Council on Licensure, Enforcement and Regulation (CLEAR) Annual Education Conference, September 8-10, 2011.

II. National Regulatory Concerns

1. The Board discussed the NASBA May 3, 2011, memorandum from David Costello regarding quarterly communications including:
 - Highlights of the NASBA Board Meeting, April 29, 2011,
 - Executive Summary - Focus Responses,
 - NASBA Regional Directors' Report, and
 - NASBA Executive Committee's Background Paper on Standard Setting for Nonpublic Entities.
2. The Board noted the May 17, 2011, AICPA email, regarding Accountancy State Board Webcast, June 1, 2011.
3. The Board reviewed this Public Accounting Oversight Board (PCAOB) release:
 - *PCAOB Solicits Nominations for Standing Advisory Group.*

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III. Administration

1. The Board members present reviewed the SAAS Summary Trial Balances as of April 30 for Treasury Funds 3845 and 3850, and the Treasury Fund 3845 SAAS Appropriation/Actual Expenditures for the ten months ended April 30, 2011.
2. The Board members present heard a report from Executive Director Susan Harris concerning the upcoming submittal August 1, 2011, of the Fiscal Year 2013 Budget Request. In addition, the Board noted that MS Interactive would attend the August 5, 2011, Board meeting to present its information concerning on-line module of Information Technology Services' project.

IV. CPA Examination, Licensing and Firms

1. The Board members present unanimously accepted the listing of candidate applications for the computerized examination (19 initial, 37 reexam) received since the April 2011 meeting. The Board also reviewed and discussed a special candidate situation related to good moral character - initial applicant number 13082. Based on its careful evaluation of criminal misdemeanor conviction and all other requirements being met, the Board members unanimously approved applicant 13082 to sit for the examination as a Mississippi candidate.
2. The Board members present unanimously acted upon the applications for CPA licenses, reciprocals, reinstatements, and CPA firm permits as presented herein:

Applications for Original CPA License

<u>File</u> <u>Number</u>	<u>Name</u>	<u>Number</u>	<u>Date</u>	<u>Approved</u>
10950	Frances Lynn Boyd	6140	05/25/11	Yes
12882	Joseph Hayes Brian	6141	05/25/11	Yes
12722	Jeremy Wardell Miller			No (1)
11015	Jon Kevin Pernell	6142	05/25/11	Yes
12614	Kevin Terrell Wilkerson	6143	05/25/11	Yes

(1) Pending completion of experience requirement under direction of a licensed CPA.

IV. CPA Examination, Licensing and Firms (Continued)

2. Applications (Continued)

Applications for Reciprocal CPA Licenses

File				
<u>Number</u>	<u>Name</u>	<u>Number</u>	<u>Date</u>	<u>Approved</u>
13031	Carolyn Helen Adams-Rossignol	R3546	5/25/11	Yes
13048	Tenecia Latrice Carr	R3547	5/25/11	Yes
13039	Denise Ann Cutrone			No (1)
13051	Charles Robert McClatchy Jr.	R3548	5/25/11	Yes
13013	Edith Williams McIlwain	R3549	5/25/11	Yes
13044	Paul David Moore	R3550	5/25/11	Yes
13034	Joshua L. Norris	R3551	5/25/11	Yes

(1) Pending verification and additional information.

Applications for Reinstatement of CPA Licenses

File			
<u>Number</u>	<u>Name</u>	<u>Number</u>	<u>Approved</u>
11124	Gary Otis Jensen	R2923	Yes
10218	Eric Shane McIntyre	5609	Yes
08471	Sopin Tunhikorn	4799	Yes

Applications for CPA Firm Permit to Practice

<u>Name</u>	<u>Number</u>	<u>Approved</u>
Richard L. Corkern, CPA, PA Ridgeland, MS	F1440	Yes
Joe M. Enoch & Associates, PLLC Dyersburg, TN	F1441	Yes
Howard, Wershale & Co. Cleveland, MS	F1442	Yes
Kennington Walker Sparks, PA Jacksonville, FL	F1443	Yes
Thomas E. King, CPA Madison, MS	F1444	Yes

IV. CPA Examination, Licensing and Firms (Continued)

2. Applications (Continued)

Application for Reinstatement of a CPA Firm Permit to Practice

<u>Name</u>	<u>Number</u>	<u>Approved</u>
Mitch Boleware, CPA Collins, MS	F0167	Yes
Patricia O. McGee, CPA Oxford, MS	F0511	Yes

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

<u>Name</u>	<u>Number</u>	<u>Description</u>
Charles E. Keys, CPA Collins, MS	F0441	Address Change
Rowan CPA Firm, PLLC Jackson MS	F1255	Name Change from Rowan CPA

4. The Board members present heard a report from Executive Director Susan Harris that the 2011 CPE reporting forms were mailed May 20 and due by August 1, 2011.

5. The Board reviewed and unanimously approved an NTS extension request for candidate 8973, L. Max Hopson, extending the FAR NTS from ending July 31 to October 31, 2011, due to a catastrophic event.

6. The Board reviewed, discussed various information concerning to the CPA examination including:

- CBT Steering Group Quarterly Summary, 1st Qtr 2011, and
- NASBA Candidate Concerns 11Q1.

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.	American Institute on Federal Taxation			
	1. Thirty-Fifth Annual American Institute on Federal Taxation	6/15-17/11	22	Yes

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V. Continuing Professional Education (Continued)

1. CPE Sponsor Applications (Continued)

	<u>Sponsor/Program Title</u>	<u>Dates</u>	<u>Hours</u>	<u>Approved</u>
B.	American Society of Women Accountants			
	1. Financial Transparency in a Wikileaks Era	3/22/11	1	Yes
C.	Association of Government Accountants			
	1. Security Over Mobile Devices and Other Computer Stuff	4/13/11	1	Yes
	2. Mortgage Fraud and Beyond- Looking Toward the Future	4/20/11	2	Yes
	3. The Apprehension of Being Ethical	5/11/11	2 Ethics General	Yes
	4. GASB Update	5/11/11	1	Yes
D.	Estate Planning Council of MS			
	1. What is Long Term Care?	2/8/11	1	Yes
	2. The Secondary Market For Life Insurance; Current Trends, New Applications	3/8/11	1	Yes
	3. Invitations in the Inventory, Valuation and Liquidation of Tangible Assets	4/12/11	1	Yes
	4. Timberland as an Asset	5/10/11	1	Yes
E.	Delta Chapter of MSCPA			
	1. Accounting and Auditing Update	5/12/11	8	Yes
F.	Delta State University, College of Business			
	1. SAP Training	5/11/11 5/13/11	8 3.5	Yes
G.	Haddox, Reid, Burkes & Calhoun PLLC			
	1. Year End Tax Planning in Uncertain Times	12/2/10 12/2/10	2	Yes

V. Continuing Professional Education (Continued)

1. CPE Sponsor Applications (Continued)

	<u>Sponsor/Program Title</u>	<u>Dates</u>	<u>Hours</u>	<u>Approved</u>
H.	Jones Fortenberry PLLC 1. The New Estate Tax Law: How the 2010 TRA Changed the Estate Planning Landscape	2/3/11	1	Yes
I.	Medical Group Management Association of MS 1. MGMA of MS Summer Conference of 2011	6/22-24/11	9	Yes
J.	Mississippi Association of Public Accountants 1. MAPA Forum	5/23/11	8 including ethics (2 general 1 rules)	Yes
K.	Nail McKinney Professional Association 1. 2011 Accounting and Auditing Update 2. Audit Documentation	8/30/11 8/31/11	8 8	Yes Yes
L.	Patterson School of Accountancy 1. Accountancy Weekend (previously approved for 2 gen ethics)	4/29/11	2 ethics (1 general 1 rules)	Yes
M.	SE Chapter of MSCPA 1. Auditors and Legislative Update	4/19/11	1	Yes
N.	Southern Conference on Teacher Retirement 1. 67 th Annual Southern Conf on Teacher Retirement	5/15-18/11	11	Yes
O.	Watkins, Ward and Stafford 1. General Tax Update 2. 2011 Governmental and Auditing; Single Testing and Documentation	1/14/11 5/26-27/11	8 16	Yes Yes

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V. Continuing Professional Education (Continued)

2. The Board members present unanimously authorized the following actions concerning CPE request from individuals.

	<u>Sponsor/Program Title</u>	<u>Dates</u>	<u>Hours</u>	<u>Approved</u>
A.	Mississippi Technology Alliance			
	1. The Eleventh Annual Conference on High Technology <i>Requested by Tonya Klauser</i>	12/7-8/10	12	Yes
B.	Accounting, Organizations and Society			
	1. The Influence of Organizational Justice On Accountant Whistleblowing	Published Article co-author	30	Yes
	The CPA Journal	Published	10	Yes
	1. U.S. vs. Global Auditing Standards <i>Requested by Deborah Seifert</i>	Article co-author		

VI. Regulatory Matters

1. The Board heard a report from Investigator Ransom Jones and approved the regulatory activities from April 29 to May 25, 2011:

<u>Activity</u>	<u>Number</u>
Cases Opened	1
Cases Closed	0
Cases referred to Members	0
Total Cases Open	21

2. The Investigator reviewed the open case log by general description and reported on the investigative activities.
3. The Investigator reviewed and discussed the closed cases listing provided as a handout to the agenda.

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. Onetta Whitley, Deputy Attorney General, and Gloria Green, Special Assistant AG, were the presenting attorneys. Board member David Miller was recused.
2. The Board continued as Trial Board for the purpose of hearing complaints 2008.18, 2008.21, 2008.23, and 2008.25, concerning Brenda J. Mullen, CPA 4405 and CPA firm permit F0547, and a proposed stipulation and consent order in the matter.
3. The Board then upon motion by Willie Sims with second by Rick Elam, the Board unanimously voted to close the meeting for the limited purpose of considering whether or not they had a proper subject matter to go into Executive Session.

In the closed meeting the Board upon motion by Jim Burkes with second from Willie Sims, the Board unanimously voted that they did indeed have a proper subject matter before it to entitle it to go into Executive Session, namely discussion of a disciplinary matter and review of a proposed stipulation and consent. Accordingly, the Board reopened the closed meeting and upon motion by Jim Burkes with second from Willie Sims voted to go into Executive Session for the purpose set forth above. Having announced this stated purpose the Board then entered into Executive Session for this specific purpose. Within the Executive Session, the Board took the following actions:

Upon motion by Rick Elam with second from Jim Burkes, the Board approved the stipulation and consent order with minor changes to paragraphs 9 and 12. Votes were - For: Willie Sims, Jim Burkes, David Clarke, Rick Elam; Against: None; Absent: Shelly Boone; and Recused: David Miller.

Upon motion by Rick Elam with second from Willie Sims, the Board approved the orders of dismissal with prejudice for each of the four complaints. Votes were - For: Willie Sims, Jim Burkes, David Clarke, Rick Elam; Against: None; Absent: Shelly Boone; and Recused: David Miller.

Upon motion by Rick Elam with second from Willie Sims, the Board approved the order staying proceedings from the original set May 26-27, 2011 hearings. Votes were - For: Willie Sims, Jim Burkes, David Clarke, Rick Elam; Against: None; Absent: Shelly Boone; and Recused: David Miller.

VII. Trial Board (Continued)

3. (Continued)

Subsequent to the above motion accepting the stipulation and consent and upon motion from Rick Elam with second from David Clarke, the Board agreed to accept the letter from the respondent's attorney John Clarke regarding payment of the amount required by the Stipulation and Consent Order. Votes were - For: Willie Sims, Jim Burkes, David Clarke, Rick Elam; Against: None; Absent: Shelly Boone; and Recused: David Miller.

4. Upon the conclusion of this business, the Board upon motion by Jim Burkes with second from Willie Sims unanimously voted to come out of Executive Session and resumed the open meeting. The Board came out of Executive Session and resumed the open meeting by announcing the actions and votes it had taken in Executive Session.

5. The Board heard a report from the staff and attorney Onetta Whitley concerning contacts from the legal representative for Ken Avery, case 2008.07A. Mr. Avery was revoked by the Trial Board July 25, 2008, for violations related to the World Com audit failure. After discussions and review of the case and upon motion by Rick Elam with second from Willie Sims, the Board determined that Mr. Avery should abide by the conditions of the 2008 Trial Board order. Evidence should be presented demonstrating that he is no longer under the sanctions of the Security Exchange Commission in addition to his completion of all other terms and requirements of the order including continuing professional education and required fees. Votes were - For: David Miller, Willie Sims, Jim Burkes, David Clarke, Rick Elam; Against: None; Absent: Shelly Boone; and Recused: None.

6. Upon conclusion of Trial Board business, the Board adjourned as Trial Board.

APPROVED:

Chair

Board Member

Vice Chair

Board Member

Secretary

Board Member