

**MISSISSIPPI STATE BOARD OF PUBLIC ACCOUNTANCY
MINUTES
November 13, 2009**

The Mississippi State Board of Public Accountancy met at the Board office at 5 Old River Place, Suite 104, Jackson, Mississippi, on November 13, 2009, beginning at 10:00 a.m. The following record of that meeting was maintained.

Board Members Present

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

Board Members Absent

David E. Clarke

Board Staff Present

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

Legal Counsel Present

Onetta Whitley, Deputy Attorney General

Others Present

Jimmy Boyd, MAPA

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 September 25, 2009, meeting.
3. The Board members present signed the CPA certificates of licensure from the September 25, 2009, meeting.
4. The Board noted and accepted a letter from Board member Jean Shepherd to Governor Haley Barbour announcing her resignation effective October 20, 2009.

I. General (Continued)

5. The Board set the start time for the final meeting of 2009:
December 11 8:30 a.m. Meeting
6. The Board members present set tentative meeting/activity dates for 2010:

January 22 Meeting	June 24-27 MSCP Annual
February 19 Meeting	July 23 Meeting
March 24 Meeting	August 20 Meeting
April 23 Meeting	September 24 Meeting
April 24 Ceremony	October 24-27 NASBA Annual
May 26 Meeting	November 12 Meeting
June 9-11 NASBA E. Regional	November 13 Ceremony
June 23-25 NASBA W. Regional	December 10 Meeting

II. National Regulatory Concerns

1. The Board heard a report from the members and staff that attended the NASBA Annual Meeting November 1 - 4, 2009.
2. The Board members present received a copy of the September responses to the NASBA Focus Questions.
3. The Board reviewed and discussed the October and September 2009 NASBA *State Board Reports*.
4. The Board reviewed the October 2009 *ALD News* (US Accountancy Licensee Database).
5. The Board discussed the Fall 2009, *AICPA State Regulatory Update*.
6. The Board noted the AICPA, August 31, 2009, letter to Internal Revenue Service Commissioner regarding notice 2009-60, Standards of Conduct for the Tax Return Preparer Community and Increased Taxpayer Compliance.
7. The Board noted two NASBA releases discussing Accounting Today naming of Nashville CEO David Costello top 100 most influential in Accounting along with NASBA Chair Thomas Sadler.

II. National Regulatory Concerns (continued)

8. The Board members noted the upcoming NASBA Center for the Public Trust CPE - *Ensuring Integrity: The Fourth Annual Auditing Conference*, December 2, 2009.
9. The Board reviewed Public Accounting Oversight Board (PCAOB) recent releases including:
 - *PCAOB Issues Report on First Year of Implementation of Auditing Standard No. 5*,
 - *Effective Date of PCAOB Rules Requiring Reporting By Registered Firms Revised to December 31, 2009*.

III. Administration

1. The Board members present reviewed and discussed the SAAS Summary Trial Balances as of October 31, 2009 for Treasury Funds 3845 and 3850, and the Treasury Fund 3845 SAAS Appropriation/Actual Expenditures for the four months ended October 31, 2009.
2. The Board discussed information related to priorities and funding:
 - October 23, 2009, Board letter to DFA State Fiscal Officer,
 - Analysis of Board's FY 2010 services by priority,
 - October 13, 2009, letter from Governor Barbour, and
 - October 16, 2009, letter from Kevin Upchurch.
3. The Board discussed the November 2, 2009, letter from the Office of the State Auditor regarding results of the October 21, 2009 property audit. All property items were accounted for and recorded.
4. The Board heard a report from Deputy Attorney General Onetta Whitley concerning her office's review of a proposed agreement with the Board and NASBA for participation in the accountancy licensee data base (Data Sharing Agreement).

IV. CPA Examination, Licensing and Firms

1. The Board members present unanimously ratified the Window 3 - July - August 2009 CPA examination scores for 206 candidates, 289 examination sections. Sixteen (16) candidates completed all four examination sections.
2. The Board members present unanimously accepted the listing of candidate applications for the computerized examination (12 initial, 86 reexam) received since the September 25, 2009, meeting. The Board reviewed and discussed a special candidate situation related to good moral character - initial applicant numbers 12743. Based on the careful evaluation of criminal misdemeanor conviction and all other requirements being met, the Board members present unanimously approved applicant 12743 to sit for the examination as Mississippi candidate.
3. 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>
12194	Karen B. Adams	6002	11/13/09	Yes
12451	Felicity Ross Arcement	6003	11/13/09	Yes
12273	Jonathan Brent Boutwell	6004	11/13/09	Yes
10958	Heath Eugene Brister	6005	11/13/09	Yes
12324	Derek Wade Holeman	6006	11/13/09	Yes
12365	Brien Bennett Hubbard	6007	11/13/09	Yes
12345	Brandon Michael Jones	6008	11/13/09	Yes
12731	Mary Anne King	6009	11/13/09	Yes
12280	Jordan Douglas Miller	6010	11/13/09	Yes
12707	April Williams Posey	6011	11/13/09	Yes
12734	Thomas Bishop Reid	6012	11/13/09	Yes

IV. CPA Examination, Licensing and Firms

3. Applications (Continued)

Applications for Reciprocal CPA Licenses

File				
<u>Number</u>	<u>Name</u>	<u>Number</u>	<u>Date</u>	<u>Approved</u>
12667	Timothy Jewel Byrd	R3485	11/13/09	Yes
12724	Jennifer Smith Lott	R3486	11/13/09	Yes
12729	Constance Bass Russ	R3487	11/13/09	Yes
12649	Melissa Ann Swetland	R3488	11/13/09	Yes
12736	Jennifer M. Usrey	R3489	11/13/09	Yes

Applications for CPA Firm Permit to Practice

<u>Name</u>	<u>Number</u>	<u>Approved</u>
Carr, Riggs & Ingram, LLC Enterprise, AL	F1245	Yes
Cassells & Associates, CPA PA Pembroke Pines, FL	F1246	Yes
Ernst & Young, LLP Las Vegas, NV	F1247	Yes
Friedman, Leavitt & Assoc. Inc. Cleveland, OH	F1248	Yes
J. Russell Persons, II CPA PA Lucedale, MS	F1249	Yes
Richard G. Roberts, Jr. CPA Oxford, MS	F1250	Yes

4. The Board discussed the November 14, 2009 ceremony and noted Honorable Tate Reeves for the keynote speaker.

IV. CPA Examination, Licensing and Firms (Continued)

5. The Board members present unanimously took the following actions related to requests for amendments to the 2009 CPE compliance requirements:

<u>Name</u>	<u>Number</u>	<u>Board Action</u>
John A. Cannon	3007	Extension to 11/30/09 - 30 CPE hours
John F. Hill	3693	Extension to 11/30/09 - 6 CPE hours
Eric E. Lindstrom, Jr.	3921	Waiver - Medical
Chester Redditt	1265	Extension to 11/30/09 - 28 CPE hours

6. The Board members present unanimously approved requests from CPAs for waivers of the 2009 CPE compliance requirements based on affidavits of current retirement and intention to apply for CPA (retired) for 2010, as follows:

<u>Name</u>	<u>Number</u>
Patricia S. Davis	4693
Walter M. Denny, Jr.	0681
James T. Farmer	3066
Ralph A. Higginbotham	0824
John M. Schmidlkofer	2204
Sarah Joe Stegall	3377
Johnny M. Turner	1819
Richard C. Turner, III	0902

7. The Board reviewed a listing of voluntary cancellations made by CPAs requested during the 2009 CPE reporting period:

<u>Name</u>	<u>Number</u>
Susan C. Breaux	R3102 (compliant)

8. The Board reviewed but denied a request from candidate #12358 for an NTS extension (FAR) from November 19, 2009 to March 19, 2010.
9. The Board reviewed and granted a refund request from applicant #12520 for CPA application fees.
10. The Board reviewed information related to the CPA examination:
- September 25, 2009, AICPA BOE letter,
 - The Uniform CPA Examination Alert, Fall 2009, and
 - October 7, 2009, Colorado letter to Board of Examiners.

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 Society of Women Accountants			
	1. Full Life Percepts - Mastering the "3R's"	10/27/09	1	No
B.	AmeriTax & AccuTax Software Solutions, Inc.			
	1. Mississippi Annual Tax Conference	10/23/09	5	Yes
C.	Association of Fundraising Professionals-Mississippi Chapter			
	1. Charitable Strategies & the Most Productive Major Planned Gifts & How to Visit With Major Planned Gift Prospect	10/14/09	5	Yes
D.	Division of Business Services Mississippi State University			
	1. 2009 Annual Income Tax Course	12/7&8/09 12/8&9/09 12/9&10/09 12/10&11/09	16 1 Ethics General	Yes
E.	Frances Rushton Memorial Scholarship			
	1. Auditing, Accounting and Tax Update	10/30/09	8	Yes
F.	Institute of Internal Auditors - Gulf Coast Chapter			
	1. Internal Audit Law Seminar	10/19/09	4	Yes
G.	Midsouth Institute of Accountancy			
	1. MSIA Fall/Winter 2009 Seminar	12/14/09	8	Yes
H.	Mississippi Bankers Association			
	1. MBA 2009 Compliance Conference	10/15-16/09	12	Yes
	2. 2009 MBA Trust Conference	11/5-6/09	8	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>
I.	Mississippi Society of CPAs			
	1. 2009 Technology Conference for Accountants	5/11&12/09	16	Yes
	2. Accounting and Auditing Conference	5/15/09	8	Yes
	3. Program for Management Development	5/20&21/09	16	Yes
	4. Health Care Services Seminar	9/15/09	8	Yes
	5. Industry Conference	10/20/09	8	Yes
J.	Mississippi State Tax Commission			
	1. Cash Flow Audit Procedures	9/14/09 9/29/09 TBD	6	Yes
K.	Northeast Chapter of MSCPAs			
	1. 2009 Tax Update	9/29&30/09	16	Yes
L.	Office of the State Auditor			
	1. Agency Audit - Audit Risk and Sampling/Auditing ARRA	9/23/09	5	Yes
	2. County Audit Section - Microsoft Word 2007 - An Auditor's Approach/Teammate Electronic Working Paper Software	10/1/09 10/8/09 10/15/09 10/22/09	8	Yes
M.	Silas Simmons, LLP			
	1. Accounting and Auditing Update	10/2/09	8	Yes
N.	State Bank & Trust Company			
	1. Accounting & Auditing	11/6/09	8	Yes
O.	University of Southern Mississippi Foundation			
	1. The Raiser's Edge Training	8/26-9/4 2009	40	Yes

V. Continuing Professional Education (Continued)

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.	Global Business Development Institute 1. CPA Credentials and the International Accounting Market Requested by Jesse Beeler	Published Article co-author	10	Yes
B.	Shelby Systems 1. Financial Workshop 101 Requested by Amy Howe	9/16-18/09	14	Yes
C.	Practical Tax Strategies 1. Trade Allowances: An Analysis of Tax and Financial Accounting Rules Requested by Wayne Nix	Published Article co-author	4	Yes
D.	Journal of Learning in the Accounting Curriculum 1. Computer Integration in the Accounting Curriculum: Trends and Assessment	Published Article co-author	20	Yes
	The Accounting Educator's Journal 1. Writing Apprehension Among Accounting Seniors Requested by Anthony Varnon	Published Article co-author	20	Yes

3. The Board reviewed and discussed a September 30, 2009, letter from the Mississippi Society of CPAs, CPE Committee Chair William Taylor and Marty Rawls, Director of Education, requesting approval of webinars under the same stringent approval process required for self-study courses (QAS requirement). The Board directed the Executive Director to reply to the letter addressing future changes to the Rules and Regulations and NASBA Registry requirements for CPE webinars.

VI. Legislation Task Force

1. The Board members present discussed the proposed amendments to the Public Accountancy Act concerning mobility provisions. The members reviewed specific comments from interested parties including the AICPA Assistant General Counsel, Accountants Coalition, and the Society. After carefully reviewing the comments, the Board noted their agreement and no serious opposition to the drafts. The Board determined to draft a response from Chair Rick Elam to the Society concerning its proposal.

VII. Regulatory Matters

1. The Board heard a report from Investigator Ransom Jones and approved the regulatory activities from September 25, 2009 to November 13, 2009:

<u>Activity</u>	<u>Number</u>
Cases Opened	96
Cases Closed	62
Cases referred to Members	96
Total Cases Open	51

2. The Investigator reviewed and discussed the closed cases listing provided as a handout to the agenda.
3. Executive Director Susan Harris provided a report to the Board concerning Web Wright's acceptance to the position on the independent peer review oversight committee to replace Darrell Galey whose term has expired.

VIII. 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 hearing complaints related to alleged noncompliance with Board Rules and Regulations concerning CPE requirements for the period ended June 30, 2009. Rick Elam, Trial Board President, was the presiding officer. Onetta Whitley, Deputy Attorney General, was the presenting attorney. David Clarke was absent.

VIII. Trial Board (Continued)

3. The Board continued as Trial Board for the purpose of hearing complaint 2009.15. The Board received a Motion for Continuance from the respondent. After consideration and upon motion by Shelly Boone with second from Willie Sims, the Board unanimously voted to permit continuance of the hearing related to the complaint until the next Board meeting to be held at the Board office, December 11, 2009. Votes were - For: Rick Elam, David Miller, Shelly Boone, Jim Burkes, Willie Sims, Against: None; Absent: David Clarke; and Recused: None.

4. The Trial Board heard a report from Attorney Onetta Whitley providing a recommendation to continue all other open complaints related to alleged noncompliance with Board Rules and Regulations concerning CPE requirements for the period ended June 30, 2009, that are not resolved or that respondents have not responded to the Notice of Hearing and Complaints. Upon motion by Willie Sims with second from Jim Burkes, the Board unanimously voted to permit continuance of the hearings related to the complaints until the next Board meeting to be held at the Board office, December 11, 2009, and to notify the respondents or same. Votes were - For: Rick Elam, David Miller, Shelly Boone, Jim Burkes, Willie Sims, Against: None; Absent: David Clarke; and Recused: None.

APPROVED:

Chair

Board Member

Vice Chair

Board Member

Secretary

Board Member