

**MISSISSIPPI STATE BOARD OF PUBLIC ACCOUNTANCY  
MINUTES  
March 26, 2010**

The Mississippi State Board of Public Accountancy met at the Board office at 5 Old River Place, Suite 104, Jackson, Mississippi, on March 26, 2010, beginning at 8:30 a.m. The following record of that meeting was maintained.

Board Members Present

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

Board Staff Present

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

Legal Counsel Present

Gloria Green, Special Assistant Attorney General

Others Present

Gary Walker, MSCPA

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**I. General**

1. The Board opened the meeting with an invocation from Willie Sims.
2. The Board members unanimously approved the minutes from the January 22, 2010, meeting.
3. The Board members signed the CPA certificates of licensure from the January 22, 2010, meeting.
4. The Board members set the time for next meeting and reviewed the tentative meeting dates and activities for the first part of 2010:

April 23	10:00 a.m.	Meeting
April 24		Ceremony
May 26		Meeting
June 9-11		NASBA E. Regional
June 24-27		MSCPA Annual
July 23		Meeting

**I. General (Continued)**

5. The Board members noted that the *Statement of Economic Interest* is due to the Mississippi Ethics Commission by May 1, 2010.

**II. National Regulatory Concerns**

1. The Board members reviewed and discussed the Quarterly Communications from the National Association of State Boards of Accountancy (NASBA) including the November 2009 Focus Question Responses, Executive Summary, and Highlights from the January NASBA Board of Directors Meeting.
2. The Board reviewed and discussed the NASBA *State Board Report* for both January and February 2010.
3. The Board members answered the Regional Director's Focus Questions to be submitted to NASBA by April 9, 2010.
4. The Board members noted but took no action concerning the March 10, 2010, NASBA memorandum regarding recommendations for its Nominating Committee and Board of Directors due by June 1, 2010.
5. The Board members reviewed the Spring 2010, AICPA *State Regulatory Update*. In addition, the Board agreed to a visit at the next meeting from AICPA representative Suzanne Jolicoeur, Manager State Regulatory Outreach.
6. The Board members reviewed an AICPA Release entitled *AICPA Issues Statement on SEC Commitment to Move U.S. Toward International Financial Reporting Standards with New "Work Plan"*.
7. The Board members discussed the *ALD News - US Accountancy License Database*.
8. The Board members reviewed Public Accounting Oversight Board (PCAOB) recent releases including:
  - *PCAOB Addresses Emerging Audit Issues in 2010 Forum on Auditing in the Small Business Environment*,
  - *PCAOB Auditing Standard on Engagement Quality Review Approved by SEC, Effective for Fiscal Years Beginning December 15, 2009*, and
  - *PCAOB Publishes Staff Question and Answer on Auditing Standard No. 7, Engagement Quality Review*

**III. Administration**

1. The Board members present reviewed and discussed the SAAS Summary Trial Balances as of February 28, 2010, for Treasury Funds 3845 and 3850, and the Treasury Fund 3845 SAAS Appropriation/Actual Expenditures for the eight months ended February 28, 2010.
2. The Board members discussed the proposed fiscal year 2011 budget, Senate Bill 3157. Through House Concurrence 121, the normal Legislative calendar was suspended. The Legislature returns April 20, 2010.
3. The Board members present unanimously approved extra per diem days as follows:
 

Shelly Boone		NASBA Education Committee
Rick Elam	Mar 25	Investigative Committee
David Miller	Feb 16	Investigative Committee

**IV. CPA Examination, Licensing and Firms**

1. The Board reviewed and discussed three special candidate situations related to good moral character - initial applicant numbers 12799, 12805, and 12811. Based on its careful evaluation of criminal misdemeanor convictions and all other requirements being met, the Board members present unanimously approved the applications to sit for the examination as Mississippi candidates.
2. The Board members unanimously accepted the listing of candidate applications for the computerized examination (25 initial, 65 reexam) received since the January 22, 2010, meeting.
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>
12539		Brandi Russell Butler	6028	3/26/10	Yes
12043		James Hand Carter	6029	3/26/10	Yes
12481		Brittany C. G. Chamblee	6030	3/26/10	Yes

## IV. CPA Examination, Licensing and Firms (Continued)

## 3. Applications (Continued)

Applications for Original CPA License (Continued)

File				
<u>Number</u>	<u>Name</u>	<u>Number</u>	<u>Date</u>	<u>Approved</u>
12219	Halton Arnold Davis, III	6031	3/26/10	Yes
11544	Renaë Leigh Davis	6032	3/26/10	Yes
12457	Scott B. Dawkins	6033	3/26/10	Yes
12256	Daniel James Deblanc	6034	3/26/10	Yes
11301	Lydia Nchelem Didia	6035	3/26/10	Yes
12049	Felicia Adale Dunn	6036	3/26/10	Yes
11715	Sheila Franklin-Buie	6037	3/26/10	Yes
12625	Randall W. Geimer	6038	3/26/10	Yes
11219	Kimberly Dawn Jenkins	6039	3/26/10	Yes
12474	Max Jonathan Jones	6040	3/26/10	Yes
12546	Danna Gwen Napp	6041	3/26/10	Yes
11293	Michael Eugene Rhodus, Jr.	6042	3/26/10	Yes
12015	Barrett Tadlock Smith	6043	3/26/10	Yes
11022	William Brent Tapscott	6044	3/26/10	Yes
11884	Toni C. Thrasher	6045	3/26/10	Yes
12455	Allison White Wilson	6046	3/26/10	Yes

Applications for Reciprocal CPA Licenses

File				
<u>Number</u>	<u>Name</u>	<u>Number</u>	<u>Date</u>	<u>Approved</u>
12777	Eric Dean Baacke	R3502	3/26/10	Yes
12803	Edward Craig Crawford	R3503	3/26/10	Yes
12794	David Mark Fletcher	R3504	3/26/10	Yes
12778	Andrew Blaine McIlwain	R3505	3/26/10	Yes
12779	Clyde Lee Posey	R3506	3/26/10	Yes
12798	Kenneth Angelo Primos, III	R3507	3/26/10	Yes
12810	Morgan Stone Samuels	R3508	3/26/10	Yes
12807	Katherine R. Wright	R3509	3/26/10	Yes

## IV. CPA Examination, Licensing and Firms (Continued)

## 3. Applications (Continued)

Applications for Reinstatement of CPA Licenses

<u>File</u> <u>Number</u>	<u>Name</u>	<u>Number</u>	<u>Approved</u>
10065	Ronald M. Cofield	R2648	Yes
05680	Kathryn Hull Porterfield	3293	Yes
10574	Angela T. Robinson	5573	Yes

Applications for CPA Firm Permit to Practice

<u>Name</u>	<u>Number</u>	<u>Approved</u>
Bernard Robinson & Company, LLP Greensboro, NC	F1264	Yes
Karla D. Duckworth, CPA, PLLC Clinton, MS	F1265	Yes
Frost Cummings Tidwell Group, LLC Birmingham, AL	F1266	Yes
GHP Horwath, P.C. Denver, CO	F1267	Yes
KPMG LLP St. Louis, MO	F1268	Yes
Lanigan and Associates, PC Tallahassee, FL	F1269	Yes
Mironov, Sloan & Parziale, LLC Edison, NJ	F1270	Yes
RubinBrown LLP St. Louis, MO	F1271	Yes
Silva Gurtner & Abney, CPAs LLC Mandeville, LA	F1272	Yes
Slawson & Alford, PLLC Ridgeland, MS	F1273	Yes
Angela Summers CPA, PLLC Batesville, MS	F1274	Yes

## IV. CPA Examination, Licensing and Firms (Continued)

## 3. Applications (Continued)

Application for Reinstatement of a CPA Firm Permit to Practice

<u>Name</u>	<u>Number</u>	<u>Approved</u>
Dixon Hughes, PLLC Asheville, NC	F1036	Yes

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

<u>Name</u>	<u>Number</u>	<u>Description</u>
Jesse C. Allday, CPA Collins, MS	F0110	Address Change
Amanda Angle CPA LLC Tupelo, MS	F1240	Address Change
BKD, LLP St. Louis, MO	F1057	Address Change
Brown & Company, CPAs, PLLC Largo, MD	F0911	Address Change
Baugh and Company Hattiesburg, MS	F0819	Address Change
Thomas E. Clayton, Jr., PLLC Marks, MS	F0737	Name Change from Veazey & Clayton, PLLC
Compton & Company Meridian, MS	F0230	Name Change from David M. Compton , CPA and Co
Cooley & Associates, Inc. Ridgeland, MS	F1209	Address Change
Brian L. Crawford, CPA Carrollton, MS	F0832	Address Change
Dixon Hughes PLLC Raleigh, NC	F1071	Address Change
Cantrell, Forwood & LaGroue, LLC Mobile, AL	F1156	Ownership and Address Change from Brenda Snellen Forwood, LLC
Rodney M. Fountain, CPA, P.A. Ocean Springs, MS	F1042	Address Change
The Griffith CPA Firm, PLLC Southaven, MS	F1012	Address Change
Henderson & Hill, LLC Birmingham, AL	F1022	Address Change
Rebecca F. Hennessey, CPA Ocean Springs, MS	F0846	Address Change

## IV. CPA Examination, Licensing and Firms (Continued)

## 4. CPA Firm Amendments (Continued)

<u>Name</u>	<u>Number</u>	<u>Description</u>
Hooker, Walsh & Associates, PLLC Ocean Springs, MS	F1094	Name Change from Penton, Hooker & Associates, PLLC
Hutchison & Company, CPAs PA McComb, MS	F0950	Address Change
W. Darron Kendrick, CPA Pascagoula, MS	F0903	Address Change
Killebrew & Moss, P.A. Greenwood, MS	F0443	Form of Organization change from LTD
Richard Kimbrough, CPA Baldwyn, MS	F1107	Address Change
Ann Hughes Leroux, CPA Madison, MS	F0852	Address Change
T. E. Lott & Company, PA Tuscaloosa, AL	F1133	Address Change
The Marston Group, PLC Memphis, TN	F0498	Form of organization change from PC
Stephen T. Meyers Hattiesburg, MS	F0976	Address Change
Robert F. Mosher CPA PA Ocean Springs, MS	F0310	Address Change
Novogradac & Company, LLP Alpharetta, GA	F0983	Address Change
Orth, Chakler, Murnane & Co., CPA Miami, FL	F0570	Address Change
O'Sullivan Creel, LLP Fort Walton Beach, FL	F0959	Address Change
Thomas M. Peyton, CPA Memphis, TN	F0228	Address Change
Prichard, Dewberry & Hodges, PC Spanish Fort, AL	F0973	Ownership and Name Change from Prichard & Dewberry, PC
Johnny N. Rakestraw, CPA Blue Springs, MS	F0968	Address Change
Rector & Reeder, PC Snellville, GA	F0814	Ownership and Name Change from Rector, Lindsay & Reeder, PC

## IV. CPA Examination, Licensing and Firms (Continued)

## 4. CPA Firm Amendments (Continued)

<u>Name</u>	<u>Number</u>	<u>Description</u>
Sanderson CPA PLLC Columbia, MS	F1089	Address Change
Vickie L. Simmons, CPA Hereford, AZ	F0667	Address Change
David L. Stokes, CPA, PA Forest, MS	F0936	Form of organization change from David L. Stokes, CPA
TT, LLC Jackson, MS	F1237	Address Change
G. Edward Tucker, CPA Petal, MS	F1238	Address Change
U.N. Vora, CPA, PC Dallas, TX	F0943	Form of organization change from U.N. Vora CPA
Wilkins Miller Hieronymus LLC Mobile, AL	F0889	Merged firm Name change from Hieronymus, Gaillard & Jones, LLC and Address Change
C. R. Williams & Associates , LLC Merrillville, IN	F1148	Address Change
C. Denise Woods & Company, PLLC Oxford, MS	F0917	Form of organization change from C. Denise Woods & Company

5. The Board reviewed and granted two requests for NTS extensions from examination candidate 12519 (REG) and candidate 12654 (REG) from February 13, 2010 to May 31, 2010 due to the Jackson Prometric test center emergency closing.
6. The Board reviewed and granted a request from candidate 12348 for an extension of AUD credit due to expire February 14, 2010, extended to February 21, 2010. The extension was granted due to the Jackson Prometric test center emergency closing.
7. The Board reviewed but denied requests from fourteen individual CPAs for refunds of the \$150 late fees assessed due to late 2010 annual registration.

#### IV. CPA Examination, Licensing and Firms (Continued)

8. The Board reviewed, discussed, and took no action related to various information related to the CPA examination:
  - NASBA March 5, 2010, Release - CBT Agreement,
  - NASBA Candidate Concerns 09Q4,
  - CBT Steering Group Quarterly Summary,
  - AICPA February 3, IFRS on Examination,
  - AICPA February 5, Standard Setting - Passing Score, and
  - AICPA BOE Meeting Highlights.
  
9. The Board discussed reciprocal applicant 12149 who is a Canadian Chartered Accountant that was issued and holds a reciprocal license by the Texas Board. The Texas Board issued the reciprocal license based on the NASBA mutual recognition agreement with Canada in which Texas has accepted. The applicant came before the Board earlier, but was deferred for further legal research because he does not hold an original license in any state for which Mississippi reciprocate and his education does not meet the 150 hour requirement. The Board directed the staff and legal counsel to investigate further.
  
10. The Board heard a report from member Rick Elam concerned reports from his students wanting to receive CPA examination scores sooner just as the candidates from the NASBA CPAES states. Executive Director Susan Harris will contact NASBA concerning obtaining this service for Mississippi candidates.

#### 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.	Alexander, Van Loon, Sloan & Favre	5/20-21/10	16	Yes
	1. 12 <sup>th</sup> Annual Accounting & Auditing Update(Booker)		4 Ethics (3 General 1 Rules)	
B.	AGA, CFE and IIA 2010 Joint Seminar			
	1. 2010 Joint Fraud and Forensics Seminar	5/6&7/10	16	Yes

## V. Continuing Professional Education (Continued)

## I. CPE Sponsor Applications: (Continued)

	<u>Sponsor/Program Title</u>	<u>Dates</u>	<u>Hours</u>	<u>Approved</u>
C.	American Society of Women Accountants			
	1. Federal & MS Tax Update	½6/10	4	Yes
	2. Income Taxes, Past, Present, Future	2/23/10	1	Yes
D.	BKD, LLP			
	1. Ethics Update: Including MS Rules and Regulations (Dr. Quinton Booker)	5/20/10	4 Ethics (3 General 1 Rules)	Yes
E.	Department of Finance and Administration			
	1. Ethics CPE Training (Susan Harris)	3/4/10	4 Ethics (3 General 1 Rules)	Yes
F.	Estate Planning Council of MS			
	1. Industry Outlook: The Changing World of Estate Planning and Administration	9/8/09	1	Yes
	2. Charitable Gift Strategies in Troubled Times	10/13/09	1	Yes
	3. Community Foundation Partnerships Giving Strategies	11/10/09	1	Yes
	4. The Use of Trusts with Qualified Plans and IRAs	1/12/10	1	Yes
G.	Grantham Poole et al, PLLC			
	1. Word 2007	2/2/10	8	Yes
	2. Excel 2007	2/10/10	8	Yes
H.	Matthews, Cutrer & Lindsay, P.A.			
	1. Risk Assessment Walk-through	1/13/10	1.5	Yes
	2. Understanding Adobe - Adobe features and tricks	½6/10	1	Yes
	3. Statement of Cash Flows	2/9/10	1	Yes
I.	May & Company, LLP			
	1. Annual Pre-Tax Season Meeting	1/18/10	4	Yes

## V. Continuing Professional Education (Continued)

## I. CPE Sponsor Applications: (Continued)

	<u>Sponsor/Program Title</u>	<u>Dates</u>	<u>Hours</u>	<u>Approved</u>
J.	Midsouth Institute of Accountancy			
	1. Spring 2010 A&A Seminar	5/17/10	8	Yes
	2. Ethics Seminar	5/24/10	8	Yes
			(4 Ethics 3 General 1 Rules)	
K.	Mississippi Bankers Association			
	1. 2010 Loan Documentation Conference	3/3-4/10	12	Yes
L.	Mississippi Department of Transportation			
	1. The New AASHTO Audit Guide Small Firm Compliance	3/11/10	8	Yes
M.	MS Gulf Coast Chapter of the IIA			
	1. Forensic Accounting Seminar	3/26/10	8	Yes
N.	Mississippi Hospital Association			
	1. 2 <sup>nd</sup> Annual Mississippi Hospital Association Health Law Conference	4/16/10	5.5	Yes
O.	MS Society of CPAs			
	1. Accounting Educators Symposium	10/30/09	8	Yes
	2. Business Valuation and Litigation Seminar	11/6/09	8	Yes
	3. Mississippi Tax Institute	11/12&13/09	16	Yes
			(1 Ethics General)	
	4. Not-for-Profit Conference	11/20/09	8	Yes
	5. Is There a Gap in Your GAAP?	5/17/10	8	Yes
	6. Analyzing and Interpreting Financial Statements	5/18/10	8	Yes
	7. Auditing Real -World Frauds	5/24/10	8	Yes
	8. Essential Skills for the Survival and Growth of Your Organization	6/4/10	4	Yes
	9. Frequent Frauds Found in Government	6/7/10	4	Yes
	10. Determining How Much Money you Need to Retire and Tax Ideas and Money Mgmt.	6/24/10	8	Yes

## V. Continuing Professional Education (Continued)

## I. CPE Sponsor Applications: (Continued)

	<u>Sponsor/Program Title</u>	<u>Dates</u>	<u>Hours</u>	<u>Approved</u>
O.	MS Society of CPAs (Continued)			
	11. MBA in a Day	6/25/10	8	Yes
	12. Bankruptcy Today: What Every CPA Must Know	9/21/10	8	Yes
	13. The Coming IFRS Conversion: Preparing for the Ultimate GAAP Makeover	9/27/10	8	Yes
	14. Frequent Frauds Found in Governments	10/22/10	4	Yes
	15. The Best Federal Tax Update Course by Surgent McCoy	11/16/10	8	Yes
	16. Understanding and Documenting the Entity and Its Environment Including Internal Controls in Smaller Entities	12/1/10	8	Yes
	17. Everything You Need to Know About Auditor's Reports	12/2/10	8	Yes
	18. Accounting for Deferred Income Taxes SFAS 109/FIN 48	12/9/10	4	Yes
	19. New FASBI Developments for Business and Industry	12/9/10	4	Yes
	20. The Best Federal Tax Update Course by Surgent McCoy	12/9/10	8	Yes
	21. Governmental and Non-Profit Annual Update	12/10/10	8	Yes
P.	Mississippi State Tax Commission			
	1. Hostile Work Environment Training	Various	1	Yes
Q.	Office of the State Auditor			
	1. Government Auditing and Accounting Update	11/19&20/09	16	Yes
	2. Government Auditing and Accounting Update	1/14/10	8	Yes
R.	Patterson School of Accountancy			
	1. Accountancy Weekend	4/23/10	2 Ethics General	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>
S.	Petroleum Accounting Society of MS			
	1. Oil and Gas :and Accounting	2/25/10	1	Yes

2. The Board members present unanimously authorized the following action concerning CPE requests from an individual.

	<u>Sponsor/Program Title</u>	<u>Dates</u>	<u>Hours</u>	<u>Approved</u>
A.	Mississippi Technology Alliance			
	1. 2010 Mississippi Software Institute	2/16/10	5	Yes
	Requested by William O. Brown, Jr.			
B.	Dr. Stan Clark			
	1. Ethics Forum Updated	Various	4 Ethics (3 General 1 Rules)	Yes

**VI. Legislation Task Force**

1. The Board members noted that Senate Bill 2128 enacting mobility legislative updates was signed by Governor Haley Barbour. The act is effective July 1, 2010.

**VII. Regulatory Matters**

1. The Board heard a report from Investigator Ransom Jones and approved the regulatory activities from December 11, 2009 to March 26, 2010:

<u>Activity</u>	<u>Number</u>
Cases Opened	4
Cases Closed	10
Cases referred to Members	1
Total Cases Open	16

**VII. Regulatory Matters (Continued)**

2. The Investigator discussed the closed cases listing (Exhibit as a part of these minutes).
3. The Investigator reviewed the open case log by general description and reported on the investigative activities.

**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 to review for approval a consent order concerning case 2005.15 issued by the Jim Burkes Investigative Committee. The respondent, KPMG LLP, has accepted an agreement with the Board wherein it acknowledges the firm entered into a settlement in 2005 known as a deferred prosecution agreement (“DPA”) with the United States Attorney’s Office for the Southern District of New York regarding certain tax shelters designed, implemented, and sold by respondent from 1996 through 2002. In the DPA, KPMG LLP admitted that certain of its tax partners assisted high net worth United States citizens in evading United States income taxes by developing, promoting and implementing unregistered and fraudulent tax shelters.

The consent order contains the following agreed upon terms: (1) No later than thirty (30) days, respondent shall make a voluntary payment to the Board of Fifteen Thousand Dollars (\$15,000.00); (2) No later than thirty (30) days, respondent agrees to pay to the Board the administrative costs accrued in the investigation of this matter which are Seven Hundred Fifty-five Dollars (\$755.00); and (3) respondent shall comply with all rules, regulations, and statutes concerning the practice of accountancy in this state.

After discussion of the status of the case and upon motion by David Miller with second from Willie Sims, the Trial Board approved the consent order as issued by the investigative committee and previously agreed to by the respondent. Votes were - For: David Clarke, David Miller, Shelly Boone, Rick Elam, Willie Sims; Against: None; Absent: None; and Recused: Jim Burkes.

**VIII. Trial Board (Continued)**

3. The Board continued as Trial Board for the purpose of discussing the release of disciplinary Trial Board actions to other State Boards of Accountancy as a necessary function related to mobility of CPA licensees. Upon motion by Rick Elam with second by David Miller, the Board unanimously approved such formal notification to other jurisdictions concerning actions related to CPA licensees and CPA firms.
  
4. Upon conclusion of Trial Board business, the Board adjourned as Trial Board and adjourned the meeting.

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APPROVED:

\_\_\_\_\_  
Chair

\_\_\_\_\_  
Board Member

\_\_\_\_\_  
Vice Chair

\_\_\_\_\_  
Board Member

\_\_\_\_\_  
Secretary

\_\_\_\_\_  
Board Member