

MISSISSIPPI STATE BOARD OF PUBLIC ACCOUNTANCY
MINUTES
April 29, 2011

The Mississippi State Board of Public Accountancy met at the Board office at 5 Old River Place, Suite 104, Jackson, Mississippi, on April 29, 2011, beginning at 10:00 a.m. The following record of that meeting was maintained.

Board Members Present

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

Board Staff Present

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

Legal Counsel Present

Gloria Green, Attorney General

Others Present

Gary Walker, MSCPA
Jimmy Boyd, MAPA
Kelly Powell, Court Reporter

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 March 25, 2011, meeting.
3. The Board members present signed the CPA certificates of licensure from the March 25, 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 the first part of 2011:

May 25	12:00 p.m.	Meeting
May 26-27		Trial Board Hearing
June 8-10		NASBA Western Regional
June 22-24		NASBA Eastern Regional
June 23-26		MSCPA Annual
July 22		Meeting (canceled)
August 5		Meeting
August 19		Meeting (canceled)

5. The Board noted that registrations are due on or before May 6, 2011, for the NASBA Regional meetings and registrations are due now for the MSCPA Annual Meeting.
6. The Board members noted that the *Statement of Economic Interest* is due to the Mississippi Ethics Commission by May 1, 2011.
7. The Board members unanimously approved attendance by Rick Elam to attend the NASBA International Forum, July 25 - 26, 2011, Vancouver, British Columbia.

II. National Regulatory Concerns

1. The Board reviewed and discussed topics in the NASBA *State Board Reports* for March and April 2011.
2. The Board reviewed the NASBA Center for the Public Trust publication - *Ethics Matters*, April 2011, Volume 4, Number 2, and its release, *Honoring Ethics*.
3. The Board members approved its response to the Exposure Draft *Proposed Revisions to AICPA/NASBA Uniform Accountancy Act and NASBA Uniform Accountancy ACT Rules Section 2 and Article 14*, to be submitted to the UAA Committee before the June 1, 2011, deadline.
4. The Board noted NASBA's April 11, 2011, email requesting nominations for its 2011 awards: William Van Rensselaer Public Service Award, Distinguished Service Award, and the Lorraine P. Sachs Standard of Excellence Awards, due June 30.

II. National Regulatory Concerns (Continued)

5. The Board reviewed the April 7, 2011, AICPA publication - *Ethically Speaking*.
6. The Board reviewed these Public Accounting Oversight Board (PCAOB) releases:
 - *PCAOB Discussed Changes to the Auditor's Reporting Model in Preparation for Concept Release,*
 - *PCAOB Announces Settled Disciplinary Order Against PricewaterhouseCoopers International Firms in India for Audit Violation Related to Satyam, and*
 - *PCAOB Enters into First Cooperative Agreement with Swiss Regulators.*

III. Administration

1. The Board members present reviewed the SAAS Summary Trial Balances as of March 31 for Treasury Funds 3845 and 3850, and the Treasury Fund 3845 SAAS Appropriation/Actual Expenditures for the nine months ended March 31, 2011.
2. The Board noted the updated meal reimbursement rates as published by the Department of Finance and Administration.
3. The Board heard a report from John McManus, Development Team Leader, Mississippi Information Technology Services, concerning the State's plan toward on-line services and the new contractor in addition to its plan for a back-end data base designed and adaptable for the State's Boards and Commissions. The Board unanimously determined that ITS should include the Board data base project within its project lists.

IV. CPA Examination, Licensing and Firms

1. The Board members present unanimously ratified the Window 1 - January - February 2011 CPA examination scores for 143 candidates, 180 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, 66 reexam) received since the March 2011 meeting. The Board also reviewed and discussed a special candidate situation related to good moral character - initial applicant number 13006. Based on its careful evaluation of criminal misdemeanor conviction and all other requirements being met, the Board members unanimously approved applicant 13006 to sit for the examination as a Mississippi candidate.

IV. CPA Examination, Licensing and Firms (Continued)

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

File				
<u>Number</u>	<u>Name</u>	<u>Number</u>	<u>Date</u>	<u>Approved</u>
12768	Robert Thaddeus Burke	6134	04/29/11	Yes
12366	Joshua Matthew Eldridge	6135	04/29/11	Yes
11881	Harry C. Hammond, IV	6136	04/29/11	Yes
11736	Britny Bailey Hester	6137	04/29/11	Yes
12852	Kelli L. Lyons	6138	04/29/11	Yes
12770	Amanda Hope Sharp			No (1)
12654	Michael Bradley Wood	6139	04/29/11	Yes

(1) Pending completion of experience requirement.

Applications for Reciprocal CPA Licenses

File				
<u>Number</u>	<u>Name</u>	<u>Number</u>	<u>Date</u>	<u>Approved</u>
13040	Russell Alan Eldridge	R3541	4/29/11	Yes
13028	Joshua Allen Hutcheson	R3542	4/29/11	Yes
13043	Stephanie Halphen McKay	R3543	4/29/11	Yes
13056	Mallorie Magee Raspberry	R3544	4/29/11	Yes
13046	Kylee C. Wiblin	R3545	4/29/11	Yes

Applications for Reinstatement of CPA Licenses

File			
<u>Number</u>	<u>Name</u>	<u>Number</u>	<u>Approved</u>
07242	Thomas Anthony Gurtner	R2273	Yes
05833	Terry Max Halley, Jr.	R2105	Yes
12524	Andrew Jackson Knight	R3449	Yes
01154	Charles D. Wells	2602	See below

IV. CPA Examination, Licensing and Firms (Continued)**3. Applications (Continued)**

The Board convened at 10:30 a.m. to hold a hearing related to reinstatement applicant license 2602, Charles D. Wells, wherein the applicant was given an opportunity to show cause why his CPA license should be reinstated with the Mississippi Board of Public Accountancy in addition to consideration of an application for a CPA firm permit. The matter came before the Board pursuant to this notice to Charles D. Wells to show cause why his reinstatement applications for his CPA license and his CPA firm permit application should be approved. During the hearing, the Board heard evidence from Mr. Ransom Jones. The applicant did not appear for the hearing.

After the Board had received testimonial and documentary evidence in this matter, a motion was made by Rick Elam, seconded by Willie Sims, that the Board enter into a closed determination session for the purpose of discussing whether it had cause to go into Executive Session. Jim Burkes recused himself from the consideration and deliberation in this matter and, therefore, did not cast a vote regarding the closed determination session. The motion to go into a closed determination session was passed by the remaining Board members.

In the closed determination session, a motion was made by Rick Elam with second by Willie Sims that the Board enter into Executive Session for the purpose of discussion and deliberations regarding whether the facts revealed at the Wells' show cause hearing constituted a violation of any law, rule and/or regulation governing the licensure of CPA and CPA firm permit and/or grounds for denial of a CPA license and/or CPA firm permit, which deliberations could also lead to an appeal of the Board's order or litigation against the Board. Jim Burkes recused himself from the consideration and deliberation in this matter and, therefore, cast no vote regarding the executive session. This motion was passed by the remaining Board members.

Upon motion by Rick Elam, seconded by Willie Sims, the Board determined that there was a need to reopen the record for the purpose of asking questions concerning Charles Wells' compliance with the terms and conditions of the Final Order entered against him on June 23, 2008, and regarding whether Mr. Wells had filed a request with the Board's office seeking a continuance of the instant show cause hearing. The following action was taken on said motion. Votes were - For: David Miller, Shelly Boone, Willie Sims, David Clarke, Rick Elam; Against: None; Absent: None; and Recused: Jim Burkes.

IV. CPA Examination, Licensing and Firms (Continued)

3. Applications (Continued)

Having received additional information regarding Mr. Wells' compliance with the June 23, 2008, Final Order and no record of Mr. Wells' request for a continuance of the show cause hearing, a motion was made by Rick Elam, and seconded by David Clarke, that the Board enter into a closed determination session for the purpose of discussing whether it had cause to go into Executive Session. Jim Burkes recused himself from the consideration and deliberation in this matter and, therefore, did not cast a vote regarding the closed determination session. The motion to go into a closed determination session was passed by the remaining Board members.

In the closed determination session, a motion was made by Rick Elam, and seconded by Shelly Boone, that the Board enter into Executive Session for the purpose of discussion and deliberations regarding whether the facts revealed at the Wells' show cause hearing constituted a violation of any law, rule and/or regulation governing the licensure of CPA and CPA firm permit and/or grounds for denial of a CPA license and/or CPA firm permit, which deliberations could also lead to an appeal of the Board's order or litigation against the Board. Jim Burkes recused himself from the consideration and deliberation in this matter and, therefore, did not cast a vote regarding the executive session. This motion was passed by the remaining Board members.

Upon motion by Rick Elam, seconded by Shelly Boone, the Board determined that Mr. Wells' applications for reinstatement of his CPA license and CPA firm permit would be denied because Mr. Wells had failed to appear before the Board, and had otherwise failed, to demonstrate his compliance with the June 23, 2008, and his eligibility for reinstatement of his CPA license and CPA firm permit. The following action was taken on said motion: For: David Miller, Shelly Boone, Willie Sims, David Clarke, Rick Elam; Against: None; Absent: None; and Recused: Jim Burkes.

IV. CPA Examination, Licensing and Firms (Continued)

3. Applications (Continued)

Applications for CPA Firm Permit to Practice

<u>Name</u>	<u>Number</u>	<u>Approved</u>
Sammy O. Asemota, CPA Clinton, MS	F1430	Yes
Robert L. Bryant, CPA Rolling Fork, MS	F1431	Yes
Richard L. Garrett, CPA Oxford, MS	F1432	Yes
Debra G. Goodwin, CPA Charleston, MS	F1433	Yes
Regina Hobby, CPA Jackson, MS	F1434	Yes
Stephanie Halphen McKay, CPA Gulfport, MS	F1435	Yes
Steven T. Page, CPA Brandon, MS	F1436	Yes
David C. Pippin, CPA, PLLC Belden, MS	F1437	Yes
Betty Lou Reeves, CPA Madison, MS	F1438	Yes
Nelson Tackett, CPA Hattiesburg, MS	F1439	Yes
Charles Wells, CPA Jackson, MS		See above

Application for Reinstatement of a CPA Firm Permit to Practice

<u>Name</u>	<u>Number</u>	<u>Approved</u>
Lloyd & Associates, CPA Gardendale, AL	F0477	Yes

IV. CPA Examination, Licensing and Firms (Continued)

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

<u>Name</u>	<u>Number</u>	<u>Description</u>
Carr, Riggs & Ingram, LLC New Orleans, LA	F0635	Name Change from Roth, Murphy, Sanford, LLP
Nieman & Associates, PC McComb, MS	F0323	Name Change from Dribben & Associates, LTD.
Dixon Hughes Goodman, LLP Memphis, TN	F0430	Name Change from Dixon Hughes. PLLC
Dixon Hughes Goodman, LLP Hurst, TX	F1036	Name Change from Dixon Hughes. PLLC
Dixon Hughes Goodman, LLP Hight Point, NC	F0868	Name Change from Dixon Hughes. PLLC
Dixon Hughes Goodman, LLP Durham, NC	F1071	Name Change from Dixon Hughes. PLLC
Dixon Hughes Goodman, LLP Birmingham, AL	F1084	Name Change from Dixon Hughes. PLLC
Dixon Hughes Goodman, LLP Winston-Salem, NC	F1113	Name Change from Dixon Hughes. PLLC

5. The Board members discussed plans for the April 30, 2011, CPA presentation ceremony and approved the ceremony program.
6. The Board reviewed, discussed various information concerning to the CPA examination including:
- CBT Steering Group Quarterly Summary, 4th Qtr 2010,
 - AICPA The Uniform CPA Examination Alert, Mar 2011, and
 - March 22, 2011, NASBA Letter, addressing the International Delivery of CPA Examination.
7. The Board reviewed and unanimously approved an NTS extension request for candidate Melody Byrd's BEC section from ending May 1 to July 1, 2011, due to a catastrophic event.

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.	Central MS Chapter of the Certified Fraud Examiners			
	1. Auditing For Fraud; Things That Most Auditors Don't Do Well	5/20/11	8	Yes
B.	Financial Planning Association of Mississippi			
	1. Changing Times..New Opportunities	4/19/11	8	Yes
C.	Harper, Rains, Knight & Company			
	1. AICPA Federal Tax Update-Latest Developments & Tax Relief Act	5/20/11	3	Yes
D.	IIA Central Chapter MS Chapter			
	1. Internal Audit Best Practices and Fundamental Principles	6/21&22/11	16	Yes
E.	Mississippi Society of CPAs			
	1. Mississippi Sales and Use Tax Update	5/12/2011	4	Yes
	2. Cases in Corporate Ethics	6/15/2011	4 Ethics (3 general 1 rules)	Yes
F.	Mississippi Young CPAs			
	1. 3 rd Annual Mississippi Young CPA Conference	5/20/11	2	Yes

VI. Regulatory Matters

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

<u>Activity</u>	<u>Number</u>
Cases Opened	0
Cases Closed	3
Cases referred to Members	0
Total Cases Open	20

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.

APPROVED:

Chair

Board Member

Vice Chair

Board Member

Secretary

Board Member