

NEVADA STATE BOARD OF ACCOUNTANCY

Minutes

May 9, 2008

An open meeting of the Nevada State Board of Accountancy was called to order at 9:00 A.M. by President, Charles Morrison, on Friday, May 9, 2008 at McGladrey & Pullen, LLP, 300 South Fourth Street, Suite 600, Las Vegas, Nevada

Board Members Present:

Charles A. Morrison, President	Patrick M. Thorne, Secretary/Treasurer
Sharon J. McNair	Glenn D. Bougie
Karen Wilkes	Kathy L. Zeller

Board Members Absent:

Felicia O'Carroll

Board Staff Present:

Karen Peterson, Counsel  
Viki A. Windfeldt, Executive Director  
Leslie C. Walsh, Board Coordinator

◆ ◆ ◆ ◆ CONSENT AGENDA ◆ ◆ ◆ ◆

The Consent Agenda contains matters of routine acceptance. The Board Members may approve the consent agenda items as written or, at their discretion, may address individual items for discussion or change.

- \*1. Approval of March 21, 2008 Board Meeting Minutes
- \*2. Approval of Applications for Certified Public Accountant – Non Appearance

Brent Barlow	Charles Dohoney	T. Jayewardene	Michael Jibben
Daniel Kim	Kyong Ko	Lisa Laclair	Jonathan Neumann
James Nyberg	John Sproull	Carol Tabrizi	Julie Tope
Kathleen Thomas	Jennifer Wagner		
- \*3. Approval of Temporary Licensing Permits – Non Appearance

Nathan Matthews	Jeanette Bax-Kurtz	Charles Wright	John VanTright
Frank DiBella	Ryan Kidd	Robert Bavetta	Joseph Maddox
Charles Orth	Nancy McAuley	Tony Konja	John Bowman
Richard Hotz	Robert Churchman	David Gruber	Susan Heitmann
Mike Thielman	Patricia Welsh	Gary Kolkhorst	Jonathan Reuben
Karen Campbell	Neil Levine	Dale Rector	Anne Rebugio
William Sullivan			
- \*4. Approval of Change to License Status:

Teresa MacTaggart	Return Active Status
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- \*5. Approval of Finances:
  - A. Treasurer's Report
- \*6. Approval of attendance at NASBA Western Regional Conference  
June 11-18, 2008, Asheville, NC.
- \*7. Approval of CPA Examination Scores – January/February 2008

The consent agenda and supporting documents were reviewed by the Board. Motion was made, seconded and carried to approve consent items 1-6. Board Member Glenn Bougie abstained from voting on approval of Applications for Certified Public Accountant on John Sproull and Kathleen Thomas and Board Member Patrick Thorne abstained from Kyong Ko's application.

◆ ◆ ◆ ◆ REGULAR AGENDA ◆ ◆ ◆ ◆

Agenda Item 4: Approval of Change to License Status  
Norman Richardson

Motion was made, seconded and carried to deny the application for inactive status based on Mr. Richardson not meeting the requirements.

Agenda Item 8: Grievance Report and Grievance Matters.

Note: NRS 241.020 requires the Board to list individuals that may have administrative action taken against them in connection with the Board's disciplinary grievance report. The Board may convene in closed session to consider the character, alleged misconduct, professional competence or physical or mental health for any of the grievances filed with the board.

Review of Grievance Report

Motion was made, seconded and carried to go into closed session to discuss grievance matters.

Upon resumption of the open session motion was made, seconded and carried to close complaint matter N-08-1 based on lack of cause to proceed.

Motion was made, seconded and carried to close complaint matter N-08-2 based on lack of cause to proceed.

Board Member Glenn Bougie was assigned to complaint matter S-08-1.

Motion was made, seconded and carried to close the following non-licensee complaint matters, based on compliance.

- SS-08-1 Thomas Schalk/Schalk & Associates
- SS-08-2 Gerety & Associates
- SS-08-3 Robert Adams/Global Consulting & Management

Agenda Item 8A: Recess into closed session for Full Board Disciplinary Hearings against the following individual:

Motion was made, seconded and carried to go into closed session to conduct a Board hearing against the following named individuals:

- |    |                  |          |            |
|----|------------------|----------|------------|
| A. | Stanford Feibush | 10:00 AM | Appearance |
| B. | Susan Eisenberg  | 10:30 AM | Appearance |
| C. | Daniel Scarberry | 11:00 AM | Appearance |

Agenda Item 8B: Reconvene into Open Session for Board Determination of the matters concerning the above named individuals.

A. Stanford Feibush

Motion was made, seconded and carried to issue a formal letter of reprimand for failure to register with the PCAOB. Mr. Feibush was assessed attorneys fees and costs associated with the hearing. Board member Kathy Zeller opposed the vote.

B. Susan Eisenberg

Motion was made, seconded and carried to revoke the CPA license of Susan Eisenberg based on Ms. Eisenberg's failure to comply with the terms of the probationary order. Board member Glenn Bougie opposed the vote and Board member Patrick Thorne abstained from the vote.

C. Daniel Scarberry

Motion was made, seconded and carried to deny the CPA application of Daniel Scarberry based on Mr. Scarberry's partial attempt to resolve his outstanding issues with the Board only two days prior to the hearing. Mr. Scarberry was directed to address the issues promptly in connection with his continued use of the CPA designation.

Agenda Item 9: Report of Counsel

No items were discussed under this agenda item.

Agenda Item 10: Report of Executive Director

A. NASBA Nominating Committee Recommendations

Executive Director provided the Board with the names and resume information of individuals seeking Board support for the NASBA Director at Large positions. The Board reviewed the information and motion was made, seconded and carried to direct staff to issue letters of support for both Kathy Smith and Sally Flowers.

B. Discussion of Internal Audit Department language

Executive Director summarized the past discussions regarding the Boards current language for qualified internal audit departments. The Board was provided with a summary of the requirements for individuals that obtain their experience through the various qualified departments. The Board discussed the current language. Board Member Kathy Zeller expressed an appetite for change and to add a benchmark that approved agencies must meet. Staff was directed to provide the Board with copies of prior reports that have been submitted at the next scheduled board meeting.

Agenda Item 10 (cont.)

C. Recommendation for Board of Examiners & Related Committees

Executive Director provided the Board with the name and resume information of Charles T. Moore for recommendation to the AICPA Board of Examiners Financial Accounting & Reporting Preparation subcommittee. The individual seeking interest in this committee was provided through the Paulette Tandy and the UNLV Accounting Department. The Board discussed the information and motion was made, seconded and carried to direct staff to complete the appropriate forms for submission of Nevada's support of Charles T. Moore.

Agenda Item 11: Board Consideration & Discussion of Experience:

Melanie Gebers came forward to discuss her desire to become licensed in Nevada as a CPA. The Board was provided information regarding Ms. Gebers prior experience history. Ms. Gebers was previously denied based on her not meeting the experience requirements within Nevada. The Board discussed the requirements for licensure with Ms. Gebers and advised her that they did not have authority within their law to waive the additional 11 months needed to complete her time in public accounting. The Board provided Ms. Gebers with suggestions on how to complete the required public accounting experience.

Agenda Item 12: Board Consideration & Determination of Fictitious Name Use:

- A. PG Business Growth Advisors & Certified Public Accountant LLC -  
Joshua Gottesman, CPA 11:30 AM

Joshua Gottesman, CPA came forward to discuss his application for Limited Liability Company and Fictitious firm name. The Board discussed their position regarding the use of Certified Public Accountant within the firm name and it being misleading as to who the licensed person is. Mr. Gottesman provided clarification as to the intent of the firm name. The Board discussed the firm name with Mr. Gottesman and advised Mr. Gottesman with a variety of options in connection with the structuring of his firm.

Agenda Item 13: Board Review & Approval of Individual Review Report of William Prowse's Experience as conducted by Sydney Wickliffe, CPA

- A. Sydney Wickliffe, CPA 1:00 PM

Sydney Wickliffe, CPA, and Past Board Member came forward to discuss her report in connection with the Individual Board Review of the experience documentation for William Prowse. The Board reviewed Ms. Wickliffe's report and asked a variety of questions concerning the review..

Motion was made, seconded and carried to approve the report as provided by Sydney Wickliffe in conjunction with the review of experience documentation for William Prowse.

Agenda Item 14: Recommendation of Hearing Officer for revocation of the CPA Certificates for the following individuals based on Non-Payment of 2008 License Renewal Fee and Non-Compliance of the 2007 CPE requirement:

Robert Bledsoe	L. Wade Fleming	Suzanne Haag	Spencer Miller
Jay Quinn	G. Stamberger	John Williams	

Agenda Item 14 (cont.)

Motion was made, seconded and carried to revoke the CPA Certificates of the above named individuals based on non-payment of the 2008 licensure fees and non-compliance with the CPE requirements. In the event the above individuals seek re-licensure a fine of \$500, attorneys fees of \$400 and licensure/late fees of \$240 will be assessed. Hearing Officer Charles Morrison abstained from the vote.

Request Dismissal of Formal Complaint based on compliance and payment of all fees due of the following individuals:

Barbara Burrer      Lisa Haynes      Nicholas Schiller

Motion was made, seconded and carried to dismiss the formal complaints for the above named individuals based on compliance and payment of all fees due, including attorney's fees. Hearing Officer Charles Morrison abstained from the vote.

Request Dismissal of Formal Complaint based on the Voluntary Surrender of the CPA Certificate for the following individuals:

Jennifer Dudley      Michael Murphy

Motion was made, seconded and carried to dismiss the formal complaints for the above named individuals based on Voluntary Surrender of the CPA Certificates. Hearing Officer Charles Morrison abstained from the vote.

Motion was made, seconded and carried to deny the request of Jennifer Rhodes for waiver of the CPE Penalties assessed in connection with the CPE Administrative Complaint Procedure. Ms. Rhodes must comply with the CPE Complaint Policies with completion of the CPE by July 31, 2008 and assessment of the \$1600 penalties. The formal complaint will remain open until proof of CPE has been submitted.

Agenda Item 15:      Board Determination of Request for waiver of the fee associated with an individual review:      Violeta Horn

The Board reviewed the request of Violeta Horn for waiver of the fee associated with an individual review. The Board discussed the information provided. Motion was made, seconded and carried to deny the request of Ms. Horn, based on lack of reasonable cause.

Agenda Item 16:      Board Determination of Request for Approval of Accounting Elective Course:  
Vassilios George.

The Board reviewed the request of Vassilios George for approval of Financial Markets and Institutions course toward the Accounting Elective Course requirement. The Board reviewed the information provided. Motion was made, seconded and carried to approve the request of Mr. George.

Agenda Item 17: Board Review and Determination of Amended Language to Nevada Revised Statutes (NRS) Chapter 628.

Executive Director summarized the proposed language changes to Chapter 628 of Nevada Revised Statutes for submission to the 2009 Legislature. The Board was advised of the process for legislative bill submission and requested board approval of the language as provided.

The Board reviewed the draft language and provided staff with changes to the suggested language. Direction was made to bring the language back to the July meeting for final approval for legislative submission.

Agenda Item 18: Board Review and Approval of Office Lease Terms & Contract

The Board was provided with an addendum to the current lease that would extend the terms of the lease contract for an additional five years. The Board requested additional information for lease improvements and the figures as noted within the addendum.

Agenda Item 19: Review of Board Staff Personnel Performance and Salary:

The Board reviewed the information provided by Charles Morrison and Patrick Thorne in connection with the review process of Board staff. Motion was made, seconded and carried to approve the following pay increases for the fiscal year beginning July 1, 2008.

Executive Director, Viki Windfeldt	\$89,000
Board Coordinator, Leslie Walsh	\$55,000

Agenda Item 20: Election of Board Officers & Discussion of Officer Terms

The Board was provided information regarding the responsibilities of the officer positions for President and Secretary/Treasurer. In addition a list of past officers was provided to the Board showing the terms. In the recent past the officer positions were limited to one year to provide everyone the opportunity to serve as President if desired. However, historic past terms indicate a two year term was also common providing better continuity with Board leadership.

Election of Officers for the Nevada State Board of Accountancy was held. Nominations were opened for President. Patrick Thorne was nominated. There being no other nominations, a motion was made, seconded and carried that the nominations be closed. The record reflects Patrick Thorne as President of the Board for a one-year term effective July 1, 2008 – June 30, 2009.

Nominations were opened for Secretary/Treasurer. Glenn Bougie was nominated. There being no other nominations, a motion was made, seconded and carried that the nominations be closed. The record reflects Glenn Bougie as Secretary/Treasurer of the Board for a one-year term effective July 1, 2008 – June 30, 2009.

Agenda Item 21: Report of President

No items were discussed under this agenda item.

May 9, 2008 Board Meeting Minutes

Agenda Item 22: Public Comment 1:30 PM

No items were discussed under this agenda item.

Agenda Item 23: Next Board Meeting: July 11, 2008 Reno