

NEVADA STATE BOARD OF ACCOUNTANCY
Minutes
November 16, 2016

An open meeting of the Nevada State Board of Accountancy was called to order at 9:30 A.M. by President, L. Ralph Piercy, November 16, 2016 at the offices of First Independent Bank, 5335 Kietzke Lane, 2nd Floor, Reno, Nevada.

Board Members Present:

L. Ralph Piercy, President	Nicola Neilon, Secretary/Treasurer	
Robert C. Anderson	Steven Brockovich	Candace Johnson
Michael E. Davis		

Board Members Absent: Brian Wallace

Board Staff Present:

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

- A. Call to Order, Roll Call and Establish a Quorum
- B. **Public Comment Section:** In accordance with NRS 241.020 Public Comment will be taken prior to the beginning of the meeting.
Note: No one was present for this section of the public comment agenda item.

◆ ◆ ◆ ◆ 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 September 21, 2016 Board Meeting Minutes *(For Possible Action)*
- *2. Approval of Applications for Certified Public Accountant – Non Appearance *(For Possible Action):*
- | | | | |
|-----------------|------------------|---------------|--------------|
| Devin Allan | Stephanie Avila | Victor Barone | Clark Bigler |
| Mark Conway | Crystal Cota | Samuel Cox | Barbara Dunn |
| Frieda Friedman | Constanze Gesick | Debbra King | Byoungha Lee |
| Marko Jaksic | Michael Madsen | Rachel Nolin | Bryan Oland |
| Kierra Persing | Biao Rao | Kevin Rigby | Tiah Vagnoni |
| Keaton Vinez | Jason White | | |
- *3. Approval of Change to License Status *(For Possible Action):*
- | | | |
|------------------|-------------------|-----------------|
| Retired Status: | William Gallagher | Nina Gallagher |
| Steven Haldeman | Patricia Sanchez | Thomas Williams |
| Inactive Status: | Tamera Eastman | Martin Roberto |
| Return Active: | Scott Westover | |

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- *4. Approval of Finances *(For Possible Action)*:
 - A. Treasurer's Report
 - B. Approved FY 16/17 Budget
 - C. Draft Financial Statements FY 15/16
- *5. Approval of CPA Examination Scores – July-August 2016 Window
(For Possible Action)
- *6. Nothing scheduled for this agenda item.
- *7. Nothing scheduled for this agenda item.

The consent agenda and supporting documents were reviewed by the Board. Motion was made, seconded and carried to approve the consent agenda items. Board Member Michael Davis abstained from voting on the Approval of September 21, 2016 Board Meeting minutes and from voting on Applications for Certified Public Accountant for Bryan Oland.

◆ ◆ ◆ ◆ REGULAR AGENDA ◆ ◆ ◆ ◆

Agenda Item 8: Grievance Report and Grievance Matters *(For Possible Action)*

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 or disciplinary action considered by the board.

- A. Review of Grievance Report *(For Possible Action)*

Motion was made, seconded and carried to close complaint matter I2016.008 based on investigator recommendation and lack of cause. Board member Nicola Neilon abstained from the vote.

Motion was made, seconded and carried in complaint matter R2016.010, Richard Peters, to approve the recommendation of Hearing Officer Brian Wallace and revoke the license of Mr. Peters based on failure to comply with the Board's Practice Monitoring (Peer Review) program. Board member Nicola Neilon abstained from the vote.

Motion was made, seconded and carried to close compliant matter F2016.006 based on lack of cause and assurances provided by firm. Board member Nicola Neilon abstained from the vote.

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- B. Board Disciplinary Hearing (*For Possible Action*)
Roger A. Stadtmueller, CPA

Appearance 10:00 AM

The Board was informed that this matter has been cancelled due to Mr. Stadtmueller's Voluntary Surrender In Lieu of Disciplinary Action. Motion was made, seconded and carried to accept the Voluntary Surrender in lieu of revocation of Mr. Stadtmueller's CPA license. Board Member Nicola Neilon abstained from the vote.

Agenda Item 9: Report of Legal Counsel (*For Possible Action*):

- A. Antitrust Board Immunity Discussion

Legal Counsel provided an update to the Board in connection with NASBA's recommendation for Antitrust Board Immunity language.

Agenda Item 10: Report of Executive Director (*For Possible Action*):

- A. AICPA Peer Review Evolution Update

Executive Director provided the Board with an update to the AICPA Peer Review Evolution.

- B. AICPA Revisions to the Code of Professional Conduct

Executive Director provided the Board with the AICPA revisions to the Code of Professional Conduct that the Board references within Nevada Administrative Code Chapter 628.

- C. NASBA Practice Continuation Resource Document

Executive Director provided the Board with the newly released NASBA Practice Continuation Resource Document. The Board recently proposed regulation changes that removes the specific language relating to practice continuation reporting. The information from NASBA should help practitioners in the future.

- D. NASBA Annual Meeting Follow Up

Board Members that attended the NASBA Annual Conference provided an update to the topics that were discussed.

- E. Board Background Check/Provisional License Policy

Executive Director provided the Board with a summary of the procedures in place for handling background results. The Board directed staff to wait for the results prior to issuing a license for anyone answering yes to the self-reporting questions on applications.

- F. Board Community Outreach Discussion

Executive Director provided the Board with an update regarding the Society's invitation to assist in their community outreach to encourage growth of the CPA profession.

At this time, Anna Durst from the Nevada Society of CPAs updated the Board on Firm mobility and the upcoming legislative session where they plan to introduce a bill in support of Firm mobility.

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G. NASBA Regional Director Focus Questions
Executive Director provided the Board with the NASBA Regional Director Focus Questions. The Board provided input for the responses.

Agenda Item 11: Board Review and Consideration of Application of Certified Public Accountant (*For Possible Action*)

A. John "Jack" Dolan

Appearance 11:00 AM

John "Jack" Dolan came before the Board to request consideration of his application for Certified Public Accountant. Mr. Dolan explained his lack of response to the Board in the past and provided assurances that it wouldn't occur in the future. Motion was made, seconded and carried to approve a new application for Certified Public Accountant based on the following terms within a Consent Order:

1. Applicants JOHN B. DOLAN and JACK DOLAN & ASSOCIATES shall be eligible for a Certificate and registration respectively, in the State of Nevada on meeting the requirements for a license and registration as set forth in NRS 628.190 and NRS 628.325 *et seq.*
2. Applicant DOLAN's Certified Public Accountant's Certificate and Applicant DOLAN & ASSOCIATES' registration, once issued, shall be subject to and JOHN B. DOLAN and JACK DOLAN & ASSOCIATES are placed on probation for a period of three (3) years from the date of this Consent Order, subject to the following terms and conditions:
 - a. Applicants shall comply with all state laws and regulations pertaining to the practice of public accounting, including but not limited to timely annual renewals, timely completion of CPE and timely peer reviews.
 - b. Applicants shall provide responses within ten (10) business days to any request for information from the Board or the Nevada Society of Certified Public Accountants during their three year probationary period.
 - c. There shall be no other complaints involving violations of Rule 201(A)(B)(C) and (D) filed with the Board against Applicants, which are substantiated in a due process hearing, during the three year probationary period.
 - d. Applicants' failure to comply with any of the terms and conditions of this Consent Order shall result in the immediate revocation of DOLAN's Certified Public Accountant's Certificate and Applicant DOLAN & ASSOCIATES' registration without any further action or proceeding before or by the Board. Applicants have been warned the Board may not reinstate their Certificate and registration in the future if Applicants fail to comply with the terms of this Consent Order.
3. This Decision will be published in accordance with NAC 628.450.
Board member Robert Anderson abstained from the vote.

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Agenda Item 12: Board Investigator Discussion Topics for Experience Reviews and Pre-Release Review Procedures (*For Possible Action*)

A Patrick Thorne, CPA & Harry Parsons, CPA **Appearance 12:00 PM**

Investigators Patrick Thorne, Harry Parsons and Glenn Bougie attended this section of the Board Meeting to discuss the topics of Pre-Release Review and Experience Reviews. The Board provided input on these topics and provided suggestions on developing forms.

Agenda Item 13: Board Approval of 2016 Peer Review Report (*For Possible Action*)

The Board reviewed the 2016 Peer Review Report. Motion was made, seconded and carried to approve the report as provided.

Agenda Item 14: President's Report (*For Possible Action*)

Agenda Item 15: Next Board Meeting: January 18, 2017 Las Vegas, Nevada