

NEBRASKA BOARD OF PUBLIC ACCOUNTANCY

140 N. 8<sup>th</sup> Street, Suite 290, Lincoln, Nebraska

Minutes

**March 23, 2012**

**Draft Minutes. Minutes are not approved until the next Board meeting.**

**Friday, March 23, 2012**

**1. General**

- A. Call to Order and Roll Call.** The Nebraska Board of Public Accountancy (Board) was called to order at 8:35 a.m. on Friday, March 23, 2012 with Chair Doug Skiles, presiding. The roll was called with the following members present: Doug Skiles, Michael Wassinger, Jim Rieker, Bernie Gutschewski, Kate King Wu, Tom Obrist, Richard Zacharia, and Lori Druse. Also present were Executive Director Dan Sweetwood, Staff members Kelly Ebert and Jo Lowe. The meeting was held at the Board Office, 140 N. 8<sup>th</sup> Street, Suite 290, Lincoln, Nebraska. Chair Skiles noted the location of the notebook containing the Public Open Meeting Act, the statutes were posted on the wall, and asked if anyone present needed an agenda or had any questions regarding the law. Visitors present: Dan Vodvarka, Nebraska Society of CPAs.
- B. Approval of Meeting Agenda for March 23, 2012.** Member King Wu recommended changes under Agenda Item 7. Moved by King Wu, seconded by Gutschewski to approve the amended agenda for the March 23, 2012 meeting. On a roll call vote, Members Skiles, Wassinger, Rieker, Obrist, King Wu, Gutschewski, Zacharia, and Druse voted aye. Motion #1 carried.
- C. Approval of Minutes from January 4, 2012.** Moved by King Wu, seconded by Obrist, to approve the Board minutes from the January 4, 2012 meeting. On a roll call vote, Members Skiles, Wassinger, Rieker, Obrist, Gutschewski, Druse, and Zacharia voted aye. Member King Wu abstained. Motion #2 carried.

**2. Public Comment Period (15 minute period)**

Dan Vodvarka, President, Nebraska Society of CPAs was present to update the Board on several items. He reported that Society proposed sponsored CPE courses have been forwarded to the Board for review and provided further information on a few courses requested by staff. The Society is also monitoring proposed bills before the legislature that may affect CPAs. He also indicated that the Society will continue to work with the Board's Experience Work Group (EWG). He has had an opportunity to discuss the proposal with several Senators and others if a Bill goes forward in 2013. He also acknowledged and thanked Member Rieker for his service on behalf of the Nebraska Society of CPAs.

**Agenda Item 5 B. 9:00 am: Public Hearing for Revocation of Certificates of Non-Renewed 2008 Active Permits.**

Hearing Officer Doug Skiles, opened the hearing at 9:12 am. The hearing concluded at 9:20 am.

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**Agenda Item 5 C. 11:00 am: Public Hearing for Revocation of Certificates of Non-Renewed 2001-2007 Inactive Registrations.** Hearing Officer Doug Skiles, opened the hearing at 11:10 am. The hearing concluded at 11:26 am.

**3. Consent Agenda**

- A. Published Notice of Meeting.** Moved by Zacharia, seconded by King Wu, to approve the consent agenda. On a roll call vote, Members Skiles, Wassinger, Rieker, Obrist, King Wu, Gutschewski, Zacharia, and Druse voted aye. Motion #4 carried.
- B. Approval of Disbursements for December 2011, January and February 2012.** Disbursements were reviewed by Member Rieker who provided explanations for atypical expenses.
- C. Review of Board Budget Status Report.** The current budget status report was provided for review. ED Sweetwood commented that it appeared the budget is tracking close to last year and at this point no large enforcement case expenditures were foreseen.
- D. Office Licensing Report.** The Office Licensing Report was provided and members noted the increase in inactive registrations due to the Licensing Committee initiative to take action on the Board listing of expired inactive registrants. See agenda item 5.C and 10.A for further information. The process will be ongoing for the 2012 calendar year.

**4. Report of the Chair**

- A. Report of the Chair.** Chair Skiles gave the report. He requested any members interested in becoming Secretary of the Board to complete Member Rieker's term to contact him before the May meeting. Senate Bill 1933 was discussed. Board members had received information provided by NASBA including a letter to the US Senate Committee on Banking, Housing, and Urban Affairs opposing portions of the Bill. The Board concluded the letter from NASBA was sufficient at this time.
- B. Recognition of Member James K. Rieker.** Board members recognized departing Board Member Rieker with a plaque and resolution for his dedication to Board service. Mr. Rieker accepted a new position in North Carolina and resigned from the Board at the conclusion of the meeting. Board Resolution:

**RESOLUTION**

*WHEREAS, James K. Rieker, served as a Member of the Nebraska State Board of Public Accountancy from 2007 to 2012; and*

*WHEREAS, James K. Rieker, during his term as Member of the Board, offered a public perspective using his financial background, exercised careful review of issues, provided prepared and thoughtful review for the Continuing Professional Education Committee, guided and directed the activities of the State Board as:*

2007-2008	Member of the Continuing Professional Education Committee Member of the Education and Examination Committee
2008-2009	Member of the Continuing Professional Education Committee Member of the Education and Examination Committee
2009-2010	Member of the Continuing Professional Education Committee Member of the Education and Examination Committee

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2010-2011      *Member of the Continuing Professional Education Committee*  
                    *Member of the Legislative Committee*  
2011-2012 Secretary of the Board  
                    *Member of the Legislative Committee*  
                    *Member of the Continuing Professional Education Committee*

*THEREFORE, THE MEMBERS OF THE NEBRASKA STATE BOARD OF PUBLIC ACCOUNTANCY gratefully record their recognition of service of James K. Rieker by adopting the following Resolution:*

*BE IT RESOLVED, that the Members of the Nebraska State Board of Public Accountancy extend their sincere appreciation to James K. Rieker for his service as a Member of the Nebraska State Board of Public Accountancy.*

*BE IT FURTHER RESOLVED, that a copy of this Resolution be incorporated into the minutes of the Board, and further that a copy of this Resolution be presented to him.*

Adopted this 23<sup>rd</sup> day of March 2012

*by the Nebraska State Board of Public Accountancy*

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*Doug Skiles, Chair*  
*Nebraska State Board of Public Accountancy*

- C. Attendance at NASBA Western Regional Meeting, Anchorage, AK, June 27-29, 2012.** Chair Skiles commented that many national topics and issues that affect Nebraska CPAs are discussed at the NASBA meetings, giving a national perspective and direction for state boards. He stressed that Nebraska has had a strong national presence by attending NASBA meetings. In addition, new board member orientation is a large part of successful Board member participation, and provides understanding of Board activities. It was noted Member Druse will be attending her first NASBA Regional Meeting and participate in the Board orientation session. Chair Skiles noted that ED Sweetwood was invited to attend a tour of the AICPA BOE offices in New Jersey in June after being named to the BOE State Board Committee and in conjunction with that trip could attend the NASBA Eastern Regional Meetings in Philadelphia with some travel expenses being reimbursed by the BOE. He also noted that since Sweetwood would not be present at the Western Regional, Board Administrator Jo Lowe attend the meeting. Moved by King Wu, seconded by Zacharia, that all Board members and the Board administrator attend the NASBA Western Regional Conference, Anchorage, AK, June 27-29, 2012, and that ED Sweetwood attend the NASBA Eastern Regional Conference and BOE Committee meeting, June 13-15, 2012, Philadelphia, PA. On a roll call vote, Members Skiles, Wassinger, Rieker, Obrist, King Wu, Gutschewski, Zacharia, and Druse voted aye. Motion #4 carried.
- D. NASBA Vice Chair Nomination Update.** ED Sweetwood updated the Board that Dr. Carlos Johnson from Oklahoma had been announced as NABSA Vice Chair for next year.
- E. NASBA Central Regional Director Nomination.** Moved by Wassinger, seconded by King Wu, to recommend Doug Skiles for NASBA Central Regional Director. On a roll call vote, Members Skiles, Wassinger, Rieker, Obrist, King Wu, Gutschewski, Zacharia, and Druse voted aye. Motion #5 carried. Board members and staff were encouraged to speak to NASBA leadership and members of the Nominating Committee to assist Chair Skiles in this endeavor.

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- F. NASBA Committee Interest for 2012-2013.** Board members were asked to review the NASBA Committees and to complete the Committee form for any Committee's of interest.
- G. Regional Director's Focus Questions.** Board members contributed to Focus Question answers that ED Sweetwood will complete and submit on behalf of the Board. The questions relate to issues for CPAs in our region.
- H. Review Board Calendar.** Members discussed the May meeting that appeared at this point to be a one day meeting set for Friday, May 18, 2012.
- I. Report on To Do List.** There was no report on the To Do list at this time.

**Closed Session**

**Closed Session.** Moved by Rieker, seconded by Druse, that the Board go into closed session at 10:20 a.m., on Friday, March 23, 2012 for the purpose of discussing enforcement matters. On a roll call vote, Members Skiles, Wassinger, Rieker, Obrist, King Wu, Gutschewski, Zacharia, and Druse voted aye. Motion #6 carried. Chair Skiles restated that the purpose for the closed session was to discuss enforcement matters.

**Return to Open Session.** Moved by Zacharia, seconded by Druse, that the Board return to open session at 10:42 p.m., on Friday, March 23, 2012. On a roll call vote, Members Skiles, Wassinger, Rieker, Obrist, King Wu, Gutschewski, Zacharia, and Druse voted aye. Motion #7 carried.

**5. Report of Enforcement of Professional Conduct Committee**

- A. Open Case/LMCO Update.** Committee Chair Zacharia reviewed the open case file.
- B. Public Hearing for Revocation of Certificates of Non-Renewed 2008 Active Permits.** See public Comment Period. Moved by Zacharia, seconded by King Wu, to revoke the certificates of Ryan Geisler and James Soderberg, and to allow inactive status per Board policy for Douglas Lebda and Steven Malloy. On a roll call vote, Members Skiles, Wassinger, Rieker, Obrist, King Wu, Gutschewski, Zacharia, and Druse voted aye. Motion #13 carried.
- C. Public Hearing for Revocation of Certificates of Non-Renewed 2001-2007 Inactive Registrations.** See public Comment Period. Moved by King Wu, seconded by Zacharia, due to the neglect of the following inactive registrants, the certified public accountant certificate shall be revoked.

AHEE	DAVID
ALLACHER	DAVID
ALLBERRY	JOHN
BALDWIN	JACK
BENNETT	ROLLEY
BERKLAND	VICTOR
BREWER	BARBARA
BUNTIN	WILLIAM
BURDETTE	DIANE

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BURGESS	RONALD
BURKE	SHELLY
BURNS	PATRICK
BYINGTON	JOHN
CAMERON	DIANE
CARLAND	DAVID
CHRISTENSEN	THOMAS
CHRISTOFFERSEN	REBECCA
CLARK	THOMAS
COLGROVE	LORI
CONNEALY	FRANK
COPELAND	DENA
CORR	MICHAEL
CROUSE, JR.	C.
CRUISE	
CHRISTENSEN	DEBRA
CUMBERLAND	TIMOTHY
DEXTER	LELAND
DONOGHUE	KEVIN
DROESCHER	KYLE

On a roll call vote, Members Skiles, Wassinger, Rieker, Obrist, King Wu, Gutschewski, Zacharia, and Druse voted aye. Motion #14 carried.

Moved by Zacharia, seconded by King Wu, pursuant to the request of the following respondent to not have the certificate revoked and to return to inactive status, that respondent's certificate should not be revoked and the same shall be reinstated upon completion of the inactive registration and fee within thirty days of the Order.

CASTEEL	GAIL
CHRISTENSEN	ROBERTA
CLARK	BRIAN
COSTANZO	CHERIE
COX	TERENCE
CRNKOVICH	JOSEPH
CULHANE	ELAINE
DEDERMAN	JOHN
DENHERDER	JULIE
DOLLEN	EUGENE
DUIMSTRA	LA CLAIR

On a roll call vote, Members Skiles, Wassinger, Rieker, Obrist, King Wu, Gutschewski, Zacharia, and Druse voted aye. Motion #15 carried.

Moved by Rieker, seconded by King Wu, the following respondent's request for "inactive-retired" status be approved:

BATLINER	GERALD
CHAPPELL	RICHARD
DAILEY	EDMUND

On a roll call vote, Members Skiles, Wassinger, Rieker, Obrist, King Wu, Gutschewski, Zacharia, and Druse voted aye. Motion #16 carried.

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Moved by Wassinger, seconded by Druse, to accept voluntary signed surrender affidavit of certificate for the following inactive registrants:

ALLISON	LORI
BARAK	CHARLENE
BORDEAUX	KERRY
COLTON	MARTIN

On a roll call vote, Members Skiles, Wassinger, Rieker, Obrist, King Wu, Gutschewski, Zacharia, and Druse voted aye. Motion #17 carried.

- D. Recommended Closure of Enforcement Cases.** No cases were recommended for closure at this time.
- E. Report on To Do List.** There was no report at this time.

**6. Report of Continuing Professional Education (CPE) Committee**

- A. Report of the Committee.** Committee Chair Zacharia gave the report. The Committee reviewed a total of 41 courses from January 4, 2012 to March 20, 2012 with 41 approved. The Committee forwarded nine reinstatements to the Licensing Committee for approval. Motion out of Committee to recommend Board approval of medical waiver #W002 and #W003 for required active permit renewal CPE. On a roll call vote, Members Skiles, Wassinger, Rieker, Obrist, King Wu, Gutschewski, Zacharia, and Druse voted aye. Motion #11 carried. After review of the Nebraska Society proposed CPE courses for 2012, moved by Zacharia, seconded by King Wu, to allow 50% of the hours of requested for Financial Leadership 2012 and Innovative Solutions to Real-World Problems for Today's Financial Professional. On a roll call vote, Members Skiles, Wassinger, Rieker, Obrist, King Wu, Gutschewski, Zacharia, and Druse voted aye. Motion #12 carried.
- B. Ratification/Denial of Staff Program Qualification Evaluations.** Motion out of Committee to recommend Board approval of 41 courses from January 4, 2012 to March 20, 2012. On a roll call vote, Members Skiles, Wassinger, Rieker, Obrist, King Wu, Gutschewski, Zacharia, and Druse voted aye. Motion #9 carried.
- C. Ratification of CPE Sponsor.** Motion out of Committee to recommend Board approval of the following CPE Sponsor: CPA Magazine. On a roll call vote, Members Skiles, Wassinger, Rieker, Obrist, King Wu, Gutschewski, Zacharia, and Druse voted aye. Motion #10 carried.
- D. Report on To Do list.** The To Dos are listed in the Committee Report.

**7. Report of Education & Exam (E&E) Committee**

- A. Report of the Committee.** Committee Chair King Wu gave the report.
- B. Review Board CPA Exam Score Reporting and Certificate Issuance Process.** Chair King Wu detailed the staff recommendation to allow for the issuance of a Certificate based on successful completion of the Uniform CPA Examination. She met with staff and expressed some concern and requested the Attorney General's office be consulted in the matter. She also mentioned a report prepared by staff providing the

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history of the request and reasons why it should be considered. The exam score review process will be revised based on the three waves of score reporting per exam window from the AICPA. Staff will report the scores to the E & E Committee Chair for review and approval to CPAES. Motion out of Committee to recommend Board approval for the Administrator to issue certificates, following the same process as reciprocal certificates and initial permits, with ratification at the next Board meeting. On a roll call vote, Members Skiles, Wassinger, Rieker, Obrist, King Wu, Gutschewski, Zacharia, and Druse voted aye. Motion #18 carried.

- C. Approval of CPA Exam Scores.** Motion out of Committee to approve the scores for the October - November, 2011 window. On a roll call vote, Members Skiles, Wassinger, Rieker, Obrist, King Wu, Gutschewski, Zacharia, and Druse voted aye. Motion #19 carried. Motion out of Committee to recommend Board approval of CPA Exam scores for the January - February, 2012 window. On a roll call vote, Members Skiles, Wassinger, Rieker, Obrist, King Wu, Gutschewski, Zacharia, and Druse voted aye. Motion #20 carried.
- D. Report on To Do List.** There was no report at this time.

## **8. Report of the Legislative Committee**

- A. Report on Legislation.** Chair Skiles reported on the Experience Work Group (EWG) A draft of the proposed legislation was provided to Board members. The draft was a second version completed by the Legislative Bill Drafters Office on behalf of the Banking, Commerce, and Insurance Committee after meetings with ED Sweetwood and Society President Vodvarka. Board members discussed the Draft and the implications of the recommendations provided by the EWG. Concern was expressed regarding allowing private experience to count while allowing a new active permit holder to complete public accounting (attest) work. Others noted that a variety of experience types have been accepted in other states for many years, and most states follow the Uniform Accounting Act (UAA) that generally allows for other forms of experience to count towards the requirement. As requested, Board members will be provided an update on what other states require along with other information provided to the EWG members. The early consensus was to follow the EWG's recommendations at this point. The EWG and the Board are expected to have continuing discussions on the draft through this year with anticipation a Bill presented in the 2013 Legislature. Member Gutschewski offered to review wording of the draft with staff that appeared confusing to him.
- B. Report on To Do List.** There was no report at this time.

## **9. Report of Quality Enhancement Program (QEP) Committee**

- A. Report of the Committee.** Committee Chair Wassinger gave the report. The Committee continues to monitor the status of two CPA firms receiving "failed reports" from the AICPA Peer Review program. He also indicated the proposed Rule language is progressing. A telephone conference of the QEP Task Force was held on February

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16, 2012 regarding an update on the proposed regulations. It is anticipated the proposed regulations would be ready by the July and/or September meetings for review, discussion, and approval to begin the rulemaking process. An article from Accounting Today was provided from a small practitioner regarding concerns of the Peer Review program.

- B. Report on To Do List.** There was no report at this time.

**10. Report of the Licensing Committee**

- A. Report of the Committee.** Chair Obrist gave the report. Staff has begun the process of revoking non-renewed inactive registrants. The Committee reviewed the initial permit applications of three individuals, who have experience from 47 to 20 years, but who may have no CPA to complete the public accounting experience form or have very dated experience. Moved by Gutschewski, seconded by Rieker, to allow an initial permit be issued to Keith Helms following notarized experience verification letter and initial permit application. On a roll call vote, Members Skiles, Wassinger, Rieker, Obrist, King Wu, Gutschewski, Zacharia, and Druse voted aye. Motion # 21 carried. Motion out of Committee to recommend Board approval for an initial permit issued to Susan Baumert. On a roll call vote, Members Skiles, Wassinger, Rieker, Obrist, King Wu, Gutschewski, Zacharia, and Druse voted aye. Motion # 22 carried. Motion out of Committee to recommend Board approval for an initial permit issued to Angela Elliott. On a roll call vote, Members Skiles, Wassinger, Rieker, Obrist, King Wu, Gutschewski, Zacharia, and Druse voted aye. Motion # 23 carried. Motion out of Committee to recommend Board approval for an initial permit issued Alan Ugai upon completion of initial permit application. On a roll call vote, Members Skiles, Wassinger, Rieker, Obrist, King Wu, Gutschewski, Zacharia, and Druse voted aye. Motion # 24 carried.
- B. Ratification of initial permits to practice, initial firm permits, and certificates issued between January 5, 2012 and March 22, 2012.** Motion out of Committee to recommend Board approval of initial permits to practice, initial firm permits, and certificates issued between January 5, 2012 and March 22, 2012. On a roll call vote, Members Skiles, Wassinger, Rieker, Obrist, King Wu, Gutschewski, Zacharia, and Druse voted aye. Motion #25 carried.
- C. Reinstatements to Active Permits, Inactive Retired Affidavits, Surrendered Certificates.** Motion out of Committee to approve the Reinstatements, Inactive Retired Affidavits, and Surrendered Certificates received between January 5, 2012 and March 22, 2012.

Reinstatements:

Jeffrey Janda	Omaha NE
Lorelei Johns	Regina SK, Canada
Richard Goedeken	Omaha NE
Jessica Kort	Grand Island NE
Kevin Karas	Omaha NE
Wenda Keiser	Gothenburg NE
Kimberly Sucha	Omaha NE
Jeffrey Olson	Omaha NE



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Kristen Miller

Fremont NE

Inactive - Retired affidavits:	Lloyd Brooks (eff 7-1-2012)	Fremont NE
	Edward Joel	Harrison TN
	James McCormick	Minnetonka MN
	Douglas Porter	Lincoln NE
	Dan Skoog	Hastings NE
	Michael Manion	Omaha NE
Surrendered Certificates:	Gladyce Janky (eff 7-1-2012)	Omaha NE
	Mick Kane	Hinsdale IL
	Kimberly Felker	Urbandale IA
	Marlene Nieland	Willmar MN
	Kristine Obrecht	Milwaukee WI
	Casey Schoen	Edina MN
	Jonathon Schwebach	Ankeny IA
	Michael Fincher	Blaine MN

On a roll call vote, Members Skiles, Wassinger, Rieker, Obrist, King Wu, Gutschewski, Zacharia, and Druse voted aye. Motion #26 carried.

**D. Report on To Do List.** There was no report at this time.

**11. Report of Executive Director**

**A. Annual Letter 2011.** The 2011 Board Annual Letter was mailed to all Active Permit Holders and other interested stakeholders. The Board office received several compliments from other State Boards.

**B. Executive Director Meetings:**

**1. State BOE Committee.** ED Sweetwood was appointed to the Board of Examiners State Board Committee (SBC) by the AICPA BOE. He attended his first meeting on January 30, 2012 in Las Vegas, NV. The SBC is a sub-committee of the BOE and is charged with assuring State Boards are kept informed and a stakeholder in the development of the Uniform CPA Examination. The BOE relies on input from the State Board Committee on issues that directly affect State Boards. The appointment is for three years and will require some travel reimbursed by the AICPA.

**2. Accountants Coalition.** ED Sweetwood was invited to attend a recent meeting of the Accountants Coalition in Omaha including Society President Vodvarka, Ms. Cathy Landau-Painter, KPMG, and other representatives from KPMG and Deloitte. Sweetwood updated the Coalition on recent Board activities.

**3. State Treasurer Website.** Board members were reminded of the State Treasurer's public website that provides Board member reimbursement data.

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**4. 2011 Board Policy.** Board members were provided copies of areas noted for Board policy in 2011. Board policies are kept in a notebook within the administrator's office.

**C. Budget Update.** See Agenda Item 3.C.

**D. Staffing & General Office Issues**

**1. Office Move to Assurity Building Update.** It is anticipated the move will occur sometime in late 2013.

**2. FoxPro Data Base.** ED Sweetwood reported Board staff has started a process to review and prepare to replace the "dated" Board's FoxPro Database built in 1992. Very initial discussions have been held with a national vendor and the Nebraska CIO office. He indicated this major, long-term project would be held under the direct auspices of the Board's Executive Committee.

**E. Report on To Do List.** There was no report at this time.

**12. New Business**

**A. NASBA Items:**

**A. NASBA Items:** See Agenda item #4.

**NASBA FYI articles.** Articles of interest were provided to the Board.

**B. Other Miscellaneous Items:** Articles of interest were provided to the Board.

**13. Adjournment**

Moved by Obrist, seconded by Zacharia, to adjourn the meeting at 2:50 pm on March 23, 2012. On a roll call vote, Members Skiles, Wassinger, Rieker, Obrist, King Wu, Gutschewski, Zacharia, and Druse voted aye. Motion #27 carried.

Respectfully submitted by,

James K. Rieker  
Board Secretary