



**SOUTH DAKOTA
BOARD OF ACCOUNTANCY**

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South Dakota Board of Accountancy
Minutes of Meeting
Holiday Inn - Ambassador Room
October 17, 2011

The Board of Accountancy held a meeting at the Holiday Inn in Sioux Falls, SD on Monday, October 17, 2011. Chair Holly Brunick called the meeting to order at 8:04 a.m.

The following members were present: Holly Brunick, Marty Guindon, David Olson, John Linn, Jr., John Mitchell, and John Peterson. A quorum was present.

Also present were Nicole Kasin, Executive Director; Julie Iverson, Senior Secretary; and Aaron Arnold, Legal Counsel.

Chair Brunick asked if there were any additions to the agenda:
Addition to Peer Review

A motion was made by John Peterson and seconded by John Mitchell to approve September 17, 2011, meeting minutes. The motion unanimously carried.

A motion was made by Dave Olson and seconded by John Linn, Jr. to approve the issuance of individual certificates and firm permits through October 12, 2011. The motion unanimously carried.

A motion was made by Dave Olson and seconded by John Linn, Jr. to approve the financial statements through September 2011. The motion unanimously carried.

Executive Director Kasin discussed her Executive Directors report to the Board. The Board held a discussion on the issues as follows:

The Board had a discussion regarding an inactive CPA sitting on the board of a charitable organization. It was determined that it is acceptable for a CPA to remain in an inactive status and sit on a charitable board, taking into consideration the organization is not a publicly traded company and the individual is not compensated.

The Board was informed that on October 12, 2011, randomly selected licensees were sent a notice that they had been selected for CPE Audits. The licensee must submit the required documentation to the board office by December 1, 2011.

The IACBE, a national accreditation body, sent a letter requesting the boards input on a few questions. The Board discussed regional and nation accreditation and completed the questions.

The Board discussed the AICPA/NASBA CPE Standards Executive Summary and Exposure Draft, the AICPA's White Paper on final changes for Performing and Reporting on Peer Review, and the AICPA's Exposure Draft Omnibus Proposal Professional Ethics Division.

A motion was made by Marty Guindon and seconded by John Linn, Jr. to enter into executive session for the deliberative process for peer reviews and follow-ups. The motion unanimously carried.

The Board came out of executive session.

A motion was made by Marty Guindon and seconded by John Mitchell to accept the peer reviews and follow-ups as discussed in executive session. The motion unanimously carried.

Hearing at 9:30 a.m. for Richard Law- Present were: Board Legal Counsel Aaron Arnold, Board Chair Holly Brunick, Vice Chair John Linn, Jr., Secretary-Treasurer John Peterson, Board Members John Mitchell, Marty Guindon, and David Olson. Others present were staff members Nicole Kasin, Executive Director; and Julie Iverson, Senior Secretary.

Board Legal Counsel Aaron Arnold presented the Board's case. After discussion the Board closed the hearing at 9:57 a.m.

A motion was made by Dave Olson and seconded by John Linn, Jr. to enter into executive session for the purpose of deliberation. The motion unanimously carried.

The Board came out of executive session for further questions.

A motion was made by John Mitchell and seconded by John Peterson to enter into executive session for the purpose of deliberation. The motion unanimously carried.

The Board came out of executive session.

A motion was made by John Peterson and seconded by John Mitchell to hold revocation of Certificate No. 1993 in abeyance so long as the following conditions are met: Richard Law shall pay an administrative fine of \$500 to the Board by December 31, 2011; He shall complete the delinquent 22.5 hours of CPE by April 1, 2012 and provide the Board with acceptable documentation of said completion; He shall provide acceptable documentation to the Board by July 31, 2012 of all CPE hours claimed for the years ending June 30, 2011 and June 30, 2012; He shall have no further violations of SDCL 36-20B or any administrative rules adopted pursuant to said chapter for a period of 31 months. The motion carried; 5 Aye, 1 Abstain (Brunick).

Hearing at 11:00 a.m. for Bradley Whitsell- Present were: Board Legal Counsel Aaron Arnold, Board Chair Holly Brunick, Vice Chair John Linn, Jr., Secretary-Treasurer John Peterson, Board Members John Mitchell, Marty Guindon, and David Olson. Others present were Bradley Whitsell, staff members Nicole Kasin, Executive Director; and Julie Iverson, Senior Secretary.

Board Legal Counsel Aaron Arnold presented the Board's case. Bradley Whitsell presented his case. After discussion by both parties, the Board closed the hearing at 11:26 a.m.

A motion was made by John Mitchell and seconded by John Peterson to enter into executive session for the purpose of deliberation. The motion unanimously carried.

The Board came out of executive session.

A motion was made by John Peterson and seconded by John Mitchell to revoke Certificate No. 2873 of Bradley D. Whitsell with the condition that he shall not reapply for licensure for a period of three years. The motion unanimously carried.

Hearing at 12:10 p.m. for Mark Kiroff- Present were: Board Legal Counsel Aaron Arnold, Board Chair Holly Brunick, Vice Chair John Linn, Jr., Secretary-Treasurer John Peterson, Board Members John Mitchell, Marty Guindon, and David Olson. Others present were staff members Nicole Kasin, Executive Director; and Julie Iverson, Senior Secretary.

Board Legal Counsel Aaron Arnold presented the Board's case. After discussion the Board closed the hearing at 12:24 p.m.

A motion was made by John Peterson and seconded by John Linn, Jr. to enter into executive session for the purpose of deliberation. The motion unanimously carried.

The Board came out of executive session.

A motion was made by John Peterson and seconded by John Linn, Jr. to deny the renewal of Certificate No. 2848 for Mark Kiroff with the condition that he shall not reapply for licensure for a period of five years. Kiroff is to pay an administrative fee of \$500 to the Board by December 31, 2011. He is required to return his SD CPA Certificate No. 2848 to the Board by December 31, 2011. The motion unanimously carried.

Hearing at 12:50 p.m. for Stacey Gray- Present were: Board Legal Counsel Aaron Arnold, Board Chair Holly Brunick, Vice Chair John Linn, Jr., Secretary-Treasurer John Peterson, Board Members John Mitchell, Marty Guindon, and David Olson. Others present were staff members Nicole Kasin, Executive Director; and Julie Iverson, Senior Secretary.

Board Legal Counsel Aaron Arnold presented the Board's case. After discussion the Board closed the hearing at 1:10 p.m.

A motion was made by Marty Guindon and seconded by John Mitchell to enter into executive session for the purpose of deliberation. The motion unanimously carried.

The Board came out of executive session for further questions.

A motion was made by John Linn, Jr. and seconded by Dave Olson enter into executive session for the purpose of deliberation. The motion unanimously carried.

The Board came out of executive session.

A motion was made by John Linn, Jr. and seconded John Peterson to accept the renewal of Certificate No. 2260 for Stacey Gray. The motion unanimously carried.

FUTURE MEETING DATES (all times CT)

November 18, 2011 – 9:00 a.m. Conference Call


December 19, 2011 – 10:00 a.m. Conference Call

A motion was made by John Peterson and seconded by John Mitchell to adjourn the meeting. The motion unanimously carried.

All business having come before the board was concluded and Chair Holly Brunick adjourned the meeting at 2:35 p.m.

Attest: 
Nicole Kasin, Executive Director


Holly Brunick, CPA, Chair


John Peterson, Sec/Treasurer