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Blackburn, Childers, and Steagall, PLC Certified Public Accountants and Consultants

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Blackburn, Childers & Steagall, PLC Quarterly Newsletter

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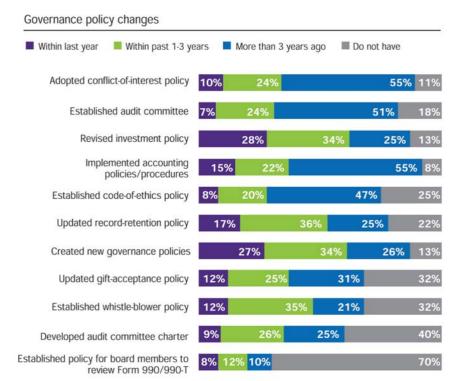
BOARD GOVERNACE:

A BIG DEAL

Viewpoint
By Tommy Greer

Whether it is restructuring of Big Business, the new auditing standards, the new 990 or the new endowment laws, one common thread you see woven thru each of these is an increase in Board Governance and Responsibility. It has been proven that your most successful organizations are ones that have an active board that is involved in setting policy and direction for an entity. Let me follow very quickly with, this does not mean micromanagement of day to day operations by the board, but the days of serving on a board just for networking, improving a resume or as a social event are all but over.

This is especially true for not for profit organizations. Senator Charles Grassley has led the charge for more "Accountability" and "Transparency" for non profits ever since 2007 when "Abuse of Charitable Organizations and Deductions" made the IRS's "Dirty Dozen Tax Scams." In a not for profit survey done by Grant Thornton it was found that as of 2003 only 20 percent



of respondents had made any changes to their governance policies as a result of Sarbanes-Oxley. Today 87 percent have indicated they have adopted new governance policies. (See related chart above)



While many of the policies are "best practices" a Conflict of Interest Policy and Whistle-Blower Policy have been required of <u>all</u> corporations since Sarbanes Oxley came out due to an amendment in the criminal code.

In the past, many times a place on the board has been reserved for a large donor or someone who can directly benefit the organization. Now the competency and independence of the organization's board, its internal financial controls and governing policies are what people are looking for in a well managed organization.

In these trying economical times all organizations need to take steps thru active governance to protect its reputation and integrity so as not to receive negative publicity that could cause irreparable long term harm.

If BCS can help your organization or if you would like more information on any of these issues, please contact us.

TAXES TODAY

By Jeff Moore

THE AMERICAN RECOVERY & REINVESTMENT ACT OF 2009

Hello to all! An exciting new year has begun with many challenges ahead and, of course, new tax legislation on the horizon. The latest attempt to "jump start" the country's economy, the *American Recovery*

and Reinvestment Act of 2009, has been passed by Congress and signed into law by President Obama. This article will highlight some of the major tax incentives included in the much-debated economic stimulus package.

The Making Work Pay Credit

This credit for wage earners will increase an employee's take-home pay each pay period by adjusting the federal withholding tables so that less federal income tax is withheld (unless the employee chooses to take the full credit on his/her 2009 tax return). This credit will equate to \$400 for singles (modified adjusted gross income below \$75,000) and \$800 for married couples (modified adjusted gross income below \$150,000). Those without earned income (disabled veterans, Social Security recipients, etc.) will receive a single payment of \$250.

First-Time Homebuyer Tax Credit

This credit equals the lesser of 10% of the home price or \$8,000 (up from the previous \$7,500) and extends it at that level through November 30, 2009 for principal residence purchases made after December 31, 2008. The new legislation eliminates any required repayment to the IRS after 36 months in the home. However, it is important to note that this repayment relief only applies to the new \$8,000 credit and **NOT** the previous \$7,500 credit.

Education Credits

The new legislation temporarily enhances the existing HOPE education credit by increasing the maximum credit from \$1,800 to \$2,500, extending the scope to include all four years of college, adding course materials to qualifying expenses, and increasing the phase-out levels to \$80,000 for singles and \$160,000 for joint filers. The new credit will allow a maximum credit of \$2,500 per year on \$4,000 in qualifying education payments.

Other Breaks for Individuals

The new law increases the refundable portion of the child tax credit for 2009 and 2010 by setting the income threshold at \$3,000. Unemployment compensation of up to \$2,400 is excluded from gross income for 2009. For 2009 and 2010, beneficiaries of qualified tuition programs may use tax-free distributions to pay for computers, including internet access. Sales tax on the first \$49,500 paid for a new car purchased in 2009 may be deducted without itemizing. Finally, since millions have lost health insurance coverage due to job cuts, the new law allows an individual to pay 35 percent of his/her COBRA premium and be treated as having paid the full amount. The individual's former employer pays the remaining 65 percent and receives a credit against payroll taxes.

Businesses

In addition to proposed tax breaks for individuals, the new legislation includes several extended and enhanced tax benefits for businesses. The fifty percent bonus depreciation and increased Code Sec. 179 expensing enacted last year are both extended through 2009. Qualified small businesses (average gross receipts of \$15 million or less) will be allowed to carry back 2008 net operating losses three, four, or five years, replacing the current two year limit. Finally, several energy tax incentives have been enhanced to encourage renewable energy development.

Please do not hesitate to contact us with any questions you may have about this article or your tax situation.



Audit

By Rebecca Smith

Are You Ready for a Financial Audit?

Here are 10 Best Practice Tips on being proactive to maintain and even improve accounting procedures, quality of financial information, and experiencing a smoother audit:

- 1. Don't forget to reconcile your books to your bank statements and other subsidiary ledgers.
 - a. Timely and accurate financial information is critical to making sound business decisions and providing accurate year-end reporting.
 - b. Keep proper supporting documentation.
 - c. Always have someone other than the preparer review the reconciliations.
- Watch out for data errors.
 - a. Taking your time and double-checking your calculations will keep you from making many common accounting mistakes. And if you're simply unsure about how to handle a financial matter or need help developing policies, talk with BCS.
- 3. Plan and address potential problems ahead of time to reduce effect on year-end workloads.
 - a. Learn lessons from prior year.
 - b. Consider work already performed by the entity or other reviewers/ auditors.
 - c. Discuss expectations about the impact of new accounting standards or changes to the business environment.
 - d. Create an "auditor file" to put information in during the year such as copies of new leases, debt, lines of credit, contracts, policies, and procedures. Having all these items in one location will increase your efficiency in locating much needed documents.

Being proactive is the key. Plan and put procedures in place to prevent kinks in the year-end closing and audit process.

- 4. Set a budget.
 - a. You can't control overspending when you don't know its happening. This ties in with being proactive.
- 5. Categorize expenses and use them properly.
 - This will ease the budgeting process and is particularly important when an organization receives funds for restricted purposes.
- 6. Set formal, documented and detailed procedures for accounting functions.
 - a. If the procedures are in writing and followed every time, it will save time and make it easy for another person to fill in if necessary.
- 7. Assess control and fraud risks periodically.
 - Occasionally taking a look at your accounting processes will help find loopholes that may increase risk of fraud.
- 8. Hire right.
 - a. Not carefully considering who you are hiring can lead to poor decisions that waste time, money, and energy. Find someone with the right attitude and appropriate competence.
- 9. Frequent meetings between management, staff, and auditors regarding items outstanding and importance and status of potential issues.
- 10. Perform a post-audit evaluation to determine weaknesses in the process and potential changes to approach in the future.

If you find yourself uncertain about how to tackle your accounting woes, remember communication is key. Please feel free to contact Blackburn, Childers and Steagall, PLC. Our staff is always available for more specific help with your accounting needs.

THANK YOU S BANK OF TENNESSEE

Blackburn, Childers & Steagall, PLC would like to give a special thank you to the **Bank of Tennessee** for allowing us to use two of their organization's locations for our Firm's annual 2009 Tax Seminar and our in-house BCS Leadership Development classes.







Our annual tax seminar was held at the **Bank of Tennessee** operations facility in Blountville on January 22, 2009. Our Leadership Development classes are held once a month at the Bank of Tennessee site on State of Franklin Road in Johnson City (as previously mentioned in the Fall 2008 issue of the *ClientTell* article "*How full Is Your Leadership Bucket?*" by Tommy Greer. To read the full article, please visit our website at: www.BCScpa.com and select the "BCS Newsletter" icon on the right hand side of the home page.)





2009 Special Economic Briefing

Topics and presenters:

Employment Law Compliance Stephanie Peters **SESCO Management Consultants** Worker's Compensation Cost Reduction Rob Brooks Wells Fargo Insurance Services Workplace Safety & Accident Prevention Kenny Shuman Wells Fargo Disability Management Financial/Income Tax Compliance **Andy Hatfield** Blackburn, Childers & Steagall, PLC **Employee Benefit Plan Trends & Regulations** Samuel S. Chov Seyfarth-Shaw, LLP **Employee Investments in Today's Economy** Mike Alread **BCS Financial**

Program Information:

Wednesday, April 29, 2009

Tuition is \$49.00 per person. Registration is required and seating is limited.

8:00am -5:00pm (*Breakfast and lunch provided*)

To register, please visit: www.seyfarth.com/businessandeconomicbriefing

The Millennium Centre, Johnson City, TN.

or contact Lori Metcalf at SESCO (423)764-4127 by April, 17, 2009.



dba Unicoi County Memorial Hospital - Unicoi County Home Health - Unicoi County Nursing Home

100 Greenway Circle Erwin, TN 37650 423-743-3141

Unicoi County Memorial Hospital, Inc. is a full service hospital offering the latest services and technology of a larger facility, but doing it with a personal, hometown feel. Founded in February 1953, UCMH is one of the last free standing facilities in the area. We are committed to offering the best possible care in the best possible atmosphere to our patients and their families. Our staff goes the extra mile to make sure our patients receive quality care, while making them and their family members feel welcome and at home.

We are accredited by the Joint Commission of Accreditation of Health Care Organizations and are members of the Tennessee Hospital Association, American Hospital Association, Tennessee Health Care Association and the American Health Care Association.



We take pride in our facility and want to ensure it meets the needs of our patients and community. That is why we are continually striving to provide the most up to date services and technology to our patients. We have made numerous improvements and additions over the past few years, and continue to do so on an ongoing basis.



Our most recent addition is a state-of-the-art digital mammography system. This system from GE provides outstanding image quality with clear, highly detailed images. This allows for early detection, prognosis and treatment of breast cancer. It allows the physicians greater flexibility in viewing the exam and proceeding accordingly. It also has some great advantages for the patients such as more relaxed positions with greater comfort and the exams are done in half the time.

We also added a new in-house MRI machine in January 2008. This is also a state-of-the-art machine that allows us to offer the same service as the larger facilities, but with more convenience and a more personal atmosphere. These along with our newer CT and Barium Swallow Chair, make our Radiology Department able to offer the latest in testing capabilities with a hometown feel. In addition to Mammograms, MRI's, CT's, and barium swallow tests, we also provide general

x-rays, ultrasounds, bone densitometry, and non-invasive procedures such as echocardiograms, arterial and venous dopplers.



UCMH is a full service hospital. We have a 46 bed Medical/Surgical unit and 2 bed ICU. The Medical/Surgical Unit staff are educated and trained to care for patients with a variety of medical conditions and surgery potients next operatively. UCMH offers a hospitalist program for continued

conditions and surgery patients post-operatively. UCMH offers a hospitalist program for continued 24 hour / 7 day per week care.

We are a full service facility that can handle most any injury or illness. Our emergency room is fully staffed with a physician 24 hours a day, seven days a week. Our Emergency staff includes dedicated physicians and registered nurses who are specially trained and experienced in providing immediate, expert emergency care. We are supported by twenty-four hours, seven days a week Respiratory Therapy, Laboratory and Radiology services. Other health care Professionals are also available to ensure complete coordination of patient care. Our wait times are minimal for our patients. Early treatment of certain illnesses can make a difference in the outcome



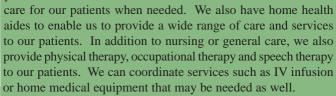
of the recovery. For instance, stroke patients recover more fully when they are treated within 30 minutes of the onset of symptoms. That is why it is so crucial to get emergency treatment quickly when an injury or illness occurs.

Our surgery department offers full services for both inpatient and out-patient procedures. We offer Same Day surgeries, General surgery, Endoscopy, Laparoscopic,

Ophthalmology, Gynecological, Orthopedic, including hip and total knee replacements, Vascular, Laser, Podiatry, Urological and Plastic surgery. Our facility and staff are equipped to handle most any surgery and we are usually able to schedule a procedure quickly.

We have a home health department that provides inhome care to patients in Unicoi County. This department has an RN on call 24 hours a day, seven

days a week to provide constant





Another service that we offer that has really grown over the last few years is our occupational health program. This is a comprehensive program we offer to our area employers. We

provide quality care to the employees while reducing employer cost and lost time productivity. This is a full time program that is aimed at better communication with employers regarding their needs, while providing the injured worker with comprehensive care. Some of the services offered in this program are pre-employment evaluations, workplace substance abuse monitoring, work related injuries, and preventive health for employees and annual procedures required by the industry. Our medical director is a certified MRO who has extensive experience and is dedicated as a local physician for many local industries.



Occupational Therapy

We also have a 46 bed long term care facility where we offer long term and rehabilitation services. Our facility received a 4 star rating from the Center for Medicare Services.

Another addition we have added over the past couple of years is a physician's office located in Unicoi, Tennessee. Unicoi Valley Family Practice is a family practice office that serves the community with medical care by appointment, but also welcomes walk-in patients anytime.

Sleep Lab services are contracted services with Huedo Diagnostics which provide diagnostic services for patients with all types of sleep disorders. Disorders evaluated include snoring, obstructive sleep apnea, insomnia, narcolepsy, restless leg syndrome, sleepwalking, nightmares, etc.

> For more information about Unicoi County Memorial Hospital, please visit their website at: http://www.ucmhnet.org/index.php.

> > Article submitted by Christol Edney, Director of Marketing & Assistant Director of Human Resources

> > > Blackburn, Childers & Steagall, PLC

Unicoi **County** Memorial **Hospital**

www.bcscpa.com



LET'S TALK:

Employees vs. Contract Labor

Small Business Services

Alice Williams

The distinction between these two is very important to small business owners. Generally, whether a person is an employee or an independent contractor depends on how much control the employer has over the individual. To misclassify an employee as contract labor is a grave mistake that could prove costly to a business owner. If an independent contractor is found to be an employee, the government can go back three years and assess penalties and interest for failure to pay payroll taxes. There could also be legal ramifications for not offering benefits such as medical insurance and/or access to the retirement plan.

Sometimes it is hard to distinguish between the two, so let's talk about some of the characteristics of employees and independent contractors. An employee typically works for one employer at a time and they comply with the employer's instructions about when, where and how work is to be performed. An employee's work schedule is set by the employer and they are paid in regular amounts at stated intervals. Employers must pay payroll taxes on their services, including FICA, Medicare and unemployment taxes. Employees may be offered benefits after a specified period of time that may include insurance, retirement, holiday pay and vacation. Employees can be fired, or they may quit without incurring continual attachment and responsibilities to the former employer.

Another type of employee that is commonly mistaken for an independent contractor is the household employee. A household employee is someone hired to work in a personal residence, and their work is controlled by the person(s) paying for their services. It does not matter whether the work is full or part-time, or if the person was hired through an agency. It also does not matter whether the worker is paid on an hourly, daily, weekly or job basis. Household employees do not include your spouse, your children under the age of 21, or your parents (see IRS Pub 26 for parental exceptions). Some examples of household employees are babysitters, nannies, caretakers, health aides, private nurses, cleaning people, yard workers and drivers.

A household employee must be a legal U.S. citizen and they must complete Form I-9. The employer of a household worker may be responsible for payroll taxes. Here are the basic rules regarding payroll taxes for household employees:

- If you pay cash wages of at least \$1,600 to any one household employee during a calendar year; you must withhold Social Security and Medicare Tax. You are not required to withhold federal income tax, but this is permitted if the employee requests.
- If you pay cash wages of at least \$1,000 in any calendar quarter, you must pay federal unemployment taxes. And in Tennessee, that also includes paying state unemployment taxes, as well.

On the other side, independent contractors are self-employed individuals that offer their services to the general public. They set their own hours and perform services their own way and at their own pace. A contractor performs one job or a series of jobs with no continuous relationship with one employer. They are paid by the job or through commissions, and are accountable for their own expenses. Contractors have a real and significant investment in their jobs, and can realize profit or suffer a loss as the result of their services and /or decisions. Contractors cannot be fired as long as they abide by their contracts. However, unlike employees, these contracts also bind that individual from quitting a job without becoming personally liable for unsatisfactory work or for making good for any failures.

Whether you hire an employee or independent contractor, just make sure you classify them correctly and maintain all of the proper documentation. If you are unsure how to classify your worker, the IRS has created 20 Questions or Factors that help you determine an employee from an independent contractor. Unfortunately there are no steadfast rules or regulations that stipulate which factors, or combination of factors, must be met in order to be classified as an employee or independent contractor. This is just a guideline and each case must be carefully evaluated on its own facts and circumstances.

For more information on the topic discussed above, please contact your accountant or attorney for professional advice. Or visit www.irs.gov, where you can find IRS Publications 926 (Household Employees), Pub 15 (Circular E, Employer's Tax Guide) and "The IRS 20 Questions".

Next time.....LET'S TALK Lease vs. Buy



The Computer Guy

Don Wallingford

It is easy to be

"Green"



Old Computer?



Don't throw it away!



Find a local school or organization....



and donate it today!

What is your favorite color? Mine happens to be orange in case you're wondering. But a color that I have repeatedly heard over the last couple years is "Green". Most businesses are trying to become a little more "Eco-Friendly" in some form or fashion. One way that you can go "Green" is to recycle any or all of your old computer equipment that you no longer use.

A computer can be a great asset to a home or business but terrible for the environment when disposed of improperly. Toxic chemicals, carcinogens, and heavy metals are all part of what is inside the components of a computer. Therefore, when someone decides to take that old computer from 1995 and throw it in a dumpster, they are causing a lot of harm to the environment.

I bet you're now thinking about how you can dispose of that old computer that is stored in the closet. Fortunately, there are many options as to how you can go about recycling your old computer equipment. Many computer manufacturers will recycle your old equipment for free or little cost to you (or offer discounts on new computers). Some businesses will also take more than just old computer parts, but used ink and toner cartridges. Here are some quick links in which to find information on recycling programs offered by Dell, HP, Apple, Staples, Best Buy and Office Depot

Dell http://www.dell.com/recycling

HP (Hewlett- Packard) http://www.hp.com/go/recycle

Apple http://www.apple.com/environment/recycling/

nationalservices/us.html

Staples http://www.staples.com/sbd/content/about/soul/

recycling.html

Best Buy http://www.bestbuy.com/recycling

Office Depot http://officedepot.com/techrecycling

If your computer equipment is still usable, you can always think about donating it to a local school or organization. Just call to find out if they accept old computer donations. I've never heard of a school system that will turn away working computers. The key to recycling your old computer equipment is to simply ask questions about what programs are available from businesses and schools in your area.





Social Security

Strategies for Couples

There are several issues to consider before deciding the appropriate time to begin receiving Social Security benefits. As a general rule, if a person and his/her spouse are both healthy and employed at age 62, this person should delay taking social security until his/ her Full Retirement Age (FRA) or even later. FRA, as of 2009 is 66. This general rule is based on the reduction of benefits for working recipients from age 62 to 64 and the likelihood of one spouse living to an advanced age. Early retirement, beginning at age 62, also reduces benefits for individuals born after 1943 by 25%. In contrast, if an individual has health issues or financial needs, this person should consider receiving Social Security benefits as soon as he/she is eligible. Not everyone will fall neatly into the previous two categories and the following strategies should also be considered.

The "Spousal Benefits" strategy permits a lower-income spouse to file early, age 62, using the lower –income spouse's earnings record to collect benefits. The higher-income spouse waits until his/her FRA, age 66 in 2009, and files to collect 50% of the lowerincome spouse's benefits. Then, at age 70, the higher-income spouse applies to collect based upon his/her own earnings history. This postponement permits the higher-income spouse's benefits to grow while accruing cost-of-living adjustments and delayed retirement credits. These delayed credits and cost-of-living adjustments can increase the higher-income spouse's benefits in excess of 8% per year until age 70.

The "Do-Over" strategy permits a worker who commenced collecting benefits early to re-evaluate and file a new application to collect benefits based on his or her older age. The previous benefits collected are repaid without interest to the Social Security Administration and he/she then begins to receive the higher recalculated benefits based on the new application date.

For further information concerning these and other Social Security benefit options please refer to the article "Social Security for Two" in the January 2009 Journal of Accountancy (http://www.journalofaccountancy.com/Issues/2009/Jan/SocialSecurityforTwo) as well as the Social Security Administration's web site (http://www.ssa.gov/).

If you need further assistance with any of the strategies discussed above please give our office a call.

BCS in the Communi



Thanks to the efforts of several BCS employees in our Johnson City office, 35 stockings were filled and delivered to the Salvation Army December 8th. They were filled with school supplies, toys, stuffed animals, hats, gloves, and much, much more. Each stocking was designated for a boy or girl in various age groups. Some stockings were also filled for senior citizens. The stockings were given away during the Annual Toy Shop held by the Johnson City Salvation Army.

ersonal Lines



Janie Morelock has been hired as a full time Administrative Assistant in the Johnson City Tax Department. Janie has an Associate Degree from Northeast State in Secretarial Science. She is also the sister of Carol Wallace

Bobby Rich is a full time employee in the Johnson City Tax Department. Bobby has completed both his Bachelor's and Master's Degree in Accountancy. He has 14 years of public accounting experience.





Esther Schultz is full time in the Audit Department in Johnson City. She has a Bachelor's Degree in Accounting and a degree in Biblical Studies.

Nick Crowe and his wife, Micah, welcomed their first baby Brooklyn Riley Crowe. She was born on December 12, 2008 and weighed 6 lb 15 oz and was 20 1/4 inches long.





Brittany Johnson of our Kingsport Office Audit Dept. and her fiancé, Jake Cassell were united in marriage on Saturday, February 21, 2009

Welcome New Interns

Cory Cole is an intern in the Tax Department. He is a student at ETSU working on his accounting degree expected to graduate in May 2009. Cory is the Service Coordinator of Beta Alpha Psi at ETSU and has been on the Dean's List for 4 semesters. He is a member of North Bristol Baptist Church and enjoys tennis, running and traveling.

Kristy Bellamy is a Tax Intern in the Kingsport Office. Kristy is on target to complete her Bachelor's Degree in Accounting from ETSU in May 2009.

Kristi Ballard is a Tax Intern in the Kingsport Office. Kristi completed her Bachelor's Degree in Accounting from ETSU and is scheduled to graduate with her Masters in Accountancy August 2009.

Sarah Masters is a Tax Intern in the Greeneville Office. Sarah is working on her Bachelor's Degree from Tusculum College.

Brooke Compton is a Tax Intern in the Greeneville Office. Brooke is also working on her Bachelor's Degree in Accounting from Tusculum College

ly Chat with.....



By Vickie Potts

Jeff Moore became part of the BCS Team with the merger of Hoover Harrison Associates and is currently working into his eighth year of service within the Firm. Jeff graduated Summa Cum Laude from Clinch Valley College (UVA-Wise) in May 1992 with a Bachelor of Science degree in Accounting and minors in Business Administration and Economics and obtained his CPA designation in 1998. Currently licensed and certified in both VA & TN, Jeff is versatile in providing various specialized services to clients within our region, concentrating in the areas of individual and business taxation.

He is a native of Southwest Virginia, where he currently resides with his wife, Angie and son, Brandon. Jeff is an active member of West End Baptist Church in Big Stone Gap, where he currently

serves as trustee, treasurer, food and ministry director. Jeff's hobbies include golf, traveling with his family, going to baseball games, and reading mysteries.







"Soon after arriving at East Tennessee State University in 1986, I sought advice on finding an accounting firm to help prepare my annual income tax forms. I asked several people for a recommendation and, without exception, Blackburn, Childers, and Steagall was the first suggested. This began a relationship that now continues more than 20 years later. I have received exceptional service through the years, as well as reliable, trustworthy, and professional advice. One thing that continues to impress me with BCS is that while they are one of the larger accounting firms in the region, I have always received personal, friendly, and individual service when they prepare my taxes each year. I look forward to many more years as a client."

 Fred Warren, Men's Head Golf Coach East Tennessee State University

Visit us at www.bcscpa.com to view the many ways we can serve you through our offices in Johnson City, Kingsport and Greeneville.

423.282.4511 JC | 423.246.1725 KP | 423.638.8516 GV







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