

**BOARD OF EMPLOYEE LEASING COMPANIES  
GENERAL BUSINESS MEETING MINUTES  
THE EMBASSY SUITES  
MIAMI INTERNATIONAL AIRPORT  
3974 NW SOUTH RIVER DRIVE  
MIAMI, FLORIDA 33142  
305-634-5000**

**SEPTEMBER 18, 2014 @ 1:30 P.M.**

**I. CALL TO ORDER**

The meeting was called to order at approximately 2:10 p.m. EST by Mr. Abram Finkelstein, Board Chair.

**II. ROLL CALL**

**MEMBERS PRESENT**

Abram Finkelstein, Chair  
John Jones, Vice Chair  
Eric Arfons  
Scott Buchanan  
Philip Stamatyades

**MEMBERS ABSENT**

Suzette DiMascio (*excused*)

**STAFF PRESENT**

Rick Morrison, Executive Director, DBPR  
Krista Woodard, Government Analyst, DBPR  
Mary Ellen Clark, Board Counsel, Office of the Attorney General  
John Cary, Chief Attorney, DBPR  
Maureen White, Prosecuting Attorney, DBPR  
Jake Whealdon, Prosecuting Attorney, DBPR  
Tenisha Riley, Government Analyst I, DBPR

**OTHERS PRESENT**

Robin Delaney, DFS - DWC  
Michael Miller, Kunkel Miller & Hament, P.A. and FAPEO  
Timothy Tack, Kunkel Miller & Hament, P.A.  
Torben Madson, Kunkel Miller & Hament, P.A.  
Elizabeth Shaw  
George Attmore  
Andrea McHenry  
Tricia Russo  
Jay Morgan  
Jonathan Taylor  
Todd Cohen  
Zach Collins  
David Yon  
Harry Lydon  
Chip Moye  
Robert Wilson

The meeting was opened with a roll call and a quorum was established.

**III. THE PLEDGE OF ALLEGIANCE**

Mr. Finkelstein led all in the Pledge of Allegiance.

**IV. REVIEW AND APPROVAL OF THE AUGUST 20, 2014 TELEPHONE CONFERENCE CALL MEETING MINUTES**

MOTION: Mr. Jones moved to approve the minutes.

SECOND: Mr. Arfons seconded the motion and it passed unanimously.

**V. DISCIPLINARY PROCEEDINGS – Office of the General Counsel**

*Mr. John Cary advised the board that this would be Ms. White’s last meeting as she would be moving to be the prosecuting attorney for another board. However, he did have Ms. White’s replacement present.*

*Mr. Cary introduced Mr. Joseph “Jake” Whealdon as the new prosecuting attorney for the board.*

*Mr. Finkelstein welcomed Mr. Whealdon to the board and stated that he, as well as the other board members, looked forward to working with him.*

**A. MOTION FOR WAIVER OF RIGHTS AND FINAL ORDER**

- 1. **Kelly Mowrey** **2013-015476**  
*PCP: Reeves and DiMascio – November 13, 2013*
- 2. **Complete Personnel Logistics** **2013-022894**
- 3. **Jason Lucarelli** **2013-022923**
- 4. **Samuel Lucarelli** **2013-023233**

*PCP: Reeves and DiMascio – November 13, 2013*

Mr. Cary advised that he was pulling the above-mentioned cases and would present them at a future meeting.

**B. HEARINGS IN WHICH THERE ARE NO ISSUES OF DISPUTED FACTS**

- 1. **Payday, Inc.** **2013-024257**
- 2. **Payday II, Inc.** **2013-024257**
- 3. **Payday III, Inc.** **2013-024261**
- 4. **Robert Kimball** **2013-0242264**

*PCP: Reeves and DiMascio – February 11, 2014*

Mr. Cary presented the cases explaining they stem from violations involving failure to submit the 2012 4<sup>th</sup> Quarter Report and failure to timely submit the 2011 Annual Financial Statements.

MOTION: Mr. Buchanan moved to adopt the allegations of fact contained in the administrative complaint.

SECOND: Mr. Arfons seconded the motion and it passed unanimously.

MOTION: Mr. Buchanan moved to adopt the conclusions of law contained in the administrative complaint as those of board.

SECOND: Mr. Finkelstein seconded the motion and it passed unanimously.

MOTION: Mr. Jones moved to impose an administrative fine of \$7500, costs of \$175.36, with joint and several liabilities for payment of the fine and costs.

SECOND: Mr. Stamatyades seconded the motion and it passed unanimously.

### **C. SETTLEMENT STIPULATIONS**

**1. Solantic Corporation**

**2013-027719**

**2. George S. Attmore, III**

**2013-027716**

*PCP: Reeves and DiMascio – April 29, 2014*

Ms. White presented the cases explaining they stem from violations involving failure to timely submit the 2012 Annual Financial Statements, failure to timely submit the June, September, and December 2012 quarterly reports, failure to timely submit the March 2013 quarterly report, failure to timely submit the annual assessment fee for 2012, submission of the June 2013 quarterly report with a negative net working capital, submission of the September 2013 quarterly report with a negative net working capital, and submission of the December 2013 quarterly report with a negative net working capital.

Ms. White stated the settlement stipulation provides for imposition of an administrative fine of \$2,000.00, and costs of \$124.96, with joint and several liabilities for payment of the fine and costs.

Mr. Cary advised the board that there were no prior violations involving the Respondents; however, recent correspondence from Mr. Richard Law states that the quarterly reports for March 2014 and June 2014 reflects negative equity.

Ms. Clark asked if this new information changed Mr. Cary's recommendation with regard to the presented settlement stipulation.

Mr. Cary stated that would be a matter for the board to decide upon, but the stipulation presented was what was agreed upon prior to the introduction of the new materials. He further stated that the \$2000 fine was based upon the allegations presented in the current administrative complaint.

Ms. Elizabeth Shaw, Esquire, and Mr. Attmore were present and represented the Respondents.

Ms. Clark advised the board to review the material facts that are in the Administrative Complaint and the Settlement Stipulation that was negotiated based on the material facts and any mitigating circumstances.

Mr. Attmore was sworn in and addressed the board stating that the net working capital deficiencies were based on inter-company liabilities between Solantic and the parent company Solantic Holdings, but now has a guaranty in place. Mr. Attmore stated that it is their intention to dissolve this company as soon as possible.

Mr. Cary stated for the record Mr. Law's correspondence stating that "the balance sheet for Solantic Holdings Corporation for the quarters ended 03/31/2014 and 06/30/2014 present negative equity of \$7 million plus and \$16 million plus respectively."

After further discussion, the following motion was made.

MOTION: Mr. Finkelstein moved to reject the terms of the stipulation as presented and asked Mr. Cary to bring the cases back before the board at the February 2015 meeting with all the facts presented including the request for voluntary relinquishment of the licenses.

SECOND: Mr. Buchanan seconded the motion and it passed unanimously.

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| <b>3.</b> | <b>Tandem Professional Employer Services</b> | <b>2013-028668</b> |
| <b>4.</b> | <b>Tandem Professional Employer Services</b> | <b>2014-024572</b> |
| <b>5.</b> | <b>Bruce Leon</b>                            | <b>2013-028678</b> |
| <b>6.</b> | <b>Bruce Leon</b>                            | <b>2014-024574</b> |

PCP: Reeves and DiMascio – April 29, 2014

Mr. Whealdon presented the cases explaining they stem from violations involving failure to timely submit the 2012 Annual Financial Statement.

Mr. Whealdon advised that should the settlement agreement not be accepted by the board, the department would file and administrative complaint on the Respondents charging them with failure to timely submit the 2013 Annual Financial Statement.

Mr. Whealdon advised that the Respondent's purpose in executing the Settlement Stipulation agreement is to avoid further administrative action in respect to the above referenced cases.

Mr. Whealdon stated the settlement stipulation provides for the imposition of an administrative fine of \$5,000 and costs of \$127.84 with joint and several liabilities for payment of the fine and costs. He further stated that in order to expedite consideration and resolutions of these actions by the board, in a public meeting, the Respondents waive the statutory privilege of confidentiality of Section 455.225(10), F.S. and waive a determination of probable cause for cases: 2014-024575 and 2014-024572 by the Probable Cause Panel pursuant to Section 455.225(4), F.S.

Mr. Whealdon advised the board of all prior violations regarding the Respondents.

After a brief discussion, the following motion was made.

- MOTION: Mr. Jones moved to reject the terms of the stipulation as presented and offered a counter-stipulation providing for the imposition of an administrative fine of \$10,000, costs of \$127.84, with joint and several liabilities for the payment of the fine and costs.
- SECOND: Mr. Buchanan seconded the motion and it passed unanimously.

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| <b>7.</b> | <b>Marion E. Brooks</b> | <b>2014-001179</b> |
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PCP: Reeves and Jones – February 11, 2014

Ms. White presented the case explaining it stems from violations involving failure to renew his controlling person's license.

Ms. White stated the settlement stipulation provides for the voluntary relinquishment of license CO 34 and certification that all unemployment compensation taxes, penalties, interest, and fees have been paid. Ms. White further stated that there was no stipulation that the Respondent never reapply for licensure in the state of Florida.

- MOTION: Mr. Finkelstein moved to adopt the terms of the settlement stipulation as the final order of the board.
- SECOND: Mr. Arfons seconded the motion and it passed unanimously.

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| <b>8.</b> | <b>Janice Brooks</b> | <b>2014-001129</b> |
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PCP: Reeves and Jones – February 11, 2014

Ms. White presented the case explaining it stems from violations involving failure to renew her controlling person's license.

Ms. White stated the settlement stipulation provides for the voluntary relinquishment of license CO 33 and certification that all unemployment compensation taxes, penalties, interest, and fees have been paid. Ms. White further stated that there was no stipulation that the Respondent never reapply for licensure in the state of Florida.

MOTION: Mr. Finkelstein moved to adopt the terms of the settlement stipulation as the final order of the board.

SECOND: Mr. Arfons seconded the motion and it passed unanimously.

**9. Henry Hardin**

**2012-042349**

*PCP: Reeves and DiMascio – February 11, 2014*

**10. Henry Hardin**

**2013-028342**

**11. Henry Hardin**

**2014-005800**

*PCP: N/A*

Ms. White presented the case 2012-042349 explaining that it was presented at the April 2014 meeting but it was pulled because the board wanted to handle all of the cases at the same time.

Ms. White stated that although probable cause was found in this case, the administrative complaint had not been filed against the Respondent, so the case was pulled so the that Administrative Complaint could be failed and the entire file brought back to the board.

Ms. White explains that this case stems from violations involving failure to timely submit Venture Resources Group, LLC 2011 annual audited financial statement, failure to maintain positive net working capital as reflected in Venture's 2011 annual financial report, failure to maintain positive net working capital as reflected in Venture's September 2012 quarterly report.

Ms. White presented the case 2013-028342 stating that an administrative complaint had not been filed and that the Respondent waived the finding of probable cause. She further stated the Respondent's purpose in executing this voluntary relinquishment was to avoid further administrative action in respect to case 2013-028342.

In the event that the settlement agreement is not accepted by the board, the department will file an administrative complaint which will charge the Respondent with failure to timely submit Staffing Concepts National, Inc. 2012 annual financial statement.

Ms. White presented case 2014-005800 stating in the event that the settlement agreement is not accepted by the board, the department will file an administrative complaint which will charge the Respondent with failure to timely submit Staffing Concepts National, Inc. 2011 annual financial statement.

MOTION: Mr. Buchanan moved to reject the stipulation as presented.

SECOND: Mr. Arfons seconded the motion and it passed unanimously.

MOTION: Mr. Finkelstein offered a counter-stipulation for voluntary relinquishment of the controlling person license and the imposition of an administrative fine of \$5000.

SECOND: Mr. Buchanan seconded the motion and it passed unanimously.

12. **Staffing Concepts National, Inc.**  
13. **Staffing Concepts National, Inc.**

**2012-044199**  
**2013-028336**

*PCP: N/A*

Mr. Miller waived the reading of the case materials for these cases as they relate to the above mentioned cases for Mr. Henry Hardin.

MOTION: Mr. Buchanan moved to reject the stipulation as presented.  
SECOND: Mr. Arfons seconded the motion and it passed unanimously.

MOTION: Mr. Finkelstein offered a counter-stipulation for voluntary relinquishment of the employee leasing company license and the imposition of an administrative fine of \$2500.  
SECOND: Mr. Buchanan seconded the motion and it passed unanimously.

**14. Venture Resources Group**

**2012-042345**

*PCP: Reeves and DiMascio – February 11, 2014*

Mr. Miller waived the reading of the case materials for this case as it relates to the above mentioned cases for Mr. Henry Hardin.

MOTION: Mr. Buchanan moved to reject the stipulation as presented.  
SECOND: Mr. Arfons seconded the motion and it passed unanimously.

MOTION: Mr. Finkelstein offered a counter-stipulation for voluntary relinquishment of the employee leasing company license and the imposition of an administrative fine of \$2500.  
SECOND: Mr. Buchanan seconded the motion and it passed unanimously.

**D. VOLUNTARY RELINQUISHMENT OF LICENSE**

**1. Golden Professional Solutions, Inc.**

**2013-031494**

*PCP: Reeves and DiMascio – April 29, 2014*

Mr. Cary presented the case explaining it stems from violations involving failure to timely submit the December 2012 quarterly report, failure to timely submit the 2012 annual financial statement, and failure to timely submit the March 2013 quarterly report.

Mr. Cary stated that the Subject would cease operations as an employee leasing company within 30 days of the acceptance of the voluntary relinquishment and has executed a Voluntary Relinquishment with no right of reapplication. He further stated that Respondent certifies that all unemployment compensation taxes, penalties, interest, and fees have been paid. The stipulation also imposes cost of \$41.32.

MOTION: Mr. Jones moved to accept the voluntary relinquishments and for the inclusion of the investigative reports to be attached to the Final Orders.  
SECOND: Mr. Arfons seconded the motion and it passed unanimously.

Mr. Cary presented the case explaining it stems from violations involving failure to timely submit the December 2012 quarterly report, failure to timely submit the 2012 annual financial statement, and failure to timely submit the March 2013 quarterly report.

Mr. Cary stated that the Subject would cease operations as a controlling person within 30 days of the acceptance of the voluntary relinquishment and has executed a Voluntary Relinquishment with no right of reapplication. He further stated that Respondent certifies that all unemployment compensation taxes, penalties, interest, and fees have been paid. The stipulation also imposes cost of \$37.28.

MOTION: Mr. Jones moved to accept the voluntary relinquishments and for the inclusion of the investigative reports to be attached to the Final Orders.

SECOND: Mr. Arfons seconded the motion and it passed unanimously.

3. Smart Tek Service Solutions Corp.

Mr. Cary advised that he was pulling the above-mentioned case and would present it at a future meeting.

VI. DISCUSSION ITEMS

1. Rule 61G7-10.0015 Alternative Reporting Compliance by Accredited Employee Leasing Companies

Ms. Clark directed everyone’s attention to the Rules report which was contained in the agenda materials. She stated that the draft language to Rule 61G7-10.0015 was approved at the February 2014 board meeting and the language was noticed and properly received comments from JAPC by a letter dated April 23, 2014.

Ms. Clark advised that the language being presented today had been corrected for the ministerial changes that were contained in the JAPC letter. She further stated that everything other than the substantive questions have already been responded to.

After a very lengthy discussion amongst the board members and receiving comments from members of the public, the following motion was made:

MOTION: Mr. Finkelstein moved to notice a change and approve the language as presented.

SECOND: Mr. Arfons seconded the motion and it passed unanimously.

**61G7-10.0015 Alternative Reporting Compliance by Accredited Employee Leasing Companies.**

An employee leasing company (referenced in this rule “an authorizing employee leasing company”) may satisfy the requirements of its quarterly and annual filing obligations as set forth in rules 61G7-10.001 and 61G7-10.0011, by being accredited in good standing by the Employer Services Assurance Corporation (ESAC), and by authorizing ESAC to provide the Department, on the licensee’s behalf, certification of compliance and electronic access to information provided to ESAC by the licensee that is consistent with the reporting requirements of rules 61G7-10.001 and 61G7-10.0011 and is consistent with the requirements of Section 668.50, F.S., (the Florida Uniform Electronic Transactions Act). Should ESAC determine

that any filing made with ESAC by any authorizing employee leasing company does not meet any requirement of Chapter 468, Part XI, F.S. or the rules promulgated thereto, such authorizing employee leasing company shall have on file with ESAC an authorization for ESAC to disclose to the Board and the Department all information in ESAC's possession pertinent to the failure to meet the applicable requirement, and ESAC shall disclose such information to the Board and the Department within five (5) working days of ESAC's determination of such failure. Such information disclosed by ESAC to the Board and the Department shall remain confidential in accordance with Section 455.229(1), F.S. Additionally, should an employee leasing company lose its accredited in good standing status with ESAC, within five (5) working days of the loss of such status, both ESAC and the employee leasing company shall notify the board in writing of the loss of such. Nothing in this rule shall limit or change the Board or Department's authority to license, ensure compliance with statutory or rule requirements applicable to an employee leasing company, terminate licensing of an employee leasing company or to investigate or enforce any provision of Part XI of Chapter 468, F.S. or the rules promulgated pursuant thereto. This rule shall stand repealed on July 1, 2017, unless reviewed and saved from repeal through re-promulgation by the Board.

Rulemaking Authority 468.522, 468.529(4)FS. Law Implemented 468.525(3) FS. History—New \_\_\_\_\_.

Ms. Clark advised that due to the change in the language, that a new SERC checklist would be needed.

Ms. Clark asked if these changes, as just read on record, would have an adverse impact on small business or be likely to directly or indirectly increase regulatory costs to any entity (including government) in excess of \$200,000 in the aggregate in Florida within 1 year after implementation.

MOTION: Mr. Jones moved that the proposed changes to Rule 61G7-10.005, F.A.C. would not have an adverse impact on small business or be likely to directly or indirectly increase regulatory costs to any entity (including government) in excess of \$200,000 in the aggregate in Florida within 1 year after implementation.

SECOND: Mr. Finkelstein seconded the motion and it passed unanimously.

***The meeting recessed for the day at 6:24 p.m. to resume the next day.***

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GENERAL BUSINESS MEETING MINUTES  
THE EMBASSY SUITES  
MIAMI INTERNATIONAL AIRPORT  
3974 NW SOUTH RIVER DRIVE  
MIAMI, FLORIDA 33142  
305-634-5000**

**SEPTEMBER 19, 2014 @ 9:00 A.M.**

**I. CALL TO ORDER**

The meeting was called to order at approximately 9:06 a.m. EST by Mr. Abram Finkelstein, Board Chair.

**II. ROLL CALL**

**MEMBERS PRESENT**

Abram Finkelstein, Chair  
John Jones, Vice Chair  
Eric Arfons  
Scott Buchanan  
Philip Stamatyades

**MEMBERS ABSENT**

Suzette DiMascio (*excused*)

The meeting was opened with a roll call and a quorum was established

**III. APPLICATION REVIEW (Applicants noticed for September 19, 2014 at 9:00 a.m.)**

**A. REVIEW AND CONSIDERATION OF EMPLOYEE LEASING COMPANY AND CONTROLLING PERSON APPLICATIONS**

**1. Countrywide PEO, Inc. (GL Applicant)  
Zachary A. Collier, Controlling Person Applicant**

Mr. Finkelstein presented the company application for Countrywide PEO, Inc.

Mr. David Yon, Esquire and Mr. Collier were present and represented the applicants.

Mr. Jones explained that the IRS form 8821 needed to be updated to include forms 940 and 941 for the company.

MOTION: Mr. Finkelstein moved to approve the company application.

SECOND: Mr. Jones seconded the motion and it passed unanimously.

Mr. Finkelstein presented the controlling person application for Zachary Collier.

Mr. Whealdon addressed the board stating that there was a pending unlicensed activity case in legal against Mr. Collier as a result of an anonymous complaint. Mr. Whealdon stated it is an alleged violation of Chapter 468.531(1) (a), F.S. for practicing or offering to practice as an employee leasing company, an employee leasing company group, or a controlling person.

He advised that the potential penalties include a fine up to \$5000 and a notice to cease and desist can be issued. He further advised that a finding of probable cause had not yet been found.

After a brief discussion, the following motion was made.

MOTION: Mr. Finkelstein moved to approve the controlling person application of Mr. Collier with the imposition of an administrative fine of \$3000, a cease and desist and one year of probation, and pending resolution of the unlicensed activity case against Mr. Collier.

SECOND: Mr. Jones seconded the motion and it passed unanimously.

**\*\*\* Change of Ownership Application \*\*\***

- G&S Leasing Group 4, Inc. – GM 533

Mr. Finkelstein presented the change of ownership application for G&S Leasing Group 4, Inc.

MOTION: Mr. Jones moved to approve the change of ownership application.

SECOND: Mr. Arfons seconded the motion and it passed unanimously.

**\*\*\* Notification of Name Change \*\*\***

- G&S Leasing Group 4, Inc. – GM 353  
TO: Countrywide PEO 1, Inc.

Mr. Finkelstein presented the name change application for G&S Leasing Group 4, Inc.

MOTION: Mr. Jones moved to approve the name change application.

SECOND: Mr. Arfons seconded the motion and it passed unanimously.

**2. Freemark HR, LLC (EL Applicant)  
Stacie M. Wilson, Controlling Person Applicant**

Mr. Finkelstein presented the company and controlling person applications.

Mr. Jones stated that the IRS form for the company needs to be revised to include income tax and for the controlling person, it needs to include forms 1120 and 1040.

MOTION: Mr. Jones moved to approve the applications pending receipt of the corrected IRS forms.

SECOND: Mr. Arfons seconded the motion and it passed unanimously.

**3. HRSmarterI, LLC (GL Applicant)  
HRSmarterII, LLC (GM Applicant)  
Carl W. Guidice, Controlling Person Applicant**

Mr. Finkelstein presented the group leader, group member, and controlling person applications.

MOTION: Mr. Jones moved to approve the applications.

SECOND: Mr. Arfons seconded the motion and it passed unanimously.

4. **Sheakley HR, LLC (EL Applicant)**  
Larry A. Sheakley, Controlling Person Applicant  
Matthew A. Sheakley, Controlling Person Applicant  
Thomas Pappas, Controlling Person Applicant  
Robert Sinkhorn, Controlling Person Applicant

Mr. Finkelstein presented the company and controlling person applications.

Ms. Clark advised that she had not had a chance to review the revised client service agreement that was just provided to her that morning.

MOTION: Mr. Finkelstein moved to approve the applications pending receipt and approval of the revised client service agreement within one week.

SECOND: Mr. Arfons seconded the motion and it passed unanimously.

5. **Peter C. Grabowski, Controlling Person Applicant**  
Progressive Employer Management Company, Inc. – GL 105  
Progressive Employer Management Company XXI, LLC – GL 150  
Progressive Employer Management Company XXIII, LLC – EL 360

Mr. Finkelstein presented the controlling person application of Mr. Peter Grabowski.

MOTION: Mr. Jones moved to approve the application.

SECOND: Mr. Arfons seconded the motion and it passed unanimously.

6. **LCM Holdings II, LLC (GL Applicant)**  
**LCM Holdings III, LLC (GM Applicant)**  
**LCM Holdings IV, LLC (GM Applicant)**  
**LCM Holdings V, LLC (GM Applicant)**  
Larry C. Moye, Jr., Controlling Person Applicant

Mr. Finkelstein presented the group leader, group member, and controlling person applications.

MOTION: Mr. Jones moved to approve the applications.

SECOND: Mr. Finkelstein seconded the motion and it passed unanimously.

## **B. REVIEW AND CONSIDERATION OF CHANGE OF OWNERSHIP APPLICATIONS**

1. **Century Employer Organization, LLC – GL 171**  
**Century Employer Organization I, LLC – GM 438**  
**Century Employer Organization II, LLC – GM 439**  
**Century Employer Organization III, LLC – GM 440**

Mr. Miller requested to withdraw the following applications.

**2. Troon FL Leasing Company, LLC – GL 208  
Troon FL Leasing Company II, LLC – GM 555**

Mr. Finkelstein presented the change of ownership applications.

MOTION: Mr. Jones moved to approve the change of ownership applications.

SECOND: Mr. Finkelstein seconded the motion and it passed unanimously.

**VI. DISCUSSION ITEMS (cont.)**

**2. Rule 61G7-9.001 Requirements for Self-Insurance for Employee Benefits or Workers' Compensation**

Mr. Morrison addressed the board stating that he had received a call from someone at another agency inquiring if employee leasing companies can have a plan of self-insurance. He stated that he told the person yes, but he wanted to get clarification on the matter and that is why it is on the agenda today.

Mr. Miller addressed the board stating the intent of the founders of this industry was that they did not like self-insurance, but if a company can prove that it was no different from a traditional employer and meet the test under ERISA or state law, the company could have a plan of self-insurance. He further stated if the plan was through the client, it would be allowable. However, if the plan is provided through the employee leasing company, it is a violation of the law if it has not been approved.

Mr. Finkelstein stated this was not a new problem. It stems from the late 1990s.

Mr. Jones stated that he has always interpreted the statutes that it was not allowed in Florida. Mr. Finkelstein agreed with Mr. Jones.

Mr. Jones advised that if a company states that they have a plan of self-insurance, they would need to submit a description of the plan for Mr. Law's review and it would need to be through an admitted carrier.

**VII. REPORTS**

**A. Office of the General Counsel – John Cary**  
○ **Prosecuting Attorney's Report**

Mr. Cary provided a synopsis of the Prosecuting Attorney's report that was included in the agenda materials.

**B. Executive Director – Rick Morrison**  
○ **Financial Reports ended June 30, 2014**  
○ **Rule 61G7-5.002, F.A.C. Annual Assessment on Gross Florida Payroll**

Mr. Morrison gave a synopsis of the reports contained in the agenda materials. He explained the deficit in the operating account for the board and advised that the Division of Finance and Accounting has recommended the board to increase the amounts of the assessments to offset the deficiency.

The board asked Mr. Morrison to present this request at the next in-person meeting at which time he could have more information about the proposed increase to the annual assessment.

**C. Chairperson – Abram Finkelstein**

No Report

**D. Office of the Attorney General – Mary Ellen Clark**  
o **September 2014 Rules Report**

Ms. Clark advised that her rules report was presented and completed during yesterday's meeting and there was nothing further for her to present.

Ms. Clark also thanked the members of NAPEO for their support in having her to attend the National Conference this year.

**VIII. ELECTION OF OFFICERS**

Mr. Morrison advised that elections were being held at this time due to the departure of Chair Keith Reeves. He informed that he has stressed the importance of board member appointments to the Governor's Appointment office and hopes to have some applicants to fill vacant positions soon.

Mr. Jones stated that he would like to nominate Mr. Finkelstein as Chair. Mr. Arfons seconded the nomination. With no further nominations, Mr. Finkelstein was elected as Chair of the board.

Mr. Finkelstein stated that he would like to nominate Mr. Jones as Vice Chair. Mr. Arfons seconded the nomination. With no further nominations, Mr. Jones was elected as Vice Chair of the board.

Mr. Finkelstein advised that these persons would hold office until annual elections at the February 2015 meeting.

**IX. OLD BUSINESS**

None

**X. NEW BUSINESS**

None

**XI. PUBLIC COMMENTS**

None

**XII. ADJOURNMENT**

MOTION: Mr. Finkelstein moved to adjourn the meeting at 11:26 a.m.  
SECOND: Mr. Arfons seconded the motion and it passed unanimously.

*Transcripts and/or recordings of the meeting can be obtained upon request.*