

**BOARD OF EMPLOYEE LEASING COMPANIES
TELEPHONE CONFERENCE CALL MEETING MINUTES**

**WEDNESDAY, MARCH 17, 2004
10:00 a.m. EST**

MEET-ME-NUMBER: (850) 921-2530

I. CALL TO ORDER

The meeting was called to order at approximately 10:05 a.m. EST by Ms. Celeste Dockery, Board Chair.

II. ROLL CALL

MEMBERS PRESENT

Celeste D. Dockery, Chair
Carlos Rodriguez, Vice Chair
Frank W. Crum, Jr.
Kelly Lanza
Donna M. Bloomer
Ryan S. Moore

MEMBERS ABSENT

None

STAFF PRESENT

Anthony B. Spivey, Executive Director, DBPR
Krista B. Woodard, Government Analyst II, DBPR
John Rimes, Board Counsel, Office of Attorney General
Eric Hurst, Assistant General Counsel, DBPR

OTHERS PRESENT

John Iriye, Counsel, Department of Financial Services
Michael Miller, Kunkel, Miller & Hament, P.A. and FAPEO
Paula Whipple, United Temps
Janice DiRose, P.A.
Virginia Dorris
Merry Hoffmeyer, Kelly Services
George Reardon, Kelly Services

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

Ms. Dockery introduced and welcomed Mr. Moore to the Board of Employee Leasing Companies. Mr. Moore stated that he was very excited about the appointment and looked forward to working with the Board and in the industry.

III. REVIEW AND APPROVAL OF THE FEBRUARY 18, 2004 GENERAL BUSINESS MEETING MINUTES

MOTION: Mr. Crum moved to approve the minutes.
SECOND: Mr. Rodriguez seconded the motion and it passed unanimously.

IV. EMPLOYEE LEASING COMPANY AND CONTROLLING PERSON APPLICATIONS

**A. Workers Temporary Staffing, Inc.
Mark A. Lang, Sr., CP Applicant**

Ms. Woodard presented the applications stating that all exhibits were submitted and were in compliance. She further stated that coverage of workers' compensation had been confirmed.

MOTION: Mr. Crum moved to approve the applications.
SECOND: Mr. Rodriguez seconded the motion and it passed unanimously.

**B. Carl T. Camden, Controlling Person Applicant
Kelly Staff Leasing, Inc. – EL105**

Ms. Woodard presented the application stating that it appeared to be complete.

MOTION: Ms. Bloomer moved to approve the application.
SECOND: Ms. Lanza seconded the motion and it passed unanimously.

**C. Michael E. Debs, Controlling Person Applicant
Kelly Staff Leasing, Inc. – EL 105**

Ms. Woodard presented the application stating that it appeared to be complete.

MOTION: Ms. Bloomer moved to approve the application.
SECOND: Mr. Crum seconded the motion and it passed unanimously.

**D. Sandra W. Galac, Controlling Person Applicant
Kelly Staff Leasing, Inc. – EL 105**

Ms. Woodard presented the application stating that it appeared to be complete.

MOTION: Ms. Lanza moved to approve the application.
SECOND: Ms. Bloomer seconded the motion and it passed unanimously.

**E. William K. Gerber, Controlling Person Applicant
Kelly Staff Leasing, Inc. – EL 105**

Ms. Woodard presented the application stating that it appeared to be complete.

MOTION: Ms. Lanza moved to approve the application.
SECOND: Mr. Crum seconded the motion and it passed unanimously.

**F. Michael F. Orsini, Controlling Person Applicant
Kelly Staff Leasing, Inc. – EL 105**

Ms. Woodard presented the application stating that it appeared to be complete.

MOTION: Ms. Bloomer moved to approve the application.

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

**G. Matthew V. Piwovar, Controlling Person Applicant
Kelly Staff Leasing, Inc. – EL 105**

Ms. Woodard presented the application stating that it appeared to be complete.

MOTION: Ms. Bloomer moved to approve the application.

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

**H. George M. Reardon, Controlling Person Applicant
Kelly Staff Leasing, Inc. – EL 105**

Ms. Woodard presented the application stating that the only outstanding item relating to the application is the FBI report.

MOTION: Ms. Bloomer moved to approve the application with the condition that should any derogatory information be revealed on the report that the applicant would appear before the board.

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

**I. Janice G. Rushton, Controlling Person Applicant
Kelly Staff Leasing, Inc. – EL 105**

Ms. Woodard presented the application stating that the only outstanding item relating to the application is the FBI report.

MOTION: Mr. Crum moved to approve the application with the condition that should any derogatory information be revealed on the report that the applicant would appear before the board.

SECOND: Ms. Bloomer seconded the motion and it passed unanimously.

**J. Andrew Robert Watt, Controlling Person Applicant
Kelly Staff Leasing, Inc. – EL 105**

Ms. Woodard presented the application stating that it appeared to be complete.

MOTION: Ms. Bloomer moved to approve the application.

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

V. RECONSIDERATION OF DE MINIMUS EXEMPTION AND REGISTRATION APPLICATION

**A. The Outsource Group, LLC
(Kevin Grauman, CEO and President)**

Ms. Woodard presented the application explaining that it had been presented to the board at the February 18, 2004 meeting. She reported that at the February 18, 2004 meeting, the board voted to deny the application for failure to have a contract that complied with the requirements of the Florida Statutes.

She further reported that a revision to the contract was received in the board office and forwarded to Mr. Rimes for review. Mr. Rimes approved the revisions to the contract on March 10, 2004.

Ms. Woodard stated that the applicant is requesting the board to reconsider its motion of denial of the application.

MOTION: Ms. Bloomer moved to reconsider the application.
SECOND: Mr. Crum seconded the motion and it passed unanimously.

MOTION: Ms. Bloomer moved to approve the application.
SECOND: Ms. Lanza seconded the motion and it passed unanimously.

VI. CONTROLLING PERSON RELINQUISHMENTS

A. Noble Troy Fowler – CO 443
Advantech Solutions I, Inc.
Advantech Solutions II, Inc.
Advantech Solutions III, Inc.
Advantech Solutions IV, Inc.
Advantech Solutions VII, Inc.

B. Dennis P. Hartig – CO 462
Progressive Employer Services, Inc.
Progressive Employer Services II, Inc.

Ms. Woodard presented the relinquishments stating that there were no complaints pending against the licensees.

MOTION: Ms. Bloomer moved to accept the relinquishments.
SECOND: Mr. Crum seconded the motion and it passed unanimously.

C. John D. Lehman, Jr. – CO 230
Meridian Investment & Management, Inc.
Meridian Staffing

Ms. Woodard presented the relinquishment stating that there were no complaints pending against the licensee. However, there is an open complaint against Meridian Investment & Management, Inc.

Mr. Rimes advised the board that they could accept the relinquishment of Mr. Lehman due to the fact that it is expressly understood that the board's acceptance of the relinquishment does not prelude Mr. Lehman from future disciplinary action by the board for infractions that occurred during his tenure as a licensed controlling person.

MOTION: Ms. Bloomer moved to accept the relinquishment.
SECOND: Ms. Lanza seconded the motion and it passed unanimously.

**D. Gerard J. Cuglietta – CO 665
Leaderboard, Inc.**

Ms. Woodard presented the relinquishment stating that there were no complaints pending against the licensee.

MOTION: Ms. Lanza moved to accept the relinquishment.
SECOND: Ms. Bloomer seconded the motion and it passed unanimously.

VII. REPORTS

A. Executive Director – Anthony B. Spivey

Mr. Spivey informed the board that the rule revisions are currently in progress and that there were technical issues such as having dates on the forms that were being worked out.

Mr. Spivey also welcomed Mr. Moore to the board and advised that the Department has new board member materials available.

Mr. Moore stated that he would like to receive the materials.

B. Chairperson – Celeste Dockery

Ms. Dockery asked if the board office had received the guaranty from National Employer Solutions, Inc.

Ms. Woodard answered in the affirmative.

Ms. Dockery asked Mr. Spivey to set aside a time, at the next scheduled board meeting, to discuss the budget. She stated that due to the sweep, she did not understand why the board office could not have more staff.

Ms. Dockery also asked that the information pertaining to the sweep be mailed to the board members.

VIII. NEW BUSINESS

A. Correspondence from Mike Miller

Mr. Miller explained the reason for his letter was questions being raised about applications being filed just before the expiration of the second year of the biennium and whether the board can credit the fees paid by an employee leasing company which is licensed as an EL towards licensure fees and assessments which must be paid to become a group or GL licensed group of companies.

Mr. Rimes gave a brief explanation of the fees as they relate to the application process and a clarification of the verbiage, listed in the Florida Statute, of the filing date of licensure fees for applications.

Mr. Miller stated that the problem is in how the rules are worded.

Ms. Dockery asked if there was a way to prorate fees for applicants applying during the second year of the biennium.

Mr. Rimes answered stating that pro-ration is not currently in the rules, but that the board may want to discuss it as it relates to initial licensure fees.

In regards to the issue of the crediting of fees of single companies becoming group leaders or group members, the consensus of the board was that the two are two different applications and that crediting of fees was not possible.

IX. OLD BUSINESS

None

X. ADJOURNMENT

MOTION: Mr. Crum moved to adjourn.

SECOND: Ms. Lanza seconded the motion and it passed unanimously.

The meeting adjourned at 10:40 a.m.