

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

**WEDNESDAY, JANUARY 18, 2006
10:00 a.m. EST**

MEET-ME-NUMBER: (850) 410-0960

I. CALL TO ORDER

The meeting was called to order at approximately 10:00 a.m. EST by Ms. Celeste Dockery, Board Chair.

II. ROLL CALL

MEMBERS PRESENT

Celeste Dockery, Chair
Carlos Rodriguez, Vice-Chair
Frank W. Crum, Jr.
Kelly Lanza
Ryan S. Moore

MEMBERS ABSENT

None

STAFF PRESENT

John T. Knap, Executive Director, DBPR
Krista B. Woodard, Government Analyst II, DBPR
Mary Ellen Clark, Board Counsel, Office of the Attorney General

OTHERS PRESENT

Grant Logan, OMC II (Auditor), DBPR
Tasha Carter, Department of Financial Services
Michael Miller, Esquire, Kunkel, Miller & Hament, P.A. and FAPEO
Timothy Tack, Esquire, Kunkel, Miller & Hament, P.A.
Timothy L. Tucker, NAPEO

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

III. REVIEW AND APPROVAL OF THE OCTOBER 18, 2005 LEGISLATIVE DISCUSSION MEETING MINUTES

Review and approval of the October 18, 2005 Legislative Discussion Meeting Minutes was deferred to the February 16, 2006 General Business Meeting.

IV. REVIEW AND APPROVAL OF THE DECEMBER 21, 2005 GENERAL BUSINESS MEETING MINUTES

Ms. Woodard advised that Form 8A entitled Memorandum of Voting Conflict for State Officers was submitted by Mr. Moore and should be included as an attachment to the December 21, 2005 meeting minutes.

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

Ms. Dockery advised that she abstained from the vote due to non-receipt of the information.

V. EMPLOYEE LEASING COMPANY AND CONTROLLING PERSON APPLICATIONS

A. Adams Keegan-GA, Inc.

Robert G. Adams, Controlling Person Applicant
James F. Keegan, Controlling Person Applicant
Marty B. Barton, Controlling Person Applicant
George G. Early, III, Controlling Person Applicant

Ms. Woodard presented the company application stating that all exhibits were submitted and complete and that workers' compensation was confirmed by the Department of Financial Services (DFS) on January 11, 2006.

Mr. Moore asked why other workers' compensation certificates of insurance were included in the application materials, and if they were for clients of Adams Keegan – GA, Inc.

Ms. Woodard advised that the reason the other certificates were included in the agenda materials was because they were originally submitted with the application and she assumed the applicant was unsure of what name should be listed on the certificates – the clients' names or the applicant.

Ms. Woodard informed that she spoke with a representative of the company and advised that the certificate of insurance needed to have the applicant listed as the name insured.

Mr. Moore asked if the applicant has been practicing administrative services only (ASO) book of business with the clients since the receipt of the application.

Ms. Lanza asked if the certificate of insurance that lists WAUSAU Insurance Company as the carrier covers leased employees, because the other certificates of insurance included with the application had expired.

Mr. Rodriguez stated he knows Mr. Bob Adams, but he was not speaking on his behalf. He stated that he had spoken with Mr. Adams previously and was informed that the company's clients will have their own individual policies.

Mr. Rodriguez further stated this may be a situation wherein all of the clients maintain their own policies, and the workers' compensation policy from WAUSAU may be for the employees of Adams Keegan – GA, Inc. itself.

Ms. Tasha Carter with DFS informed the board that the proof of coverage database reflects that the WAUSAU policy is a non-employee leasing policy with an estimated total payroll of only \$432,000.

Mr. Rodriguez stated based on the information provided by Ms. Carter, the policy was possibly issued to cover their office employees only, not leased employees.

Ms. Dockery asked if a representative from the company was present on the conference call. No one responded.

The board agreed to table discussion of the company and controlling persons' applications until the February 16, 2006 general business meeting at which time a representative from the company would be able to answer the board's questions.

Ms. Dockery asked Ms. Woodard to prepare a letter for the applicants requesting them to attend the meeting and to provide them with information about compliance with Rule 61G7-10.0014, F.A.C. which specifically addresses how client-based policies are to be handled in regards to workers' compensation coverage.

**B. Employ America IV, Inc.
James Knight, CO 334
Denny Wilson, CO 551**

Ms. Woodard presented the application stating it is an application to become a group member of Employ America, Inc., license number GL 50. She further stated that all exhibits were submitted and complete and that workers' compensation coverage was confirmed by DFS on December 14, 2005.

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

**C. Tampa Service Company, Inc.
Kenneth Joekel, Controlling Person Applicant**

Ms. Woodard informed the board that the applications were being pulled, from the agenda and would be presented at a later date.

**D. Rakesh Thakkar, Controlling Person Applicant
Advantech Solutions I, LLC – GL 66
Advantech Solutions II, LLC – GM 136
Advantech Solutions III, LLC – GM 256
Advantech Solutions IV, LLC – GM 211
Advantech Solutions VII, LLC – GM 212
Taltech Resources, LLC – EL 286**

Ms. Woodard presented the application stating that all exhibits were submitted and complete and the only outstanding items are the criminal history reports from the Florida Department of Law Enforcement (FDLE) and the Federal Bureau of Investigation (FBI).

MOTION: Mr. Moore moved to approve the application pending receipt of satisfactory criminal history reports from the FDLE and the FBI.
SECOND: Ms. Lanza seconded the motion and it passed unanimously.

VI. REVIEW AND CONSIDERATION OF CONTROLLING PERSON RELINQUISHMENT

A. John F. Orth, CO 583 Administaff Companies, Inc. – EL 24 Administaff Companies II, L.P. – EL 238

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

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

VII. REPORTS

A. Office of the Attorney General – Mary Ellen Clark

Ms. Clark stated she had spoken with Dan Sumner of the Division of Workers' Compensation about his possible appearance at the February 2006 general business meeting. She stated that Mr. Sumner was concerned about the way the invitation was phrased.

Ms. Clark reminded the board of the last board meeting wherein there was a request made to have a judge from the Division of Administrative Hearings (DOAH) appear at the meeting in February to discuss workers' compensation issues.

Ms. Clark stated she contacted the Deputy Judge of DOAH and he told her that someone would be willing to come and speak to the board, however, the board may want someone from the Division of Workers' Compensation to come and address these issues.

Ms. Clark stated she contacted Mr. Sumner, who has agreed to appear and speak, but is somewhat concerned that the question be framed in a precise manner to him. She informed Mr. Sumner that the board would like for him to come and address the board in regards to his Division's policy considerations when an employee leasing company relies upon client-based coverage that is later found not to exist.

Mr. Knap stated the word liability was used a little differently than the way it was addressed in Ms. Clarks' e-mail and it gave Mr. Sumner the impression that the discussion would be focused on liability insurance.

Mr. Knap stated once the mistake was recognized, he contacted Mr. Sumner and assured him that was not the board's intent that it was a grammatical error in the use of the word.

Mr. Knap informed that Mr. Sumner did agree to address the board at the February meeting.

B. Office of the General Counsel – Eric Hurst

No Report.

C. Executive Director – John T. Knap

Mr. Knap addressed the board in regards to Chapter 455.271(6) (b), F.S and whether it would affect this board. He stated he does not think that it would.

Ms. Clark informed the board of the provision in Chapter 455, F.S., that passed last year, that allows boards, in their discretion, to reinstate a null and void license upon the licensee showing an unusual hardship or illness as to why they let their license go null and void.

Ms. Clark stated Mr. Knap correctly pointed out that the way this board licenses applicants is quite different from other boards and that once the license becomes null and void is because of non-payment of fees and/or not being a controlling person. She stated it is not a simple matter of reinstating a license.

Mr. Knap also informed the board of activity in board member appointments. He stated Deputy Secretary Yecke has contacted the Governor's Appointment Office (GAO) about vacancies on various boards.

Mr. Knap stated he has reviewed three applications for this board alone, and they seem to be excellent prospects for the consumer member vacancies.

Mr. Moore stated he had spoken with the GAO and was reaffirmed that the board would have appointments for the two consumer members by the end of January, but they would not have been confirmed by the Senate by the February 2006 meeting.

Mr. Knap stated some of the applicants had good backgrounds for this board. He stated one applicant was a certified public accountant and another applicant was in the insurance field.

D. Chairperson – Celeste Dockery

No Report.

VIII. NEW BUSINESS

None

IX. OLD BUSINESS

None

X. ADJOURNMENT

MOTION: Ms. Lanza moved to adjourn.

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

The meeting adjourned at 10:27 a.m.