

**BOARD OF EMPLOYEE LEASING COMPANIES
GENERAL BUSINESS MEETING MINUTES
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION
1940 NORTH MONROE STREET
TALLAHASSEE, FLORIDA 32399-0767**

**FEBRUARY 21, 2007
10:00 a.m. EST**

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
Frank W. Crum, Jr.
Kelly Lanza
Ryan S. Moore

MEMBERS ABSENT

Carlos Rodriguez, Vice Chair

STAFF PRESENT

Rick Morrison, Executive Director, DBPR
Krista B. Woodard, Government Analyst II, DBPR
Lois Tepper, Board Counsel, Office of Attorney General
Eric Hurst, Assistant General Counsel, DBPR

OTHERS PRESENT

Michael Miller, Kunkel, Miller & Hament, P.A. and FAPEO
Tim Tucker, NAPEO
Chandra Patton, Providence P&C

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

Ms. Dockery stated that Mr. Rodriguez' absence from the last meeting was unexcused, and that FAPEO issued a statement claiming that Mr. Rodriguez was not going to serve on the board anymore.

Ms. Dockery stated the facts that Mr. Rodriguez' appointment expired in October 2006. She further stated that typically a board member would continue to serve until the Governor appoints someone else.

Ms. Dockery stated for the record that Mr. Rodriguez has agreed to continue to serve until another appointment is made. She further stated he could not make the meeting today due to a scheduling conflict.

Mr. Miller stated that FAPEO is working on a statement to clarify and retract anything that was inappropriately stated, and that the Department is aware of this.

III. THE PLEDGE OF ALLEGIANCE

Mr. Morrison led all in the Pledge of Allegiance.

IV. REVIEW AND APPROVAL OF THE DECEMBER 20, 2006, TELEPHONE CONFERENCE CALL MEETING MINUTES

MOTION: Mr. Crum moved to approve the minutes.

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

V. REVIEW AND APPROVAL OF THE JANUARY 17, 2007 TELEPHONE CONFERENCE CALL MEETING MINUTES

MOTION: Mr. Crum moved to approve the minutes.

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

VI. REVIEW AND CONSIDERATION OF EMPLOYEE LEASING COMPANY/CONTROLLING PERSON APPLICATIONS

- A. **TalTech Resources, LLC**
- B. **Advantec 9, LLC**
- C. **Advantec 10, LLC**
- D. **Advantec 11, LLC**
- E. **Advantec 12, LLC**

Dianna Sheppard Tycholis, Controlling Person Applicant
Robert Smolinski, CO 801

Ms. Woodard presented the company applications stating they are for a group leader and group members. She stated that workers' compensation coverage was confirmed by the Department of Financial Services (DFS) on October 24, 2006 and January 23, 2007, and the contract was approved by Ms. Tepper on February 1, 2007.

Ms. Woodard presented the controlling person application of Dianna S. Tycholis stating that all exhibited were submitted and complete and the criminal history reports from the FDLE and FBI were returned clear.

MOTION: Mr. Crum moved to approve the applications.

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

- F. **National HR Advantage, Inc.**
Christopher O'Connor, Controlling Person Applicant

Ms. Woodard presented the company application stating that all exhibits were submitted and complete. She further stated that workers' compensation coverage was confirmed by DFS on February 9, 2007.

Ms. Woodard presented the controlling person application of Mr. O'Connor stating that all exhibits were submitted and complete and that the only outstanding items are the criminal

history reports from the FDLE and FBI.

Mr. O'Connor was present and represented by Mr. Mike Miller.

Mr. O'Connor addressed the board stating should anything derogatory be revealed on his criminal history that he would subject himself to the jurisdiction of the board.

MOTION: Ms. Lanza moved to approve the applications with the condition that should any derogatory information be revealed on the criminal history reports that Mr. O'Connor would appear before the board.

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

VII. REVIEW AND CONSIDERATION OF CHANGE OF OWNERSHIP APPLICATIONS

A. Fountainhead Practice Management Solutions, LLC

Ms. Woodard presented the application stating that FPAA-FPMS, LLC, ICSA-FPMS, LLC, FPR-FPMS, LLC, West Shore Mgmt Group, Inc., and SLC Practice Management, Inc. would be the new owners for the company. Ms. Woodard advised that the controlling persons would be Shari Craig, CO 815 and Albert Saltiel, CO 816.

MOTION: Ms. Lanza moved to approve the application.

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

VIII. REVIEW AND CONSIDERATION OF EMPLOYEE LEASING COMPANY NAME CHANGES

A. Jobs on the Beach, Inc. d/b/a iCore of Florida, Inc. TO: iCore of Florida, Inc.

Ms. Woodard presented the application stating it is complete.

MOTION: Mr. Crum moved to approve the application.

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

B. Personnel Coordinators, Inc. of Florida TO: PCI

Ms. Woodard presented the application stating it is complete.

MOTION: Ms. Lanza moved to approve the application.

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

IX. DEFICIENT EMPLOYEE LEASING COMPANY AND CONTROLLING PERSON APPLICATIONS FOR REVIEW

Ms. Woodard presented the following applications stating they have been deficient for over 90 days and notification was mailed to the applicants to cure the deficiencies within 30 days of the notices.

Ms. Woodard informed that the following applications had been withdrawn at the request of the applicants.

- A. **Allstates Employer Services II, Inc.**
- B. **Allstates Employer Services III, Inc.**
- G. **HR Help, Inc.**
- H. **Staffing Concepts I, Inc.**
- I. **Staffing Concepts II, Inc.**

Ms. Woodard advised that the following applicants did not respond to the notice and therefore did not meet the requirements of Section 468.5275(1) (a), Florida Statutes.

- C. **Andersen & Associates Management Co., Inc.**
- D. **Andersen & Associates Management Co. II, Inc.**
- E. **Astra Group Corporations**
- F. **C2 Portfolio Essentials, Inc.**
- J. **HRS I, Inc. d/b/a Xenium Resources**
- K. **Xen 1, Inc.**
- L. **Xen 2, Inc.**

MOTION: Ms. Lanza moved to deny the applications after consideration of the information provided for failure to comply with Section 468.5275(1) (a), Florida Statutes.

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

X. REPORTS

- A. **Office of the Attorney General – Lois Tepper**
 - 1. **February 2007 Rules Report**

Ms. Tepper advised that the only rule in play at this time is the one being held in abeyance regarding workers' compensation coverage and underlying policies.

Ms. Tepper advised that included in the agenda materials is some proposed language for this legislative session to add the words "whether coverage is provided by the employee leasing company or its clients." She stated this language may address the questions before the board asked by the Joint Administrative Procedure Committee (JAPC).

Mr. Miller addressed the board stating FAPEO helped to draft this language as simple as possible and non-controversial. He further stated FAPEO is hoping that DBPR would include this proposed language in the Department's Bill.

Ms. Tepper stated this would change the authority of the rule as amended.

A lengthy discussion ensued and after further discussion, the board agreed upon the following proposed language to state:

“whether coverage is issued to the employee leasing company or its clients”

The board directed Mr. Morrison to take the proposed language to the Department for inclusion in their Bill for this legislative session.

B. Executive Director – Rick Morrison

Mr. Morrison gave a brief synopsis of the following reports:

- The Monthly Enforcement Report, and
- the Operating and Unlicensed Activities Financial Reports ended December 31, 2006

Mr. Morrison also mentioned that the Department is proposing electronic newsletters and paperless agendas and wanted to know how the board felt about these proposed new processes.

The board agreed that both ideas sounded wonderful and would urge the Department to continue.

C. Office of the General Counsel – Eric Hurst

Mr. Hurst reported that the prosecuting attorney’s report was included in the agenda materials.

D. Chairperson – Celeste Dockery

Ms. Dockery stated she did not have report. However, she did have a statement to make.

Ms. Dockery addressed the board and the members of the audience in regards to the application process and what would be considered an emergency for placement on the board agendas.

Ms. Dockery stated that unless there is a state of emergency, as determined by the department, she will not make allowances for applications to be placed on the board’s agenda if the application has been in the department less than 30 days.

XI. OLD BUSINESS

None

XII. NEW BUSINESS

A. Proposed 2007/2008 Board Meeting Schedule

The board reviewed and agreed upon the 2007/2008 proposed board meeting schedule as presented with one change. The board has requested that the meeting for November 2007 be tentatively scheduled for November 19, 2007.

XIII. ELECTION OF OFFICERS

The board voted to re-elect Ms. Celeste Dockery as Chair and to elect Mr. Ryan Moore as the Vice Chair.

Ms. Dockery asked if there was an update relating to appointments to the board.

Mr. Morrison stated he has called the Governor's Appointment Office and was advised that there are several applications being reviewed for the vacant consumer members' positions.

He stated he will keep the board abreast of any appointments.

XIV. ADJOURNMENT

MOTION: Ms. Lanza moved to adjourn.

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

The meeting adjourned at 12:00 p.m.

Mr. Morrison gave a tour of the department to members of the board and the audience immediately following adjournment of the meeting.