

BOARD OF EMPLOYEE LEASING COMPANIES
TELEPHONE CONFERENCE CALL MEETING MINUTES

WEDNESDAY, MARCH 15, 2006
10:00 a.m. EST

MEET-ME-NUMBER: (850) 414-1708

I. CALL TO ORDER

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

Ms. Dockery informed that Mr. Dennis Yecke, Deputy Secretary, was on the line and wished to address the board.

Mr. Yecke addressed the board stating that he has not yet had a chance to meet the board in-person; however, it is his intention to meet with each of the professional boards. He informed the board that he has been with the Department since November 1, 2005 and gave a brief synopsis of his work experience.

Mr. Yecke stated he was excited about being with the Department and informed the board of a few initiatives on-going. He further stated Secretary Marstiller's mantra is customer service and advised that one of the customer service initiatives being implemented is extended hours of operation of the customer contact center.

Mr. Yecke informed that the programs under his purview are going through a reorganization which will improve the efficiency and effectiveness of our operations. He then introduced Mr. Richard "Rick" Morrison as the new Executive Director of the Board of Employee Leasing Companies. He advised that Rick has been with the Department over a year in a different capacity and asked for a change and the opportunity for the Executive Director's position was presented and he accepted.

Mr. Yecke advised that Ms. Woodard would continue in her current role with the board and there should be no loss of continuity with the changes being implemented.

Mr. Morrison addressed the board stating he was excited about the move and thanked the board for their participation. He advised that his goal was to make sure that the board is happy with the services provided by the Department.

II. ROLL CALL

MEMBERS PRESENT

Celeste D. Dockery, Chair
Carlos Rodriguez, Vice Chair
Frank W. Crum, Jr.
Ryan S. Moore

MEMBERS ABSENT

Kelly K. Lanza (excused due to illness)

STAFF PRESENT

Dennis Yecke, Deputy Secretary, DBPR
Tim Vaccaro, Division Director, DBPR
Richard Morrison, Executive Director, DBPR
Krista B. Woodard, Government Analyst II, DBPR
Mary Ellen Clark, Board Counsel, Office of the Attorney General
Eric Hurst, Assistant General Counsel, DBPR

OTHERS PRESENT

Tasha Carter, Department of Financial Services
Michael Miller, Kunkel, Miller & Hament, P.A. and FAPEO
Timothy Tack, Kunkel, Miller & Hament, P.A.
Sergio Fernandez, ADP TotalSource
Glen Distefano, SUNZ Insurance
Ernest Sheppard, Universal Select
Amanda Brabham, Esquire
Tina Toro, Strategic Outsourcing, Inc.
Richard Garcia, Magellan Human Resources
Frank Hailstones, Mirabilis HR
Paul S. Glover, Mirabilis HR
Marty Barton, Adams Keegan-GA, Inc.
Joe Usher

Ms. Woodard informed that she had received a message from Ms. Lanza stating she would not be able to attend the meeting due to medical leave and requested excusal from the meeting.

Ms. Dockery stated she had received the same message and advised that Ms. Lanza would be excused for this meeting.

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

III. REVIEW AND CONSIDERATION OF 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 applications stating they were presented at the January 18, 2006 and February 16, 2006 board meetings. She stated at those meetings the board tabled discussion of the applications until a representative from the company could appear to answer questions posed by the board pertaining to their workers' compensation policy.

Ms. Woodard stated that all exhibits were submitted and complete and that a letter from WAUSAU Insurance Company was received advising of workers' compensation coverage.

Mr. Moore asked if the WAUSAU policy was the corrected policy and would take the place of the client-based policies.

Mr. Marty Barton was present and addressed the board in regards to the workers' compensation stating that Mr. Moore's statement was correct.

Ms. Woodard presented the controlling person applications of Mr. Adams, Mr. Keegan, Mr. Barton and Mr. Early stating that all exhibits were submitted and complete and that the reports from the Federal Department of Law Enforcement (FDLE), Federal Bureau of Investigations (FBI) and the credit reports were clear.

MOTION: Mr. Rodriguez moved to approve the company and all controlling person applications.

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

- B. ADP TotalSource CO XXII, Inc.**
- C. ADP TotalSource FL XVI, Inc.**
- D. ADP TotalSource FL XVIII, Inc.**
 - Carlos Rodriguez, CO 421**
 - Miguel Maseda, CO 508**
 - Andrew Sherman, CO 744**
 - Robert Singer, CO 385**
 - Dante Terzo, CO 734**
 - Sergio Fernandez, CO 770**

Ms. Woodard presented the applications stating they are for a group leader and group members. She stated that all exhibits were submitted and complete and that workers' compensation was confirmed by the Department of Financial Services (DFS) on October 6, 2005.

Mr. Rodriguez stated he would abstain from the vote due to his position as president of the companies involved.

MOTION: Mr. Moore moved to approve the applications.

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

- E. Business Personnel Solutions, Inc.**
 - George C. Norton III, Controlling Person Applicant**

Ms. Woodard presented the applications explaining they were presented to the board at the February 16, 2006 meeting. She stated at that meeting the board tabled discussion of the application until a representative of the company could appear before the board to answer questions about their workers' compensation policy with FWCJUA.

Ms. Woodard stated that all exhibits were submitted and complete and that she had received an e-mail from Leo Canton, an underwriter with FWCJUA, advising of workers' compensation coverage.

Ms. Mandy Brabham along with two employees of Business Personnel Solutions were

present and advised that should the board have questions about the workers' compensation policy, they should be able to answer them.

Mr. Moore stated the board wanted clarification of the statement on the policy that listed the policy as a minimum premium policy.

Tasha Carter of the Division of Workers' Compensation advised that the policy that was submitted to her department was an employee leasing company policy only with a total payroll of \$69,000, which did not include any client companies.

Ms. Dockery stated the policy received was not in the board's typical format from FWCJUA which usually states employee leasing and client companies.

Ms. Dockery asked how the company was going to cover their client companies.

Mr. Joe Usher stated the company would use multiple coordinated policies along with ASOs and client-based policies.

Mr. Moore asked if the company had intentions of obtaining a master policy.

Mr. Usher stated the company was currently in negotiations with Zurich America for a master policy.

Ms. Dockery asked Mr. Usher if he was going to be controlling person for the company.

Mr. Usher answered in the negative.

Mr. Moore asked Mr. Usher what his position is in the company.

Mr. Usher stated he is in Sales and Operations.

Mr. Rodriguez stated he felt the board should address the questions to the controlling person to make sure that they understand that they cannot operate until they have a workers' compensation policy.

Ms. Brabham stated Mr. Norton was unable to attend due to a previously scheduled meeting.

Mr. Usher stated he assumed with the FWCJUA policy that the company would be able to add clients as needed.

Ms. Dockery stated she did not think that was possible with the way the policy is written now. She asked Ms. Carter if she knew of the processes involved in adding clients with the type of policy that was currently issued.

Ms. Carter stated the company would have to apply for a new policy because the policy issued is going to only insure the employee leasing company.

After further discussion, the following motion was made.

MOTION: Ms. Dockery moved to table discussion of the applications until the April 2006 meeting at which time the policy issued by FWCJUA could be clarified.

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

F. FLSUB-62, Inc.

G. FLSUB-65, Inc.

H. FLSUB-67, Inc.

Gilberto Aleman, CO 708

Carl Guidice, CO 727

Ms. Woodard presented the applications stating they are applications to become group members of Strategic Outsourcing, Inc., license number GL 58. She further stated that all exhibits were submitted and complete.

Ms. Woodard informed the board in addition to the certificate of insurance, the applicant submitted a letter from the agent advising of workers' compensation coverage.

MOTION: Mr. Rodriguez moved to approve the applications.

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

I. 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.

J. Paul S. Glover, Controlling Person Applicant

AEM, Inc. dba Mirabilis HR – EL 270

Ms. Woodard presented the application stating all exhibits were submitted and complete, and the only outstanding items are the criminal history reports from the FDLE and FBI.

Mr. Miller stated should anything derogatory be revealed on the criminal history reports that Mr. Glover would subject himself to the jurisdiction of the board.

MOTION: Mr. Moore moved to approve the application with the condition that should any derogatory information be revealed on the criminal history reports that Mr. Glover would appear before the board.

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

K. Frank Hailstones, Controlling Person Applicant

AEM, Inc. dba Mirabilis HR – EL 270

Ms. Woodard presented the application stating all exhibits were submitted and complete, and the only outstanding items are the criminal history reports from the FDLE and FBI.

Mr. Miller stated should anything derogatory be revealed on the criminal history reports that Mr. Hailstones would subject himself to the jurisdiction of the board.

MOTION: Mr. Moore moved to approve the application with the condition that

should any derogatory information be revealed on the criminal history reports that Mr. Hailstones would appear before the board.

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

L. Magellan Human Resources, Inc.

**M. Magellan Employment Solutions, LLC
Richard A. Garcia, CO 318**

Ms. Woodard presented the company applications stating they are for a group leader and group member. She stated that all exhibits were submitted and complete and that workers' compensation coverage was confirmed by DFS on March 10, 2006.

MOTION: Mr. Crum moved to approve the applications.

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

Mr. Rodriguez abstained from the vote due to non-receipt of the information.

**N. Ernest A. Shepard, Controlling Person Applicant
Universal Select, Inc. – EL 13**

Ms. Woodard presented the application stating that all exhibits were submitted and complete and the only outstanding item is the criminal history report from the FBI.

Mr. Shepard was present and addressed the board stating should anything derogatory be revealed on the criminal history report from the FBI that he would subject himself to the jurisdiction of the board.

MOTION: Mr. Moore moved to approve the application.

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

Mr. Rodriguez abstained from the vote due non-receipt of the information.

IV. REVIEW AND CONSIDERATION OF TERMINATION OF EMPLOYEE LEASING COMPANY OPERATIONS

A. HR Fusion, Inc. – GL 107

**B. HR Fusion Management, Inc. – GM 267
(Juan C. Gutierrez, CO 712, Controlling Person Relinquishment)**

Ms. Woodard presented the terminations and relinquishment stating there were no complaints open or pending against the licensees.

MOTION: Mr. Crum moved to accept the terminations and relinquishment.

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

**C. Strategic Outsourcing of Florida, Inc. – GM 119
SOI-19 of FL, Inc. – GM 175**

Ms. Woodard presented the terminations stating there were no complaints open or pending against the licensees.

MOTION: Ms. Dockery moved to accept the terminations.

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

V. REPORTS

A. Office of the Attorney General – Mary Ellen Clark

No report.

B. Executive Director – Richard Morrison

Mr. Morrison stated he looks forward to working closely with the board and he has no report for this meeting.

C. Chairperson – Celeste Dockery

Ms. Dockery stated she did not have a report for this meeting; however, she did have a question about board member appointments.

Mr. Moore stated he called the Governor's Appointment Office and was informed that there were applications on the Governor's desk awaiting review. He further stated he was informed that there were two applicants being considered, but not yet approved for appointment.

Mr. Yecke stated the Department has been very involved in getting all of the board vacancies filled and that he expected an announcement soon, and that he was pretty sure that the Board of Employee Leasing would be among those with appointments.

Tim Vacarro, Director for the Division of Professions, introduced himself to the board stating he will be working closely with the Executive Directors of the boards ensuring that the Department is providing the services that the each board needs.

X. NEW BUSINESS

Mr. Moore addressed the board regarding drafting a letter to the Office of Insurance Regulations expressing the Board's concerns about workers' compensation carriers within the PEO industry, more specifically the issuance and definition of consent order given by that department.

After further discussion, the following motion was made.

MOTION: Ms. Dockery made a motion for Mr. Moore to draft a letter for board review at the next scheduled meeting addressing the board's concerns about workers' compensation carriers within the PEO industry, for board review at the next scheduled meeting.

SECOND: Mr. Rodriguez seconded the motion and it passed with Mr. Crum opposing the vote.

XI. OLD BUSINESS

None

XII. ADJOURNMENT

MOTION: Ms. Moore moved to adjourn.

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

The meeting adjourned at 11:15 a.m.