

BOARD OF EMPLOYEE LEASING COMPANIES
GENERAL BUSINESS MEETING MINUTES

THE CROWNE PLAZA ORLANDO UNIVERSAL
7800 UNIVERSAL BOULEVARD
ORLANDO, FLORIDA 32819

NOVEMBER 19, 2008
10:00 a.m. EST

I. CALL TO ORDER

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

II. ROLL CALL

MEMBERS PRESENT

Kelly K. Lanza, Board Chair
Marjorie Seltzer, Vice Chair
Abram Finkelstein
Gayla Parks
Warren Schoenfisch (via telephone)

MEMBERS ABSENT

Deborah Segal (excused)

STAFF PRESENT

Rick Morrison, Executive Director, DBPR
Krista B. Woodard, Government Analyst II, DBPR
Garnett Chisenhall, Board Counsel, Office of the Attorney General

OTHERS PRESENT

Mark Mark, Department of Financial Services, Workers' Compensation
Michael Miller, Esquire, Kunkel, Miller & Hament, P.A. and FAPEO
Chandra Patton, Providence Property and Casualty
Will Tenney, PEO PROS
Sean McConnell, MBA
Chris Rhoden, Risk Transfer
Leila Romano, Risk Transfer
Katherine Lake, NES
David Fernandez, Co-Advantage

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

Mr. Morrison advised that Mr. Hurst would not be in attendance.

III. PLEDGE OF ALLEGIANCE

Mr. Morrison led all in the Pledge of Allegiance

IV. REVIEW AND APPROVAL OF THE OCTOBER 15, 2008 GENERAL BUSINESS MEETING MINUTES

MOTION: Ms. Segal moved to approve the minutes.
SECOND: Ms. Parks seconded the motion and it passed unanimously.

V. REVIEW AND CONSIDERATION OF EMPLOYEE LEASING COMPANY AND CONTROLLING PERSON APPLICATIONS

**A. Alcott HR Group, LLC
Louis Basso, CO 626
Barry Shorten, CO 625**

Ms. Woodard presented the application stating that all exhibits were submitted and complete and that workers' compensation was confirmed by the Department of Financial Services (DFS) on August 13, 2008.

Mr. Finkelstein inquired about the differences listed on the balance sheets in the agenda materials on pages 67 and 69.

Mr. Miller stated that he could make a call to the applicant and find out. Mr. Miller stated that the difference was due to an infusion of capital. He further stated that should the board have additional questions, that the applicant is willing to waive the 90 day timeframe and continue the application until the December 2008 meeting.

MOTION: Mr. Finkelstein moved to table discussion of the application until the December 2008 meeting at which time the applicant could appear and explain the difference in the balance sheets as contained in the application.
SECOND: Ms. Parks seconded the motion and it passed unanimously.

**B. STS Regional Administrative Services, Inc.
Mark Lettelleir, CO 306
Marjorie Seltzer, CO 674**

Ms. Woodard presented the application stating it is for a group member of the group Modern Business Associates, Inc. license number GL 59. She further stated that workers' compensation was confirmed by the Department of Financial Services (DFS) on November 3, 2008.

Ms. Seltzer stated for the record that she would recuse herself from the vote due to ownership of the company being presented.

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

Mr. Schoenfisch was excused from the meeting at 10:15 a.m.

**C. Patricia L. Dutschke, Controlling Person Applicant
Employee Professional-Northeast, LLC – GL 106
HHG III, LLC – GM 266**

Ms. Woodard presented the application stating that all exhibits were submitted and the only outstanding item was the criminal history report from the FBI. She advised that the fingerprints were submitted twice to the FBI, but was rejected due to the quality of the fingerprint characteristics being poor.

Ms. Dutschke was present and sworn in stating that the characteristics were poor due to the wearing down of her fingerprints. She further stated that if any derogatory information is received by the Board office, she would subject herself to the jurisdiction of the board.

MOTION: Ms. Lanza moved to approve the application.

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

**D. Michael R. Escue, Controlling Person Applicant
Sequent, Inc. – EL 357**

Ms. Woodard presented the application stating that all exhibits were submitted and complete and the criminal history reports from the FDLE and the FBI were clear.

MOTION: Mr. Finkelstein moved to approve the application.

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

E. Charlotte D. Jacobs, Controlling Person Applicant

Ms. Woodard presented the application stating that all exhibits were submitted and the only outstanding item was the criminal history report from the FBI. She advised that the fingerprints were submitted twice to the FBI, but was rejected due to the quality of the fingerprint characteristics being poor.

MOTION: Mr. Finkelstein moved to approve the application.

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

**F. Howard Ross Winters, Controlling Person Applicant
CEO, Inc. – EL 327**

Ms. Woodard presented the application stating that all exhibits were submitted and complete and the criminal history reports from the FDLE and the FBI were clear.

Ms. Woodard further stated the applicant answered “yes” to questions 1 and three of the background information. She stated that the applicant provided explanations to his answers in the agenda materials.

Mr. Finkelstein inquired about the disposition of the cases as listed in the application and asked if the board could review the information before making a determination on the file.

Ms. Woodard advised that she would include the Final Order information in the agenda materials if the application is tabled until the December meeting.

MOTION: Mr. Finkelstein moved to table discussion of the application until the applicant could appear at the December meeting and for Ms. Woodard to include the Final Order of the case in the agenda materials.

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

VI. REVIEW AND CONSIDERATION OF DE MINIMIS EXEMPTION AND REGISTRATION APPLICATION

A. Human Capital Concepts, LLC (Steven Kellam and Chong Man Lee, Members)

Ms. Woodard presented the application stating that Steven Kellam and Chong Man Lee are the members of the company. She further stated that all exhibits were submitted ad complete and that that along with the certificate of insurance, the applicant submitted a letter from the insurance agent advising of workers' compensation coverage

MOTION: Ms. Seltzer moved to approve the application.

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

B. R.M. Personnel, Inc. (Ceci Mulvihill, Elvia Doyle, and Martha Stumbo, Owners)

Ms. Woodard presented the application stating that Ceci Mulvihill, Elvia Doyle, and Martha Stumbo are the owners of the company. She further stated that workers' compensation was confirmed by the Department of Financial Services (DFS) on October 13, 2008.

MOTION: Mr. Finkelstein moved to approve the application.

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

VII. REVIEW AND CONSIDERATION OF CHANGE OF OWNERSHIP APPLICATIONS

A. CEO, Inc. – EL 327

Ms. Woodard presented the application stating that Preston M. Thomas, CO 752 and Howard Ross Winters, controlling person applicant, would be the new owners and controlling persons of the company.

MOTION: Mr. Finkelstein moved to table discussion of the application until Mr. Winters could appear before the board at the December 2008 meeting.

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

**B. Employee Professionals-Northeast, LLC – GL 106
HHG III, Inc. – GM 266**

Ms. Woodard presented the application stating that Patricia Dutschke, controlling person applicant, would be the new owner and controlling person of the company.

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

**VIII. REVIEW AND CONSIDERATION OF EMPLOYEE LEASING COMPANY NAME
CHANGES**

**A. SBS of Florida, LLC – EL 360
TO: Worklife Financial of Florida, LLC**

Ms. Woodard presented the application stating it is complete and there are no open or pending complaints against the licensee.

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

**IX. REVIEW AND CONSIDERATION OF TERMINATION OF EMPLOYEE LEASING
COMPANY OPERATIONS**

A. Modern Business Associates IV, Inc. – GM 122

Ms. Woodard presented the terminations stating there are no open or pending complaints against the licensee.

MOTION: Mr. Finkelstein moved to accept the termination.
SECOND: Ms. Parks seconded the motion and it passed unanimously.

X. REPORTS

A. Office of the Attorney General – Garnett Chisenhall

Mr. Chisenhall provided handouts of certain employee leasing application packets that would require changes due to the board's recent rule changes to Rule 61G7-10.0014, F.A.C. He advised that the changes incorporated Form DBPR EL-4522 entitled "Quarterly Compliance Form."

He also provided draft language for Rule 61G7-5.001, F.A.C. After review and revision of the draft language, the following motion was made.

MOTION: Ms. Parks moved to authorize Mr. Chisenhall to proceed with the rule making process.
SECOND: Ms. Seltzer seconded the motion and it passed unanimously.

B. Office of the General Counsel – Eric Hurst

Mr. Morrison advised that Mr. Hurst's report was included in the agenda materials.

C. Executive Director – Rick Morrison

Mr. Morrison stated that the Legislature did a sweep of the Professional Trust Fund for \$5 million of which \$600,000 was assessed to employee leasing. He further stated that the entire amount would not be taken at one time, but \$150,000 would be taken each quarter.

Mr. Morrison also advised that the profession would have over \$1 million in revenue by the year 2013 and the board may want to consider a fee waiver.

Mr. Morrison informed that the board would not participate in the paperless agenda project.

D. Chairperson – Kelly Lanza

No Report.

XI. OLD BUSINESS

None

XII. NEW BUSINESS

Mr. Miller asked if initial applicants were still required to pay the initial assessment fees.

Ms. Woodard stated that applicants are still required to pay the fee.

XIII. ADJOURNMENT

MOTION: Ms. Seltzer moved to adjourn.

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

The meeting adjourned at 12:00 p.m.