

**BOARD OF EMPLOYEE LEASING COMPANIES
TELEPHONE CONFERENCE CALL MEETING MINUTES
WEDNESDAY, May 20, 2015
10:00 a.m. EST
MEET-ME-NUMBER: (888) 670-3525**

I. CALL TO ORDER

The meeting was called to order at approximately 10:02 a.m. EST by Mr. Abram Finkelstein, Board Chair.

II. ROLL CALL

MEMBERS PRESENT

Abram Finkelstein, Chair
John Jones, Vice - Chair
Eric Arfons
Scott Buchanan
Philip Stamatyades

MEMBERS ABSENT

STAFF PRESENT

Rick Morrison, Executive Director, DBPR
Krista Woodard, Government Analyst II, DBPR
Mary Ellen Clark, Board Counsel, Office of the Attorney General
John Cary, Chief Attorney, Professions, DBPR
James Fortunas, Prosecuting Attorney, DBPR

OTHERS PRESENT

Timothy Tack, Kunkel, Miller & Hament, P.A.
Anne Yarovoy
Matthew Schwartz
Johnathan Scoggins
Will Klausman
Michelle Moore
Janette West

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

III. REVIEW AND APPROVAL OF THE APRIL 15, 2015 GENERAL BUSINESS MEETING MINUTES

Mr. Stamatyades advised that page 9, line 6 needed to be corrected to reflect "...as long as they are under".

MOTION: Mr. Buchanan moved to approve the minutes with the correction.

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

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

**A. Tradesmen International, LLC – EL Applicant
Joseph O. Wesley, CO 668
John R. Marko, CO 669
William Klausman, CO 670**

Mr. Finkelstein presented the application of Tradesmen International, LLC.

Mr. Jones advised that the IRS 8821 form needed to be corrected to include income tax.

Mr. Finkelstein asked if the company had a fully insured health insurance plan.

Mr. Klausman was present and addressed the board stating that the plan was a self-insured plan.

Mr. Jones and Mr. Finkelstein stated that this type of plan was not permissible in Florida as it related to employee leasing.

After further discussion, the following motion was made.

MOTION: Mr. Finkelstein moved to table discussion of the application until the June 2015 meeting at which time the applicant could provide more information into its plan of insurance.

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

**B. MonarchHR, LLC – GL Applicant
MonarchHR II, LLC – GM Applicant
MonarchHR III, LLC – GM Applicant
MonarchHR IV, LLC – GM Applicant
Jonathan J. Scoggins, CP Applicant**

Mr. Finkelstein presented the group leader, group members, and controlling person applications.

MOTION: Mr. Jones moved to approve the applications.

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

V. REVIEW AND CONSIDERATION OF DE MINIMIS EXEMPTION AND REGISTRATION APPLICATIONS

**A. Cognos HR, LLC
(Robert Cerone, Owner)**

Mr. Finkelstein presented the company application of Cognos HR, LLC.

Mr. Jones advised that the IRS 8821 form needed to be corrected to include income tax.

MOTION: Mr. Finkelstein moved to approve the application pending receipt of a corrected IRS 8821 form.

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

**B. Sequoia One PEO, LLC
(Gregory Golub, Jayson Miller, and John Dickey, Owners)**

Mr. Finkelstein presented the company application of Sequoia One PEO, LLC.

Mr. Jones advised that the IRS 8821 form needed to be corrected to include income tax.

MOTION: Mr. Jones moved to approve the application pending receipt of a corrected IRS 8821 form.

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

VI. NOTIFICATION AND REVIEW OF EMPLOYEE LEASING COMPANY NAME CHANGES

**A. Accord Human Resources of New York II, Inc. – GL 141
TO: Accord Human Resources 13, Inc.**

**B. Accord Human Resources of New York III, Inc. – GM 354
TO: Accord Human Resources 18, Inc.**

Mr. Jones advised that the companies being presented were his former companies but he could be fair and impartial in his decision.

Mr. Finkelstein presented the name change applications.

MOTION: Mr. Finkelstein moved to approve the name change applications.

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

**C. Employee Professionals – Northeast, LLC – GL 106
TO: d/b/a Employee Solutions and Innovations**

Mr. Finkelstein presented the name change application.

MOTION: Mr. Jones moved to approve the name change application.

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

VII. REPORTS

A. Office of the Attorney General – Mary Ellen Clark

Ms. Clark advised that she had received correspondence from JAPC regarding Rule 61G7-5.50033, F.A.C. that must be addressed before rulemaking can proceed.

Ms. Clark advised that there were two questions that the Board must answer:

- 1. What is the authority for more than five companies, and*
- 2. What is the authority for the attestation (answer is there isn't any and the form must be changed).*

Ms. Clark advised that the Board addressed the attestation issue on most of its forms a few years ago and removed that requirement.

Ms. Clark asked the board for direction on drafting language for the form and for the board to answer the two questions posed.

Mr. Timothy Tack and Mr. Finkelstein advised that they would work with Ms. Clark on addressing the issues presented by JAPC and present their work at the June 2015 meeting.

B. Office of the General Counsel – John Cary and James Fortunas

No Report.

C. Executive Director – Rick Morrison

No Report.

D. Chairperson – Abram Finkelstein

No Report.

VIII. OLD BUSINESS

None

IX. NEW BUSINESS

Mr. Jones asked if there was any new information about potential new board members.

Mr. Morrison advised that the last time he contacted the Governor's Appointment Office there were no applications pending.

Mr. Finkelstein asked Mr. Morrison to continue to inquire as the board can be in a difficult position should two of the current board members not be in attendance.

Mr. Morrison stated that he would continue to check, but they need people to apply to be board members.

X. PUBLIC COMMENTS

None

XI. ADJOURNMENT

MOTION: Mr. Arfons moved to adjourn.

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

The meeting adjourned at 11:05 a.m.

Transcripts and/or recordings of the meeting can be obtained upon request.