

**BOARD OF EMPLOYEE LEASING COMPANIES
TELEPHONE CONFERENCE CALL MEETING MINUTES
WEDNESDAY, AUGUST 19, 2015
10:00 a.m. EST
MEET-ME-NUMBER: (888) 670-3525**

I. CALL TO ORDER

The meeting was called to order at approximately 10:00 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
Celeste Dockery
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
Lynette Norr, Board Counsel, Office of the Attorney General
Rebecca Hayes, Chief Attorney, DBPR

OTHERS PRESENT

Michael Miller, Kunkel, Miller & Hament, P.A.
Timothy Tack, Kunkel, Miller & Hament, P.A.
Torben Madson, Kunkel, Miller & Hament, P.A.
Judy Malone
Chad Spooner
Jason Holbrook
Marie Smith
Terry Koch
Karl Mohr

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

III. REVIEW AND APPROVAL OF THE JUNE 17, 2015 TELEPHONE CONFERENCE CALL MEETING MINUTES

Mr. Tack advised that the footer needed to be corrected to reflect the June 17, 2015 date and a correction to the name on page 3 of the discussion regarding Mr. Hageman's controlling person application.

MOTION: Mr. Arfons moved to approve the minutes with the corrections.
SECOND: Mr. Jones seconded the motion and it passed unanimously.

Ms. Dockery abstained from the vote due to not being a member of the board at the time of the June meeting.

IV. REVIEW AND APPROVAL OF THE JULY 15, 2015 TELEPHONE CONFERENCE CALL MEETING MINUTES

MOTION: Ms. Dockery moved to approve the minutes.
SECOND: Mr. Jones seconded the motion and it passed unanimously.

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

**A. Cohesive Networks, Inc. – EL Applicant
John Walker Hardin, CO 797**

Mr. Finkelstein presented the application of Cohesive Networks, Inc.

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

**B. Congruity HR II, LLC – GM Applicant
Darrin M. Hunter, CO 998**

Mr. Finkelstein presented the application of Congruity HR II, LLC.

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

- C. TCM PEO I, LLC – GL Applicant**
- D. TCM PEO II, LLC – GM Applicant**
- E. TCM PEO III, LLC – GM Applicant**
- F. TCM PEO IV, LLC – GM Applicant**
- G. TCM PEO V, LLC – GM Applicant
Chad Joseph Spooner, Controlling Person Applicant**

Mr. Finkelstein presented the group leader, group members and the controlling person application of Chad Joseph Spooner.

MOTION: Mr. Arfons moved to approve the applications.
SECOND: Mr. Finkelstein seconded the motion and it passed unanimously.

- H. Terry Martin Koch, Controlling Person Applicant
MonarchHR, LLC – GL 223
MonarchHR II, LLC – GM 587
MonarchHR III, LLC – GM 588
MonarchHR IV, LLC – GM 589**

Mr. Finkelstein presented the controlling person application of Mr. Terry Koch.

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

I. Jason C. Holbrook, Controlling Person Applicant
AlphaStaff, Inc. – GL 49
AlphaStaff 2, Inc. – GL 125
AlphaStaff Holdings, Inc. – GL 180
(Group Members are included in list of companies)

Mr. Finkelstein presented the controlling person application of Mr. Jason C. Holbrook.

MOTION: Mr. Finkelstein moved to approve the application.

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

VI. REVIEW AND CONSIDERATION OF CHANGE OF OWNERSHIP APPLICATIONS

A. Carolina Resource Management, LLC – GL 179

Mr. Finkelstein presented the change of ownership application of Carolina Resource Management, LLC.

MOTION: Ms. Dockery moved to approve the change of ownership application.

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

B. Florida Resource Management, LLC – GM 471

Mr. Finkelstein presented the change of ownership application of Florida Resource Management, LLC.

MOTION: Ms. Dockery moved to approve the change of ownership application.

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

VII. DISCUSSIONS

- **July 29, 2015 JAPC Letter – Rule 61G7-5.002, F.A.C.**
- **SERC for Rule 61G7-5.002, F.A.C.**

Ms. Clark advised that she had received a letter from JAPC addressing Rule 61G7-5.002 specifically the Statement of Estimated Regulatory Costs (SERC).

After discussion, Ms. Clark asked if the SERC was an accurate account of the board's request for the increase in the annual assessment fees.

MOTION: Mr. Finkelstein moved to approve the revised SERC for Rule 61G7-5.002, F.A.C. as contained in the agenda materials.

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

Ms. Clark advised that she would draft a response to the July 29, 2015 JAPC letter and prepare the notices for publication of the revised SERC.

- **June 22, 2015 JAPC Letters – Rule 61G7-5.0033, F.A.C.**
- **June 17, 2015 Response to JAPC – Rule 61G7-5.0033, F.A.C.**
- **DBPR EL 4518 – Board Approved Cross Guarantee Form (notary)**

Ms. Clark advised that she listened to the tape from the June meeting and believed that the Cross Guarantee form included in the July 2015 agenda was the one approved at the June meeting, but

she did agree with Mr. Tack that the citation in the middle paragraph of the instructions was incorrect.

Ms. Clark advised that the form with the change to the citation error was included in the agenda materials for board review and discussion.

After discussion, the board made the following motion:

MOTION: Ms. Dockery moved to approve the changes to the Cross Guarantee form as presented and contained in the agenda materials.

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

The board also agreed that Mr. Finkelstein would continue to work on the revision to the form to remove the attestation requirement and to bring the form back to the September 2015 meeting in Naples.

- **2015-2016 Annual Regulatory Plan**

Ms. Clark advised that OFFAR has requested each board to identify rules that could be repealed during the Annual rule Review. She stated that the board identified Rule 61G7-10.0013 as a rule for repeal during the July meeting; however, Mr. Morrison has also included Rule 61G7-4.003 for possible repeal.

After discussion the following motions were made.

MOTION: Mr. Jones moved to include Rule 61G7-10.0013, F.A.C. on the Annual Regulatory Plan for repeal.

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

MOTION: Mr. Jones moved to include Rule 61G7-4.003, F.A.C. on the Annual Regulatory Plan for repeal.

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

After the motions, Ms. Clark asked if the board would like to submit its Regulatory Plan in combination with the Department's plan.

MOTION: Mr. Finkelstein moved to include the board's plan in combination with the Department's plan.

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

After the motions, Ms. Clark asked if these repeals would have an adverse impact on small business or be likely to directly or indirectly increase regulatory costs to any entity (including government) in excess of \$200,000 in the aggregate in Florida within 1 year after implementation.

MOTION: Mr. Finkelstein moved that the repeal of Rule 61G7-10.0013, F.A.C. and Rule 61G7-4.003, F.A.C. would not have an adverse impact on small business or be likely to directly or indirectly increase regulatory costs to any entity (including government) in excess of \$200,000 in the aggregate in Florida within 1 year after implementation.

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

The Board determined neither one of these repeals would require preparation of a SERC; however, Mr. Morrison would provide the SERC Checklists.

After this motion, the board had a brief discussion about the definition of a controlling person.

VIII. REPORTS

A. Office of the Attorney General – Mary Ellen Clark

Ms. Clark advised that there were no action times on her Rules Report for August.

B. Office of the General Counsel – Rebecca Hayes

No Report.

C. Executive Director – Rick Morrison

No Report.

D. Chairperson – Abram Finkelstein

No Report.

IX. OLD BUSINESS

None

X. NEW BUSINESS

Ms. Woodard asked the board members to be prepared to discuss meeting dates for the upcoming year.

Mr. Stamatyades informed the board that he would be submitting his letter of resignation as this would be his last meeting. He plans to apply for an employee leasing and controlling person license.

He thanked the board and staff for the experiences gained and stated he looked forward to a return to the board as an industry member.

XI. PUBLIC COMMENTS

None

XII. ADJOURNMENT

MOTION: Mr. Stamatyades moved to adjourn.

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

The meeting adjourned at 11:30 a.m.

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