

**BOARD OF EMPLOYEE LEASING COMPANIES
TELEPHONE CONFERENCE CALL MEETING MINUTES
WEDNESDAY, SEPTEMBER 21, 2016
10:00 a.m. EST
MEET-ME-NUMBER: (888) 670-3525**

I. CALL TO ORDER

The meeting was called to order at approximately 10:07 a.m. EST by Ms. Celeste Dockery, Board Chair.

II. ROLL CALL

MEMBERS PRESENT

Celeste Dockery, Chair
John Jones, Vice-Chair
Abram Finkelstein

MEMBERS ABSENT

Eric Arfons (*excused*)

STAFF PRESENT

Rick Morrison, Executive Director, DBPR
Krista Woodard, Government Analyst II, DBPR
Lynette Norr, Board Counsel, Office of the Attorney General
Rebecca Hayes, Chief Attorney, DBPR
James Fortunas, Prosecuting Attorney, DBPR
Justin Myers, Government Analyst, DBPR

OTHERS PRESENT

Michael Miller, Miller Tack & Madson, P.A.
Timothy Tack, Miller Tack & Madson, P.A.
Torben Madson, Miller Tack & Madson, P.A.
Tricia Russo
Ryan Moore
Todd Ruano
Kevin Ross
Mark Watkins
Karl Mohr
Justin Mays
Darlene Lemke
Tom Amato

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

III. REVIEW AND APPROVAL OF THE JUNE 29-30, 2016 GENERAL BUSINESS MEETING MINUTES

Ms. Norr advised of a correction on page 2 and Ms. Dockery advised of a correction on page 3.

MOTION: Mr. Finkelstein moved to approve the minutes with the corrections.

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

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

**A. Advantage Personnel Resources III, Inc. – EL Applicant
Kevin G. Ross, CP Applicant
Todd E. Ruano, CP Applicant**

Ms. Dockery presented the company application of Advantage Personnel Resources III, Inc. and the controlling person applications of Mr. Ross and Mr. Ruano.

Mr. Jones advised that the IRS 8821 forms for both controlling persons needed corrections to include tax type of 1040.

MOTION: Mr. Finkelstein moved to approve the applications pending receipt of the corrected IRS 8821 forms.

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

**B. Group Management Services, Inc. – EL Applicant
Michael E. Kahoe, CP Applicant
Mark A. Watkins, CP Applicant**

Ms. Dockery presented the company application of Group Management Services, Inc. and the controlling person applications of Mr. Kahoe and Mr. Watkins.

MOTION: Mr. Jones moved to approve the applications.

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

**C. PEOProdigy, Inc. – EL Applicant
Ryan S. Moore, CP Applicant**

Ms. Dockery presented the company application of PEOProdigy, Inc. and the controlling person application of Mr. Moore.

MOTION: Mr. Finkelstein moved to approve the applications.

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

**D. Justin L. Mays, CP Applicant
Welco One, LLC – GL 201
Welco Two, LLC – GM 534
Welco Three, LLC – GM 535**

Ms. Dockery presented the controlling person application of Mr. Justin Mays.

MOTION: Mr. Finkelstein moved to approve the application.

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

**E. Jeffrey H. Marshall, CP Applicant
CoAdvantage Resources 24, Inc. – GL 8**

CoAdvantage Resources 13, Inc. – GL 36
CoAdvantage Resources 11, Inc. – GL 69
CoAdvantage Resources, Inc. – GL 82
Co Advantage Resources 29, Inc. – GL 147
CoAdvantage Resources 52, Inc. – EL 346
CoAdvantage Resources 40, Inc. - GL 187
CoAdvantage Resources 60, LLC – DM 53
MS PEO I, LLC – GL 226
(Group Members are included in list of companies)

Ms. Dockery presented the controlling person application of Mr. Jeffrey H. Marshall.

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

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

- A. Administrative Employer Services, Inc. – GL 202**
- B. AES Select HR Services, LLC – GM 538**
- C. AES Management, Inc. – GM 539**
- D. AES Select PEO Services, LLC – GM 540**

Ms. Dockery presented the termination of operations applications.

MOTION: Mr. Jones moved to approve the termination of operations applications.
SECOND: Mr. Finkelstein seconded the motion and it passed unanimously.

E. Mirage Consulting Inc. of TX – EL 361

Ms. Dockery presented the termination of operations application.

MOTION: Mr. Finkelstein moved to approve the termination of operations application.
SECOND: Ms. Dockery seconded the motion and it passed unanimously.

VI. REVIEW AND CONSIDERATION OF CONTROLLING PERSON RELINQUISHMENTS

- A. Ted Allen Kirchharr, CO 804**
 - Landrum Professional Employer Services, Inc. I – GL 17**
 - Landrum Professional Employer Services, Inc. II – GM 242**
 - Landrum Professional Employer Services, Inc. III – GM 30**
 - Landrum Professional Employer Services, Inc. IV – GM 321**

Ms. Dockery presented the controlling person relinquishment of Ted Kirchharr.

MOTION: Mr. Jones moved to accept the controlling person relinquishment.
SECOND: Mr. Finkelstein seconded the motion and it passed unanimously.

**B. Jenny T. Swinerton, CO 1040
Sequent, Inc. – EL 357**

Ms. Dockery presented the controlling person relinquishment of Jenny Swinerton.

MOTION: Mr. Finkelstein moved to accept the controlling person relinquishment.
SECOND: Mr. Jones seconded the motion and it passed unanimously.

**C. Theodore Winglass, CO 832
Alabama Staff, Inc. – EL 203
DCXL, Inc. – EL 436**

Ms. Dockery presented the controlling person relinquishment of Theodore Winglass.

MOTION: Mr. Finkelstein moved to accept the controlling person relinquishment.
SECOND: Ms. Dockery seconded the motion and it passed unanimously.

VII. DISCUSSIONS

- **DBPR EL 4506 – Employee Leasing Standard Financial Statement**
- **DBPR EL 4503 – ELC Affirmation by Written Declaration to Financial Statements**
- **ELC 4 Deminimus Employee Leasing Company**
- **ELC 5 Deminimus Employee Leasing Company Group**
- **ELC 8 Address or Name Change CIU Recommendations**

- **Rule 61G7-5.0011 Rule Text referencing forms DBPR ELC-4 and ELC-5**

MOTION: Ms. Dockery moved to approve the amended text referencing forms DBPR ELC-4 and DBPR ELC-5.

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

- **Rule 61G7-5.003 Rule Text incorporating Form DBPR-4503**

MOTION: Ms. Dockery moved to approve the amended text incorporating Form DBPR-4503.

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

- **Rule 61G7-10.0011(1) Rule Text incorporating Form DBPR-4506**

MOTION: Mr. Jones moved to approve the amended text incorporating Form DBPR-4506.

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

- **Rule 61G7-10.002 Amended Rule text and incorporation of Form DBPR ELC-8**

MOTION: Mr. Finkelstein moved to accept the changes to Form DBPR ELC-8.

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

MOTION: Mr. Finkelstein moved to approve the amended text incorporating Form DBPR ELC-8.

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

The board asked staff to bring Form DBPR ELC-8 to the October 2016 meeting for final review.

- **Rule 61G7-10.0014** (*added for good cause*)

MOTION: Mr. Finkelstein moved to approve the amended rule text for Rule 61G7-10.0014, FAC.

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

After the motions, Ms. Norr asked if these amendments 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 amendments 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. Jones seconded the motion and it passed unanimously.

VIII. REPORTS

A. Office of the Attorney General – Lynette Norr

- **September 2016 Rules Report**
- **BELC Rule Report Considerations**

Ms. Norr provided an update to the rules currently pending as listed in her rules report.

- **Rule 61G7-2.002, F.A.C – Probable Cause Panel**

MOTION: Mr. Finkelstein moved to approve the amended rule text for Rule 61G7-2.002, FAC.

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

- **Rule 61G7-5.001(1) Rule Text referencing forms incorporated by 61G7-10.002**

MOTION: Ms. Dockery moved to approve the amended text referencing forms incorporated by 61G7-10.002, FAC.

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

B. Office of the General Counsel – James Fortunas

Mr. Fortunas reported that as of September 21, 2016, 19 cases were received in legal, 63 cases set for probable cause, and two (2) scheduled for board presentation for a total of 84 cases.

C. Executive Director – Rick Morrison

No Report.

D. Chairperson – Celeste Dockery

No Report.

IX. OLD BUSINESS

None

X. NEW BUSINESS

None

XI. PUBLIC COMMENTS

None

XII. ADJOURNMENT

MOTION: Mr. Finkelstein moved to adjourn.

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

The meeting adjourned at 11:48 a.m.

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