

**BOARD OF EMPLOYEE LEASING COMPANIES
GENERAL BUSINESS MEETING**

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September 15, 2021

10:00 a.m.

CALL TO ORDER

The meeting was called to order at approximately 10:05 A.M. EST by Mr. Richard Kiracofe, Board Chair.

I. ROLL CALL

MEMBERS PRESENT

Richard Kiracofe, Chair
Zachary Collier, Vice Chair
Ronald Hodge

STAFF PRESENT

Rick Morrison, Executive Director, DBPR
Nicole Myers, Government Analyst II, DBPR
Lynette Norr, Board Counsel, Office of Attorney General
Crystal Stephens, Prosecuting Attorney, DBPR
Shanna-Kay Turner, Prosecuting Attorney, DBPR

OTHERS PRESENT

For The Record Court Reporting (850) 222-5491
Timothy Tack, Esq., Fisher & Phillips LLP
Michael Miller, Esq., Fisher & Phillips LLP
Torben Madson, Esq. The PEO Law Firm
Jim Duffy, Certipay PEO Solutions
Joel Dauve
John Cage, John Cage Enterprise

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

II. DISCIPLINARY HEARINGS

A. Settlement Stipulations

1. **Employee Leasing Guy LLC – GL 190**
Case No. 2021-000581
2. **Vista Pro PEO – GM 505**
Case No. 2021-005632
3. **PEO Dudes LLC – GM 506**
Case No. 2021-005634
4. **PEO Dudes II LLC – GM 507**
Case No. 2021-005637
5. **ESS Employee Leasing LLC – GM 508**
Case No. 2021-005642
6. **Jorge Alberto Ruiz – CO 1147**
Case No. 2021-005643

PCP: DBPR – May 19, 2021

Ms. Turner presented the cases explaining Respondent violated Section 468.532(1) (i), F.S., through a violation of Rule 61G7-10.0011(1), F.A.C., by failing to timely file the 2019 annual financial report. Respondent violated Section 468.532(1) (i), F.S., through a violation of Rule 61G7-10.001 (1), F.A.C., by failing to timely submit a complete 2020 3rd quarter report.

Ms. Turner stated the settlement stipulation provides for imposition of an administrative fine of \$2000 and costs of \$429.59 with joint and several liabilities for payment of the fine and costs. The fines and costs will be due 30 days of filing of Final Order.

MOTION: Mr. Collier moved to adopt the terms of the settlement stipulation as the final order of the board.

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

7. **Countrywide PEO Inc. – GL 214**
Case No. 2020-038341
8. **Countrywide PEO 1 Inc. – GM 533**
Case No. 2020-043571
9. **Zachary Alan Collier – CO 1103**
Case No. 2020-043577

PCP: DBPR – November 18, 2020

Ms. Turner presented the cases explaining Respondent violated Section 468.532(1) (i), F.S., through a violation of Rule 61G7-10.0011(1), F.A.C., by failing to timely file the 2019 annual financial report. Respondent violated Section 468.532(1) (i), F.S., through a violation of Section 468.525(3) (d), F.S., for maintaining a negative net working capital

of \$1,987,291.00 as reflected in the 2019 annual report. Respondent violated Section 468.532(1)(i), F.S., through a violation of Rule 61G7-10.001(1), F.A.C., by failing to timely submit the 2019 4th quarter report, and 2020 1st and 2nd quarter report. Respondent violated Section 468.532(l) (i), F.S., through a violation of Rule 61G7-5.002, F.A.C., by failing to timely pay the 2019 annual assessment fee.

Ms. Turner stated the settlement stipulation provides for imposition of an administrative fine of \$5000 and costs of \$342.48 with joint and several liabilities for payment of the fine and costs. The fines and costs will be due 60 days of filing of Final Order.

Mr. Collier recused himself.

MOTION: Mr. Hodge moved to adopt the terms of the settlement stipulation as the final order of the board.

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

The board recessed for a brief break.

I. CALL TO ORDER

II. REVIEW AND APPROVAL OF THE AUGUST 18, 2021 MINUTES

Board members reviewed the minutes from the August 18, 2021 meeting.

MOTION: Mr. Collier made a motion to approve the minutes.

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

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

- A. Certipay PEO Solutions X, Inc. – Group Leader Applicant**
- B. Certipay PEO Solutions XI, Inc. – Group Member Applicant**
- C. Certipay PEO Solutions XII, Inc. – Group Member Applicant**
- D. Shannon Neil Boggan – Controlling Person Applicant**
 - Certipay PEO Solutions X – GL Applicant and Group Members**
 - Certipay PEO Solutions, Inc. – GL 50 and group members**
 - Certipay PEO Solutions VI, Inc. – EL 424**
 - Certipay PEO Solutions VII, Inc. – EL 423**
 - Certipay PEO Solutions VIII, Inc. – EL 44**
 - Certipay PEO Solutions IX, Inc. – EL 422**

Mr. Kiracofe presented the group leader, group member, and controlling person applications of Certipay PEO Solutions X, Inc., Certipay PEO Solutions XI, Inc., Certipay PEO Solutions XII, Inc., and Shannon Boggan.

MOTION: Mr. Collier moved to approve the applications.

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

**E. Christopher David Abetz, Jr. – Controlling Person Applicant
Peoplease, LLC – EL 144**

Mr. Kiracofe presented the controlling person application of Christopher Abetz.

MOTION: Mr. Collier moved to approve the application.

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

**F. Kerry Lawson Dover – Controlling Person Applicant
Employer HR Synergies, LLC – GL 199
Express HR SynergiesOne, LLC- GM 528
Express HR SynergiesTwo, LLC – GM 529**

Mr. Kiracofe presented the controlling person application of Kerry Dover.

MOTION: Mr. Collier moved to approve the application.

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

IV. REVIEW AND CONSIDERATION OF REGISTRATION OF DE MINIMUS COMPANY

A. Newton PEO, LLC – De Minimus Applicant

Mr. Kiracofe presented the De Minimus application of Newton PEO, LLC.

MOTION: Mr. Collier moved to approve the application.

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

V. BOARD NOTIFICATIONS

CHANGE OF OWNERSHIP APPLICATIONS

Asset Purchase

A. No applications reviewed.

Stock Purchase

A. Employer HR Synergies, LLC – GL 199

- B. Express HR SynergiesOne, LLC – GM 528**
 - C. Express HR SynergiesTwo, LLC – GM 529**
- Purchaser: Kerry Dover**

Mr. Kiracofe presented the change of ownership application of Employer HR Synergies, LLC, Express HR SynergiesOne, LLC, and Express HR SynergiesTwo, LLC.

MOTION: Mr. Collier moved to ratify the application.
SECOND: Mr. Hodge seconded the motion and it passed unanimously.

VI. CHANGE OF STATUS APPLICATIONS

A. No Applications reviewed.

VII. CHANGE OF NAME APPLICATIONS

A. No Applications reviewed.

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

A. John Cage Enterprises, Inc. – EL 431 **John Cage, CO 1014**

Mr. Kiracofe presented the termination application of John Cage Enterprises, Inc.

MOTION: Mr. Collier moved to ratify the application.
SECOND: Mr. Hodge seconded the motion and it passed unanimously.

IX. REQUEST FOR VOLUNTARY NULL AND VOID STATUS

A. John Cage – CO 1014 **John Cage Enterprises – EL 431**

Mr. Kiracofe presented the null and void application for John Cage.

MOTION: Mr. Collier moved to ratify the application.
SECOND: Mr. Hodge seconded the motion and it passed unanimously.

X. DISCUSSION ITEMS

A. 61G7-5.0033 Consolidated and Combined Financial Statements

- B. 61G7-5.0031 Audited Financial Statements**
- C. 61G7-5.0032 Reviewed Financial Statements**
- D. 61G7-6.001 Definitions**

After discussion the Board asked for the proposed rule language to be sent to Richard Law for review. The rules will be reconsidered at the October 13, 2021 meeting.

X. Reports

A. Office of Attorney General

Ms. Norr reviewed the September rules report.

B. Office of General Counsel

Ms. Turner presented the public and private case reports.

C. Executive Director

Mr. Morrison reviewed the financial report.

D. Chairperson

No report from Chair.

XI. OLD BUSINESS

None

XIII. NEW BUSINESS

None

XIV. PUBLIC COMMENTS

None

XV. ADJOURNMENT

MOTION: Mr. Hodge moved to adjourn the meeting at 11:12 p.m.

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

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