

**BOARD OF EMPLOYEE LEASING COMPANIES
TELEPHONE CONFERENCE CALL MEETING MINUTES
WEDNESDAY, OCTOBER 13, 2021
10:00 a.m.**

MEET-ME-NUMBER: (888) 585-9008

I. CALL TO ORDER

The meeting was called to order at approximately 10:00 a.m. by Richard Kiracofe, Chair.

II. 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 the Attorney General
Shanna Kay Turner, Prosecuting Attorney, DBPR

OTHERS PRESENT

For The Record Court Reporting (850) 222-5491
Timothy Tack, Esq., Fisher & Phillips LLP
Torben Madson, Esq. The PEO Law Firm
Michael Miller, Esq., Fisher & Phillips LLP
Brian Nugent, Ackerman LLP
Melissa Cizmorris, Ackerman LLP
Sandra Janiek, Pro PEO
Pam Emerson, Prestige Employee Administrators
Brian Pincket, Vensure

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

III. REVIEW AND APPROVAL OF SEPTEMBER 15, 2021 MINUTES

Board members reviewed the minutes from the September 15, 2021 meeting.

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

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

IV. REQUEST FOR TERMINATION OF OPERATIONS

A. United Systems Administration of FL, Inc. – EL 295

Mr. Kiracofe presented the termination application for United Systems Administration of FL, Inc.

MOTION: Mr. Collier moved to approve the application.

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

B. PathGoal Employer Services, LLC – DM 106

Mr. Kiracofe presented the termination application for PathGoal Employer Services, LLC.

MOTION: Mr. Collier moved to approve the application.

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

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

A. PathGoal Employer Services, LLC – Group Member Applicant
Prestige Employee Administrators, LLC – GL 230

Mr. Kiracofe presented the group member application for PathGoal Employer Services, LLC.

MOTION: Mr. Collier moved to approve the application.

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

B. Laurence Lynch – Controlling Person Applicant
Prestige Employee Administrators, LLC – GL 230 and group members

Mr. Kiracofe presented the controlling person application for Laurence Lynch.

MOTION: Mr. Collier moved to approve the application.

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

C. Hubert LaRoche – Controlling Person Applicant
Tandem Professional Employer Services, LLC – GL 236 and group members

Mr. Kiracofe presented the controlling person application for Hubert LaRoche.

MOTION: Mr. Collier moved to approve the application.

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

D. Rocco Santopie – Controlling Person Applicant
OnSite Business Services, Inc. – EL 498

Mr. Kiracofe presented the controlling person application for Rocco Santopie.

MOTION: Mr. Collier moved to approve the application.

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

E. CalmHR, Inc. – Employee Leasing Company Applicant

Mr. Kiracofe presented the employee leasing company application for CalmHR, Inc.

MOTION: Mr. Collier moved to approve the application contingent on providing proof of workers compensation within 30 days.

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

F. Joseph Appelbaum – Controlling Person Applicant

Mr. Kiracofe presented the employee leasing company application for Joseph Appelbaum.

MOTION: Mr. Collier moved to approve the application contingent on providing proof of workers compensation within 30 days.

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

G. EIN Alliance, LLC – Employee Leasing Company Applicant

Kara Childress – CO 1269

Mr. Kiracofe presented the employee leasing company application for EIN Alliance, LLC.

MOTION: Mr. Collier moved to approve the application.

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

H. Kismet PEO LLC – Employee Leasing Company Applicant

Mr. Kiracofe presented the employee leasing company application for Kismet PEO LLC.

MOTION: Mr. Collier moved to approve the application.

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

I. Lew Kachulis – Controlling Person Applicant

Mr. Kiracofe presented the controlling person application for Lew Kachulis.

MOTION: Mr. Collier moved to approve the application.

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

VI. REVIEW AND CONSIDERATION OF REGISTRATION OF DE MINIMUS COMPANY

A. PBS ASO LLC – De Minimus Applicant

Mr. Kiracofe presented the De Minimus application for PBS ASO LLC.

MOTION: Mr. Collier moved to approve the application.

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

B. Pro PEO, LLC – De Minimus Applicant

Mr. Kiracofe presented the De Minimus application for Pro PEO, LLC.

MOTION: Mr. Collier moved to approve the application.

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

VII. CHANGE OF OWNERSHIP APPLICATIONS

Asset Purchase

A. No Applications reviewed.

Stock Purchase

A. No applications reviewed.

VIII. CHANGE OF STATUS

A. No Applications reviewed.

IX. CHANGE OF NAME APPLICATIONS

A. No Applications reviewed.

X. REQUEST FOR TERMINATION OF OPERATIONS

A. No applications reviewed.

XI. REQUEST FOR VOLUNTARY NULL AND VOID

A. Fredrick Keith Davis – CO 723

Mr. Kiracofe presented the null and void application for Fredrick Davis.

MOTION: Mr. Collier moved to ratify the application.

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

XII. DISCUSSION ITEMS

RULE 61G7-5.0033 Consolidated and Combined Financial Statements

Ms. Norr asked Board members to review proposed language change for Rule 61G7-5.0033.

MOTION: Mr. Collier moved to adopt the proposed changes for Rule 61G7-5.0033

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

Ms. Norr asked Board members to determine whether any portion of rule 61G7-5.0033 should be designated a minor violation and added to Rule 61G7-7.003 Notice of Noncompliance.

MOTION: Mr. Collier moved that the rules in Chapter 61G7-5.0033 are not a minor violation.
SECOND: Mr. Hodge seconded the motion and it passed unanimously.

Ms. Norr asked will a sunset provision be required for Rule 61G7-10.001.

MOTION: Mr. Collier stated a sunset provision is not required.
SECOND: Mr. Hodge seconded the motion and it passed unanimously.

RULE 61G7-5.0031 Audited Financial Statements

Ms. Norr asked Board members to review proposed language change for Rule 61G7-5.0031.

MOTION: Mr. Collier moved to adopt the proposed changes for Rule 61G7-5.0031
SECOND: Mr. Hodge 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. Collier 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. Hodge seconded the motion and it passed unanimously.

Ms. Norr asked Board members to determine whether any portion of rule 61G7-5.0033 should be designated a minor violation and added to Rule 61G7-7.003 Notice of Noncompliance.

MOTION: Mr. Collier moved that the rules in Chapter 61G7-5.0031 are not a minor violation.
SECOND: Mr. Hodge seconded the motion and it passed unanimously.

Ms. Norr asked will a sunset provision be required for Rule 61G7-10.001.

MOTION: Mr. Collier stated a sunset provision is not required.
SECOND: Mr. Hodge seconded the motion and it passed unanimously.

RULE 61G7-5.0032 Reviewed Financial Statements

Ms. Norr asked Board members to review proposed language change for Rule 61G7-5.0032.

MOTION: Mr. Collier moved to adopt the proposed changes for Rule 61G7-5.0032
SECOND: Mr. Hodge 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. Collier 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. Hodge seconded the motion and it passed unanimously.

Ms. Norr asked Board members to determine whether any portion of rule 61G7-5.0032 should be designated a minor violation and added to Rule 61G7-7.003 Notice of Noncompliance.

MOTION: Mr. Collier moved that the rules in Chapter 61G7-5.0032 are not a minor violation.

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

Ms. Norr asked will a sunset provision be required for Rule 61G7-10.001.

MOTION: Mr. Collier stated a sunset provision is not required.

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

RULE 61G7-6.001 Definitions

Ms. Norr asked Board members to review proposed language change for Rule 61G7-6.001.

MOTION: Mr. Collier moved to adopt the proposed changes for Rule 61G7-6.001.

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

Ms. Norr asked Board members to determine whether any portion of rule 61G7-6.001 should be designated a minor violation and added to Rule 61G7-7.003 Notice of Noncompliance.

MOTION: Mr. Collier moved that the rules in Chapter 61G7-6.001 are not a minor violation.

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

Ms. Norr asked will a sunset provision be required for Rule 61G7-10.001.

MOTION: Mr. Collier stated a sunset provision is not required.

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

XIII. REPORTS

A. Office of the Attorney General – Lynette Norr

Ms. Norr presented October rules report.

B. Office of the General Counsel

Ms. Turner stated she had no reports.

C. Executive Director – Rick Morrison

Mr. Morrison stated he had no reports.

D. Chairperson – Richard Kiracofe

Mr. Kiracofe stated he had no reports.

XIII. OLD BUSINESS

None

XIV. NEW BUSINESS

XV. PUBLIC COMMENTS

XVI. ADJOURNMENT

MOTION: Mr. Collier moved to adjourn.

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

The meeting adjourned at 11:15 a.m.

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