

**BOARD OF EMPLOYEE LEASING COMPANIES
TELEPHONE CONFERENCE CALL MEETING MINUTES**

**WEDNESDAY, September 17, 2003
10:00 a.m. EST**

MEET-ME-NUMBER: (850) 921-2530

I. CALL TO ORDER

The meeting was called to order at approximately 10:03 a.m. EST by Ms. Celeste Dockery, Board Chair.

II. ROLL CALL

MEMBERS PRESENT

Celeste D. Dockery, Chair
David B. Stroyan, Vice Chair
Frank W. Crum, Jr.
Kelly Lanza
Donna M. Bloomer
Carlos Rodriguez

MEMBERS ABSENT

None

STAFF PRESENT

Jerry Wilson, Deputy Director, DBPR
Juanita Chastain, Executive Director, DBPR
Krista B. Woodard, Government Analyst II, DBPR
John Rimes, Board Counsel, Office of Attorney General
Eric Hurst, Assistant General Counsel, DBPR

OTHERS PRESENT

Michael Miller, Kunkel, Miller & Hament, P.A. and FAPEO
Ken Fidel, Strategic Outsourcing
Mark Valley, Statland & Valley
Carol Stein, United Temps
Buddy Stein
Michael Graney, United Temps
Janice Norris, Agristaff and Norris Associates
Schelanda Ortiz-Lee, Gevity
Richard Simon, United Temps
August Curcio
Virginia Dorris

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

**III. REVIEW AND APPROVAL OF THE AUGUST 20, 2003,
GENERAL BUSINESS MEETING MINUTES**

MOTION: Mr. Frank Crum Jr. moved to approve the minutes.

SECOND: Ms. Donna Bloomer seconded the motion and it passed unanimously.

IV. EMPLOYEE LEASING COMPANY APPLICATIONS

A. Agri-Staff, Inc. Janice E. Norris, CP Applicant

Ms. Woodard presented the applications stating that all exhibits were submitted and were in compliance. She further stated that the only outstanding item relating to the controlling person's application was the FBI report.

MOTION: Ms. Bloomer moved to approve the applications with the condition that should anything detrimental be revealed on the FBI report, the applicant would appear before the board.

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

B. Norris Associates, Inc. Janice Norris, CP Applicant

Ms. Woodard presented the applications stating that all exhibits were submitted and were in compliance. She further stated that Ms. Norris' application was approved in the previous application.

MOTION: Ms. Bloomer moved to approve the applications with the condition that should anything detrimental be revealed on the FBI report, the applicant would appear before the board.

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

C. Teamwork Services, Inc. Gregory J. Bell, CP Applicant

Ms. Woodard presented the applications stating that instead of the required reviewed financial statements, the applicant submitted the board approved guaranty form, and the only outstanding item for the controlling person application was the FBI report.

Ms. Woodard asked Mr. Rimes if the contract had been approved. Mr. Rimes informed the board that the contract had not been approved due to the fact that it did not meet the requirements of section 468.525(4), Florida Statutes.

Ms. Dockery asked if anyone was present on the telephone that could speak on behalf of the applicant. No one was present.

Mr. Stroyan asked what options did the board have. Mr. Rimes stated since there was no one on the telephone to waive the 90-day timeframe, that the board had to take action and deny the applications.

MOTION: Mr. Stroyan moved to deny the applications based on the fact that the contract did not meet the requirements of section 468.525(4), Florida Statutes.

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

D. United Temps, Inc.
Carol D. Stein, CP Applicant
Richard A. Simon, CP Applicant
Michael P. Graney, CP Applicant

Ms. Woodard presented the applications stating that the Department of Financial Services (DFS) did not report workers' compensation coverage in Florida. She stated that in lieu of the confirmation from DFS, Mr. Mike Miller, Counsel for the applicant, submitted a copy of the web page from DFS, which showed coverage. Ms. Woodard further stated that the FDLE nor the FBI reports had been completed on Ms. Stein due to her fingerprint cards being rejected because of poor quality. However, the applications for Mr. Simon and Mr. Graney were complete and were in compliance.

Ms. Woodard informed the board that she had received a comprehensive report on Ms. Stein, completed by Choicepoint, but she was not sure if she could share the information over the telephone due to the confidential nature of the report.

Ms. Stein gave permission for Ms. Woodard to discuss the information received on the report from Choicepoint. Ms. Woodard reported that there was no derogatory information listed.

MOTION: Mr. Stroyan moved to approve the applications.
SECOND: Ms. Lanza seconded the motion and it passed unanimously.

E. FLSUB-34, Inc.
Robert M. Fostch – CO 270
David G. Bell – CO 249

Ms. Woodard presented the application stating that it is an application for a group license. She further stated that the financial statements were in the name of the parent company, Strategic Outsourcing, and that she had not received approval of the contract from Mr. Rimes.

Mr. Rimes stated that the contract was not acceptable because it did not meet the requirements of section 468.525(4), Florida Statutes.

Mr. Miller, Counsel for the applicant, stated that if the board agreed, he would waive the 90-day timeframe to allow the applicant time to submit an addendum to the contract, which would address Mr. Rimes' concerns.

MOTION: Mr. Stroyan moved to approve the application pending approval of the contract addendum by Mr. Rimes.
SECOND: Ms. Bloomer seconded the motion and it passed unanimously.

- F. FLSUB-37, Inc.
- G. FLSUB-38, Inc.
- H. FLSUB-43, Inc.
- I. FLSUB-44, Inc.
 - Robert Fotsch – CO 270
 - David G. Bell – CO 249

Ms. Woodard presented the applications stating that they were applications for group members and they had the same deficiencies as FLSUB-34, Inc.

MOTION: Mr. Stroyan moved to approve the applications pending approval of the contract addendum by Mr. Rimes.

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

V. DE MINIMUS EXEMPTION AND REGISTRATION APPLICATION

- A. **Managestaff, Inc.**
 - Lori L. O'Keefe, Owner

Ms. Woodard presented the application stating that all exhibits were submitted and were in compliance.

MOTION: Ms. Bloomer moved to approve the application.

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

VI. CHANGE OF OWNERSHIP APPLICATION

- A. **Certified Professional Employer Organization, Inc. – GL 80**
Certified Professional Employer Organization, LLC – GM 176

Ms. Woodard presented the applications stating that August R. Curcio, license number CO 370, would be the controlling person for the company.

MOTION: Mr. Stroyan moved to approve the application.

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

VII. REVIEW AND CONSIDERATION OF NAME CHANGE APPLICATIONS

- A. **Jarvis Services Corp. – EL 272**
 - TO: Gevity HR XII Corp.

- B. **LKI Group, Inc. – EL 197**
 - TO: Merit Resources

Ms. Woodard presented the applications.

MOTION: Ms. Bloomer moved to approve the applications.

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

VIII. TERMINATION OF EMPLOYEE LEASING COMPANY OPERATIONS

- A. Epix III, Inc. – EL 78**
- B. Southeastern Professional Employers, Inc. – GM 47**
- C. Tradesource, Inc. d.b.a. Tradesource Staffing, Inc. – EL 227**

Ms. Woodard presented the applications stating that there were no complaints pending against the companies.

MOTION: Mr. Crum moved to accept the terminations.
SECOND: Mr. Stroyan seconded the motion and it passed unanimously.

IX. NEW BUSINESS

Ms. Celeste Dockery informed the board that she had received an invitation, from the Department, for an upcoming training workshop designed for Board Chairs and Vice Chairs, scheduled for September 30th and October 1st. She indicated that she would not be able to attend due to a prior engagement. Mr. Stroyan advised that he would not be in attendance either. Ms. Bloomer stated that she would attend in their stead.

Mr. Mike Miller, General Counsel for Florida Association of Professional Employer Organization (FAPEO), informed the board that he e-mailed the draft revised rules to Ms. Woodard and Mr. Rimes for inclusion in the agenda materials for the rules workshop scheduled for October 14, 2003.

X. OLD BUSINESS

Mr. John Rimes informed the board that he had responded to the Joint Administrative Procedures Committee (JAPC) with regards to the proposed draft language to Rule 61G7-6.001, FAC, and felt that he may be able to go forward with the notice process for the rule.

IX. ADJOURNMENT

MOTION: Mr. Stroyan moved to adjourn.
SECOND: Ms. Bloomer seconded the motion and it passed unanimously.

The meeting adjourned at 10:31 a.m.