

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

**WEDNESDAY, JULY 21, 2004  
10:00 a.m. EST**

**MEET-ME-NUMBER: (850) 921-2470**

**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  
Carlos Rodriguez, Vice Chair  
Donna M. Bloomer  
Frank W. Crum, Jr.  
Kelly Lanza  
Ryan S. Moore

**MEMBERS ABSENT**

None

**STAFF PRESENT**

Anthony B. Spivey, 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**

Tasha Carter, Department of Financial Services  
Michael Miller, Kunkel, Miller & Hament, P.A. and FAPEO  
Mike Speizman, PEO Experts, Inc.  
Rick Kraska, HHG I, Inc.  
John Rousseau, HHG I, Inc.  
Juan Gutierrez, HR Fusion  
Linda Alcathe, NELCO  
Scott Buchanan, Human Resources

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

**III. REVIEW AND APPROVAL OF THE JUNE 23, 2004 GENERAL BUSINESS MEETING MINUTES**

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

#### IV. EMPLOYEE LEASING COMPANY AND CONTROLLING PERSON APPLICATIONS

##### A. HHG I, Inc.

John A. Rousseau, CO 232

Kate Kraska, CO 452

Scott D. Kraska, CO 679

Ms. Woodard presented the application stating this company was previously approved for a group member license at the June 23, 2004 board meeting and now wishes to pull out of the group and become a single licensed company. She further stated that along with the certificate of insurance, the applicant submitted a letter from the insurance company advising of the issuance of a binder of workers' compensation coverage.

Ms. Dockery asked who the owners of the company were.

Mr. Mike Miller responded that Mr. Rousseau, Ms. Kraska, and Mr. Kraska own the company.

Mr. Rimes advised Mr. Miller that he may want to speak with his client to amend the application to reflect the three owners actually own 33.3% of the company instead of the 3.33% listed on the application.

Ms. Dockery asked why the company was pulling out of the group.

Mr. Miller stated the reason for the separation was the company would now have its own separate workers' compensation carrier.

MOTION: Ms. Dockery moved to approve the application.

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

##### B. HR Fusion, Inc.

##### C. HR Fusion Management, Inc.

Juan C. Gutierrez, CP Applicant

Ms. Woodard presented the applications stating they are applications for a group leader and member. She stated that all exhibits were submitted and complete. She further stated that instead of the certificate of insurance, Florida Workers' Compensation Joint Underwriting Association (FWCJUA) submitted a letter citing workers' compensation coverage once approval of licensure is granted.

Ms. Woodard also advised the board the only outstanding items relating to the controlling person's application are the reports from the Florida Department of Law Enforcement (FDLE) and the Federal Bureau of Investigations (FBI).

Mr. Rimes advised Mr. Miller to speak with his client about possibly getting one of the other owners licensed as a controlling person, for precautionary reasons.

MOTION: Mr. Moore moved to approve the application with the condition that should any derogatory information be revealed on the reports that Mr. Gutierrez would appear before the board.

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

**D. PEO Experts, Inc.  
Michael A. Speizman, CO 189**

Ms. Woodard advised the board that copies of the application were not included in the agenda materials due to her receiving the application on July 20, 2004 and not having enough time or a mail carrier that would be able to deliver the materials to the members of the board in time for the meeting.

Ms. Woodard presented the application stating all exhibits were submitted and complete. She further stated that coverage of workers' compensation had been confirmed by the Department of Financial Services on June 15, 2004 and the contract had been approved by Mr. Rimes on June 14, 2004.

Ms. Lanza asked why the application was being presented today and the board not having copies of the file for review and if the board reviewed and approved the application would the board be setting a bad precedent.

Ms. Dockery and Mr. Rodriguez agreed with Ms. Lanza in the uncomfortable nature of the situation of not being able to review the documents of the application prior to the board approving or denying the file.

Mr. Spivey informed the board that Mr. Miller called the board office on July 19, 2004 asking why the application was not being presented to the board when he felt that it should be.

Mr. Spivey stated the applicant received a deficiency letter from the department and responded, but there was a mix-up, either on the applicant's part or the Central Intake Unit, as to what information was requested and received. However the mix-up, once it was brought to the department's attention, every effort was made to put the application on the agenda.

Mr. Miller responded that the department felt that due to some unforeseen circumstances, the application should have been presented to the board at this meeting and is the reason it is being presented today.

Mr. Rodriguez stated if that was the case, the board should do everything possible to accommodate the file, but that was not what he was hearing from the department.

Ms. Dockery asked why the urgency of having the application presented at this meeting.

Mr. Speizman responded there was no urgency.

After further discussion, the following motion was made:

MOTION: Ms. Dockery moved to postpone discussion of the application until the August 18, 2004 board meeting.

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

Ms. Dockery advised the board that Mr. Wilson has stepped up the application processing process and more specifically whenever there is a problem with applications, Mr. Miller is to speak with him directly and try to resolve the issue before getting to a board meeting.

Mr. Spivey informed the board that if an applicant has a problem with their application and it does not seem as if the problem is being resolved, to bring the situation to his attention, and he can possibly get it resolved as soon as possible.

**D. Michael P. Corley, Controlling Person Applicant  
Progressive Employer Services, inc. – GL 94**

Ms. Woodard presented the application stating that all exhibits were submitted and the only outstanding item is the criminal history report from the FBI.

MOTION: Ms. Bloomer moved to approve the application with the condition that should any derogatory information be revealed on the report that Mr. Corley would appear before the board.

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

**E. Teresa Lynn Dick, Controlling Person Applicant  
Progressive Employer Services, Inc. – GL 94**

Ms. Woodard presented the application stating that all exhibits were submitted and the only outstanding item is the criminal history report from the FBI.

MOTION: Mr. Crum moved to approve the application with the condition that should any derogatory information be revealed on the report that Ms. Dick would appear before the board.

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

**F. Gary Wagner, Controlling Person Applicant  
Meristaff, Inc. f/k/a Advantage Staffing, Inc. – EL 22**

Ms. Woodard presented the application stating that all exhibits were submitted and the only outstanding items are the criminal history reports from the FDLE and the FBI.

Mr. Moore recused himself due to personal reasons.

MOTION: Ms. Bloomer moved to approve the application with the condition that should any derogatory information be revealed on the reports that Mr. Wagner would appear before the board.

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

**V. TERMINATION OF EMPLOYEE LEASING COMPANY OPERATIONS**

**A. Bar Group – GM 205**

**B. South East Personnel Leasing Services, Inc. – GM 93**

Ms. Woodard presented the terminations stating there are no complaints open or pending against the licensees.

MOTION: Ms. Lanza moved to accept the terminations.

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

## **VI. CONTROLLING PERSON RELINQUISHMENTS**

- A. George M. Reardon – CO 694  
Kelly Staff Leasing, Inc. – EL 105**
- B. William G. Meris – CO 363  
Sunwest PEO of Florida, Inc. – EL 21  
Sunwest PEO of Florida II, Inc. – EL 174**
- C. David B. Stroyan – CO 211  
ABP Group, Inc. – GL 78  
ABP II, Inc. – GM170  
ABP III, Inc. – GM 171  
ABP IV, Inc. – GM 172  
ABP, Inc. – GM 173**

Ms. Woodard presented the relinquishments stating that there were no complaints pending against the licensees and controlling persons remain with all the companies except for the companies in which Mr. Stroyan was controlling person for. She further stated those companies are no longer operating.

MOTION: Ms. Lanza moved to accept the relinquishments.

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

Ms. Dockery wanted the minutes to reflect her thanks and appreciation to Mr. David Stroyan for his service to the board and the industry as a whole.

## **VII. REPORTS**

- A. Executive Director – Anthony B. Spivey**

None

- B. Chairperson – Celeste Dockery**

Ms. Dockery expressed concern with the difficulties raised in reference to application processing and stated she would like to take part in the discussion with Mr. Miller, Mr. Wilson, and other interested parties to discuss these issues.

Mr. Spivey stated he would get with Mr. Wilson to set up a schedule for a telephone conference call to discuss these matters.

## **VIII. NEW BUSINESS**

None

**IX. OLD BUSINESS**

None

**X. ADJOURNMENT**

MOTION: Mr. Crum moved to adjourn.

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

The meeting adjourned at 10:30 a.m.