

**BOARD OF EMPLOYEE LEASING COMPANIES
TELEPHONE CONFERENCE CALL MEETING MINUTES
WEDNESDAY, AUGUST 16, 2006
10:00 a.m. EST
MEET-ME-NUMBER: (888) 808-6959**

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
Frank W. Crum, Jr.
Kelly Lanza
Ryan S. Moore

MEMBERS ABSENT

None

STAFF PRESENT

Richard Morrison, Executive Director, DBPR
Krista B. Woodard, Government Analyst II, DBPR
Lois Tepper, Board Counsel, Office of Attorney General
Eric Hurst, Prosecuting Attorney, DBPR

OTHERS PRESENT

Michael Miller, Kunkel, Miller & Hament, P.A. and FAPEO
Timothy Tack, Kunkel, Miller & Hament, P.A.
William Tenney
Mark L. Turner
Andrea McHenry
Tim Tucker, NAPEO

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

III. REVIEW AND APPROVAL OF THE JUNE 21, 2006 GENERAL BUSINESS MEETING MINUTES

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

IV. REVIEW AND APPROVAL OF THE JULY 19, 2006 TELEPHONE CONFERENCE CALL MEETING MINUTES

Ms. Woodard stated the date listed on the minutes should reflect July 19, 2006 instead of July 18, 2006.

MOTION: Ms. Lanza moved to approve the minutes with the correction noted.
SECOND: Mr. Moore seconded the motion and it passed unanimously.

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

**A. Odyssey One Source of Florida, Inc.
Mark Leon Turner, Controlling Person Applicant**

Ms. Woodard presented the company application stating that all exhibits were submitted and complete. She further stated that along with the certificate of insurance, the applicant submitted a letter from the insurance agent advising of workers' compensation coverage.

Ms. Woodard presented the controlling person application of Mr. Turner stating that all exhibits were submitted and complete and the only outstanding items are the criminal history reports from the Florida Department of Law Enforcement (FDLE) and the Federal Bureau of Investigations (FBI).

Mr. Miller was present and represented the applicant stating should anything derogatory be revealed on the criminal history reports, that Mr. Turner would subject himself to the jurisdiction of the board.

MOTION: Mr. Moore moved to approve the applications with the condition that should anything derogatory be revealed on the criminal history reports that Mr. Turner would appear before the board.

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

**B. Martin Keith Sciratt, Controlling Person Applicant
Administaff Companies, Inc. – EL 24
Administaff Companies II, L.P. – EL 238**

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.

Ms. Woodard stated that Mr. Sciratt answered "yes" to the first question on the background information and provided an explanation to his answer.

Ms. Andrea McHenry was present on the telephone to represent Mr. Sciratt.

Ms. Dockery asked Ms. McHenry if she was in a position to be able to speak to the nature of Mr. Sciratt's bankruptcy issue.

Ms. McHenry answered in the negative. She stated that Mr. Sciratt was not aware of his application being presented to the board otherwise he would have been present.

Ms. Dockery advised that she would suggest moving discussion of the application to the September 20, 2006 meeting agenda at which time Mr. Sciratt could be present to represent himself.

Ms. Woodard advised that she would provide Mr. Sciratt with the meeting information.

MOTION: Ms. Lanza moved to table discussion of the application until the September 2006 meeting.

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

- C. Robert Smolinski, Jr., Controlling Person Applicant**
Taltech Resources, LLC – EL 286
AdvanTech Solutions I, LLC – GL 66
AdvanTech Solutions II, LLC – GM 136
AdvanTech Solutions III, LLC – GM 256
AdvanTech Solutions IV, LLC – GM 211
AdvanTech Solutions VII, LLC – GM 212

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

Mr. Miller was present and represented the applicant stating should anything derogatory be revealed on the criminal history report, that Mr. Smolinski would subject himself to the jurisdiction of the board.

- MOTION: Ms. Lanza moved to approve the application with the condition that should anything derogatory be revealed on the criminal history report that Mr. Smolinski would subject himself to the jurisdiction of the board.
- SECOND: Mr. Crum seconded the motion and it passed unanimously.

VI. REVIEW AND CONSIDERATION OF CONTROLLING PERSON RELINQUISHMENT

- A. Paul Steven Glover – CO 786**
AEM, Inc. – EL 270

Ms. Woodard presented the relinquishment stating that there were no open or pending complaints pending against the licensee.

- MOTION: Ms. Lanza moved to accept the relinquishment.
- SECOND: Mr. Moore seconded the motion and it passed unanimously.

VII. REPORTS

- A. Office of the Attorney General – Lois Tepper**

Ms. Tepper advised the board that there were three (3) rules in play at this time.

She advised that the letter to the Joint Administrative Procedures Committee (JAPC) responding to their concerns, regarding employee leasing companies must provide workers' compensation coverage and the form not conforming to the statute or rule, was approved by her office and mailed.

Ms. Tepper thanked Mr. Michael Miller for his input.

Ms. Tepper stated that Rules 61G7-5.0033 and 61G7-10.0012 Florida Administrative Code was submitted for rule development on July 21, 2006.

Ms. Tepper directed the board's attention to proposed language for Rule 61G7-5.0033, F.A.C. included in the agenda materials. She asked for guidance from the board as to whether the proposed language would be sufficient or if they had any suggestions or changes.

Ms. Lanza stated she felt the language should state "from all licensed entities" as opposed to "from both entities due to the fact that cross guarantees should encompass all companies in a group.

Ms. Tepper stated she would also reference the employee leasing statute in that section.

MOTION: Mr. Moore moved to approve the proposed language for Rule 61G7-5.0033, F.A.C. as presented with the noted changes.

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

Ms. Tepper stated as far as proposed language for Rule 61G7-10.0012, F.A.C, she submitted the language as it appears in the rule and needs the board's direction. She stated at the June 2006 meeting the board asked her to notice this rule for rule development because of the need for board approval for the sale or transfer of company stock or business assets.

Mr. Rodriguez stated he felt that there should be some mechanism required or in place to see how the sale would affect the company more so than just having notification of the sale and then board approval.

Mr. Miller asked what the board would want the seller of the assets to present to them.

Mr. Rodriguez stated if a PEO is having financial difficulty and gives all of their clients up and the owners pocket the money from the sale of the assets, the creditors are the ones left with all of the liabilities. He stated that is what the board is trying to avoid.

After a brief discussion, the board asked Ms. Tepper to research the statutes to see what authority the board has and to bring several proposals to the September 2006 meeting.

B. Executive Director – Richard Morrison

Mr. Morrison mentioned the inclusion of the Monthly Enforcement Report in the agenda materials.

C. Office of the General Counsel – Eric Hurst

Mr. Hurst reported that the prosecuting attorney's report was included in the agenda materials.

He also advised that he has successfully recruited two new expert witnesses for employee leasing.

D. Chairperson – Celeste Dockery

No Report.

VIII. OLD BUSINESS

None

IX. NEW BUSINESS

None

X. ADJOURNMENT

MOTION: Mr. Moore moved to adjourn.

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

The meeting adjourned at 10:32 a.m.