

**BOARD OF EMPLOYEE LEASING COMPANIES
TELEPHONE CONFERENCE CALL MEETING MINUTES
WEDNESDAY, SEPTEMBER 17, 2008
10:00 a.m. EST
MEET-ME-NUMBER: (888) 808-6959**

I. CALL TO ORDER

The meeting was called to order at approximately 10:00 a.m. EST by Ms. Kelly Lanza, Board Chair.

II. ROLL CALL

MEMBERS PRESENT

Kelly Lanza, Chair
Marjorie Seltzer, Vice Chair
Abram Finkelstein
Gayla Parks
Warren Schoenfisch
Deborah Segal

MEMBERS ABSENT

None

STAFF PRESENT

Richard Morrison, Executive Director, DBPR
Krista B. Woodard, Government Analyst II, DBPR
Garnett Chisenhall, Board Counsel, Office of the Attorney General
Lisa McGlynn, Office of the Attorney General
Eric Hurst, Assistant General Counsel, DBPR

OTHERS PRESENT

Mark Mark, Division of Workers' Compensation, DFS
Michael Miller, Kunkel, Miller & Hament, P.A. and FAPEO
Timothy Tack, Kunkel, Miller & Hament, P.A.
Glen Distefano
Jane Phillips, Esquire
Burton Goldfield
Larry Bennett
Mark Matarazzo
Reid Rushing
Robert Kimball
Norman LeClair
Keith Bell, Esquire
Danielle Grubbs
Bill Edwards
Dorris Scheck
Jacob Hardin
Carolyn Cochran
Bill Martin, Esquire

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

III. REVIEW AND APPROVAL OF THE JUNE 18, 2008 GENERAL BUSINESS MEETING MINUTES

MOTION: Ms. Segal moved to approve the minutes.
SECOND: Ms. Parks seconded the motion and it passed unanimously.

IV. REVIEW AND APPROVAL OF THE JULY 16, 2008 TELEPHONE CONFERENCE CALL MEETING MINUTES

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

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

A. Payday, Inc.

Robert W. Kimball, Controlling Person Applicant
Reid W. Rushing, Controlling Person Applicant

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

MOTION: Mr. Finkelstein moved to approve the company application.
SECOND: Ms. Parks seconded the motion and it passed unanimously.

Ms. Woodard presented the controlling person application of Mr. Kimball stating that all exhibits were submitted and complete and criminal history report from the FBI was returned clear; however, the FDLE report revealed one arrest for DUI.

MOTION: Ms. Lanza moved to approve Mr. Kimball's controlling person application.
SECOND: Mr. Finkelstein seconded the motion and it passed with a vote of 4 to 2.
Ms. Segal and Mr. Schoenfisch opposed the vote.

Ms. Woodard presented the controlling person application of Mr. Rushing stating that all exhibits were submitted and complete and the FDLE, FBI, and credit reports were clear.

MOTION: Ms. Segal moved to approve the controlling person application of Mr. Rushing.
SECOND: Ms. Parks seconded the motion and it passed unanimously.

B. Patricia L. Dutschke, Controlling Person Applicant
Employee Professionals – Northeast, LLC – GL 106
HHG III, LLC – GM 266

Ms. Woodard advised that this application had been withdrawn at the request of the applicant's attorney.

**C. Burton M. Goldfield, Controlling Person Applicant
Trinet HR Corporation – EL 320**

Ms. Woodard presented the application stating that all exhibits were submitted and complete. She further stated that the FDLE, FBI, and credit reports were clear.

MOTION: Mr. Finkelstein moved to approve the application.
SECOND: Ms. Seltzer seconded the motion and it passed unanimously.

**D. Norman LeClair, Controlling Person Applicant
EvolveHR I, Inc. – GL 122
EvolveHR II, Inc. – GM 312
EvolveHR III, Inc. – GM 313**

Ms. Woodard presented the application stating that all exhibits were submitted and complete. She further stated that the FDLE, FBI, and credit reports were clear.

MOTION: Ms. Segal moved to approve the application.
SECOND: Ms. Seltzer seconded the motion and it passed unanimously.

**E. Mark Matarazzo, Controlling Person Applicant
Smart Payroll Solutions, LLC – GL 75
Smart Payroll Solutions II, LLC – GM 159
Smart Payroll Solutions III, LLC – GM 160**

Ms. Woodard presented the application stating that all exhibits were submitted and complete and the FDLE and credit reports were clear. She further stated that she had received the FBI report and it revealed an arrest for larceny.

Mr. Matarazzo was present and represented by Mr. Mike Miller.

Mr. Matarazzo addressed the board stating that he was arrested when he was 18 or 19 years old for stealing a street sign.

Ms. Woodard advised that the report revealed a disposition of guilty and 30 days confinement.

Mr. Matarazzo advised that the report was incorrect because he never served time.

Mr. Miller addressed the board stating his client would waive the 90-day timeframe in order to provide information to the board in reference to the arrest.

MOTION: Mr. Finkelstein moved to table discussion of the application until Mr. Matarazzo can provide information pertaining to the arrest.
SECOND: Ms. Seltzer seconded the motion and it passed unanimously.

VI. REVIEW AND CONSIDERATION OF CHANGE OF OWNERSHIP APPLICATIONS

A. National HR Advantage, Inc. – EL 355

Ms. Woodard presented the application stating that Arthur Scott and Chris O'Connor would be the owners of the company and that Mr. Scott, CO 872, would be the controlling person for the company.

Ms. Woodard further stated that there is an open complaint against the company and Mr. O'Connor.

MOTION: Ms. Seltzer moved to approve the application.

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

B. RealTime PEO, LLC – EL 338

Ms. Woodard presented the application stating that Don Day, RealTime Group, Inc., RealTime IT, LLC and RealTime PEO, LLC would be the owners of the company and that Mr. Day, CO 773, would be the controlling person for the company.

MOTION: Ms. Segal moved to approve the application.

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

VII. REVIEW AND CONSIDERATION OF EMPLOYEE LEASING COMPANY NAME CHANGES

A. Aerostaff Services of America, Inc. – EL 211

To: Harbor America East, Inc.

Ms. Woodard presented the application stating it is complete and there are no open or pending complaints against the licensee.

MOTION: Ms. Seltzer moved to approve the application.

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

B. Trinet Acquisition Corporation – EL 320

To: Trinet HR Corporation

Ms. Woodard presented the application stating it is complete and there are no open or pending complaints against the licensee.

MOTION: Mr. Finkelstein moved to approve the application.

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

C. Southeastern Staffing, Inc. – GL 8

TO: Global Employment Solutions PEO, Inc.

Southeastern Staffing II, Inc. – GM 293

TO: Global Employment Solutions PEO II, Inc.

Bay HR, Inc. – GM 279
TO: Global Employment Solutions PEO III, Inc.

Southeastern Personnel Management, Inc. – GM 27
TO: Global Employment Solutions PEO V, Inc.

Southeastern Staffing III, Inc. – GM 294
TO: Global Employment Solutions PEO VI, Inc.

Ms. Woodard presented the applications stating they are complete and there are no open or pending complaints against the licensees.

MOTION: Mr. Schoenfisch moved to approve the application.
SECOND: Ms. Segal seconded the motion and it passed unanimously.

VIII. REVIEW AND CONSIDERATION OF CONTROLLING PERSON RELINQUISHMENTS

A. Marc Fortune, CO 384 **Fortune Staffing, Inc. – EL 340**

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

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

B. Jacob Harvey Hardin, CO 374 **Staffing Concepts National, inc. – EL 127** **Venture Resources Group, LLC – EL 138**

Ms. Woodard presented the relinquishment stating that there are no open or pending complaints pending against the licensee. She further stated that the licensee is only relinquishing from the two companies listed and would maintain his license with other companies.

MOTION: Ms. Segal moved to accept the relinquishment from the two companies.
SECOND: Mr. Finkelstein seconded the motion and it passed unanimously.

C. Donna C. Mickle, CO 848 **Payroll Management, Inc. – EL 242**

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

MOTION: Mr. Finkelstein moved to accept the relinquishment.
SECOND: Ms. Seltzer seconded the motion and it passed unanimously.

**D. Dylan R. Zsebe, CO 756
Professional Payroll Solutions, Inc. – EL 329**

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

MOTION: Mr. Finkelstein moved to accept the relinquishment.
SECOND: Ms. Seltzer seconded the motion and it passed unanimously.

IX. REPORTS

A. Office of the Attorney General – Garnett Chisenhall

Mr. Chisenhall stated that he had submitted materials to the board members via e-mail in reference to the board's decision during the rules workshop on June 17, 2008. He advised that three rules would need to be amended in order to put the board's decision into effect. After further discussion the following motion was made.

MOTION: Mr. Finkelstein moved for Mr. Chisenhall to initiate the rule making process for Rules 61G7-5.001, 61G7-10.0012, and 61G7-10.0014, Florida Administrative Code.

SECTION: Ms. Seltzer seconded the motion and it passed unanimously.

The Board thanked Ms. McGlynn for the report she prepared stating the report was a great asset in helping them to make their decision.

B. Office of the General Counsel – Jessica Leigh

No. Report.

C. Executive Director – Richard Morrison

No Report.

D. Chairperson – Kelly Lanza

No Report.

X. OLD BUSINESS

None

XI. NEW BUSINESS

A. Proposed 2009 Board Meeting Schedule

After review of the proposed 2009 Board Meeting Schedule, the board voted upon the following dates.

TELEPHONE CONFERENCE CALL SCHEDULE

Dates: January 21, 2009

March 18, 2009

May 20, 2009

July 15, 2009

August 19, 2009

October 21, 2009

December 16, 2009

Time: 10:00 a.m. or soon thereafter

TRAVEL SCHEDULE

Locations: To Be Determined

Dates: February 18, 2009 (Tallahassee, FL)

April 15, 2009

June 17, 2009

September 16, 2009

November 18, 2009

Time: 10:00 a.m. or soon thereafter

XII. ADJOURNMENT

MOTION: Mr. Finkelstein moved to adjourn the meeting at 11:14 a.m.

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