

**BOARD OF EMPLOYEE LEASING COMPANIES  
GENERAL BUSINESS MEETING MINUTES  
THE RITZ CARLTON GOLF RESORT, NAPLES  
2600 TIBURON DRIVE  
NAPLES, FLORIDA 34109  
239-593-2000**

**APRIL 17-18, 2013  
1:00 p.m. EST**

**I. CALL TO ORDER**

The meeting was called to order at approximately 1:25 p.m. EST by Mr. John Jones, Board Chair.

**II. ROLL CALL**

**MEMBERS PRESENT**

John Jones, Chair  
Abram Finkelstein, Vice Chair  
Eric Arfons  
Celeste Dockery

**MEMBERS ABSENT**

Scott Buchanan (*Excused*)  
Suzette DiMascio (*Excused*)

**STAFF PRESENT**

Rick Morrison, Executive Director, DBPR  
Mary Ellen Clark, Board Counsel, Office of the Attorney General  
C. Erica White, Assistant General Counsel, DBPR  
Krista Woodard, Government Analyst, DBPR

**OTHERS PRESENT**

Mark Mark, Department of Financial Services, Workers' Compensation  
Michael Miller, Kunkel, Miller & Hament, P.A. and FAPEO  
Timothy Tack, Kunkel Miller & Hament, P.A.  
Marjorie Seltzer  
Steve Roux  
Charlie Ingram

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

**III. THE PLEDGE OF ALLEGIANCE**

Mr. Jones led all in the Pledge of Allegiance.

**IV. REVIEW AND APPROVAL OF THE JANUARY 16, 2013 TELEPHONE CONFERENCE CALL MEETING MINUTES**

MOTION: Mr. Arfons moved to approve the minutes.

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

**V. REVIEW AND APPROVAL OF THE MARCH 19, 2013 TELEPHONE CONFERENCE CALL MEETING MINUTES**

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

**VI. DISCIPLINARY PROCEEDINGS – Office of the General Counsel**

Ms. White stated for the record that all of the Settlement Stipulations listed on the agenda would be tabled to the next in-person meeting due to lack of a quorum.

**A. SETTLEMENT STIPULATIONS**

1. Convergence Employee Leasing, Inc.  
Case Number: 2012-037983  
PCP: Dockery and Seltzer – February 20, 2013
2. Convergence Employee Leasing II, Inc.  
Case Number: 2012-038009  
PCP: Dockery and Seltzer – February 20, 2013
3. Jacob Nobles  
Case Number: 2012-038010  
PCP: Dockery and Seltzer – February 20, 2013
4. DHR of Florida I, LLC  
Case Number: 2012-039079  
PCP: Dockery and Seltzer – February 20, 2013
5. DHR of Florida II, LLC  
Case Number: 2012-039078  
PCP: Dockery and Seltzer – February 20, 2013
6. James Valenzuela  
Case Number: 2012-039077  
PCP: Dockery and Seltzer – February 20, 2013
7. Employer Administration Services International, LLC  
Case Number: 2010-053465  
PCP: Dockery and Seltzer – February 20, 2013
8. Larry Roberts  
Case Number: 2010-053475  
PCP: Dockery and Seltzer – February 20, 2013
9. Fortune Staffing, Inc.  
Case Number: 2012-038991  
PCP: Dockery and Seltzer – February 20, 2013
10. Tena Mayberry  
Case Number: 2012-038992  
PCP: Dockery and Seltzer – February 20, 2013

11. Infiniti Resource Management, LLC  
Case Number: 2012-034556  
PCP: Dockery and Seltzer – February 20, 2013
12. Clarissa Thompson  
Case Number: 2012-034566  
PCP: Dockery and Seltzer – February 20, 2013
13. Michael Jones  
Case Number: 2012-034570  
PCP: Dockery and Seltzer – February 20, 2013
14. Key Vista Associates, Inc.  
Case Number: 2012-020985  
PCP: Dockery and Seltzer – February 20, 2013
15. Marc Combs  
Case Number: 2012-026037  
PCP: Dockery and Seltzer – February 20, 2013
16. Arnold J. Diamond  
Case Number: 2012-026042  
PCP: Dockery and Seltzer – February 20, 2013
17. STS Group, Inc.  
Case Number: 2012-010408  
PCP: Dockery and Seltzer – February 20, 2013
18. Robert Cassera  
Case Number: 2012-010400  
PCP: Dockery and Seltzer – February 20, 2013
19. TS Employment  
Case Number: 2012-042299  
PCP: Dockery and Seltzer – February 20, 2013
20. Robert Cassera  
Case Number: 2012-042301  
PCP: Dockery and Seltzer – February 20, 2013

**B. VOLUNTARY RELINQUISHMENT OF LICENSE**

*Ms. White and Ms. Clark stated that no one was recused from these cases because they had not been before the probable cause panel. They further stated that in lieu of the probable cause proceedings, the Respondents have executed a Voluntary Relinquishment of Licensure.*

- |  |   |   |
|--|---|---|
| <ol style="list-style-type: none"> <li>1. <b>Southpoint Outsourcing, LLC</b></li> <li>2. <b>Ronald Formento</b></li> </ol> | <p style="text-align: center;">(PCP: N/A)</p> | <p><b>2012-042222</b></p> <p><b>2012-042231</b></p> |
|--|---|---|

Ms. White presented the cases explaining they stem from failure to submit the 2011 Annual Financial Statement.

Ms. White stated that the Subject would cease operations and has executed a Voluntary Relinquishment with no right of reapplication. She further stated that the Subject waived the finding of probable cause and confidentiality.

MOTION: Mr. Jones moved to accept the voluntary relinquishment and for the inclusion of the investigative report to be attached to the Final Order.

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

<b>2. United Temps, Inc.</b>	<b>2012-042183</b>
<b>3. Richard Simon</b>	<b>2012-042189</b>
<b>4. Carol Stein</b>	<b>2012-042195</b>

*(PCP: N/A)*

Ms. White presented the cases explaining they stem from failure to submit the 2011 Annual Financial Statement and failure to submit the March 2012, June 2012 and September 2012 quarterly reports.

Ms. White stated that the Subject would cease operations and has executed a Voluntary Relinquishment with no right of reapplication. She further stated that the Subject waived the finding of probable cause and confidentiality.

MOTION: Ms. Dockery moved to accept the voluntary relinquishment and for the inclusion of the investigative report to be attached to the Final Order.

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

## **VII. REVIEW AND CONSIDERATION OF EMPLOYEE LEASING COMPANY AND CONTROLLING PERSON APPLICATIONS**

### **A. American Payroll and Benefits I, LLC (EL Applicant) Andrew S. Mazzurco, Controlling Person Applicant**

Mr. Jones presented the company and controlling person applications for American Payroll and Benefits I, LLC and Andrew Mazzurco.

Mr. Jones asked Mr. Miller to provide some background information into the bankruptcy issue listed on the controlling person application. Mr. Miller provided an explanation of the bankruptcy issue.

Ms. Dockery and Mr. Finkelstein stated that they would like for Mr. Mazzurco to appear before the board to explain the allegations against his contractor's license.

Mr. Miller waived the 90-day deemer clause and asked the board to table discussion until the June 2013 meeting so that they could provide the requested information and for Mr. Mazzurco to appear.

### **B. DCXL, Inc. (EL Applicant) Theodore Winglass, CO 932**

Mr. Jones presented the company application for DCXL, Inc.

MOTION: Mr. Finkelstein moved to approve the application.

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

**C. HR Plus II, LLC (DM Applicant)  
Ronald Heineman and Stephen Roux, Owners**

Mr. Jones presented the company application of HR Plus II, LLC.

MOTION: Mr. Jones moved to approve the application.

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

**D. Wilson Payroll Group, Inc. (EL Applicant)  
Wade Jeffrey Wilson, Controlling Person Applicant**

Ms. Woodard advised that she had received a request to table discussion of the applications until the June 2013 meeting.

**E. James W. Marshall, Controlling Person Applicant  
Ally HR, Inc. – GL 164  
Ally HR II, Inc. – GM 412  
Ally HR III, Inc. – GM 413  
Ally HR IV, Inc. – GM 414  
Ally HR V, Inc. – GM 415**

Ms. Woodard advised that she had received a request to table discussion of the applications until the June 2013 meeting.

**F. Jenny Swinerton, Controlling Person Applicant  
Sequent, Inc. – EL 357**

Mr. Jones presented the controlling person application of Ms. Jenny Swinerton.

MOTION: Mr. Finkelstein moved to approve the application.

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

**VIII. REVIEW AND CONSIDERATION OF CHANGE OF OWNERSHIP APPLICATIONS**

**A. Ally HR, Inc. – GL 164  
Ally HR II, Inc. – GM 412  
Ally HR III, Inc. – GM 413  
Ally HR IV, Inc. – GM 414  
Ally HR V, Inc. – GM 415**

Ms. Woodard advised that she had received a request to table discussion of the applications until the June 2013 meeting.

**B. Helm HR, LLC – EL 434  
\*\*\* (CP Relinquishment – Stephen J. Banks, CO 1029)**

Mr. Jones presented the change of ownership and controlling person relinquishment applications.

MOTION: Mr. Jones moved to approve the change of ownership and controlling person relinquishment applications.

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

**IX. REVIEW AND CONSIDERATION OF EMPLOYEE LEASING COMPANY NAME CHANGES**

**A. Veritas Employer Services, LLC – GL 135  
TO: Capstone Training Specialties, LLC**

**B. Veritas Employer Services II, LLC – GM 340  
TO: Capstone Training Specialties II, LLC**

Mr. Jones presented the name change applications.

MOTION: Mr. Finkelstein moved to approve the name change applications.

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

**\*\*\*\* CHANGE OF OWNERSHIP – ASSET PURCHASE \*\*\*\***

**C. Capstone Training Specialties, LLC – GL 135  
Capstone Training Specialties II, LLC – GM 340**

Mr. Jones presented the change of ownership applications.

MOTION: Mr. Finkelstein moved to approve the change of ownership applications.

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

**\*\*\* TERMINATION OF EMPLOYEE LEASING OPERATIONS \*\*\***

**D. Veritas Employer Services, LLC – GL 135  
(Capstone Training Specialties, LLC)**

**E. Veritas Employer Services II, LLC – GM 340  
(Capstone Training Specialties II, LLC)**

Mr. Jones presented the termination of operations applications.

MOTION: Ms. Dockery moved to approve the termination of operations applications.

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

**\*\*\* CONTROLLING PERSON RELINQUISHMENTS \*\*\***

**F. David H. Lucas, CO 858  
Veritas Employer Services, LLC – GL 135  
Veritas Employer Services II, LLC – GM 340**

**G. Charles W. Ingram, CO 857  
Veritas Employer Services, LLC – GL 135  
Veritas Employer Services II, LLC – GM 340**

Mr. Jones presented the controlling person relinquishments of David Lucas and Charles Ingram.

MOTION: Ms. Dockery moved to accept the controlling person relinquishments.

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

**H. Access Personnel Enterprises, LLC – GM 503**

**TO: AP Veritas HR, LLC d/b/a AP Veritas HR**

**I. Access HR Objectives, LLC – GM 504**

**TO: AP Veritas, LLC d/b/a AP Veritas**

Mr. Jones presented the name change applications.

MOTION: Mr. Jones moved to approve the name change applications.

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

**J. Ally HR, Inc. – GL 164**

**Ally HR II, Inc. – GM 412**

**Ally HR III, Inc. – GM 413**

**Ally HR IV, Inc. – GM 414**

**Ally HR V, Inc. – GM 415**

**TO: d/b/a Matrix Employer Services**

Ms. Woodard advised that she had received a request to table discussion of the applications until the June 2013 meeting.

**X. REVIEW AND CONSIDERATION OF TERMINATION OF EMPLOYEE LEASING COMPANY OPERATIONS**

**A. Emergent HR, Inc. – DM 79**

Mr. Jones presented the termination of operations application.

MOTION: Mr. Arfons moved to approve the termination of operations application.

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

**XI. REVIEW AND CONSIDERATION OF CONTROLLING PERSON RELINQUISHMENTS**

**A. Jay K. Williams, CO 922**

**DecisionHR Holdings, Inc. – GL 129**

**Bankers Employer Services IV, Inc. – GM 424**

Mr. Jones presented the controlling person relinquishment of Mr. Jay K. Williams.

MOTION: Mr. Jones moved to accept the controlling person relinquishment.

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

**B. Charles R. Schellenger, CO 314  
PeopLease Corporation – EL 144**

**C. Denward W. Speer, CO 315  
PeopLease Corporation – EL 144**

Mr. Morrison advised that the controlling person relinquishments for Charles Schellenger and Denward Speer were being pulled from the agenda and would not be presented at this meeting.

**XII. REVIEW OF DBPR EL 4505 – GUARANTY FORM (Proposed)  
❖ DBPR EL 4505 GUARANTY FORM (Current Version)**

Ms. Clark advised that at the March 2013 meeting, Mr. Miller stated that he wanted to make one change to the Board Approved Guaranty Form.

Mr. Miller addressed the board stating that he wanted to add two words, “in excess” to the form to read as such:

*“amount in excess of deficiency in employee leasing company accounting net worth or net working capital, whichever is greater”*

MOTION: Mr. Finkelstein moved to approve the change to the form.

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

**XIII. LETTER OF CREDIT AND BOND DISCUSSION**

Mr. Morrison stated that at the February 2013 board meeting, the board asked him to check in the Department’s ability to handle bonds.

Mr. Morrison advised that he did inquire into the Department’s ability to handle bonds and at this time the Department is not able to do so.

After discussion, the board agreed not to pursue the matter further and advised that they were not interested in rule making to change the rule for the acceptance of bonds or any other securities.

**XIV. REPORTS**

**A. Office of the General Counsel – Erica White**

Ms. White provided a synopsis of the Prosecuting Attorney’s report that was included in the agenda materials.

**B. Executive Director – Rick Morrison**

No Report

**C. Chairperson – John Jones**

No Report



**D. Office of the Attorney General – Mary Ellen Clark**

**1. April 2013 Rules Report**

Ms. Clark summarized the rules report included in the agenda materials stating:

- ❖ Rule 61G7-5.005, F.A.C. – The language was approved January 2013 and the rule is moving forward and no further action is needed from the board.
- ❖ Rule 61G7-10.002, F.A.C. – A letter from JAPC was received on April 5, 2013 and she and Mr. Morrison has worked on addressing the concerns outlined in the letter, and there is no further action required at this time. Ms. Clark advised that the only hold up with this rule is that the Department needs to incorporate the main licensure forms into its own rule. She advised that the Department is aware of this requirement and is moving forward with it.
- ❖ Mr. Morrison advised that the Department submitted its rule for development on April 13, 2013.

**2. BELC 2013-2014 Annual Regulatory Plan**

Ms. Clark advised that the Annual Regulatory Plan for 2013-2014 is due June 30, 2013. Ms. Clark asked if there were any rules the board would foresee working on or changing in the next fiscal year.

MOTION: Mr. Finkelstein moved that the board did not have any rules to include on the Annual Regulatory Plan for 2013-2014.

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

**XV. OLD BUSINESS**

None

**XVI. NEW BUSINESS**

None

**XVII. PUBLIC COMMENTS**

None

**XVIII. ADJOURNMENT**

MOTION: Mr. Arfons moved to adjourn.

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

The meeting adjourned at 3:16 p.m.

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