

**BOARD OF EMPLOYEE LEASING COMPANIES
GENERAL BUSINESS MEETING MINUTES
THE CROWNE PLAZA JACKSONVILLE RIVERFRONT
1201 RIVERPLACE BOULEVARD
JACKSONVILLE, FLORIDA 32207
904-398-8800**

**APRIL 20, 2011
10:00 a.m. EST**

I. CALL TO ORDER

The meeting was called to order at approximately 10:57 a.m. EST by Mr. Abram Finkelstein, Board Chair.

II. ROLL CALL

MEMBERS PRESENT

Abram Finkelstein, Chair
John Jones, Vice Chair
Celeste Dockery
Keith W. Reeves

MEMBERS ABSENT

None

STAFF PRESENT

Rick Morrison, Executive Director, DBPR
Mary Ellen Clark, Board Counsel, Office of the Attorney General
Eric Hurst, Assistant General Counsel, DBPR
Krista Woodard, Government Analyst, DBPR

OTHERS PRESENT

Michael Miller, Kunkel, Miller & Hament, P.A. and FAPEO
Timothy Tack, Kunkel, Miller & Hament, P.A.
Jacob Nobles
Greg Fields

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

III. THE PLEDGE OF ALLEGIANCE

Mr. Finkelstein led all in the Pledge of Allegiance.

IV. REVIEW AND APPROVAL OF THE MARCH 16, 2011 TELEPHONE CONFERENCE CALL MEETING MINUTES

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

V. DISCIPLINARY PROCEEDINGS – Office of the General Counsel

A. SETTLEMENT STIPULATIONS

Case #

1. **Robert W. Kimball**

2009-055570

(PCP: PC Waived – June 23, 2010)

Mr. Hurst presented the case explaining it stems from the failure to timely submit the Quarterly report for December 2008, failure to submit the worker's compensation liability statement for 2008, and failure to timely submit the Annual Financial Statement for 2008.

Mr. Hurst stated the settlement stipulation provides for imposition of an administrative fine of \$2250.00 and costs of \$317.21.

After discussion, Mr. Finkelstein asked to review the 2010 Annual Financial Statement and the quarterly report ended December 31, 2010 for Payday, Inc. once they are received in the board office.

MOTION: Mr. Finkelstein moved to adopt the terms of the settlement stipulation as the final order of the board.

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

B. VOLUNTARY RELINQUISHMENT OF LICENSE

Mr. Hurst stated that these cases were able to be presented regardless of the quorum issue because they have not been before the probable cause panel. He stated that in lieu of the probable cause proceedings, the Respondents have executed a Voluntary Relinquishment of Licensure.

1. **Skilstaf, Inc.**

2010-049376

2. **Wayne Stark**

2010-049380

(PCP: N/A)

Mr. Hurst presented the cases explaining they stem from failure to file quarterly reports for the quarters ending December 31, 2009 through June 30, 2010 and the 2009 Annual Financial Statement. He further stated that the reports were belatedly received and showed negative net worth.

Mr. Hurst stated that the Respondents would cease operations, transfer their assets, and execute the Voluntary Relinquishment with no right of reapplication. He further stated that they waived the finding of probable cause and confidentiality.

After discussion, the board asked Mr. Hurst to verify that all of the employees were transferred to another licensed entity and the appropriate paperwork is file with the board office.

Mr. Hurst stated he would speak with the attorney for the Respondents about the pending matters.

MOTION: Mr. Finkelstein moved to continue discussion of these cases to a later meeting at which time the Respondents could provide verification of the transfer of employees.

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

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

- A. Bodock, Inc. (GL Applicant)**
- B. Adams Keegan, Inc. (GM Applicant)**
- C. Adams Keegan – GA, LLC (GM Applicant)**
- D. AK Employer Services, LLC (GM Applicant)**
 - James Keegan, Jr. CO 781**
 - Robert Adams, CO 780**
 - Mary Barton, CO 782**
 - George Early III, CO 944**

Mr. Finkelstein presented the group leader and group member applications.

MOTION: Mr. Jones moved to approve the group leader and group member applications.
SECOND: Mr. Finkelstein seconded the motion and it passed unanimously.

- E. Envision PEO, Inc. (EL Applicant)**
 - Jacob Nobles, CO 531**

Mr. Finkelstein presented the company application of Envision PEO, Inc.

MOTION: Mr. Jones moved to approve the company application.
SECOND: Mr. Reeves seconded the motion and it passed unanimously.

- F. Southpoint Outsourcing, LLC (EL Applicant)**
 - Ronald Formento, Controlling Person Applicant**

Mr. Finkelstein presented the company and controlling person applications.

Mr. Reeves asked that the applicants submit corrected IRS 8821 forms.

MOTION: Mr. Finkelstein moved to approve the applications.
SECOND: Mr. Jones seconded the motion and it passed unanimously.

- G. Charter HR, Inc. (EL Applicant)**
 - Misty Sanders, Controlling Person Applicant**
 - Greg Fields, Controlling Person Applicant**

Mr. Finkelstein presented the company and controlling person applications.

Mr. Fields was present, sworn in and represented by Mr. Michael Miller.

Ms. Clark asked about the underlying facts relating to the Consent Decree included in the agenda materials pertaining to Skilstaf.

Mr. Miller stated that someone from Skilstaf would have to provide that information.

After a lengthy discussion, Mr. Fields waived the 90-day deemer clause to allow for the submission of additional information pertaining to the relationship of Skilstaf and the applicant.

Ms. Clark stated it would be in the best interest if Skilstaf updated its financial reports and submitted them.

MOTION: Mr. Finkelstein moved to table discussion of the applications until a later meeting at which time the applicants could provide additional information regarding the relationship of Skilstaf and the applicants.

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

VII. REVIEW AND CONSIDERATION OF CHANGE OF OWNERSHIP APPLICATIONS

A. Payrolling Partners, Inc. – EL 34 (CP Relinquishment – Gregory Gannon, CO 685) Timothy B. Graham, Controlling Person Applicant

Mr. Finkelstein presented the change of ownership application for Payrolling Partners, Inc., the controlling person application of Mr. Graham, and the controlling person relinquishment of Mr. Gannon.

MOTION: Mr. Finkelstein moved to approve the controlling person application of Mr. Graham.

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

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

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

MOTION: Mr. Finkelstein moved to approve the controlling person relinquishment of Mr. Gannon.

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

VIII. REVIEW AND CONSIDERATION OF EMPLOYEE LEASING COMPANY NAME CHANGES

A. Prestige Employee Administrators of Florida, Inc. – EL 314 TO: Prestige Employee Administrators II, Inc.

Mr. Finkelstein presented the name change application.

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

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

IX. REVIEW AND CONSIDERATION OF TERMINATION OF EMPLOYEE LEASING COMPANY OPERATIONS

A. Professional Management Solutions – EL 402 (CP Relinquishment – Gloria Dawn Windham, CO 941) (CP Relinquishment – Michael Anne Searles, CO 940)

Mr. Finkelstein presented the applications for termination of operation and controlling person relinquishment.

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

B. Prestige Employee Administrators, Inc. – DM 45

Mr. Finkelstein presented the application for termination of operation.

MOTION: Mr. Finkelstein moved to approve the termination.
SECOND: Mr. Jones seconded the motion and it passed unanimously.

X. REVIEW AND CONSIDERATION OF CONTROLLING PERSON RELINQUISHMENT

**A. Roger L. Gaskamp, CO 493
Administaff Companies II, LP – EL 238
Administaff Companies, Inc. – EL 24**

Mr. Finkelstein presented the controlling person relinquishment of Roger Gaskamp.

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

XI. REPORTS

A. Office of the Attorney General – Mary Ellen Clark

Ms. Clark reported that at the March meeting there was no progress to report due to waiting on approval from the Governor's Office of Fiscal Accountability and Rules Responsibility (OFARR). She stated that DBPR has now established its contact person, Gar Chisenhall, and he has submitted the rules that were ready for review and approval to move forward has been received.

Ms. Clark stated by that time, two of the rules had expired, and we had to start the process over.

She stated that things were moving forward for Rules 61G7-5.0033, 61G7-5.005, and 61G7-10.0012, F.A.C. She stated that she had received a recommendation for more work on Rule 61G7-10.0012, F.A.C. which basically re-writes the language in the form.

Ms. Clark stated that no action is needed today and that we are able to move forward on the rules that we have been given clearance on.

B. Office of the General Counsel – Eric Hurst

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

He further stated that due to lack of a quorum, the final action pile is getting larger and that as soon as board members are appointed we will have a lengthy disciplinary agenda.

C. Executive Director – Richard Morrison

Mr. Morrison gave a synopsis of the following reports:

- The Operating and Unlicensed Activity Accounts ended December 31, 2010
- Financial Projections 06/30/07 – 06/30/15

Mr. Morrison also stated that three applications had been received in the Governor's Appointment Office. One of the applications is being reviewed, one applicant dropped or withdrew his application, and the other did not qualify. He further stated that there had not been an update since.

Mr. Finkelstein stated that he had place two to three calls to the appointments office and have not received a return call.

D. Chairperson – Abram Finkelstein

No Report.

XII. OLD BUSINESS

None

XIII. NEW BUSINESS

1. Financial Statement Reviews, Guarantee Issues, Board Hired Experts, Etc. (Keith Reeves, Committee Member)

Mr. Reeves gave a synopsis of the discussion he had with Mr. Richard Law, the board hired expert. He advised that there are some issues that needed to be dealt with.

He advised that the board had established policies and procedures many years ago with Ms. Sandra Dupont, CPA and board staff. He stated that the policies and procedures were fine, but that Mr. Law and his staff were not quite following them.

After a lengthy discussion, the board stated it is the responsibility of the expert to follow the policies and procedures that were established and make decisions and judgments about the validity of the financial statements that they are reviewing.

Mr. Reeves stated he would get back with Mr. Law and provide the feedback of the board. He also advised that he will be changing the flagging system used during the evaluation of the annual financial reports.

XIV. ELECTIONS

Ms. Dockery stated that she would like to nominate Mr. Jones as Chair of the board and Mr. Reeves as Vice Chair of the board. Mr. Finkelstein seconded the nominations. With no further nominations, Mr. Jones was elected as Chair and Mr. Reeves as Vice Chair.

XV. PUBLIC COMMENT

None

XVI. ADJOURNMENT

MOTION: Mr. Finkelstein moved to adjourn.

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

The meeting adjourned at 12:51p.m.