

**BOARD OF EMPLOYEE LEASING COMPANIES
GENERAL BUSINESS MEETING MINUTES
THE HYATT REGENCY SARASOTA ON SARASOTA BAY
1000 BLVD OF THE ARTS
SARASOTA, FLORIDA 34236**

**SEPTEMBER 15, 2010
10:00 A.M.**

I. CALL TO ORDER

The meeting was called to order at approximately 11:32 a.m. EST by Mr. Abram Finkelstein, Board Chair.

II. ROLL CALL

MEMBERS PRESENT

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

MEMBER ABSENT

Deborah Segal (excused)

STAFF PRESENT

Rick Morrison, Executive Director, DBPR
Krista B. Woodard, Government Analyst II, DBPR
Lisa Comingore, Board Counsel, Office of Attorney General
Eric Hurst, Chief Attorney, Professions, DBPR
Jody Lane, Assistant General Counsel, DBPR

OTHERS PRESENT

Patricia Gough, Court Reporter
Michael Miller, Kunkel, Miller & Hament, P.A. and FAPEO
Timothy Tack, Kunkel, Miller & Hament, P.A.
Shane Roberson
Alan Burger, Esq.
John Kozak, Esq.
Scott Spearburgh
Kelly Mowrey
Caitlin Sirico, Esq.
Cesar Martinez
Glen Distefano
Holly Dixon
John Udelhofen
Brian Pincket
Mike Bonneau
Donna C. Mickle
Chris Cadenhead
Lisa Lickert

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 AUGUST 18, 2010 TELEPHONE CONFERENCE CALL MEETING MINUTES

MOTION: Ms. Dockery moved to approve the minutes.

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

V. DISCIPLINARY PROCEEDINGS – Office of the General Counsel

Mr. Hurst stated for the record that Mr. Finkelstein and Ms. Dockery would be recused on all cases presented today due to their participation on the probable cause panel.

A. SETTLEMENT STIPULATIONS

1. **Cherie Fretto** **2009-047797**
(PCP: Finkelstein and Dockery – June 16, 2010)

Mr. Hurst presented the case explaining it stems from the deduction of excessive FICA withholdings from an employee's wages and the failure to return the funds.

Mr. Hurst stated the settlement stipulation provides for imposition of an administrative fine of \$500 and costs of \$182.467.

MOTION: Ms. Seltzer moved to adopt the terms of the settlement stipulation as the final order of the board.

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

2. **Prestige Employee Administrators of Florida, Inc.** **2009-055310**
3. **Alan Cooperberg** **2009-055317**
(PCP: Finkelstein and Dockery – June 16, 2010)

Mr. Hurst presented the cases explaining they stem from violations involving failure to timely submit the June 2008, September 2008, December 2008, March 2009, and June 2009 quarterly reports and failure to timely submit the Annual Financial Statements for 2008.

Mr. Hurst stated the settlement stipulation provides for imposition of an administrative fine of \$5000, costs of \$301.46, with joint and several liability for payment of the fine and costs.

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

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

B. HEARING(S) NOT INVOLVING DISPUTED ISSUES OF MATERIAL FACT

- | | | |
|----|--------------------------------------|--------------------|
| 1. | Tradesmen International, Inc. | 2009-052428 |
| 2. | Charles Klausman | 2009-052448 |
| 3. | John Marko | 2009-052479 |
| 4. | Joseph Wesley | 2009-052461 |

(PCP: Finkelstein and Dockery – June 16, 2010)

Mr. Hurst presented the cases explaining they stem from violations involving failure to meet the net worth requirements for quarters ended June 2008, September 2008, March 2009, and December 2009, failure to timely submit the quarterly report for the quarters ended March 2008 and December 2008, and failure to meet the net worth requirements in the 2008 Annual Report.

MOTION: Ms. Seltzer moved to adopt the allegations of fact and conclusions of law contained in the administrative complaint as those of board.

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

Mr. Scott Spearburgh, Esquire, was present and spoke on behalf of the Respondent.

After further discussion, the following motions were made.

MOTION: Mr. Jones moved to impose an administrative fine of \$7000, costs of \$395.25, with joint and several liability for payment of the fine and costs.

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

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

- A. Alliance Business Solutions II, Inc. (GL Applicant)**
- B. Alliance Business Solutions V, Inc. (GM Applicant)**
- C. Alliance Business Solutions IV, Inc. (GM Applicant)**
- D. Alliance Business Solutions III, Inc. (GM Applicant)**
Raphael Perez, CO 806
Brian Pincket, CO 931

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

Ms. Seltzer recused herself from the discussion and vote on the applications.

MOTION: Ms. Dockery moved to approve the applications.

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

- E. Employer Services Group, LLC (GL Applicant)**
- F. Allstates Employer Services, Inc. (GM Applicant, currently EL 156)**
- G. Allstates Employer Services II, Inc. (GM Applicant, currently EL 277)**
- H. Smart Employer Services, Inc. (GM Applicant, currently EL 385)**
- I. Smart Employer Services II, Inc. (GM Applicant)**
Donald W. Moore, CO 839

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

Ms. Seltzer recused herself from the discussion and vote on the applications.

MOTION: Mr. Jones moved to approve the applications.

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

**J. Regency Outsourcing, Inc. (EL Applicant)
Marthe Dizon, Controlling Person Applicant**

Mr. Finkelstein presented the company and controlling person applications.

Mr. Reeves advised Ms. Woodard that the IRS 8821 form for the company needed to be revised to reflect corporate taxes.

MOTION: Mr. Reeves moved to approve the application.

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

**K. Smart-Tek Service Solutions Corp. (EL Applicant)
Kelly L. Mowrey, Controlling Person Applicant**

Mr. Finkelstein presented the company and controlling person applications.

Ms. Seltzer recused herself from the discussion and vote on the applications.

MOTION: Mr. Reeves moved to approve the applications.

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

**L. Robert Beck, Controlling Person Applicant
Administrative Concepts Corp. – GL 108
Administrative Concepts 2000 Corp. – GM 333
21st Century Concepts, LLC – GM 268
Simple Employer Solutions – GL 126**

Mr. Finkelstein presented the controlling person application of Robert Beck.

Ms. Seltzer recused herself from the discussion and vote on the application.

MOTION: Ms. Dockery moved to approve the application.

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

**M. Chris Cadenhead, Controlling Person Applicant
PMI Employee Leasing – EL 242**

Mr. Finkelstein advised that the application for Mr. Cadenhead had been withdrawn at the applicant's request.

**N. Lisa M. Lickert, Controlling Person Applicant
Employee Management Services III, Inc. – EL 166**

Ms. Woodard presented the application stating it had been tabled from the previous meeting so that Ms. Lickert could provide information into the ownership structure of EMS and EMS III.

Ms. Woodard advised that the additional information was contained in the agenda materials.

Ms. Seltzer recused herself from the discussion and vote on the application.

MOTION: Mr. Reeves moved to approve the application.

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

VII. REVIEW AND CONSIDERATION OF DE MINIMIS EXEMPTION AND REGISTRATION APPLICATIONS

**A. Staff-Line, Inc.
(Dean Domenico, President)**

Mr. Finkelstein presented the company application of Staff-Line, Inc.

MOTION: Ms. Seltzer moved to approve the application.

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

**B. ASI, Inc.
(Michael Ferrell, President)**

Mr. Finkelstein presented the company application of ASI, Inc.

MOTION: Ms. Seltzer moved to approve the application.

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

VIII. REVIEW AND CONSIDERATION OF CHANGE OF OWNERSHIP APPLICATIONS

**A. Global Employment Solutions PEO, Inc. – GL 8
Global Employment Solutions PEO II, Inc. – GM 293
Global Employment Solutions PEO III, Inc. – GM 279
Global Employment Solutions PEO V, Inc. – GM 27
Global Employment Solutions PEO VI, Inc. – GM 294
John E. Udelhofen, Controlling Person Applicant**

(Howard Steven Brill, CO 554, Controlling Person Relinquishment)

**B. Global Employment Solutions PEO VII, Inc. – GL 147
Global Employment Solutions PEO VIII, Inc. – GM 365
Global Employment Solutions PEO IX, Inc. – GM 367**

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

Ms. Seltzer recused herself from the discussion and vote on the applications.

MOTION: Ms. Dockery moved to approve the applications and relinquishment.

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

C. Payroll Management, Inc. – EL 242
Donna C. Mickle, Controlling Person Applicant
Michael F. Bonneau, Controlling Person Applicant

Mr. Finkelstein presented the change of ownership and controlling person applications.

Ms. Seltzer recused herself from the discussion and vote on the applications.

MOTION: Ms. Dockery moved to approve the applications.

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

IX. REVIEW AND CONSIDERATION OF EMPLOYEE LEASING COMPANY NAME CHANGES

A. National Employee Leasing Company, Inc. – GL 36
To: Co-Advantage Resources 13, Inc.

B. NELCO Master Corporation, Inc. – GM 75
To: Co-Advantage Resources 14, Inc.

C. NELCO International, Inc. – GM 74
To: Co-Advantage Resources 16, Inc.

D. NELCO Benefit Group, Inc. – GM 73
To: Co-Advantage Resources 15, Inc.

E. NELCO Six, Inc. – GL 69
To: Co-Advantage Resources 11, Inc.

F. NELCO One, Inc. – GM 287
To: Co-Advantage Resources 12, Inc.

Mr. Finkelstein presented the name change applications.

MOTION: Mr. Finkelstein moved to approve the applications.

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

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

A. Medical Staffing Solutions, Inc. – EL 228

(Jeffrey M. Bernard, CO 567 – Controlling Person Relinquishment)

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

MOTION: Ms. Seltzer moved to accept the termination and relinquishment.

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

XI. REVIEW AND CONSIDERATION OF CONTROLLING PERSON RELINQUISHMENT

A. Robert A. Beck II, CO 329

AlphaStaff, Inc. – GL 49

Alpha FLA. 6, Inc. – GM 292

AlphaStaff 3, Inc. – GM 234

AlphaStaff Systems V, Inc. – GM 238

AlphaStaff 2, Inc. – GL 125

AlphaNY 2, Inc. – GM 317

Alpha NYPEO, Inc. – GM 319

Equity Leasing-Finance II, Inc. – GM 386

AlphaGA 2, Inc. – GM 386

ASI Resources, Inc. – GM 387

Mr. Finkelstein presented the controlling person relinquishment of Robert A. Beck II.

MOTION: Mr. Jones moved to accept the relinquishment.

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

XII. REPORTS

A. Office of the Attorney General – Lisa Comingore

Ms. Comingore provided the board members with a copy of the September 2010 Rules Report. She advised that everything was moving forward and that she had heard back from JAPC and they had a lot of comments about the proposed rule changes.

Ms. Comingore informed that she would have more information at the next in-person meeting.

B. Office of the General Counsel – Eric Hurst and Jody Lane

Mr. Hurst introduced Ms. Jody Lane as the new Prosecuting Attorney for the board. The Board welcomed Ms. Lane stating they are looking forward to working with her.

Mr. Hurst presented the prosecuting attorney's report verbally stating there were a few discrepancies in the report that was included in the agenda materials. He advised that an accurate report would be provided for the next in-person meeting.

C. Executive Director – Richard Morrison

Mr. Morrison gave a synopsis of the following reports:

- The Operating and Unlicensed Activity Accounts ended June 30, 2010
- Financial Projections 06/30/05 – 06/30/13

D. Chairperson – Abram Finkelstein

Mr. Finkelstein mentioned the possible need to reduce fees to avoid sweeps in the future.

The members of the board agreed and asked Mr. Morrison to gather information and financial projections from the Department to assist in this matter.

XIII. OLD BUSINESS

A. Discussion of Medical Plan for Professional Management Solutions (cont.)

Mr. Finkelstein asked if anyone was present to continue the discussion. No one was present.

Ms. Comingore stated she would contact the licensee for an update.

Discussion of the matter was tabled until an update could be provided.

XIV. NEW BUSINESS

A. Proposed 2011 Board Meeting Schedule

After review of the proposed 2011 Board Meeting Schedule, the board voted upon the following dates.

TELEPHONE CONFERENCE CALL SCHEDULE

Dates: January 19, 2011
 March 16, 2011
 May 18, 2011
 June 15, 2011
 August 17, 2011
 October 19, 2011
 December 21, 2011

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

TRAVEL SCHEDULE

Locations: *Subject to Change*

Dates: February 16, 2011 (Tallahassee, FL)

April 20, 2011 (Jacksonville, FL)

July 20, 2011 (Daytona Beach, FL)

September 21, 2011 (Tampa, FL)

November 16, 2011 (Orlando, FL)

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

XV. PUBLIC COMMENTS

NONE

XVI. ADJOURNMENT

MOTION: Ms. Seltzer moved to adjourn the meeting at 12:51 p.m.

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