

MINUTES

**FLORIDA BARBERS' BOARD
Department of Business and Professional Regulation
Hyatt Regency Jacksonville – Riverfront
225 East Coastline Drive
Jacksonville, Florida 322202**

Monday, May 18, 2009 - 9:00 a.m.

General Business Meeting

The General Business Meeting of the Florida Barbers' Board was called to order at approximately 9:00 a.m., by Mr. Herman White, Chair.

Board Members Present

Herman White, Chair
Carl Troup, Vice Chair
Robert Collins
Edwin Stewart
Thomas Vaughn
Julie Rivera

Board Members Absent

Other Persons Present

Robyn Barineau, Executive Director, DPBR
Carrol Cherry, Assistant Attorney General, Attorney General's Office
Philip Monte, Assistant General Counsel, Office of the General Counsel, DBPR
Dana Ewaldt, Government Analyst, DBPR

Interested Parties Present

Lisa Beauchamp, Court Reporter
Letty Milazzo, ASM Beauty World Academy
Bill Ratcliff, Informed
Victoria McCalla, Respondent
Allen Griffin, Respondent
Willie Nelson, Respondent
Winston Blake, Respondent
Ezzard Edwards, Applicant
Dereck Fullmore, Applicant
Melissa Fullmore
Sheila Davis, Applicant
Celvin Jackson
Maura Scali-Sheahan, Florida Community College at Jacksonville

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

Approval of Minutes: Meeting of February 23, 2009:

Mr. Edwin Stewart moved to accept the minutes from the meeting of February 23, 2009. Mr. Thomas Vaughn seconded the motion. The motion passed unanimously.

Disciplinary Matters

Ms. Carrol Cherry, Assistant Attorney General, inquired if all the board members had received their board meeting materials and had reviewed the materials. All members responded in the affirmative to these questions.

Informal Hearings

Regarding Case No. 2008-065023 against Allen P. Griffin of Coconut Creek, Mr. Phillip Monte, Assistant General Counsel, informed the board that the Respondent elected an informal hearing. Mr. Allen Griffin was present for the meeting and was sworn in by the Court Reporter. Mr. Monte presented the department's case and suggested assessing a fine of \$1,000 and costs of \$115.37. Mr. Stewart moved that the board find the Respondent was properly served with the Administrative Complaint, that there was competent and substantial evidence to support the allegations as set forth in the Administrative Complaint, that the Respondent committed the offenses as outlined in the Administrative Complaint, and impose a fine of \$1,000 and costs of \$115.37 to be paid over a period of six months with the first payment of \$115.37 due within 30 days of the final order and five monthly payments of \$200 each. Mr. Vaughn seconded the motion. The motion passed unanimously.

Regarding Case No. 2008-013114 against Andre L. Hayes of Panama City, Mr. Monte informed the board that the Respondent elected an informal hearing. The Respondent was present for the meeting and was sworn in by the Court Reporter. Mr. Monte presented the department's case and suggested assessing a fine of \$1,400 and costs of \$230.55. Mr. Hayes offered mitigation and requested that the board reconsider the penalty. After discussion, Mr. Stewart moved that the board waive the suggested fine and impose a penalty of \$230.55 costs. Mr. Carl Troup, Vice Chair, seconded the motion. The motion passed unanimously.

Regarding Case No. 2008-007282 against Artistic Trendz of Cocoa, Mr. Monte informed that board that the Respondent elected an informal hearing. The Respondent was not present for the meeting. Mr. Monte presented the department's case and suggested assessing a fine of \$1,000 and costs of \$238.25. Mr. Stewart moved that the board find the Respondent was properly served with the Administrative Complaint, that there was competent and substantial evidence to support the allegations as set forth in the Administrative Complaint, that the Respondent committed the offenses as outlined in the Administrative Complaint, and impose a fine of \$1,000 and costs of \$238.25 to be paid over a period of six months with the first payment of \$238.25 due within 30 days of the final order and five monthly payments of \$200 each. Mr. Vaughn seconded the motion. The motion passed unanimously.

Regarding Case No. 2008-032559 against DA Cutting Edge of Leesburg, Mr. Monte informed that board that the Respondent elected an informal hearing in this

matter. The Respondent was not present for the meeting. Mr. Monte presented the department's case and suggested assessing a fine of \$1,500 and costs of \$247.34. Mr. Stewart moved that the board find the Respondent was properly served with the Administrative Complaint, that there was competent and substantial evidence to support the allegations as set forth in the Administrative Complaint, that the Respondent committed the offenses as outlined in the Administrative Complaint, and impose a fine of \$1,500 and costs of \$247.34. Vice Chair Troup seconded the motion, and the motion passed unanimously.

Regarding Case No. 2008-059396 against New York's Finest Cuts of Lantana, Mr. Monte informed the board that the Respondent elected an informal hearing in this matter. The Respondent was not present for the meeting. Mr. Monte presented the department's case and suggested assessing a fine of \$1,000 and costs of \$76.42. Mr. Stewart moved that the board find the Respondent was properly served with the Administrative Complaint, that there was competent and substantial evidence to support the allegations as set forth in the Administrative Complaint, that the Respondent committed the offenses as outlined in the Administrative Complaint, and impose a fine of \$1,000 and costs of \$76.42 to be paid over a period of six months with the first payment of \$76.42 due within 30 days of the final order and five monthly payments of \$200 each. Mr. Vaughn seconded the motion. The motion passed unanimously.

Regarding Case No. 2008-025341 against Phat Fades Barbers of West Palm Beach, Mr. Monte informed the board that the Respondent elected an informal hearing in this matter. Ms. Victoria McCalla was present for the meeting and was sworn in by the Court Reporter. Mr. Monte presented the department's case and suggested assessing a fine of \$1,000 and costs of \$144.58. It was noted that the fine and costs were paid in full. Mr. Stewart moved that the board find the Respondent was properly served with the Administrative Complaint, that there was competent and substantial evidence to support the allegations as set forth in the Administrative Complaint, that the Respondent committed the offenses as outlined in the Administrative Complaint, and impose a fine of \$1,000 and costs of \$144.58. Mr. Vaughn seconded the motion and the motion passed unanimously.

Regarding Case No. 2008-040426 against Jimmie D. Norman of Gainesville, Mr. Monte informed the board that the Respondent elected an informal hearing in this matter. The Respondent was not present for the meeting. Mr. Monte presented the department's case and suggested assessing a fine of \$1,000 and costs of \$164.43. Mr. Stewart moved that the board find the Respondent was properly served with the Administrative Complaint, that there was competent and substantial evidence to support the allegations as set forth in the Administrative Complaint, that the Respondent committed the offenses as outlined in the Administrative Complaint, and impose a fine of \$1,000 and costs of \$164.43. Vice Chair Troup seconded the motion and the motion passed unanimously.

Regarding Case No. 2008-054801 against All Star Barber Shop of Pompano Beach, Mr. Monte noted that the matter was agendaed as a Motion for Waiver of Rights, however, Mr. Willie Nelson was present for the meeting and requested to proceed with an Informal Hearing in this matter. Mr. Nelson was sworn in by the Court Reporter. Mr.

Monte presented the department's case and suggested assessing a fine of \$1,500 and costs of \$58.23. The Respondent offered testimony that at the time of inspection the barbershop was being prepared for opening but was not yet open for business. After further discussion, Mr. Stewart moved that based mitigation the board waive the proposed fine and impose a penalty of \$58.23 costs. Mr. Vaughn seconded the motion and the motion passed unanimously.

Motions for Waiver of Rights and Final Order

Regarding Case No. 2008-047759 against Carlton Thomas of Tallahassee, Mr. Monte requested that this disciplinary case be pulled from the agenda to be considered at a later date.

Regarding Case No. 2008-052420 against Do It Right of Miami, Mr. Monte requested that this disciplinary case be pulled from the agenda to be considered at a later date.

Regarding Case No. 2008-010358 against Justin R. Brothers of St. Petersburg, Mr. Monte requested that this disciplinary case be pulled from the agenda to be considered at a later date.

Regarding Case No. 2008-041444 against Miami Fade Masters of Miami, Mr. Monte requested that this disciplinary case be pulled from the agenda to be considered at a later date.

Regarding Case No. 2008-053611 against Charles B. Vasquez of Spring Hill, Mr. Monte presented the department's case and suggested assessing a fine of \$1,000 and \$157.49 costs. The Respondent was not present for the meeting. Mr. Stewart moved that the board find the Respondent was properly served with the Administrative Complaint, the Respondent failed to respond within 21 days thereby waiving their right to elect a hearing in the matter, that the board accept the allegations as stated in the Administrative Complaint and adopt them as the findings of fact and conclusions of law of the board and impose a fine of \$1,000 and costs of \$157.49, plus six months stayed suspension against the Respondent's barber license. In the event the Respondent fails to comply with the terms of the final order, the stay shall be lifted and the Respondent's license will be suspended. Mr. Vaughn seconded the motion. The motion passed unanimously.

Regarding Case No. 2008-065002 against Hall of Fame Barbershop II, Inc. of Coral Springs, Mr. Monte presented the department's case and suggested assessing a fine of \$2,000 and costs of \$123.05. The Respondent was not present for the meeting. Mr. Stewart moved that the board find the Respondent was properly served with the Administrative Complaint, the Respondent failed to respond within 21 days thereby waiving their right to elect a hearing in the matter, that the board accept the allegations as stated in the Administrative Complaint and adopt them as the findings of fact and conclusions of law of the board and impose a fine of \$2,000 and costs of \$123.05 plus immediate license revocation due to Respondent's history of non-compliance. Mr. Vaughn seconded the motion. The motion passed unanimously.

Regarding Case No. 2007-020162 against Teresa Ann Burns of Orlando, Mr. Monte presented the department's case and suggested assessing a fine of \$1,000 and costs of \$41.97. The Respondent was not present for the meeting. Mr. Stewart moved that the board find the Respondent was properly served with the Administrative Complaint, the Respondent failed to respond within 21 days thereby waiving their right to elect a hearing in the matter, that the board accept the allegations as stated in the Administrative Complaint and adopt them as the findings of fact and conclusions of law of the board and impose a fine of \$1,000 and costs of \$41.97. Vice Chair Troup seconded the motion.

Unless otherwise stated, by appropriate motion the board found that the Respondent was properly served with the Administrative Complaint, the Respondent failed to respond within 21 days thereby waiving their right to elect a hearing in this matter, the board accepted the allegations as stated in the Administrative Complaint and adopted them as the findings of fact and conclusions of law of the board, and imposed the penalties shown below:

- Antonia Mitchell, d/b/a A Perfect Touch, Inc.; Jacksonville
Case No. 2008-004335
\$250 fine and \$66.27 costs
- Broadway Barber Shop and Lorenzo Hope; Ocala
Case No. 2008-032161
\$700 fine and \$86.43 costs
- Cenophat Smith; Delray Beach
Case No. 2008-050136
\$1,000 fine and \$88.92 costs
- Chunky's Barber Shop; Spring Hill
Case No. 2006-039138
\$2,000 fine and \$88.72 costs
- Hollywood Unisex Barbershop; Orlando
Case No. 2008-043685
\$500 fine and \$196.16 costs
- Hot Spot Barber Shop; Saint Cloud
Case Nos. 2006-026867 and 2006-025027
\$3,750 fine and \$514.55 costs
- Impressionz Styling Studio; Boca Raton
Case No. 2008-047748
\$3,000 fine and \$96.44 costs
- Jonathan O'Neill; Port St. Lucie

Case No. 2008-019202
\$1,000 fine and \$91.34 costs

- Joseph Morales; Lantana
Case No. 2007-055280
\$2,000 fine and \$63.83 costs
- Main Street Barber & Beauty Salon; Avon Park
Case No. 2008-049942
\$1,000 fine and \$62.59 costs
- Maximum Power Barbershop, Inc.; Lauderdale Lakes
Case No. 2008-038779
\$1,000 fine and \$190.10 costs
- New Designs Hair Works; Tallahassee
Case No. 2008-050987
\$1,000 fine and \$91.35 costs
- Razor Rays and Ramon L. Moux; Spring Hill
Case Nos. 2008-056150 and 2008-056160
\$1,500 fine and \$181.52 costs
- Alberto Figueroa; Spring Hill
Case No. 2008-056165
\$500 fine and \$159.99 costs

Settlement Stipulations

Regarding Case No. 2008-003039 against Platinum Cuts of Lauderdale Lakes, Mr. Monte presented the department's case and suggested assessing a fine of \$250 and costs of \$49.26. Mr. Winston Blake was present for the meeting and was sworn in by the Court Reporter. Mr. Stewart moved that the board adopt the Stipulation of the parties as the board's final action in this matter and incorporate it and all its terms into a Final Order. Mr. Vaughn seconded the motion. The motion passed unanimously.

Unless otherwise stated, by appropriate motion the board found the Respondent to have committed the offenses as alleged in the Administrative Complaint and adopted the Stipulation of the parties as the board's final action regarding a penalty to be imposed on the Respondent as follows:

- Deivi Guaba, d/b/a D&C Barbershop; Winter Garden
Case No. 2008-050008
\$250 fine and \$194.57 costs
- Eric R. Martinez and Eric Barber Shop; Pompano Beach

Case Nos. 2008-038701 and 2008-038702
\$2,500 fine and \$154.83 costs

- James Archer and Big Boy Barbershop; Tampa
Case Nos. 2007-048616 and 2007-048623
\$1,000 fine and \$55.31 costs
- Leandro Da Silva; Port St. Lucie
Case No. 2008-045243
\$500 fine and \$104.39 costs
- Ray's Mens Styling; Orlando
Case No. 2008-060631
\$250 fine and \$127.18 costs
- Super Imagen Hairstyles, Inc.; Miami
Case No. 2007-054273
\$1,000 fine and \$37.77 costs

Prosecuting Attorney's Report

Status Report

Mr. Monte reported that as of May 15, 2009, there were 82 barber cases in the legal section.

The board agreed to allow Mr. Monte to proceed with handling the year-old cases.

Applications

Endorsement and Licensure Applications

Informal Hearing

Angel H. Soles ./ Cuba

The endorsement application for Mr. Angel H. Soles was denied at the February 23, 2009, board meeting since the documentation failed to demonstrate completion of course work in hair structure and chemistry and no evidence of a written and practical

examination as required by Rule 61G3-16.005, Florida Administrative Code. Mr. Soles requested an informal hearing of the application denial. Mr. Soles was not present for the meeting, however he was represented by Ms. Letty Milazzo of ASM Beauty World Academy. Ms. Milazzo was sworn in by the Court Reporter. A review of the additional documentation submitted demonstrated completion of the required course work and a written and practical examination. Mr. Stewart moved that the board approve Mr. James for licensure by endorsement. Vice Chair Troup seconded the motion. The motion passed unanimously.

Idelsa Santos Castillo / Dominican Republic

The endorsement application for Ms. Idelsa Santos Castillo was denied at the February 23, 2009, board meeting since the documentation failed to demonstrate completion of course work in hair structure and chemistry and no evidence of a written and practical examination as required by Rule 61G3-16.005, Florida Administrative Code. Ms. Santos Castillo requested an informal hearing of the application denial. Ms. Castillo was not present for the meeting, however she was represented by Ms. Milazzo. Ms. Milazzo was sworn in by the Court Reporter. A review of the additional documentation submitted demonstrated completion of the required course work and a written and practical examination. Mr. Stewart moved that the board approve Ms. Castillo for licensure by endorsement. Vice Chair Troup seconded the motion. The motion passed unanimously.

Jean Regis Raberin / France

The endorsement application for Mr. Jean Regis Raberin was denied at the February 23, 2009, board meeting since the documentation failed to demonstrate completion of a written and practical examination as required by Rule 61G3-16.005, Florida Administrative Code. Mr. Raberin requested an informal hearing of the application denial. Mr. Raberin was not present for the meeting however he was represented by Ms. Milazzo. Ms. Milazzo was sworn in by the Court Reporter. A review of the additional documentation submitted demonstrated completion of the required written and practical examinations. Mr. Stewart moved that the board approve Ms. Santos Castillo for licensure by endorsement. Vice Chair Troup seconded the motion. The motion passed unanimously.

Maria E. Celis / Colombia

The endorsement application for Ms. Maria Celis was denied at the February 23, 2009, board meeting since the documentation failed to demonstrate completion of a written and practical examination as required by Rule 61G3-16.005, Florida Administrative Code. Ms. Celis requested an informal hearing of the application denial. Ms. Celis was not present for the meeting, however she was represented by Ms. Milazzo. Ms. Milazzo was sworn in by the Court Reporter. A review of the additional documentation submitted demonstrated evidence of the written and practical examinations. Mr. Stewart moved that the board approve Ms. Celis for licensure by endorsement. Vice Chair Troup seconded the motion. The motion passed unanimously.

Milagros Mejia / Dominican Republic

The endorsement application for Ms. Milagros Mejia was denied at the February 23, 2009, board meeting since the documentation failed to demonstrate completion of course work in hair structure and chemistry and no evidence of a written and practical examination as required by Rule 61G3-16.005, Florida Administrative Code. Ms. Mejia requested an informal hearing of the application denial. Ms. Mejia was not present for the meeting, however she was represented by Ms. Milazzo. Ms. Milazzo was sworn in by the Court Reporter. A review of the additional documentation submitted demonstrated completion of the required course work and a written and practical examination. Mr. Stewart moved that the board approve Ms. Santos Castillo for licensure by endorsement. Vice Chair Troup seconded the motion. The motion passed unanimously.

Yojanis Herrera / Cuba

The endorsement application for Ms. Yojanis Herrera was denied at the February 23, 2009, board meeting since the documentation failed to demonstrate completion of course work in hair structure and chemistry and no evidence of a written and practical examination as required by Rule 61G3-16.005, Florida Administrative Code. Ms. Herrera requested an informal hearing of the application denial. Ms. Herrera was not present for the meeting, however she was represented by Ms. Milazzo. Ms. Milazzo was sworn in by the Court Reporter. A review of the additional documentation demonstrated completion of the required course work and a written and practical examination. Mr. Stewart moved that the board approve Ms. Herrera for licensure by endorsement. Mr. Vaughn seconded the motion. The motion passed unanimously.

Rondinelle Gomes Faria / Brazil

The endorsement application for Ms. Rondinelle Gomes Faria was denied at the February 23, 2009 board meeting since the documentation failed to demonstrate completion of written and practical examination was required by Rule 61G3-16.005, Florida Administrative Code. Ms. Gomes Faria requested an informal hearing of the application denial. Ms. Gomes Faria was not present for the meeting however she was represented by Ms. Milazzo. Ms. Milazzo was sworn in by the Court Reporter. A review of additional documentation demonstrated completion of a written and practical examination. Mr. Stewart moved that the board approve the application based on the documents provided. Vice Chair Troup seconded the motion. The motion passed unanimously.

Initial Review

Francisco D. Alcantara / Dominican Republic

Mr. Francisco Alcantara was not present for the meeting. After review, Mr. Stewart moved that the board approve the application based on the documentation provided. Vice Chair Troup seconded the motion. The motion passed unanimously.

Jermario Anderson / Colombia

Mr. Jermario Anderson was not present for the meeting. After review, Mr. Stewart moved that the board approve the application based on the documentation provided. Mr. Vaughn seconded the motion. The motion passed unanimously.

Haker Apolinaris / Dominican Republic

Mr. Haker Apolinaris was not present for the meeting. After review, Mr. Stewart moved that the board approve the application based on the documentation provided. Vice Chair Troup seconded the motion. The motion passed unanimously.

Isidro Barrios / Paraguay

Ms. Isidro Barrios was not present for the meeting however, she was represented by Ms. Milazzo. Ms. Milazzo was sworn in by the Court Reporter. After review, Mr. Stewart moved that the board approve the application based on the documentation provided. Mr. Vaughn seconded the motion. The motion passed unanimously.

Rene Bossio / Cominican Republic

Mr. Rene Bossio was not present for the meeting. After review, Mr. Stewart moved that the board approve the application based on the documentation provided. Vice Chair Troup seconded the motion. The motion passed unanimously.

Lazaro P. Castanedo / Colombia

Mr. Lazaro P. Castanedo was not present for the meeting. After review, Mr. Stewart moved that the board deny the application since the documentation failed to demonstrate completion of course work in hair structure and chemistry as required by Rule 61G3-16.005, Florida Administrative Code. Mr. Vaughn seconded the motion. The motion passed unanimously.

Juan Orlando Casto / Colombia

Mr. Juan Orlando Casto was not present for the meeting. After review, Mr. Stewart moved that the board approve the application based on the documentation provided. Vice Chair Troup seconded the motion. The motion passed unanimously.

Michael Colon / Dominican Republic

Mr. Luis Rivera-Rodriguez was not present for the meeting. After review, Mr. Stewart moved that the board approve the application based on the documentation provided. Vice Chair Troup seconded the motion. The motion passed unanimously.

Roberto Duenas Soto / Dominican Republic

Mr. Roberto Duenas Soto was not present for the meeting. After review, Mr.

Stewart moved that the board approve the application based on the documentation provided. Vice Chair Troup seconded the motion. The motion passed unanimously. .

Laterrance J. Epting / Colombia

Mr. Laterrance Epting was not present for the meeting. After review, Mr. Stewart moved that the board approve the application based on the documentation provided. Mr. Vaughn seconded the motion. The motion passed unanimously.

Sandra P. Erazo / Colombia

Ms. Sandra Erzao was not present for the meeting. After review, Mr. Stewart moved that the board deny the application since the documentation failed to demonstrate completion of course work in hair structure and chemistry as required by Rule 61G3-16.005, Florida Administrative Code. Vice Chair Troup seconded the motion. The motion passed unanimously.

Juan D. Gallard / Dominican Republic

Mr. Juan Gallard was not present for the meeting. After review, Mr. Stewart moved that the board approve the application based on the documentation provided. Mr. Vaughn seconded the motion. The motion passed unanimously. .

Wendys N. Garabito / Dominican Republic

Ms. Wendys Garabito was not present for the meeting. After review, Mr. Stewart moved that the board approve the application based on the documentation provided. Mr. Vaughn seconded the motion. The motion passed unanimously.

Eran Guzi / Israel

Mr. Eran Guzi was not present for the meeting. After review, Mr. Stewart moved that the board approve the application based on the documentation provided. Mr. Vaughn seconded the motion and the motion passed unanimously.

Fibi Hanna / Colombia

Mr. Fibi Hanna was not present for the meeting. After review, Mr. Stewart moved that the board approve the application based on the documentation provided. Vice Chair Troup seconded the motion. The motion passed unanimously.

Maria G. Hernandez / Colombia

Ms. Maria Hernandez was not present for the meeting however, she was represented by Ms. Milazzo. Ms. Milazzo was sworn in by the Court Reporter. After review, Mr. Stewart moved that the board approve the application based on the documentation provided. Vice Chair Troup seconded the motion. The motion passed unanimously.

Omar J. Morales / Colombia

Mr. Omar Morales was not present for the meeting. After review, Mr. Stewart moved that the board approve the application based on the documentation provided. Vice Chair Troup seconded the motion. The motion passed unanimously.

Joel Nunez / Dominican Republic

Mr. Joel Nunez was not present for the meeting however, he was represented by Ms. Milazzo. Ms. Milazzo was sworn in by the Court Reporter. After review, Mr. Stewart moved that the board approve the application based on the documentation provided. Mr. Vaughn seconded the motion. The motion passed unanimously.

Cesar Saez / Dominican Republic

Mr. Cesar Saez was not present for the meeting. After review, Mr. Stewart moved that the board approve the application based on the documentation provided. Vice Chair Troup seconded the motion and the motion passed unanimously.

Alton Sharewood / Colombia

Mr. Alton Sharewood was not present for the meeting. After review, Vice Chair Troup moved that the board deny the application since the documentation failed to demonstrate completion of course work in hair structure and chemistry as required by Rule 61G3-16.005, Florida Administrative Code. Vice Chair Troup seconded the motion. The motion passed unanimously.

Lourdes Soto-Acevedo / Colombia

Ms. Lourdes Soto-Acevedo was not present for the meeting. After review, Vice Chair Troup moved that the board deny the application since the documentation failed to demonstrate completion of course work in hair structure and chemistry as required by Rule 61G3-16.005, Florida Administrative Code. Vice Chair Troup seconded the motion. The motion passed unanimously.

Richard Torres / Puerto Rico

Mr. Richard Torres was not present for the meeting. After review, Mr. Stewart moved that the board approve the application based on the documentation provided. Mr. Vaughn seconded the motion. The motion passed unanimously.

Sheila B. Davis

Ms. Robyn Barineau, Executive Director, noted that the licensure application for Ms. Shelia Davis was forwarded for board review based on the background information reflected on the application. Ms. Davis, along with Mr. Calvin Jackson, was present for the meeting and was sworn in by the Court Reporter. After review and discussion of the application, Mr. Stewart moved that the board approve the application based on the

documents and testimony provided. Mr. Vaughn seconded the motion and the motion passed unanimously.

Ezzard V. Edwards

Ms. Barineau noted that the licensure application for Mr. Ezzard Edwards was forwarded for board review based on the background information reflected on the application. Mr. Edwards was present for the meeting and was sworn in by the Court Reporter. After review and discussion of the application, Mr. Stewart moved that the board approve the application based on the documents and testimony provided. Mr. Vaughn seconded the motion and the motion passed unanimously.

Derek T. Fullmore

Ms. Barineau noted that the licensure application for Mr. Derek Fullmore was forwarded for board review based on the background information reflected on the application. Mr. Fullmore, along with Ms. Melissa Fullmore, was present for the meeting and was sworn in by the Court Reporter. After review and discussion of the application, Mr. Stewart moved that the board approve the application based on the documents and testimony provided. Vice Chair Troup seconded the motion and the motion passed unanimously.

Lloyd Johnson / Jamaica

Mr. Lloyd Johnson was not present for the meeting. After review, Mr. Stewart moved that the board deny the application since the documentation failed to demonstrate completion of the required barbering course work and no completion of a written and practical examination as required by Rule 61G3-16.005, Florida Administrative Code. Mr. Vaughn seconded the motion. The motion passed unanimously.

Jose M. Rosado / Colombia

Mr. Jose Rosado was not present for the meeting. After review, Ms. Julie Rivera moved that the board approve the application based on the documentation provided. Vice Chair Troup seconded the motion and the motion passed unanimously.

Ms. Cherry asked Ms. Milazzo to ensure that in addition to the ASM Beauty World Academy mailing address reflected on her clients' applications, they should also include their residential address.

Continuing Education Applications

Elite CME, Inc.

Course Application
2 Hour HIV/AIDS & Other Communicable Diseases for Barbers – 2 Hours Home Study/Video

After review of the application, Mr. Stewart moved that the board approve the course application from Elite CME, Inc. Vice Chair Troup seconded the motion. The motion passed unanimously.

Elite CME, Inc.
Course Renewal
2 Hour HIV/AIDS & Other Communicable Diseases for Barbers – 2 Hours Home Study/Video

After review of the application, Mr. Stewart moved that the board approve the course application from Elite CME, Inc. Vice Chair Troup seconded the motion. The motion passed unanimously.

Florida Cosmetology Educators OnLine
Provider Application
Course Application
HIV/AIDS Barber Awareness Course – 2 Hours Live Group Study andHome Study/Video

After review of the application, Mr. Stewart moved that the board approve the provider application from Florida Cosmetology Educators Online. Vice Chair Troup seconded the motion. The motion passed unanimously.

After review of the application, Mr. Stewart moved that the board approve the course application from Florida Cosmetology Educators Online. Vice Chair Troup seconded the motion. The motion passed unanimously.

CosmetologyCampus.com
Course Renewal
Initial HIV/AIDS – 2 Hours Home Study/Video

After review of the application, Mr. Stewart moved that the board approve the course application from CosmetologyCampus.com. Mr. Vaughn seconded the motion. The motion passed unanimously.

Informed
Course Renewal
Informed HIV/AIDS Update for Barbers – 2 Hours Home Study/Video

After review of the application, Mr. Stewart moved that the board approve the course application from Informed. Mr. Vaughn seconded the motion. The motion passed unanimously.

Other Business

Executive Director's Report

Financial Report, December 31, 2008 – Operating Account

Financial Report, December 31, 2008 – Unlicensed Activity Account

Ms. Barineau informed the board that as of December 31, 2008, the board's operating account balance was \$782,838 and the unlicensed activity account balance was \$243,779. Ms. Barineau stated that even with the legislative cash sweep from their accounts for the current fiscal year, the board should remain in a positive cash position for at least five years.

HB425 – Elimination of Practical Examination

Ms. Barineau informed the board that HB425 passed during the 2009 Legislative Session which will eliminate the requirement that all applicants pass a practical licensure examination. The effective date of the bill is October 1, 2009. The bill will be forwarded to Governor Crist for consideration. Ms. Barineau indicated that there may be a need to conduct a rule development workshop in conjunction with the August meeting to amend board rules to implement this change.

DBPR Florida Barbers' Board Newsletter

The DBPR Florida barbers' board newsletter was included in the agenda for informational purposes.

News Article – Barber Marks 75 Years of Service

The news article was included in the agenda for informational purposes.

Board Attorney's Report

Rule 61G3-19.011, Florida Administrative Code – Barbershop Requirements

The board discussed development of a rule similar to the Board of Cosmetology's rule relating to pedicure equipment sterilization and disinfection. Such a rule would provide cosmetologists working in barbershops and who are offering pedicures to sterilize and disinfect foot spas after each patron, at the end of each business day, and at the end of the business week. It would also require that a pedicure log be maintained for each pedicure spa.

Vice Chair Troup moved that the board approved the language as presented. Mr. Vaughn seconded the motion. The motion passed unanimously.

-61G3-19.011 Barbershop Requirements.

(1) through (22) No Change

(23) If a licensed barbershop employs a licensed cosmetologist or allows a licensed cosmetologist to practice cosmetology in said barbershop, the barbershop shall comply with subsection (2) of Rule 61G5-20.002, Florida Administrative Code, incorporated by reference.

(24) Any barbershop that employs a licensed cosmetologist or allows a licensed cosmetologist to perform or practice cosmetology or specialty services in the barbershop must display the license of the person performing or practicing cosmetology or specialty services in a conspicuous place within the barbershop and the license must be clearly visible upon entering the barbershop.

(25) The barbershop will display a legible copy of the most recent inspection sheet for the barbershop in a location that is clearly visible to the general public.

(26) Any barbershop that employs a licensed cosmetologist or allows a licensed cosmetologist to perform or practice cosmetology or specialty services shall require and ensure that all individuals engaged in the practice of cosmetology, any specialty, hair braiding, hair wrapping or body wrapping display at his or her work station his or her current license or registration at all times when he or she is performing cosmetology, specialty, hair braiding, hair wrapping, or body wrapping services. The license or registration on display shall be the original certificate or a duplicate issued by the Department and shall have attached a 2" by 2" photograph taken within the previous two years of the individual whose name appears on the certificate. The certificate with photograph attached shall be permanently laminated as of July 1, 2007.

(27) All barbershops who employs a licensed cosmetologist or allows a licensed cosmetologist to perform or practice cosmetology or specialty services shall require and ensure that the individuals performing or practicing cosmetology or specialty services are in compliance with Rule 61G5-20.004.

(28) A failure to comply with this rule or any part of this rule is a violation of Rule 61G3-21.002, F.A.C.

Statement of Estimated Regulatory Costs (SERC) for Rule 61G3-19.011, Florida Administrative Code – Barbershop Requirements

Mr. Stewart moved that the board agreed that this amendment would impact small businesses and moved to approve the SERC for rule 61G3-19.011, Florida Administrative Code. Vice Chair Vaughn seconded the motion. The motion passed unanimously.

Rule 61G3-21.009, Florida Administrative Code - Citations

Rule 61G3-21.012, Florida Administrative Code – Notice of Non-Compliance

Ms. Cherry informed the board of concerns expressed from the Joint Administrative Procedures Committee (JAPC) regarding amendments to rules 61G3-21.009 and 61G3-21.012, Florida Administrative Code. Ms. Cherry and Ms. Barineau will discuss the JAPC comments and provide additional information at the next meeting.

Regulation Report

Complaints and Investigative Statistics Report July 2008 – April 2008

Ms. Barineau noted that the Complaints and Investigative Statistics Report for July 2008 through April 2009 was included in the agenda for informational purposes.

Bureau of Education and Testing

Barber Examination Summary – January through April 2009

Restricted Barber Examination Summary – January through April 2009

The barber examination and restriction barber examination summaries were included in the agenda for informational purposes.

Board Member Comments

There were no further comments at this time.

Chairperson Comments

Chair White informed the board of a letter he received from the Veterinary Board Chair suggesting that as an attempt to help the state's budget crisis, board members should forgo their board member compensation during these difficult economic times. This matter was discussed, and it was agreed to continue accepting the compensation for attendance at meetings.

Public Comments

Ms. Maura Scali-Shehan, formally with Florida Community College at Jacksonville, indicated that she was currently working on an updated Milady textbook for barbering which is projected for publication in 2010. Ms. Scali-Shehan requested that the board provide suggestions for "helpful hint" topics that would be included as a footnote or sidebar item in the specific curriculum chapter.

Dates and Locations of Future Meetings

The board will conduct future meetings as follows:

- Monday, August 3, 2009 – Ft. Lauderdale
- Monday, November 9, 2009 - Orlando

Adjournment

There being no further business, the meeting was adjourned at 1:35 p.m.