

MINUTES

FLORIDA BARBERS' BOARD RESIDENCE INN – 2301 SADLER ROAD FERNANDINA BEACH, FLORIDA

Sunday, April 23, 2017

The Florida Barbers' Board meeting was called to order at approximately 9:00 a.m., by Mr. Bill Gilbert, Chair.

Board Members Present

Bill Gilbert, Chair
Monica Smith, Vice Chair
Edwin Stewart
Veronica Wold
Lionel Rodriguez
Antonett Munchalfen

Board Members Absent

Michelino Nibaldi

Other Persons Present

Robyn Barineau, Executive Director, Department of Business and Professional Regulation (DBPR)
Julie Rowland, Government Analyst, DBPR
Marlene Stern, Assistant Attorney General, Office of the Attorney General
Dillon Jess, Assistant General Counsel, Office of the General Counsel, DBPR
Angela Williams-Rivera, Assistant General Counsel, Office of the General Counsel, DBPR
Naomi McCracken, Court Reporter
Ricky Strong
Earle Collins
Cassandra Shafeek
Mary Salter
Amani Shafeek
Amir Shafeek
Cassandra Sayers
Jose Camacho
John Samaan
Emmanuel Laguerre

The meeting was opened with a roll call and a quorum was established. The Board excused the absence of Mr. Michelino Nibaldi from the meeting.

APPROVAL OF MINUTES

The Board approved the minutes from the January 22, 2017, Board meeting.

DISCIPLINARY MATTERS

Informal Hearing

Mr. Dillon Jess, Assistant General Counsel, presented the following cases for consideration by the Board. The Board found that the Respondents were properly served with the Administrative Complaint, that there was competent and substantial evidence to support the allegations as set forth in the Administrative Complaint and adopts them as the findings of fact and conclusions of law of the Board and imposed the penalties shown below:

- Makak Barbershop & Unisex Salon and Robert Atis; Sunrise; Case Nos. 2016044581 & 2016043500
\$500 fine and \$107.66 costs to be paid within six months
- Headlinerz Barbershop; Jacksonville; 2016037722
\$500 fine and \$177.65 costs to be paid within six months (deferred six months)
- Emmanuel Laguerre; Jacksonville; Case No. 2016043701
\$500 fine and \$205.78 costs to be paid within six months (deferred six months)
- Barbers Club; Davie; Case No. 2016046970
\$300 fine and \$61.56 costs to be paid within six months
- Jose Camacho Gonzalez; Miami; Case No. 2015016276
Voluntary Relinquishment of license BR3103

Motion for Waiver of Rights and Final Order

Mr. Jess presented the following cases for consideration by the Board. The Board found that the Respondents were properly served with the Administrative Complaint, the Respondents failed to respond within 21 days thereby waiving their right to elect a hearing in this 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 imposed the penalties shown below:

- Royal Touch Barber Shop and Reginald Ross; Riviera Beach; Case Nos. 2016014155 & 2016014162
\$400 fine and \$300.47 costs to be paid within six months
- Top Notch Barbershop; West Palm Beach; Case No. 2016026651
\$1,300 fine and \$186.56 costs to be paid within six months
- Posh Barbers; Ft. Lauderdale; Case No. 2016045440
\$1,000 fine and \$48.21 costs to be paid within six months
- Jovan Urdaz; West Palm Beach; Case No. 2015029060
\$500 fine and \$138.12 costs to be paid within six months
- Elines Leger; Lauderdale Lakes; Case No. 2016045762
\$500 fine and \$48.21 costs to be paid within six months
- Dania's Barbershop; Dania Beach; Case No. 2016046295
\$600 fine and \$74.19 costs to be paid within six months
- Ariel Villa; Hialeah; Case No. 2016046284
\$500 fine and \$82.52 costs to be paid within six months
- Benjamin Paniagua; West Palm Beach; Case No. 2016042656
\$500 fine and \$114.66 costs to be paid within six months
- Pinnacle Barbers; Hallandale; Case No. 2016043933
\$850 fine and \$304.76 costs to be paid within six months
- DJ's Unisex Barber Shop; Cutler Bay; Case No. 2016041745
\$500 fine and \$44.70 costs to be paid within six months
- Jose Ocasio; Largo; Case No. 2016043071

\$500 fine and \$140.61 costs to be paid within six months

- Liberty Hagan; Zephyrhills; Case No. 2016050025
The Board dismissed the case

Settlement Stipulation

Mr. Jess presented the following cases for consideration by the Board. The Board moved to adopt the Stipulation of the parties as the Board's final action in this matter and incorporate it and all of its terms into a final order and imposed the penalties shown below:

- New Era Barbershop and Angel Santana; Deerfield Beach; Case Nos. 2016023896 & 2016023901
\$500 fine and \$357.89 costs to be paid within six months
- Hair Trends and Jonathan Vincson; West Palm Beach; Case Nos. 2016027369 & 2016028329
\$500 fine and \$357.89 costs to be paid within six months

Voluntary Relinquishment

- Ruben Ruban; Longwood; Case No. 2015041314
\$181.39 costs only
Voluntary relinquishment of license BR3701
- Christian Barquet; Palm Coast; Case No. 2016048092
\$127.67 costs only
Voluntary relinquishment of license BR4329

Department Attorney Report

Mr. Jess informed the Board that as of March 7, 2017, there were 64 open barber cases in the legal section.

APPLICATIONS

Licensure Applications

Informal Hearing

Constantanee Turner

Ms. Cassandra Shafeek was present for the meeting and was sworn in by Ms. Naomi McCracken, Court Reporter. Ms. Robyn Barineau, Executive Director, informed the Board that the application was denied at the October 16, 2016, Board meeting, based on the noted criminal history. After review, Mr. Eddie Stewart moved to approve the application. Ms. Veronica Wold seconded the motion and the motion passed unanimously.

Akeem Johannes / Virgin Islands

Mr. Johannes was not present for the meeting. Ms. Barineau informed the Board that the application was denied at the January 22, 2017, Board meeting, because the application failed to demonstrate that he met the requirements of Section 476.144(6), Florida Statutes, and Rule 61G3-16.005, Florida Administrative Code. After review, Mr. Stewart moved to uphold the denial as the application fails to demonstrate he meets the requirements of Section 476.144(6), Florida Statutes, and Rule 61G3-16.005, Florida Administrative Code. Ms. Wold seconded the motion and the motion passed unanimously.

Initial Review

Terrence Brewer

Mr. Brewer was not present for the meeting. After review, Mr. Stewart moved to deny the application based on the noted criminal history. Mr. Lionel Rodriguez seconded the motion and the motion passed unanimously.

Liberty Hagan

Ms. Hagan was not present for the meeting. After review, Mr. Stewart moved to deny the application based on discrepancies in the documentation provided. Mr. Rodriguez seconded the motion and the motion passed unanimously.

Luis Ojeda Torres

Mr. Torres was not present for the meeting. After review, Mr. Stewart moved to deny the application based on previous unsatisfied discipline. Vice Chair Monica Smith seconded the motion and the motion passed unanimously.

Maxmillion Littman

Mr. Littman was not present for the meeting. After review, the Board tabled the application until the October 15, 2017, Board meeting.

Earle Collins

Mr. Collins was present for the meeting and was sworn in by the Court Reporter. After review, Mr. Stewart moved to approve the application. Ms. Wold seconded the motion and the motion passed unanimously.

Joel Gonzalez Clemente

Mr. Clemente was not present for the meeting. After review, Mr. Stewart moved to approve the application with the following contingency: all fines and costs must be paid to the Department prior to licensure. Ms. Wold seconded the motion and the motion passed unanimously.

Ishmail Middleton

Mr. Middleton was present for the meeting and was sworn in by the Court Reporter. After review, Mr. Stewart moved to approve the application. Mr. Rodriguez seconded the motion and the motion passed unanimously.

Jose Morales Vasquez

Mr. Vasquez was not present for the meeting. After review, Mr. Stewart moved to approve the application. Mr. Rodriguez seconded the motion and the motion passed unanimously.

Angel Arroyo

Mr. Arroyo was not present for the meeting. After review, Mr. Stewart moved to approve the application. Mr. Rodriguez seconded the motion and the motion passed unanimously.

Efren Rolon

Mr. Rolon was not present for the meeting. After review, Vice Chair Smith moved to deny the application based on previous unsatisfied discipline and failure to disclose previous discipline. Ms. Wold seconded the motion and the motion passed unanimously.

Ramon Ortiz

Mr. Ortiz was not present for the meeting. After review, Mr. Stewart moved to deny the application as the application fails to demonstrate that the applicant meets the requirements of Section 476.144(6), Florida Statutes, and Rule 61G3-16.005, Florida Administrative Code. Vice Chair Smith seconded the motion and the motion passed unanimously.

Antonio Prado

Mr. Prado was not present for the meeting. After review, Ms. Wold moved to approve the application. Mr. Stewart seconded the motion and the motion passed unanimously.

Michael Colon

Mr. Colon was not present for the meeting. After review, Mr. Stewart moved to approve the application. Mr. Wold seconded the motion and the motion passed unanimously.

Yassen Rodriguez

Mr. Rodriguez was not present for the meeting. After review, Mr. Rodriguez moved to deny the application based on previous unsatisfied discipline. Ms. Antonett Munchalfen seconded the motion and the motion passed unanimously.

Pedro Ruiz Aviles

Mr. Aviles was not present for the meeting. After review, Mr. Stewart moved to deny the application based on previous unsatisfied discipline. Ms. Munchalfen seconded the motion and the motion passed unanimously.

Nelson Rivera

Mr. Rivera was not present for the meeting. After review, Mr. Stewart moved to approve the application. Mr. Rodriguez seconded the motion and the motion passed unanimously.

Alexis Nieves Sanchez

Mr. Sanchez was not present for the meeting. After review, Mr. Stewart moved to approve the application. The Board also imposed probation on the license to run concurrent with his criminal probation. Ms. Wold seconded the motion and the motion passed unanimously.

OTHER BUSINESS

Board Attorney Report

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

Ms. Marlene Stern, Assistant Attorney General, informed the Board that the amendment was effective on February 7, 2017.

Executive Director Report

Financial Report for Period Ending December 2016

Ms. Barineau reported that the balance in the Board's operating account as of December 30, 2016, was over \$2.9 million, and the balance in their unlicensed activity account was over \$310,000 for the same period.

Correspondence

Complaints and Investigative Statistics – July 2016 – February 2017

Ms. Barineau informed the Board that the Complaints and Investigative Statistics Report was included in the agenda for informational purposes.

Barber Examination Summary – January 2017 – February 2017

Ms. Barineau informed the Board that the Barber Examination Summary was included in the agenda for informational purposes.

Elections

The Board unanimously elected Ms. Monica Smith, Chair, and Mr. Michelio Nibaldi, Vice Chair, of the Florida Barbers' Board.

Dates and Locations of Future Meetings

July 16, 2017 – Celebration
October 15, 2017 – Hutchison Island
January 22, 2018 – Destin
April 15, 2018 – Altamonte Springs
July 15, 2018 – Lake Mary

ADJOURNMENT

There being no further business, the meeting was adjourned at approximately 12:45 p.m.