

MINUTES

FLORIDA BARBERS' BOARD
HILTON SAN DESTIN
4000 SANDESTIN BLVD. SOUTH
DESTIN, FLORIDA 32550

Monday, November 2, 2015

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

Board Members Present

Herman White, Chair
Bill Gilbert, Vice Chair
Edwin Stewart
Monica Smith
Veronica Wold
Lionel Rodriguez

Board Members Absent

Julie Rivera

Other Persons Present

Robyn Barineau, Executive Director, Department of Business and Professional Regulation (DBPR)
Marlene Stern, Assistant Attorney General, Office of the Attorney General
Ramsey Revell, Assistant General Counsel, Office of the General Counsel, DBPR
Rebecca Hayes, Chief Attorney, Office of the General Counsel, DBPR
Julie Rowland, Government Analyst, DBPR
Valerie Levenseller, Division of Regulation, DBPR
Pamela Black, Division of Regulation, DBPR
Nina Trawick, Court Reporter
Raymond Marte
Brian Vanderpool
Jules Saint Adelson
David Paul
Pedro Milo
Ana Milo
Sandra De La Lastra
Sandro Albuquerque
Marc Pierre
Mia Pierre
Elton Mondesir
Daniel DiVenavo

The meeting was opened with a roll call and a quorum was established. Chair White excused the absence of Ms. Julie Rivera from the meeting.

APPROVAL OF MINUTES

The Board approved the minutes from the September 8, 2015, Board meeting.

DISCIPLINARY MATTERS

Informal Hearing

Ms. Ramsey Revell, 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:

- Cut Above the Rest; Miramar
Case No. 2014025026
Ms. Revell requested that this case be pulled from the agenda
- Ricky's Barbershop I; Miami
Case No. 2014029704
\$300 fine and \$36.02 costs to be paid within six months
- All Styles; North Miami
Case No. 2014025056
\$900 fine and \$108.10 costs to be paid within six months
Probation on license BS13313 for 12 months, and re-inspection within 30 days
- Headquarter South; Cutler Bay
Case No. 2014046954
\$500 fine and \$39.05 costs to be paid within six months, and re-inspection within 30 days
- Styles of Life; Orlando
Case No. 2015002565
\$4,000 fine and \$269.46 costs to be paid within six months
Revocation of license BS1079564
- Hector's Barber Shop; Winter Garden
Case No. 2014051766
\$500 fine and \$267.38 costs to be paid within six months
Probation on license BS1078483 for 12 months, and re-inspection within 30 days
- Megacutz; Miami
Case No. 2015018730
\$800 fine and \$31.35 costs to be paid within six months

Over Look; Port St. Lucie; Case No. 2015001436

Mr. Jules Adelson was present for the meeting and was sworn in by Ms. Nina Trawick, Court Reporter. The Board moved to impose a fine of \$150 and costs of \$152.23, to be paid within six months, and re-inspection within 30 days.

Bulldogs Barber Shop; Eustis; Case No. 2015001925

Mr. Daniel DiVenavo was present for the meeting and was sworn in by the Court Reporter. The Board moved to impose a fine of \$250 only.

Los Profesionales; Jacksonville; Case No. 2015005316

Mr. Brian Vanderpool was present for the meeting and was sworn in by the Court Reporter. The Board moved to impose a fine of \$250 and costs of \$217.08, to be paid within six months.

Motion for Waiver of Rights and Final Order

Ms. Revell 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:

- Miami's Finest Detailed Cutz; Hialeah Gardens
Case No. 2014033450
\$300 fine and \$59.35 costs to be paid within six months
- The Magic Clipper; Miami
Case No. 2014050484
\$500 fine and \$57.83 costs to be paid within six months, and re-inspection within 30 days
- Sports Cut Barber Shop; Ocala
Case No. 2014050521
\$300 fine and \$272.42 costs to be paid within six months, and re-inspection within 30 days
- Sams Barber Shop; Tampa
Case No. 2014044254
\$1,000 fine and \$39.77 costs to be paid within six months
Suspension of license BS1081828 for 30 days
- Charlie Fields; Orlando
Case No. 2014038950
\$500 fine and \$256.02 costs to be paid within six months
- D.A. Phillips; Pompano Beach
Case No. 2015008123
\$500 fine and \$106.91 costs to be paid within six months
- Giovanni's Barber Shop; Pompano Beach
Case No. 2015011806
\$800 fine and \$139.20 costs to be paid within six months
- Junior Martinez; Miami
Case No. 2014047251
\$500 fine and \$81.64 costs to be paid within six months
- Clarence Emanuel; Miami
Case No. 2015006173
\$500 fine and \$48.35 costs to be paid within six months
- Compi's Neighborhood Barbershop; Kissimmee
Case No. 2015003936
\$500 fine and \$220.72 costs to be paid within six months
- Wes Barbershop; Homestead
Case No. 2015005586
\$500 fine and \$53.31 costs to be paid within six months
- Razor's Edge Barbershop; Casselberry
Case No. 2015007132
\$500 fine and \$531.97 costs to be paid within six months

- Felix Carreras Colon; Tampa
Case No. 2015007184
\$500 fine and \$152.14 costs to be paid within six months
- Jaime Amador; Tampa
Case No. 2015007196
\$500 fine and \$134.64 costs to be paid within six months
- Barber Zone 2; Orlando
Case No. 2015006720
\$1,000 fine and \$280.72 costs to be paid within six months, and re-inspection within 30 days
Suspension of license BS1080804 for 30 days
- Clifford Belle; Gainesville
Case No. 2014035826
\$500 fine and \$319.62 costs to be paid within six months
Revocation of license BB54856

Settlement Stipulation

Ms. Revell 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:

- Wesley Samuels; Homestead
Case No. 2015005581
\$500 fine and \$33.85 costs to be paid within six months
- Rafael Watson; Ocala
Case No. 2015010108
\$250 fine and \$204.90 costs to be paid within six months
- John Correa; Miami
Case No. 2014047315
\$500 fine and \$113.21 costs to be paid within six months
- MVP Barbershop; Miami
Case No. 2015006155
\$500 fine and \$44.24 costs to be paid within six months
- Pedro Milo-Porras; Pompano Beach
Case No. 2015004125
\$500 fine and \$118.13 costs to be paid within six months

Department Attorney Report

Ms. Revell informed the Board that as of October 29, 2015, there were 86 open barber cases in the legal section.

APPLICATIONS

Licensure Applications

Informal Hearing

Peter Patrick

Mr. Patrick was not present for the meeting. Ms. Robyn Barineau, Executive Director, informed the Board that the application was denied at the August 10, 2015, Board meeting, because the application failed to demonstrate that he successfully completed 1,200 hours of barber training at a barbering school. After review, Mr. Eddie Stewart moved to approve the application. Mr. Lionel Rodriguez seconded the motion and the motion passed unanimously.

Ibtisam Hamdan / Palestine

Mr. Hamdan was not present for the meeting. Ms. Barineau informed the Board that the application was denied at the May 18, 2015, Board meeting, because the application failed to demonstrate that he met the requirements of Rule 61G3-16.005, Florida Administrative Code. After review, Mr. Stewart moved to uphold the denial because the application failed to demonstrate that he met the requirements of Rule 61G3-16.005, Florida Administrative Code. Ms. Monica Smith seconded the motion and the motion passed unanimously.

Initial Review

Jose Clark Melendez

Mr. Melendez was not present for the meeting. After review, Chair White moved to approve the application. Ms. Smith seconded the motion and the motion passed unanimously.

Stori Hyche / Alabama

Ms. Hyche was not present for the meeting. After review, Mr. Stewart moved to approve the application. Vice Chair Bill Gilbert seconded the motion and the motion passed unanimously.

Edward Dennison / Haiti

Mr. Dennison was not present for the meeting. After review, Vice Chair Gilbert moved to approve the application. Mr. Stewart seconded the motion and the motion passed unanimously.

David Tal / Israel

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

Adrian Rodrigues / Dominican Republic

Mr. Rodrigues was not present for the meeting. After review, Mr. Stewart moved to approve the application. Vice Chair Gilbert seconded the motion and the motion passed unanimously.

Joshua Morris / Canada

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

Marc Orel Pierre / Haiti

Mr. Pierre and Ms. Mia Pierre were present for the meeting and were sworn in by the Court Reporter. After review, Mr. Stewart moved to approve the application. Ms. Smith seconded the motion and the motion passed unanimously.

Martez Lovely

Mr. Lovely was not present for the meeting. After review, Mr. Stewart moved to deny the application because the application failed to demonstrate he successfully completed 1,200 hours of barber training at a barbering school. Vice Chair Gilbert seconded the motion and the motion passed unanimously.

Elton Mondesir

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

Beatrice Pierre / Haiti

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

David Paul / Haiti

Mr. Paul was present for the meeting and was sworn in by the Court Reporter. After review, Vice Chair Gilbert moved to approve the application. Ms. Smith seconded the motion and the motion passed unanimously.

Vanessa Cohn / France

Ms. Cohn was not present for the meeting. After review, Vice Chair Gilbert moved to approve the application. Ms. Smith seconded the motion and the motion passed with Mr. Stewart voting against the motion.

Carlos Lopez / Honduras

Mr. Lopez was not present for the meeting. After review, Mr. Stewart moved to approve the application. Vice Chair Gilbert seconded the motion and the motion passed unanimously.

Sandra De La Lastra / Brazil

Ms. De La Lastra and Mr. Sandro Albuquerque were present for the meeting and were sworn in by the Court Reporter. After review, Vice Chair Gilbert moved to approve the application. Mr. Rodriguez seconded the motion and the motion passed unanimously.

OTHER BUSINESS

Board Attorney Report

Rule 61G3-18.003, F.A.C. – Exemption from Licensure Renewal Provisions

The Board agreed to amend the rule to remove references to rules that were previously repealed and agreed that there would be no negative impact on small business nor would there likely be any increase in regulatory costs in excess of \$200,000 in the aggregate within one year after implementation.

Rule 61G3-20.0105, F.A.C. – Barbershop Delinquent Renewal Fee

The Board agreed to amend the rule to remove references to rules that were previously repealed and agreed that there would be no negative impact on small business nor would there likely be any increase in regulatory costs in excess of \$200,000 in the aggregate within one year after implementation.

Rule 61G3-20.011, F.A.C. – Barber Assistant Biennial Renewal Fee

The Board agreed that this rule should be repealed and that the repeal would have no negative impact on small business.

Rule 61G3-15.016, F.A.C. – Time for Payment of Civil Penalties

The Board agreed that this rule should be repealed and that the repeal would have no negative impact on small business.

Rule 61G3-19.008, F.A.C. – Barbershop Defined

No action taken.

Rule 61G3-19.013, F.A.C. – Change of Ownership of Barbershops

No action taken.

Rule 61G3-20.011, F.A.C. – Barber Assistant Biennial Renewal Fee

No action taken.

Rule 61G3-21.004, F.A.C. – Penalties Cumulative and Consecutive

No action taken.

Rule 61G3-21.006, F.A.C. – Probation

No action taken.

Correspondence

Complaints and Investigative Statistics – July 2015 – September 2015

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

Barber Examination Summary – January 2015 – September 2015

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

Dates and Locations of Future Meetings

January 10, 2016 – Howie-in-the-Hills

April 17, 2016 – Brandon

July 17, 2016 – Naples

October 17, 2016 – Orlando

ADJOURNMENT

There being no further business, the meeting was adjourned at approximately 12:20 p.m.