

MINUTES

FLORIDA BARBERS' BOARD
RESIDENCE INN – AMELIA ISLAND
2301 SADLER ROAD - FERNANDINA BEACH, FLORIDA 32034

Monday, May 21, 2012, 9:00 a.m.

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

Board Members Present

Herman White, Chair
Thomas Vaughn, Vice Chair
Edwin Stewart
Julie Rivera
Andrew Raines
Bill Gilbert

Board Members Absent

Other Persons Present

Robyn Barineau, Executive Director, Department of Business and Professional Regulation (DBPR)
Julie Rowland, Government Analyst, DBPR
Rachel Clark, Assistant Attorney General, Attorney General's Office
Dustin Metz, Assistant General Counsel, Office of the General Counsel, DBPR
Loretta McDonald, Court Reporter
Johnny Andres Urrutia
Darlene Barror
Lynda Calcano
David Lipscomb, Esquire

The meeting was opened with a roll call and a quorum was established. Chair White welcomed Mr. Bill Gilbert to the Florida Barber's Board.

Mr. Edwin Stewart moved to accept the minutes from the February 6, 2012, Board meeting. Ms. Julie Rivera seconded the motion and the motion passed unanimously.

Mr. Stewart moved to accept the minutes from the April 16, 2012, Board meeting. Ms. Rivera seconded the motion and the motion passed unanimously.

DISCIPLINARY MATTERS

Voluntary Relinquishment

Juan D. Gallard; Orlando; Case No. 2011.039924

Mr. Dustin Metz, Assistant General Counsel, presented the case for consideration by the Board. Mr. Gilbert moved that the Board accept the voluntary relinquishment of barber license BB8892872 as resolution of this case. Mr. Stewart seconded the motion and the motion passed unanimously.

Informal Hearings

Mr. Metz presented the following cases for consideration by the board. The Board found that 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 and adopts them as the findings of fact and conclusions of the law of the Board and imposed the penalties shown below:

Ricardo Alliancin; Port St. Lucie; Case No. 2011.032760

Mr. Alliancin was not present for the meeting. Ms. Rivera moved that the Board impose a fine of \$500 and costs of \$138.84. Vice Chair Tommy Vaughn seconded the motion and the motion passed unanimously.

Fadeaways Barber Shop; Milton; Case No. 2011.021679

The Respondent was not present for the meeting. Mr. Stewart moved that the Board dismiss the case as all fines have been paid in full. Ms. Rivera seconded the motion and the motion passed with Mr. Gilbert voting against the motion.

Masters of New Barber's Generation and Yonel Alliancin; Ft. Pierce; Case Nos. 2011.032732 and 2011.032749

The Respondents were not present for the meeting. Mr. Gilbert moved that the Board impose a fine of \$800 and costs of \$288.65, plus 14 days suspension against barber license BB8890983. Ms. Rivera seconded the motion and the motion passed unanimously.

Yassen Rodriguez; Orlando; Case No. 2011.039962

Mr. Rodriguez was not present for the meeting. Ms. Rivera moved that the Board impose a fine of \$1,000 and costs of \$174.25, plus revocation of barber license BB8892350. Vice Chair Vaughn seconded the motion and the motion passed unanimously.

John D. Upton; Daytona Beach; Case No. 2011.039934

Mr. Upton was not present for the meeting. Ms. Rivera moved that the Board impose a fine of \$1,000 and costs of \$120.95, plus revocation of barber license BB8892762. Vice Chair Vaughn seconded the motion and the motion passed unanimously.

Motions for Waiver of Rights and Final Order

Mr. Metz presented the following cases for consideration by the board. The Board found that 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 and adopts them as the findings of fact and conclusions of the law of the Board and imposed the penalties shown below:

Bladez Barber Shop; Hollywood; Case No. 2011.036618

The Respondent was not present for the meeting. Ms. Rivera moved that the Board impose a fine of \$500 and costs of \$76.40. Mr. Stewart seconded the motion and the motion passed unanimously.

Christian Clipper Barber Shop Corp.; Miami; Case No. 2011.039270

The Respondent was not present for the meeting. Ms. Rivera moved that the Board impose a fine of \$500 and costs of \$55.96. Vice Chair Vaughn seconded the motion and the motion passed unanimously.

David Daniel; Gainesville; Case No. 2011.020473

Mr. Daniel was not present for the meeting. Ms. Rivera moved that the Board impose a fine of \$400 and costs of \$143.99. Vice Chair Vaughn seconded the motion and the motion passed unanimously.

Dr. Smith's Barbershop; Orlando; Case No. 2011.025423

The Respondent was not present for the meeting. Ms. Rivera moved that the Board impose a fine of \$400 and costs of \$64.63. Mr. Andrew Raines seconded the motion and the motion passed unanimously.

Alexander Felix Garcia; Miami Lakes; Case No. 2011.040000

Mr. Garcia was not present for the meeting. Ms. Rivera moved that the Board impose a fine of \$500 and costs of \$148.39, plus revocation of barber license BB8893047. Mr. Raines seconded the motion and the motion passed unanimously.

L & B Barber Shop & Beauty Salon; Ft. Lauderdale; Case No. 2011.041725

The Respondent was not present for the meeting. Ms. Rivera moved that the Board dismiss the case. Vice Chair Vaughn seconded the motion and the motion passed unanimously.

Legend Barber Shop; Orlando; Case No. 2010.062294

The Respondent was not present for the meeting. Ms. Rivera moved that the Board impose a fine of \$500 and costs of \$82.24. Vice Chair Vaughn seconded the motion and the motion passed unanimously.

Kenneth Mackeroy; St. Petersburg; Case No. 2011.021203

Mr. Mackeroy was not present for the meeting. Ms. Rivera moved that the Board impose a fine of \$500 and costs of \$87.23. Mr. Raines seconded the motion and the motion passed unanimously.

Wyneshia Yasmeeen McWilliams; Pensacola; Case No. 2011.023159

Ms. McWilliams was not present for the meeting. Mr. Stewart recused himself from voting on this matter. Ms. Rivera moved that the Board impose a fine of \$500 and costs of \$132.44. Vice Chair Vaughn seconded the motion and the motion passed unanimously.

New York Barbershop #2; Lake Worth; Case No. 2011.020976

The Respondent was not present for the meeting. Ms. Rivera moved that the Board impose a fine of \$500 and costs of \$73.01. Mr. Raines seconded the motion and the motion passed unanimously.

Robert's Fade II Barber Shop; Hialeah Gardens; Case No. 2011.036645

The Respondent was not present for the meeting. Ms. Rivera moved that the Board impose a fine of \$500 and costs of \$73.01. Vice Chair Vaughn seconded the motion and the motion passed unanimously.

Wilson Oniel Salas; Kissimmee; Case No. 2011.039996

Mr. Salas was not present for the meeting. Ms. Rivera moved that the Board impose a fine of \$500 and costs of \$164.05, plus revocation of barber license BB8893653. Vice Chair Vaughn seconded the motion and the motion passed unanimously.

Unique Barber & Hair Salon, Inc. and Melva D. Faulkner; West Palm Beach; Case Nos. 2011.028187 and 2011.028182

The Respondent was not present for the meeting. Ms. Rivera moved that the Board impose a fine of \$550 and costs of \$236.55. Mr. Raines seconded the motion and the motion passed unanimously.

Urban Styles, Inc.; Clermont; Case No. 2011.039264

The Respondent was not present for the meeting. Ms. Rivera moved that the Board impose a fine of \$500 and costs of \$63.79, plus re-inspection within 30 days. Mr. Raines seconded the motion and the motion passed unanimously.

Michael Vega; Kissimmee; Case No. 2011.026024

Mr. Vega was not present for the meeting. Ms. Rivera moved that the Board impose a fine of \$500 and costs of \$66.25. Vice Chair Vaughn seconded the motion and the motion passed unanimously.

Department Attorney Report

Mr. Metz informed the Board that as of April 20, 2012, there were 71 open barber cases in the legal section.

APPLICATIONS

Initial Review

Javier Arias

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

Maikel Isael Batista / Dominican Republic

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

Eli Javier Diaz

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

Jayson Orlando Lopez / Puerto Rico

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

Claude Mannuel

Mr. Mannuel was not present for the meeting. After review, Mr. Raines moved to deny the application based on discrepancies in the documentation provided. Mr. Gilbert seconded the motion and the motion passed unanimously.

Jose O. Ortiz

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

Victor Emmanuel Torres / Puerto Rico

Mr. Torres was not present for the meeting. After review, Mr. Stewart moved to deny the application based on discrepancies in the documentation provided. Vice Chair Vaughn seconded the motion and the motion passed unanimously.

Johnny Andres Urrutia

Mr. Urrutia and Ms. Darlene Barror were present for the meeting and were sworn in by Loretta McDonald, Court Reporter. After review, Ms. Rivera moved to approve the application. The Board also imposed probation on the license to run concurrent with his criminal probation. Mr. Gilbert seconded the motion and the motion passed with Mr. Stewart voting against the motion.

Continuing Education Course Application

Initial Review

Five Star Beauty Salon

Course Application

Barber Course - 2 Hours Live Study

After review, Mr. Stewart moved to approve the application. Vice Chair Vaughn seconded the motion and the motion passed unanimously.

Other Business

Executive Director's Report

Financial Report ending December 31, 2011

Ms. Barineau reported that the balance in the Board's operating account on December 31, 2011, was over \$617,000 and the balance in their unlicensed activity account was over \$293,000 for the same period.

Florida Barbers' Board Newsletter – March 2012

Ms. Barineau informed the Board that the Florida Barbers' Board newsletter was included in the agenda for informational purposes.

Travel Suggestions

Ms. Barineau asked that all Board members travel to and from Board members by way of a state-contracted rental car unless they can document a cost savings to drive their personal vehicle.

Board Attorney's Report

Ms. Rachel Clark, Assistant Attorney General, informed the Board that the rules previously repealed by the Board will be effective soon. She will keep the Board updated on the progress of the repealed rules.

Division of Regulation

Complaints and Investigative Statistics Report – July 2011 – March 2012

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

Bureau of Education and Testing

Barber Examination Summary – January 2011 – March 2012

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

Dates and Locations of Future Meetings

November 5, 2012 – Tampa
February 4, 2013 – Orlando
May 6, 2013 – Daytona Beach

ADJOURNMENT

There being no further business, the meeting was adjourned at approximately 12:10 p.m.