

MINUTES

FLORIDA BARBERS' BOARD
HILTON – NAPLES
5111 TAMiami TRAIL NORTH
NAPLES, FLORIDA 34103

Sunday, July 17, 2016 9:00 a.m.

General Business Meeting

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
Michelino Nibaldi
Antonett Munchalfen

Board Members Absent

Other Persons Present

Robyn Barineau, Executive Director, Department of Business and Professional Regulation (DBPR)
Marlene Stern, Assistant Attorney General, Office of the Attorney General
Dillon Jess, Assistant General Counsel, Office of the General Counsel, DBPR
Julie Rowland, Government Analyst, DBPR
Sabrina Beauvais, Court Reporter
Corey Sturkey
Ignasio Gonzalez
Katrina Vega

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

APPROVAL OF MINUTES

The Board approved the minutes from the April 17, 2016, 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:

- Joseph Junior Laroche; Lake Worth
Case No. 2015007171
Mr. Jess requested that the case be pulled from the agenda
- New Era Barbershop; Deerfield Beach

Case No. 2015044270
\$500 fine and \$269.94 costs to be paid within six months

- Katrina Vega; Orlando
Case No. 2015044160
\$177.13 costs only

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:

- Ambioris Jose Rivera; Miami
Case No. 2014043823
\$500 fine and \$192.50 costs to be paid within six months
- Salla Barber Shop; Pembroke Pines
Case No. 2015030281
\$500 fine and \$160.11 costs to be paid within six months
- All Styles Corp.; North Miami
Case No. 2015053726
\$400 fine and \$24.84 costs to be paid within six months
- Johnny Rodriguez Soto; Kissimmee
Case No. 2015041325
\$187.39 costs only
Revocation of license BR3257
- Luis Colon, Jr.; Lehigh Acres
Case No. 2015041370
\$172.39 costs only
Revocation of license BR2948
- Israel Alvarado Pagan; Orlando
Case No. 2015041365
\$150.73 costs only
Revocation of license BR3119
- Luis Angel Perez Rivera; Deland
Case No. 2015041358
\$230.70 costs only
Revocation of license BR3650

Department Attorney Report

Mr. Jess informed the Board that as of July 11, 2016, there were 60 open barber cases in the legal section.

APPLICATIONS

Licensure Applications

Informal Hearing

Nichola Lynch / England

Ms. Lynch was not present for the meeting. Ms. Robyn Barineau, Executive Director, informed the Board that the application was denied at the January 10, 2016, Board meeting, because the application failed to demonstrate that she met the requirements of Rule 61G3-16.005, Florida Administrative Code. After review, Mr. Eddie Stewart moved to approve the application. Vice Chair Monica Smith seconded the motion and the motion passed unanimously.

Initial Review

Marvin Burch

Mr. Burch was not present for the meeting. After review, Vice Chair Smith moved to deny the application based on the noted criminal history. Ms. Antonett Munchalfen seconded the motion and the motion passed unanimously.

Heron Rodriguez

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

Ignasio Gonzalez

Mr. Gonzalez was present for the meeting and was sworn in by Ms. Sabrina Beauvais, Court Reporter. After review, Mr. Stewart moved to deny the application based on unsatisfied previous discipline and failure to disclose previous discipline. Vice Chair Smith seconded the motion and the motion passed unanimously.

Rafael Fraden

Mr. Fraden was not present for the meeting. After review, Vice Chair Smith 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. Mr. Michelino Nibaldi seconded the motion and the motion passed unanimously.

Allen Addington, Jr.

Ms. Yvonne Turner was present for the meeting and was sworn in by the Court Reporter. 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. Munchalfen seconded the motion and the motion passed unanimously.

Larry Graham

Ms. Turner was 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. Mr. Lionel Rodriguez seconded the motion and the motion passed unanimously.

Orando Grimon

Ms. Turner was 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. Mr. Nibaldi seconded the motion and the motion passed unanimously.

Norman Wood, III.

Ms. Turner was 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. Mr. Nibaldi seconded the motion and the motion passed unanimously.

Lester Schwalm

Ms. Turner was 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. Veronica Wold seconded the motion and the motion passed unanimously.

Ronald Williams

Ms. Turner was 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.

Corey Sturkey

Mr. Sturkey 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.

Tiara Ross

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

OTHER BUSINESS

Board Attorney Report

Ms. Marlene Stern, Assistant Attorney General, informed the Board that the following rule amendments will be effective on August 4, 2016.

- 61G3-20.009, F.A.C. – Barber License Biennial Renewal Fee
- 61G3-20.010, F.A.C. – Biennial Barbershop Licensure Renewal Fee
- 61G3-20.0105, F.A.C. – Barbershop Delinquent Renewal Fee
- 61G3-20.015, F.A.C. – Renewal of Inactive License Fee
- 61G3-20.020, F.A.C. – Delinquent License Fee

Executive Director Report

Financial Report for Period Ending March 2016

Ms. Barineau reported that the balance in the Board's operating account as of March 31, 2016, was over \$1.7 million, and the balance in their unlicensed activity account was over \$232,000 for the same period.

Correspondence

Complaints and Investigative Statistics – July 2015 – May 2016

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 – May 2016

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

Dates and Locations of Future Meetings

October 17, 2016 – Orlando
January 22, 2017 – Tampa
April 23, 2017 – Fernandina Beach
July 16, 2017 – Celebration
October 15, 2017 – Hutchison Island

ADJOURNMENT

There being no further business, the meeting was adjourned at approximately 1:00 p.m.