

## MINUTES

FLORIDA BARBERS' BOARD  
PROFESSIONS BOARD ROOM  
1940 NORTH MONROE STREET  
TALLAHASSEE, FLORIDA 32399

Monday, May 17, 2010, 9:00 a.m. (EST)

### **General Business Meeting**

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  
Carl Troup, Vice Chair  
Robert Collins  
Tommy Vaughn  
Julie Rivera  
Edwin Stewart

#### **Board Members Absent**

None

#### **Other Persons Present**

Secretary Charlie Liem, Department of Business and Professional Regulation (DBPR)  
Maureen Olson, Deputy Secretary, DBPR  
Robyn Barineau, Executive Director, DBPR  
Julie Rowland, Government Analyst, DBPR  
Rachel Clark, Assistant Attorney General, Attorney General's Office  
Jason White, Assistant General Counsel, DBPR  
Suzette Bragg, Court Reporter  
Gus Ashoo, Chief, Bureau of Education and Testing (BET), DBPR  
Alex Bosque, BET, DBPR  
Suzanne Lee, BET, DBPR  
Kelly Torres, BET, DBPR  
Nikita Norton, Central Intake Unit (CIU), DBPR  
Levern James, CIU, DBPR  
Barbara Smith, CIU, DBPR  
Jessica Scott, CIU, DBPR  
Kenisha Walker, CIU, DBPR  
Velvet Fitzgerald-Haynes, CIU, DBPR  
Ross Nicholson, Instructor, Westside Technical Center  
John Harrington, Administrator, North Florida Cosmetology Institute (NFCI)  
Susan Shields, Instructor, NFCI  
Peter De Toth, President, Paramount Institute of Hair, Skin and Nails  
Carol Collins  
Gerald Campbell  
Angel Cabrera  
Marco Mastroianni  
Angela Migliarese  
Anna Mastroianni

Shawn Murrell  
Andrew Booker  
Jonathan Miller  
Joseph Newton  
Buster Newton  
Dwayne Bennett  
Sean McCarthy  
Lori Rivera  
Kevin McCalla

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

Chair White introduced and welcomed Interim Secretary Charlie Liem to the meeting. Secretary Liem commented on the rich heritage of the barbering industry. Secretary Liem informed the board that it was an honor to serve at the department. He expressed the positive strides made at the department in just a few years such as the reduction in hold times for customers calling the Customer Contact Center, and the length of time it takes to process an application. He thanked the board for their service and asked them to contact him with any questions or concerns.

Mr. Edwin Stewart moved to accept the minutes from the General Business Meeting of March 23, 2010. Vice Chair Carl Troup seconded the motion and it passed unanimously.

## **DISCIPLINARY MATTERS**

### **Informal Hearing**

Dwayne Bennett; North Lauderdale  
Case No. 2009-027199

Mr. Jason White, Assistant General Counsel, informed the board that the Respondent had elected an informal hearing in the matter. Mr. Bennett was present for the meeting and was sworn in by the Court Reporter. Mr. White presented the department's case and suggested imposing a fine of \$1,000 and costs of \$66.68. Vice Chair Troup moved that the Respondent was properly served with the Administrative Complaint and elected to not dispute the alleged facts, that there is competent and substantial evidence in the investigative file to support the allegations, that the Respondent committed the offenses outlined in the Administrative Complaint, and that the board impose a fine of \$1,000 and costs of \$66.68. Mr. Thomas Vaughn seconded the motion and the motion passed unanimously.

### **Motion for Waiver of Rights and Final Order**

Wes Barber Shop; Miami  
Case No. 2009-035071

This case was pulled from the agenda.

Mr. White presented the following cases for consideration by the board. Mr. Stewart moved that the Respondents were properly served with the Administrative Complaint, that 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 the law of this board, and that the board impose the penalty as recommended in the Petitioner's Motion for Finding of Waiver of Respondent's Right and for Final Order and that the board impose a penalty on the Respondent as shown below:

- Antonio Bartee; Gainesville  
Case No. 2009-032646  
\$500 fine and \$83.09 costs  
Six month stayed suspension
- Justin R. Brothers; St. Petersburg  
Case No. 2008-010358  
\$1,000 fine and \$78.40 costs  
Six month stayed suspension
- Jose Corona and New York's Finest Cuts; Lake Worth  
Case Nos. 2009-013002 & 2009-013006  
\$2,326.42 fine and \$101.04 costs  
Six month stayed suspension
- Jose E. Corsino; Sanford  
Case No. 2009-015593  
\$250 fine and \$76.94 costs
- Do It Right; Miami  
Case No. 2008-05242  
\$1,000 fine and \$31.64 costs  
Six month stayed suspension
- Christopher Gonzalez; Sebring  
Case No. 2009-028196  
\$500 fine and \$31.61 costs  
Six month stayed suspension
- Finotte Foreste and Impressionate Beauty Salon; West Palm Beach  
Case Nos. 2009-002719 and 2009-002707  
\$1,500 fine and \$146.15 costs  
Six month stayed suspension
- In Da Hood Barber Shop; Orlando  
Case No. 2009-037469  
\$1,500 fine and \$82.05 costs  
Six month stayed suspension

- Cassidy Johnny; Delray Beach  
Case No. 2009-032766  
\$500 fine and \$84.92 costs  
Six month stayed suspension
- Hasani Kilpatrick; Tallahassee  
Case No. 2009-020467  
\$250 fine and \$141.98 costs
- Matthew Ali Little; Jacksonville  
Case No. 2009-037552  
\$500 fine and \$71.76 costs  
Six month stayed suspension
- Orlando Padron; Miami  
Case No. 2009-009903  
\$500 fine and \$78.64 costs
- Perfections Barbershop; Hialeah  
Case No. 2009-035093  
\$500 fine and \$57.20 costs  
Six month stayed suspension
- Jaime V. Richardson; Tallahassee  
Case No. 2009-020500  
\$250 fine and \$149.01 costs
- Sencillo Barber Shop; Orlando  
Case No. 2009-037516  
\$500 fine and \$11.98 costs  
Six month stayed suspension
- Will's Barbershop & Willie C. Ewing; Ft. Pierce  
Case Nos. 2008-059697 and 2008.059691  
\$1,450 fine and \$141.89 costs  
Six month stayed suspension

Vice Chair Troup seconded the motion and the motion passed unanimously.

**Settlement Stipulation**

Elizabet Hernandez and Masters Barber Shop; West Palm Beach  
Case Nos. 2009-023987 and 2009-023993

These cases were tabled for a future meeting due to the Respondent's request for a formal hearing.

## **Department Attorney Report**

Mr. White informed the board that as of April 19, 2010, there were 118 open barber cases in the legal section.

### **APPLICATIONS**

#### **Informal Hearings**

##### Marco Mastroianni

Mr. Mastroianni was present for the meeting and was sworn in by the Court Reporter. The board denied his application at the February 8, 2010, meeting based on the noted criminal history. After review, Mr. Stewart moved to uphold the denial based on the noted criminal history. Vice Chair Troup seconded the motion and the motion passed unanimously.

##### Joseph William Newton

Mr. Newton was present for the meeting and was sworn in by the Court Reporter. The board denied his application at the February 8, 2010, meeting based on the noted criminal history. After review, Mr. Stewart moved to uphold the denial based on the noted criminal history. Vice Chair Troup seconded the motion and the motion passed with Chair White voting against the motion.

##### Carlos A. Ruiz / Dominican Republic

Mr. Ruiz was not present for the meeting. The board denied his application at the February 8, 2010, meeting for failure to demonstrate evidence that his school's program included safety, sanitation, and sterilization; hair structure and chemistry; shampooing; shaving; and he failed to demonstrate that he satisfactorily completed a written examination comparable to or more stringent than the examination given by the department. After review, Mr. Stewart moved to approve the application based on the documentation provided. Mr. Vaughn seconded the motion and the motion passed unanimously.

#### **Initial Review**

##### Andrew J. Booker

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

##### Angel Cabrera

Mr. Cabrera was present for the meeting and was sworn in by the Court Reporter. After review, Mr. Stewart moved to deny the application based on the noted criminal history. Vice Chair Troup seconded the motion and the motion passed unanimously.

##### Ubel Camejo

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

##### Gerald A. Campbell

Mr. Campbell was present for the meeting and was sworn in by the Court Reporter. After review, Ms. Julie Rivera moved to approve the application. Vice Chair Troup seconded the motion and the motion passed with Mr. Stewart voting against the motion.

Ruben Castillo

Mr. Castillo was not present for the meeting. After review, Mr. Vaughn moved to approve the application. Vice Chair Troup seconded the motion and the motion passed unanimously.

Richard Gonzalez

Mr. Gonzalez was not present for the meeting. After review, Mr. Stewart moved to deny the application based on the noted criminal history. Vice Chair Troup seconded the motion and the motion passed unanimously.

Adam Jaafar Hassani

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

Archelaus Davyerre Johnson

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

Simean J. Knowles Jr.

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

Luis G. Lugo

Mr. Lugo was not present for the meeting. After review, Vice Chair Troup moved to approve the application. Ms. Rivera seconded the motion and the motion passed unanimously.

Kevin G. McCalla

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

Sean A. McCarthy

Mr. McCarthy was present for the meeting and was sworn in by the Court Reporter. After review, Mr. Stewart moved to deny the application based on the noted criminal history. Vice Chair Troup seconded the motion and the motion passed unanimously.

Jonathan Miller

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

Shawn Lee Murrell

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

William B. Parker, IV

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

Frankly Ramirez

Mr. Ramirez was not present for the meeting. After review, Mr. Stewart moved to deny the application based on the noted criminal history. Vice Chair Troup seconded the motion and the motion passed unanimously.

Richard J. Reed

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

Kendrick Loment Roberts

Mr. Roberts was not present for the meeting. After review, Vice Chair Troup moved to approve the application. Mr. Vaughn seconded the motion and the motion passed unanimously.

Uvaldo Rodriguez

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

Curtis Tyrone Williams Jr.

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

Clifton Wilson

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

**Continuing Education Provider and Course Application**

**Initial Review**

Continuingcosmetology.com

Course Application

Florida 2 Hour HIV/AIDS CE Course for Barbers – 2 Hours Home Study/Video

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

Florida Department of Health, Bureau of HIV/AIDS

Provider Application

Course Application

HIV 101 Course

After review, Mr. Stewart moved to approve the applications with the following contingency: add the course number on the course completion certificate. The correction must be submitted to the Executive Director within 30 days of the date of the order for approval. Vice Chair Troup seconded the motion and the motion passed unanimously.

**New Business**

**Late Reporting of Criminal Convictions**

The board approved the draft language imposing penalties for late reporting of criminal convictions and asked Ms. Rachel Clark, Assistant Attorney General, to notice the disciplinary guidelines for discussion at the August meeting.

## **Other Business**

### **Executive Director's Report**

#### Financial Report for Year Ending December, 2009

Ms. Robyn Barineau, Executive Director, reported that the balance in the board's operating account on December 31, 2009, was \$227,990, and the balance in their unlicensed activity account was \$175,744.

#### Florida Barbers' Board Newsletter – February 2010

Ms. Barineau informed the board that the Florida Barber's Board Newsletter was included in the agenda for informational purposes.

## **Board Attorney's Report**

#### Rule 61G3-15.016, Florida Administrative Code – Time for Payment of Civil Penalties

Vice Chair Troup made a motion that this rule amendment has no impact on small business. Mr. Vaughn seconded the motion and the motion passed unanimously. Vice Chair Troup made a motion to approve the language as provided by Board Counsel. Mr. Vaughn seconded the motion and the motion passed unanimously.

### **Division of Regulation**

#### Complaints and Investigative Statistics Report – July 2009 - March 2010

Ms. Barineau informed the board that the complaints and investigate statistics report was included in the agenda for informational purposes.

Mr. Michael Green, Unlicensed Activity Administrator, Division of Regulation, informed the board of the department's efforts to combat unlicensed activity. He advised the board that there have been 15 unlicensed activity sweeps since July 2009; the toll-free unlicensed activity hotline is operated Monday - Friday, 8 a.m. - 6 p.m.; regulation staff has addressed students at various barbering schools; and unlicensed activity advertisements have been placed in movie theaters and on various city buses. Mr. Green mentioned the board's request to create barbering pamphlets, and he solicited their ideas on the pamphlets. The board suggested highlighting a career in barbering, transfer of ownership/location of barbershops, when students can work, renewing a barber/barbershop license, and other regulatory elements. Mr. Green will draft a pamphlet for review by the board at the August meeting.

### **Bureau of Education and Testing**

#### Cosmetology Examination Summary – January 2010 - March 2010

Ms. Barineau informed the board that the cosmetology examination summary was included in the agenda for informational purposes.



Mr. Alex Bosque and Ms. Kelly Torres, Bureau of Education and Testing, addressed the board and informed them that the pass rates for full barbers have remained steady for the last two years. They added that the pass rate for restricted barbers has increased.

**Dates and Locations of Future Meetings**

August 9, 2010 – Palm Beach  
November 15, 2010 – Tampa  
February 28, 2011 – Orlando  
May 16, 2011 – Amelia Island

**ADJOURNMENT**

There being no further business, the meeting was adjourned at approximately 12:15 p.m.