

WEST VIRGINIA STATE BOARD OF BARBERS AND COSMETOLOGISTS

1201 Dunbar Avenue
Dunbar, WV 25064
Phone: (304) 558-2924
Meeting Minutes
October 15, 2017

Members Present

Sarah Hamrick, President
Justina Gabbert
Susan Poveromo
Melissa Delaney

Members Absent

Michael Belcher, Vice President
Khuong Nguyen
Sean Stevens

The meeting was called to order by Sarah Hamrick, President of the West Virginia State Board of Barbers and Cosmetologists at 10:05 a.m. at the Board office, Dunbar, WV.

The first item on the agenda was **Call to Order/Roll Call**.

The next item on the agenda was **Board Minutes Approval**.

The Chair entertained a motion to approve the meeting minutes for July 26th, 2017 as presented. On motion duly made by Justina Gabbert and seconded by Melissa Delaney; the motion carried unanimously.

The next item on the agenda was **Board to Hear 3rd + Offenses**.

The Chair recognized Charles Persinger, Executive Director. Mr. Persinger presented the following 3rd + offense(s):

K-513: 4th offense; 2.47; failing to keep storage cabinets, work stations, vanities and the inside of microwave ovens or other such equipment clean. Practitioner did not appear to answer for 4th offense violation. The practitioner's spouse contacted the Board office prior to the meeting and advised that the practitioner would not be appearing at the meeting on 10/15/2017. The Chair entertained a motion to seek an opinion from the Attorney General's Office and to send the practitioner a certified letter stating that if the practitioner continues to fail to appear, disciplinary action may be taken against the practitioner in accordance with Chapter 30, Article

27, West Virginia State Code. On motion duly made by Justina Gabbert and seconded by Melissa Delaney; the motion carried unanimously.

K-606: 3rd offense; 2.40; failing to discard a disposable emery board, sponge, buffer, or orangewood stick after use on a client or to give the emery board, sponge, buffer, or orangewood stick to the client. Practitioner did appear to answer for 3rd offense violation. The Chair entertained a motion to approve the negotiation of a consent decree. Consent decree will require that the practitioner pay any outstanding fines and the practitioner will be issued the following citation(s): 1st and 2nd offense; 2.40; failing to discard a disposable emery board, sponge, buffer, or orangewood stick after use on a client or to give the emery board, sponge, buffer, or orangewood stick to the client; amount; \$150.00. On motion duly made by Justina Gabbert and seconded by Melissa Delaney; the motion carried unanimously.

H-961: 3rd offense; 2.2; working with an expired license. Practitioner did not appear to answer for 3rd offense violation. The Chair entertained a motion to seek an opinion from the Attorney General's Office and to send the practitioner a certified letter stating that if the practitioner continues to fail to appear, disciplinary action may be taken against the practitioner in accordance with Chapter 30, Article 27, West Virginia State Code. On motion duly made by Justina Gabbert and seconded by Melissa Delaney; the motion carried unanimously.

K-598: 4th offense; 2.4; operating a shop with an expired shop license. K-597: 4th offense; 2.68; Failing to discard files after each use. Practitioner did appear to answer for 4th offense violations. The Chair entertained a motion to approve the negotiation of a consent decree. Consent decree will require that the practitioner pay outstanding fines in the amount of \$1,000.00. On motion duly made by Melissa Delaney and seconded by Justina Gabbert; the motion carried unanimously.

K-586: 4th offense; 2.40; failing to discard a disposable emery board, sponge, buffer, or orangewood stick after use on a client or to give the emery board, sponge, buffer, or orangewood stick to the client. Practitioner did appear to answer for 4th offense violation. The Chair entertained a motion to require the practitioner and employees of the salon/shop to complete sanitation training which will be administered by a Board Inspector. On motion duly made by Justina Gabbert and seconded by Melissa Delaney; the motion carried unanimously.

K-581: 3rd offense; 2.40; Failing to discard a disposable emery board, sponge, buffer, or orangewood stick after use on a client or to give the emery board, sponge, buffer, or orangewood stick to the client. Practitioner did appear to answer for 3rd offense violation, but was not listed on the agenda. The Chair and Board advised the practitioner to properly dispose of disposable items and issued a warning to the practitioner.

The next item on the agenda was **Fine Appeals in Writing**.

The Chair recognized Charles Persinger, Executive Director. Mr. Persinger presented the following fine appeals that were submitted in writing:

H-974: 1st offense; 2.4; operating a shop with an expired shop license. The Chair entertained a motion to **UPHOLD** the fine as presented. On motion duly made by Justina Gabbert and seconded by Melissa Delaney; the motion carried unanimously.

H-981: 1st offense; 2.2; working with an expired license. The Chair entertained a motion to **DISMISS** the fine as presented. On motion duly made by Justina Gabbert and seconded by Melissa Delaney; the motion carried unanimously.

The next item on the agenda was **P-Card Purchases**.

The Chair recognized Charles Persinger, Executive Director. Mr. Persinger presented purchases paid by card for July 2017. The total amount of card purchases for the month of July 2017 was \$2,540.68 (attachment A). The Chair entertained a motion to approve the card purchases as presented. On motion duly made by Justina Gabbert and seconded by Melissa Delaney; the motion carried unanimously.

The next item on the agenda was **Board Financials**.

The Chair recognized Charles Persinger, Executive Director. Mr. Persinger presented the Board's revenue and expenses from February 2017 – September 2017 and expenditures from March 2017 – August 2017. Mr. Persinger also presented the cash balance as of October 15th, 2017. The Chair requested that in the future, Mr. Persinger provide a budget allocation with the amount of funding designated to the Board's expenditures. The Chair entertained a motion to approve the financials as presented. On motion duly made by Melissa Delaney and seconded by Justina Gabbert; the motion carried unanimously.

The next item on the agenda was **Continuing Education – Board's Online Sanitation and Law Course**.

Members and Board staff discussed the current development of the online continuing education course on sanitation procedures and law. The Chair recognized Danielle Wattie, Deputy Director. Ms. Wattie presented a course outline of the Board's sanitation and law course to Members. It was determined that Ms. Wattie will continue to periodically update the Board on the development and progress of the course.

The next item on the agenda was **Public Requests – Brittney Herron**.

The Chair recognized Charles Persinger, Executive Director. Mr. Persinger presented a request from Brittney Herron. Ms. Herron requested that the Board refund her in the amount of \$15.00 for a booth rental certificate. The Board recommended advising Ms. Herron that the \$15.00 fee

that was remitted in payment for the booth rental certificate could be credited towards another booth rental certificate in the future.

The next item on the agenda was **Overview of July 2017 Board Meeting.**

The Chair recognized Charles Persinger. Mr. Persinger advised the Board that a hearing has been scheduled on 11/15/2017 regarding a licensee who is currently in violation of State Code and has refused to respond to any correspondence from the Board office.

The next item on the agenda was **Summary of the 2017 NABBA Conference.**

The Chair recognized Charles Persinger, executive Director. Mr. Persinger discussed attending the National Association of Barber Boards of America conference that was held in Mount Pleasant, SC in September 2017.

Executive Session: The Chair entertained a motion to adjourn regular session and reconvene into executive session to discuss staff raises and the Board's contract with D.L. Roope Administrations. On motion duly made by Justina Gabbert and seconded by Melissa Delaney; the motion carried unanimously.

Regular Session: The Chair entertained a motion to adjourn executive session and reconvene into regular session. On motion duly made by Justina Gabbert and seconded by Melissa Delaney; the motion carried unanimously.

The next item on the agenda was **State Discussion of Personnel Matters – Staff Raises.**

The Chair entertained a motion to authorize a salary increase for Jason Graves in the amount of \$3,000.00 and to also authorize a salary increase for Crystal Severson in the amount of \$2,000.00 effective immediately. On motion duly made by Justina Gabbert and seconded by Melissa Delaney; the motion carried unanimously.

The next item on the agenda was **DL ROOPE Contract.**

Members and staff discussed the Board's current contract with the third-party testing administrator, D.L. Roope Administrations. The current contract will expire on 12/31/2017 and Members reviewed the new contract.

Adjournment: The Chair entertained a motion to adjourn the meeting. On motion duly made by Justina Gabbert and seconded by Melissa Delaney; the motion carried unanimously. The meeting was adjourned at 1:02 p.m.

Others Present

Charles Persinger, Executive Director


Danielle Wattie, Deputy Director

Crystal Severson, Administrative Assistant II

Stacie Harper, Inspector

Ann Thomas, Academy of Careers and Technology
Quynh Nguyen, WV Nail Spa
Cathy Nguyen, Pretty Nail I

Prepared by:



Danielle J. Wattie, Deputy Director/Secretary



Date

