

MINUTES

BOARD MEETING WEST VIRGINIA BOARD OF BARBERS AND COSMETOLOGISTS CARVER BEAUTY ACADEMY, CHARLESTON, WV 1:00 P.M.

FEBRUARY 7, 2016

Members Present

Sarah Hamrick, President
Michael Belcher, Vice President
Susan Poveromo
Justina Gabbert
Melissa Delaney

Members Absent

Sean Stevens
Khuong Nguyen

Others Present

Amanda Smith, Executive Director
Charles Persinger, Deputy Director
Danielle Cordle, Secretary
Jason Graves, Inspector
Linda Johnson
Mong Dang
Jonathan Wriston
Stephen Skidmore
Robert Black
Natalie Miller
Deotis Brown
Sandra Brown
Ann Thomas

The meeting was called to order by Sarah Hamrick, President of the West Virginia Board of Barbers and Cosmetologists at 1:06 p.m. at Carver Beauty Academy, Charleston, WV.

The first item on the agenda was **Roll Call**.

The next item on the agenda was the **Board Minutes Approval**. The Chair entertained a motion to approve the minutes for December 6, 2015 as presented. On motion duly made by Michael Belcher and seconded by Melissa Delaney the motion carried unanimously. The Chair entertained a motion to approve the minutes for January 10, 2016 as presented. On motion duly made by Justina Gabbert and seconded by Michael Belcher the motion carried unanimously.

The next item on the agenda was the **Purchasing (PCARD) Purchases**. The Chair recognized Amanda Smith, Executive Director. Ms. Smith presented the purchasing (PCARD) purchases for November 2015 and December 2015 (see attachment A). The Chair entertained a motion to approve the purchasing (PCARD) purchases for November 2015. On motion duly made by Susan Poveromo and seconded by Justina Gabbert the motion carried unanimously. The Chair entertained a motion to approve the

purchasing (PCARD) purchases for December 2015. On motion duly made by Justina Gabbert and seconded by Michael Belcher the motion carried unanimously.

The next item on the agenda was **Board Financials**. The Chair recognized Amanda Smith, Executive Director. Ms. Smith presented the financials for July 2015 – December 2015 (see attachment B). The Chair entertained a motion to approve the financials as presented. On motion duly made by Michael Belcher and seconded by Justina Gabbert the motion carried unanimously.

The next item on the agenda was **2016 Legislative Session**. The Board and the Executive Director discussed the 2016 legislative session.

The next item on the agenda was **Employee Handbook**. The Board and the Executive Director discussed the employee handbook. The Chair entertained a motion to add the responsibilities of Board Members into the handbook. On motion duly made by Susan Poveromo and seconded by Justina Gabbert the motion carried unanimously.

The next item on the agenda was **FARB: Federation of Associations of Regulatory Boards**. The Board and the Executive Director discussed FARB. It was concluded that the discussion will continue at the next meeting.

The next item on the agenda was **SpanTran: Evaluation Company**. The Chair recognized Amanda Smith, Executive Director. Ms. Smith presented a request from SpanTran for the Board to consider utilizing their company to evaluate all international transcripts/diplomas, domestic online high school diplomas, and transcripts/diplomas from beauty schools that have been flagged. The Chair entertained a motion to **DENY** the request as presented. On motion duly made by Justina Gabbert and seconded by Michael Belcher the motion carried unanimously.

The next item on the agenda was **Southern WV Curriculum for New Program**. The Chair recognized Amanda Smith, Executive Director. Ms. Smith presented the curriculum for the cosmetology program from Southern WV Community and Technical College. The Chair entertained a motion to **APPROVE** the curriculum as presented. On motion duly made by Susan Poveromo and seconded by Michael Belcher the motion carried unanimously.

The next item on the agenda was **DL Roope: New Cosmetology Exam CIB Choices**. The Chair recognized Amanda Smith, Executive Director. Ms. Smith presented the new cosmetology exam CIB choices from DL Roope. The Chair entertained a motion to **APPROVE** the new cosmetology exam CIB choices as presented. On motion duly made by Susan Poveromo and seconded by Melissa Delaney the motion carried unanimously.

The next item on the agenda was **Continuing Education Waiver Request: Elizabeth Dye**. The Chair recognized Amanda Smith, Executive Director. Ms. Smith presented a request from Elizabeth Dye for the Board to consider waiving the continuing education requirement. The Chair entertained a motion to **DENY** the request as presented and to provide Ms. Dye with other alternative ways to obtain continuing

education hours. On motion duly made by Susan Poveromo and seconded by Melissa Delaney the motion carried unanimously.

The next item on the agenda was **Fine Appeals – Licensing**. The Chair recognized Charles Persinger, Deputy Director. Mr. Persinger presented the following fine appeal(s):

In Person

H-780 & H-781: 1st & 2nd offense, 2.12, allowing an unlicensed person to practice in a licensed shop. Licensee did appear to appeal outstanding fines. The Chair entertained a motion to **UPHOLD** the fines as presented. On motion duly made by Susan Poveromo and seconded by Justina Gabbert the motion carried unanimously.

G-954: 1st offense, 2.4, operating a shop with an expired shop license. Licensee did appear to appeal outstanding fine. The Chair entertained a motion to **UPHOLD** the fine as presented. On motion duly made by Justina Gabbert and seconded by Michael Belcher the motion carried unanimously.

In Writing

H-789: 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 Michael Belcher the motion carried unanimously.

G-301: 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 Susan Poveromo and seconded by Justina Gabbert the motion carried unanimously.

G-991: 2nd 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 Susan Poveromo and seconded by Melissa Delaney the motion carried unanimously.

L-377: 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.

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

G-962: 3rd offense, 2.4, operating a shop with an expired shop license. Licensee did appear to answer for 3rd offense violation. The Chair entertained a motion to approve the negotiation of a consent decree. On motion duly made by Justina Gabbert and seconded by Michael Belcher the motion carried unanimously. The consent decree will consist of the following terms and conditions:

- (1) Licensee will be ordered to pay administrative costs in the amount of \$500.00. The administrative costs imposed must be paid within thirty (30) days of the signed agreement.
- (2) Licensee will be ordered to pay fines in the amount of \$500.00 for violation 2.4.
- (3) Any outstanding fines must be paid and all licenses must be brought current.

G-983: 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. The Chair entertained a motion to approve the negotiation of a consent decree. On motion duly made by Justina Gabbert and seconded by Michael Belcher the motion carried unanimously. The consent decree will consist of the following terms and conditions:

- (1) Licensee will be ordered to pay administrative costs in the amount of 1,000.00. The administrative costs imposed must be paid within thirty (30) days of the signed agreement.
- (2) Licensee will be ordered to pay fines in the amount of \$300.00 for violation 2.40.
- (3) Licensee must post a Board supplied sign for six (6) weeks on the front door of their shop. The sign will be posted and removed by the Board at the conclusion of six (6) weeks. The sign cannot be covered, removed, replaced, or have any other type of interference.
- (4) Any outstanding fines must be paid in full within thirty (30) days of the signed agreement.
- (5) Licensee must participate in daily inspections and sanitation training for a period of one (1) week.

Executive Session: The Chair entertained a motion to adjourn regular session and reconvene into executive session to discuss complaints. On motion duly made by Justina Gabbert and seconded by Michael Belcher 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 Michael Belcher the motion carried unanimously.

The next item on the agenda was **Complaints**.

C2015-27: The Chair entertained a motion to **CLOSE** the complaint;

C2015-64: The Chair entertained a motion to **DISMISS** the complaint;

C2016-17: The Chair entertained a motion to **CLOSE** the complaint;

C2016-20: The Chair entertained a motion to **DISMISS** the complaint;

C2016-38: The Chair entertained a motion to leave complaint **OPEN** and to continue to perform follow-up inspections;

C2016-39: The Chair entertained a motion to **DISMISS** the complaint.

On motion duly made by Susan Poveromo and seconded by Justina Gabbert the motion carried unanimously.

The next item on the agenda was **Ha Nguyen Reinstatement of License Request**. The Chair entertained a motion to approve the reinstatement of licensure. Ha Nguyen must first submit documentation for licensure to AEQUO International for evaluation. Ha Nguyen must also retake and pass the Board exams. On motion duly made by Susan Poveromo and seconded by Michael Belcher the motion carried unanimously.

The next item on the agenda was **Consent Agreement for Natalie Miller**. The Chair entertained a motion to approve the negotiation of a consent decree. On motion duly made by Michael Belcher and


seconded by Susan Poveromo the motion carried unanimously. The consent decree will consist of the following terms and conditions:

- (1) Licensee will be ordered to pay administrative costs in the amount of \$500.00. The administrative costs imposed must be paid within thirty (30) days of the signed agreement.
- (2) Any outstanding violations must be paid and all licenses must be brought current.

The next item on the agenda was **Personnel Matters: Staff Salaries**. The Chair entertained a motion to increase Charles Persinger's salary to \$43,000.00; increase Danielle Cordle's salary to \$38,000.00; increase Jason Graves' salary to \$32,000.00, and hire Crystal Severson as a full time employee with a salary in the amount of \$20,000.00. Stacie Harper will be given an increase in salary in the amount of \$1,000.00. Kenyon Warner will be given an increase in salary in the amount of \$1,000.00. On motion duly made by Susan Poveromo and seconded by Justina Gabbert the motion carried unanimously.

Adjournment: The Chair entertained a motion to adjourn the meeting. On motion duly made by Michael Belcher and seconded by Susan Poveromo the motion carried unanimously. The meeting was adjourned at 5:40 p.m.

Prepared by:



Danielle J. Cordle/Secretary



Date