

MINUTES

BOARD MEETING

WEST VIRGINIA BOARD OF BARBERS AND COSMETOLOGISTS

THE HAMPTON INN, HURRICANE, WV

1:00 P.M.

APRIL 26, 2015

Members Present:

Sarah Hamrick, President
Michael Belcher, Vice President
Justina Gabbert, Member
Susan Poveromo, Member
Rick Stache, Member
Sean Stevens, Member
Khuong Nguyen, Member

Others Present:

Amanda Smith, Executive Director
David Scarpelli, Deputy Director
Danielle Cordle, Secretary
Charles Persinger
Jason Graves
Gretchen Murphy

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 the Hampton Inn, Hurricane, WV.

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

The next item on the agenda was **Approval of Minutes for February 22, 2015:**

The Chair entertained a motion to approve the Minutes as presented. On motion duly made by Justina Gabbert and seconded by Rick Stache the motion carried unanimously.

The next item on the agenda was **Purchasing Card Purchases (PCARD):**

The Chair recognized Amanda Smith, Executive Director. Ms. Smith presented the Purchasing Card (PCARD) purchases for the month of January 2015 (see attachment A). The Chair entertained a motion to approve PCARD purchases as presented. On motion duly made by Susan Poveromo and seconded by Justina Gabbert the motion carried unanimously. Ms. Smith presented the Purchasing Card (PCARD) purchases for the month of February 2015 (see attachment B). The Chair entertained a motion to approve PCARD purchases as presented. On motion duly made by Michael Belcher and seconded by Rick Stache 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 the months of July 2014 – March 2015 (see attachment C). The Chair entertained a motion to approve financials 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 **Lease Agreement:**

The Chair recognized Amanda Smith, Executive Director. Ms. Smith presented the lease renewal agreement for the Board office; located at 1201 Dunbar Avenue, Dunbar, WV 25064 (see attachment D). The Chair entertained a motion to approve the lease renewal agreement as presented. On motion duly made by Michael Belcher and seconded by Khuong Nguyen the motion carried unanimously.

The next item on the agenda was the **Possible Extension of DL Roope Contract:**

The Chair entertained a motion to approve a contract extension from June 30, 2015 until December 31, 2015. On motion duly made by Michael Belcher and seconded by Justina Gabbert the motion carried unanimously.

The next item on the agenda was **Fine Appeals:**

The Chair recognized Charles Persinger, Board office staff. Mr. Persinger presented the following fine appeals:

Fine Appeals in Person:

B-0667: 1st offense, 2.37.Failing to keep any shop waste disposal container clean; **B-0668:** 1st offense, 2.55.Failing to keep a licensed facility's walls, floors, baseboards, and ceiling clean and free of excessive spots, mildew, scuff marks, gathered dirt, mold, condensation or peeling paint; **K-127:** 1st offense, 2.45.Failing to keep roller-storage receptacles and their contents clean and free of foreign material. Licensee did not 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 Michael Belcher the motion carried unanimously.

B-0665: 1st offense, 2.2.Working with an expired license; **K-132:** 2nd offense, 2.2.Working with an expired license. Licensee did not appear to appeal outstanding fines. The Chair entertained a motion to **UPHOLD** the fines as presented. On motion duly made by Justina Gabbert and seconded by Michael Belcher the motion carried unanimously.

B-0666: 1st offense, 2.4.Operating a shop with an expired shop license; **K-125:** 2nd offense, 2.4.Operating a shop with an expired shop license. Licensee did not appear to appeal outstanding fines. The Chair entertained a motion to **UPHOLD** the fines as presented. On motion duly made by Justina Gabbert and seconded by Rick Stache the motion carried unanimously.

Expired License Appeals:

G-756: 1st offense, 2.2.Working with an expired license. The Chair entertained a motion to **UPHOLD** the fine as presented. On motion duly made by Michael Belcher and seconded by Sean Stevens the motion carried unanimously.

G-755: 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 Rick Stache the motion carried unanimously.

H-589: 1st offense, 2.2. Working with an expired 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.

Sanitation Appeals:

H-566: 2nd offense, 2.33. Failing to ensure that all articles which come in contact with a client are either disinfected, cleaned or disposed of. The Chair entertained a motion to **UPHOLD** the fine as presented. On motion duly made by Justina Gabbert and seconded by Rick Stache the motion carried unanimously.

3rd + Offenses:

L-325: 4th offense, 2.2. Working with an expired license. Licensee did appear to answer for 4th offense violation. The Chair entertained a motion to approve the negotiation of a consent decree. On motion duly made by Susan Poveromo and seconded by Rick Stache the motion carried unanimously.

Executive Session: The Chair entertained a motion to adjourn regular session and convene into executive session. On motion duly made 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 Khuong Nguyen the motion carried unanimously.

The next item on the agenda was the **Grievance of Lynda Ware:**

The Chair entertained a motion to grant authorization to Gretchen Murphy, Assistant Attorney General, to negotiate and settle with the Grievant, Lynda Ware. On motion duly made by Susan Poveromo and seconded by Justina Gabbert the motion carried unanimously.

The next item on the agenda was **Legislation Concerns/Code & Rule Overview:**

The Chair entertained a motion to approve conducting three (3) additional Board meetings for discussion and review of Code/Rule changes and the 2016 Legislative Session. The meeting dates are scheduled for July 12, 2015, October 4, 2015 and November 8, 2015. On motion duly made by Justina Gabbert and seconded by Michael Belcher the motion carried unanimously.

The next item on the agenda was **CE Provider Applications:**

Hair Affair Distribution and Education Center (HADEC): The Chair entertained the motion to **DENY** the Continuing Education Provider Application. On motion duly made by Susan Poveromo and seconded by Michael Belcher the motion carried unanimously.

Stacy Rahall: A request was presented for a proposed topic of study for continuing education. Ms. Rahall requested to offer a course in yoga training. The Chair entertained a motion to **DENY** the request as presented. On motion duly made by Michael Belcher and seconded by Khuong Nguyen the motion carried unanimously.

Tabled from February 22, 2015 Meeting:

Review Out-of-Country Transcripts for Cosmetology Reciprocity Application: The Chair entertained the motion to **DENY** the use of the transcripts for the purpose of licensure. On motion duly made by Khuong Nguyen and seconded by Michael Belcher the motion carried unanimously.

C2015-20: The Chair entertained the motion to place licensee on a period of probation until 12/31/2015. On motion duly made by Justina Gabbert and seconded by Khuong Nguyen the motion carried unanimously.

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

C2015-36, C2015-37, C2015-40, C2015-22 and C2015-24: The Chair entertained a motion **CLOSE** the complaints. **C2015-25:** The Chair entertained the motion to table discussion until the June 2015 meeting. On motion duly made by Justina Gabbert and seconded by Susan Poveromo the motion carried unanimously.

The next item on the agenda was **Personnel Matters:**

The Chair entertained the motion to approve a salary increase in the amount of \$14,000.00 for Amanda Smith. Ms. Smith's gross annual income will be in total \$55,000.00. On motion duly made by Justina Gabbert and seconded by Michael Belcher the motion carried unanimously.

The next item on the agenda was the **Election of Officers:**

The following individuals were elected for the following positions:

Sarah Hamrick, President

Michael Belcher, Vice President

Danielle Cordle, Secretary

Adjournment:

The Chair entertained a motion to adjourn the meeting. On motion duly made by Justina Gabbert and seconded by Michael Belcher the motion unanimously. The meeting was adjourned at 5:53 p.m.

Prepared by:

Danielle J. Cordle, Secretary

Date