

Minutes

Board Meeting West Virginia Board of Barbers and Cosmetologist Hampton Inn Teays Valley, WV 3:00 p.m.

July 27, 2014

Members Present:

Michael Belcher (late)
Justina Gabbert
Sarah Hamrick
Susan Poveromo
James (Jim) Ryan

Others Present:

Adam L. Higginbotham
Amanda D. Smith
Charlie Persinger

(See Attached Sign-In Sheet)

The meeting was called to order by Sarah Hamrick, Chairman of the State Board of Barbers and Cosmetologists at 3:14 p.m. on Sunday, July 27, 2014 at the Hampton Inn in Teays Valley, WV. Roll call was taken.

The next item on the agenda was the approval of the April 27, 2014 and June 9, 2014 minutes. The Chair entertained a motion to approve the April 27, 2014 minutes as presented. On motion duly made by Susan Poveromo and seconded by Justina Gabbert the motion carried. The Chair entertained a motion to approve the June 9, 2014 minutes as presented. On motion duly made by Susan Poveromo and seconded by Justina Gabbert the motion carried.

The next item on the agenda is PCARD purchases for April 2014, May 2014 and June 2014. The Chair recognized Mr. Adam Higginbotham, Executive Director, of the West Virginia State Board of Barbers and Cosmetologists. Mr. Higginbotham presented the PCARD purchases from April 2014 and May 2014 and June 2014. The Chair entertained a motion to approve the April, May and June 2014 PCARD purchases as presented. On motion duly made by Justina Gabbert and seconded by Susan Poveromo the motion carried.

The next item on the agenda was Board Financials (July 2013 – June 2014). The Chair recognized Mr. Adam Higginbotham, Executive Director, of the West Virginia State Board of Barbers and Cosmetologists. Mr. Higginbotham presented the Board Financials. The Chair entertained a motion to approve the Financials as presented. On motion duly made by Justina Gabbert and seconded by Michael Belcher the motion carried.

The next item on the agenda was Board to consider approval of Academy of Careers and Technology new school opening application. The Chair entertained a motion to approve the application pending the final inspection and minimum requirement of instructors. On motion duly made by Susan Poveromo and seconded by Justina Gabbert the motion carried.

The next item on the agenda is Public Requests:

- **Board to consider what online high schools are permitted for licensure.** The Chair entertained a motion to check each diploma for accreditation. On motion duly made by Jim Ryan and seconded by Justina Gabbert the motion carried.
- **Board to consider if current instructors need to sit for full instructor exam for other professions.** The Chair entertained a motion to allow existing instructors that are currently licensed as an instructor to only have to take the written exam and interview in their new scope of practice. On motion duly made by Justina Gabbert and seconded by Susan Poveromo the motion carried.
- **Board to consider the period of time a state law examination does not need to be retaken should an individual have a license in another profession.** The Chair entertained a motion to allow students that are enrolled in the block schedule to take the state law once and if the law changes or if it has been more than 5 years since the last state law test was taken, they will need to retake. On motion duly made by Michael Belcher and seconded by Susan Poveromo the motion passed.
- **Board to consider waxing services being included in the hair styling program.** The Chair entertained a motion to allow waxing to be a part of the Hairstylist curriculum. On motion duly made by Michael Belcher and seconded by Susan Poveromo the motion passed. (contact House Gov. Org to determine how to go about it)
- **Board to consider the rule disallowing pets in a salon or shop for possible 2016 legislative action.** The Chair made a motion to uphold the current law regarding animals in a salon. On motion duly made by Jim Ryan and seconded by Susan Poveromo the motion passed.

The next item on the agenda was the Board to review Ethics Commission on hiring a lobbyist for possible action to start the bidding process. The Chair entertained a motion to accept 3 bids and review at the next Board meeting. On motion duly made by Jim Ryan and seconded by Susan Poveromo the motion carried.

The next item on the agenda was the Board to review investigation C2014-28 and to consider reinstatement of instructor licenses I-0003/B and I-00035/C. The Chair entertained a motion to reinstate instructor license I-0003/B and I-00035/C effective July 28, 2014 with the understanding C2014-28 is still under investigation. On motion duly made by Susan Poveromo and seconded by Justina Gabbert the motion carried.

The next item on the agenda was Appeal of Fines. The Chair recognized Charlie Persinger with the State Board office. Charlie Persinger presented the following Appeal of Fines:

Fine Appeals in Person:

G-632 – The Chair entertained a motion to **UPHOLD** the fine with the payment reduced from \$500 to \$100. Licensee can make 4 payments of \$25. On motion duly made by Justina Gabbert and seconded by Michael Belcher the motion carried.

G-633 – The Chair entertained a motion to **UPHOLD** the fine. On motion duly made by Susan Poveromo and seconded by Michael Belcher the motion carried.

G-669 – The Chair entertained a motion to **UPHOLD** the fine. On motion duly made by Justina Gabbert and seconded by Michael Belcher the motion carried.

Expired License Appeals:

C-689 - **UPHOLD**

G-145 - **UPHOLD**

G-588 - **UPHOLD**

G-628 - **UPHOLD**

H-395 - **UPHOLD**

L-061 - **UPHOLD**

L-083 – **UPHOLD**

Chair entertained a motion to **UPHOLD** the following fines as presented: **C-689, G-145, G-588, G-628, H-395, L-061 and L-083**. On motion duly made by Justina Gabbert and seconded by Michael Belcher the motion passed.

Sanitation Appeals:

G-703 – The Chair entertained a motion to **UPHOLD** the fine. On motion duly made by Justina Gabbert and seconded by Susan Poveromo the motion carried.

H-389 – The Chair entertained a motion to **UPHOLD** the fine. On motion duly made by Susan Poveromo and seconded by Michael Belcher the motion carried.

H-431 – The Chair entertained a motion to **UPHOLD** the fine. On motion duly made by Justina Gabbert and seconded by Susan Poveromo the motion carried.

H-436 – The Chair entertained a motion to **UPHOLD** the fine. On motion duly made by Michael Belcher and seconded by Susan Poveromo the motion carried.

H-437 – The Chair entertained a motion to **UPHOLD** the fine. On motion duly made by Michael Belcher and seconded by Susan Poveromo the motion carried.

H-438 – The Chair entertained a motion to **UPHOLD** the fine. On motion duly made by Michael Belcher and seconded by Susan Poveromo the motion carried.

H-439 – The Chair entertained a motion to **UPHOLD** the fine. On motion duly made by Michael Belcher and seconded by Susan Poveromo the motion carried.

H-445 – The Chair entertained a motion to **DISMISS** the fine. They have to post a sign during working hours. On motion duly made by Justina Gabbert and seconded by Susan Poveromo the motion carried.

L-068 – The Chair entertained a motion to **UPHOLD** the fine. On motion duly made by Michael Belcher and seconded by Justina Gabbert the motion carried.

L-116 – The Chair entertained a motion to **DISMISS** the fine. The licensee is required to do a sanitation overview via a COE provider. On motion duly made by Justina Gabbert and seconded by Susan Poveromo the motion carried.

The next item on the agenda was Board to consider Consent Decree for C2014-33. The Chair entertained a motion to approve the consent decree as presented. On motion duly made by Justina Gabbert and seconded by Jim Ryan the motion carried.

The next it on the agenda was Board to consider Consent Decree for C2014-24. The Chair entertained a motion to approve the consent decree as presented. On motion duly made by Susan Poveromo and seconded by Michael Belcher the motion carried.

The next item on the agenda was complaints.

- **C2014-08** – The Chair made a motion to close the complaint and **UPHOLD** the violations. On motion duly made by Susan Poveromo and seconded by Justina Gabbert the motion carried.
- **C2014-13** – The Chair made a motion to bring him in for an interview before the Board. On motion duly made by Justina Gabbert and seconded by Susan Poveromo the motion carried.

The Chair entertained a motion to move into Executive Session. On motion duly made by Justina Gabbert and seconded by Susan Poveromo the motion carried.

The next item on the agenda was Personnel Matters. The Chair entertained a motion to give \$1000 raise to Jason Graves, Stacie Harper, Chassidy Kinser, Kenyon Warner, Amanda Smith, Charlie Persinger and a \$6000 for David Scarpelli and Danielle Cordle effective September 16, 2014. On motion duly made by Justina Gabbert and seconded by Michael Belcher the motion carried.

The Chair entertained a motion to adjourn. On motion duly made by Justina Gabbert and seconded by Michael Belcher the motion carried.

Signed By: _____