

## **BOARD FOR BARBERS & COSMETOLOGY**

### **MINUTES OF MEETING**

The Board for Barbers & Cosmetology met on February 3, 2003, at the Offices of the Department of Professional and Occupational Regulation, 3600 West Board Street, 4<sup>th</sup> Floor, Richmond, Virginia The following members were present

Marian Lacy Alderson  
Virginia C Dudley  
Gloria L Howard-Seldon  
Lonnie E Quesenberry  
Kenneth A Staples

Board members not present      Conrado O Calpito  
Joyce L. Wilson-Clemmons

DPOR staff present for all or part of the meeting included

Louise Fontaine Ware, Director  
Sandra Whitley Ryals, Chief Deputy Director  
Karen O'Neal, Deputy Director, RPD  
James L Guffey, Deputy Director, Enforcement  
William H Ferguson, II, Assistant Director  
Zelda W Dugger, Board Administrator  
Bonnie Rhea Adams, Assistant Dir , Post Adjudication  
Cynthia Platt, Legal Assistant, Enforcement  
Judy Coward, Admin. & Support Spec III

Marian Alderson, Acting Chair, called the meeting to order at 8 45 a m      **Call to Order**

Ms Alderson announced that Mr William A Barham had resigned from the Board and if anyone was interested in the appointment to the Board representing tattooing and body-piercing to contact the Office of the Secretary of the Commonwealth      **Resignation of Board Member**

The Board voted to approve the agenda as amended upon a motion by Mr Staples that was seconded by Mr Quesenberry The subject of Wax Technician Regulations was added to the agenda and placement of cases had been rearranged due to appointments to speak The members voting 'yes' were Ms Alderson, Ms Dudley, Ms Howard-Seldon, Mr Quesenberry and Mr Staples There were no negative votes The motion passed unanimously      **Approval of Agenda**

Ms Alderson asked if there were any public comment.

**Public Comment  
Period**

William Easton, Chairman of the Virginia Coalition of Tattoo and Body Piercing Artists, consisting of 200 members, expressed the group's interest in providing assistance to the Board in the development of Tattoo and Body Piercing Regulations Mr Easton indicated that several members of the organization had submitted resumes to be appointed to the Board and that the coalition has established five subcommittees to ensure proper training and licensure of its members

Jason Hobby, Chairman of the Sub-Committee on Sterilization for the Virginia Coalition of Tattoo and Body Piercing Artists, stated that the profession is currently using the Alliance of Professional Tattooists (APT) standards as a guideline to develop recommendations for the board's consideration He requested information on the timeframes for development of the regulations

Robert Notts, Chairman for Sub-Committee on Training and Internship for the Virginia Coalition of Tattoo and Body Piercing Artists, stated that APT standards are also being utilized to develop recommendations and that the Board's input would be appreciated

Robbie Veopono – Chairman for Entry into Business, which includes licensing, fees, and reinstatement She has applied to be appointed to the Board She indicated that she also has cosmetology experience and re-emphasized that tattoo artists had regulated themselves through APT She also would like input or time frame

Mr Ferguson explained the procedure for promulgation of regulations He indicated that, while he could give the process, the process does not a set time frame for Office of the Attorney General and Executive Branch reviews

Jessica Simmons – Chairman, Piercing Training would like concerns to develop curriculum and has applied for appointment to the Board

Greg Piper – Chairman, Training & Education is a member of APT and has also submitted resume to be appointed to the Board He left literature relating to the process for the Board to review

Beverly Connor with Henrico Correctional Facility indicated she had written to every State regarding convicted felons and 20 states have no restrictions She believes the Informal Fact Finding Hearings are time consuming and apprentices cannot work without a license

Becky Asno addressed the Board concerning the Emergency Regulations. She feels some of the regulations are not clear. The Board needs to separate penalty/violations between employees and employers.

Director Ware advised that DPOR does not have the authority for background checks. Legislation is working on such a law whereby the applicant will pay the costs. Mr. Ferguson stated that the Board has the authority to act on the applications only.

Tom Aston stated that his daughter had been cited for not displaying her license. He feels home addresses should not appear on licenses and applicants have to wait until licenses are issued before they can work. He feels regulations should be established to accept online fees.

Mr. Ferguson advised that addresses have been taken off pocket card, which can be displayed.

Bernard Crenwriter, Mr. Hobby's counterpart, is interested in having Regulations that everyone can understand.

The Board voted to approve the Minutes of the October 21, 2002 Board for Barbers and Cosmetology Meeting upon a motion by Mr. Quesenberry that was seconded by Ms. Howard-Seldon. The members voting 'yes' were Ms. Alderson, Ms. Dudley, Ms. Seldon, Mr. Quesenberry and Mr. Staples. There were no negative votes. The motion passes unanimously.

Approval of  
Minutes for  
October 21, 2002  
Board Meeting

Ms. Alderson was involved in the IFF's; therefore she was excused from all cases. Mr. Quesenberry assumed chairing of the meeting.

Ms. Alderson leaves  
meeting

In the matter of File Number 2002-03559, Board v. KMC School, Inc., the Board reviewed the record, which consisted of the investigative file, transcript and exhibits from the IFF, and the presiding Board member's summary and recommendation. Junius Thompson, Jr., owner, was present, but did not address the Board concerning this case.

File Number  
2002-03559 -  
KMC School, Inc

Upon a motion by Ms. Dudley and seconded by Ms. Howard-Seldon, the Board (1) adopted the summary, (2) found clear and convincing evidence that KMC School, Inc. violated the following sections of the Board's 1999 Regulation: 18 VAC 40-20-250 (Count I), 18 VAC 40-20-280 (Count II), 18 VAC 40-20-280 (Count III), 18 VAC 40-20-290(B)(3) (Count IV), 18 VAC 40-20-290(C)(2) (Count V), 18 VAC 40-20-290(C)(4) (Count VI), (3) accepted the recommendations, and

(4) imposed the following penalties a monetary penalty of \$500 for the violation of 18 VAC 40-20-250 (Count I), and a monetary penalty of \$50 for the violation of 18 VAC 40-20-280 (Count II); and a monetary penalty of \$50 for the violation of 18 VAC 40-20-280 (Count III), and a monetary penalty of \$500 for the violation of 18 VAC 40-20-290(B)(3)) (Count IV), and a monetary penalty of \$500 for the violation of 18 VAC 40-20-290(C)(2) (Count V), a monetary penalty of \$500 for the violation of 18 VAC 40-20-290(C)(4) (Count VI), and that a follow-up inspection be made in thirty days The total monetary penalty is \$2,100 The members voting 'yes' were Ms Dudley, Ms Howard-Seldon, Mr. Quesenberry, and Mr Staples. There were no negative votes The motion passed unanimously Ms Alderson, as the presiding Board member at the IFF, was not present during the discussion or vote.

In the matter of File Number 2003-00547, Board v. Junius Lee Thompson, Jr., the Board reviewed the record, which consisted of the investigative file, transcript and exhibits from the IFF, and the presiding Board member's summary and recommendation Junius Lee Thompson, Jr, respondent, was present, but did not address the Board concerning this case.

**File Number**  
**2003-00547 -**  
**Junius Lee**  
**Thompson, Jr.**

Upon a motion by Ms Dudley and seconded by Ms Howard-Seldon, the Board (1) adopted the summary, (2) found clear and convincing evidence that Junius Lee Thompson, Jr violated the following sections of the Board's 1999 Regulation 18 VAC 40-20-250 (Count I), 18 VAC 40-20-280 (Count II); 18 VAC 40-20-280 (Count III), 18 VAC 40-20-290(B)(3) (Count IV), 18 VAC 40-20-290(C)(2) (Count V), 18 VAC 40-20-290(C)(4) (Count VI), 18 VAC 40-20-300(B)(2) (Count VII), (3) accepted the recommendations, and (4) imposed the following penalties a monetary penalty of \$100 for the violation of 18 VAC 40-20-250 (Count I), and a monetary penalty of \$50 for the violation of 18 VAC 40-20-280 (Count II), and a monetary penalty of \$50 for the violation of 18 VAC 40-20-280 (Count III), and a monetary penalty of \$500 for the violation of 18 VAC 40-20-290(B)(3)) (Count IV); and a monetary penalty of \$50 for the violation of 18 VAC 40-20-290(C)(2) (Count V); a monetary penalty of \$100 for the violation of 18 VAC 40-20-290(C)(4) (Count VI), and a monetary penalty of \$100 for the violation of 18 VAC 40-20-300(B)(2) (Count VII) The total monetary penalty is \$950 The members voting 'yes' were Ms Dudley, Ms Howard-Seldon, Mr. Quesenberry, and Mr Staples There were no negative votes The motion passed unanimously Ms Alderson, as the presiding Board member at the IFF, was not present during the discussion or vote.

In the matter of **File Number 2003-00548, Board v. Junius Lee Thompson, Jr.**, the Board reviewed the record, which consisted of the investigative file, transcript and exhibits from the IFF, and the presiding Board member's summary and recommendation. **Junius Lee Thompson, Jr.**, respondent, was present and addressed the Board.

**File Number**  
**2003-00548 -**  
**Junius Lee**  
**Thompson, Jr.**

Upon a motion by Ms Howard-Seldon and seconded by Mr Staples, the Board (1) adopted the summary, (2) found clear and convincing evidence that Junius Lee Thompson, Jr violated the following sections of the Board's 1999 Regulation 18 VAC 40-20-250 (Count I), 18 VAC 40-20-280 (Count II), 18 VAC 40-20-280 (Count III), 18 VAC 40-20-290(B)(3) (Count IV), 18 VAC 40-20-290(C)(2) (Count V), 18 VAC 40-20-290(C)(4) (Count VI), 18 VAC 40-20-300(B)(2) (Count VII), (3) accepted the recommendations for Counts I-VI, and (4) imposed the following penalties a monetary penalty of \$500 for the violation of 18 VAC 40-20-250 (Count I), and a monetary penalty of \$150 for the violation of 18 VAC 40-20-280 (Count II), and a monetary penalty of \$50 for the violation of 18 VAC 40-20-280 (Count III); and a monetary penalty of \$500 for the violation of 18 VAC 40-20-290(B)(3) (Count IV), and a monetary penalty of \$50 for the violation of 18 VAC 40-20-290(C)(2) (Count V), a monetary penalty of \$500 for the violation of 18 VAC 40-20-290(C)(4) (Count VI), (5) rejected the recommendation for Count VII in that the monetary penalty should be less than recommended, and (5) imposed a monetary penalty of \$100 for the violation of 18 VAC 40-20-300(B)(2) (Count VII). The total monetary penalty is \$1,850. The members voting 'yes' were Ms Dudley, Ms Howard-Seldon, Mr Quesenberry, and Mr Staples. There were no negative votes. The motion passed unanimously. Ms Alderson, as the presiding Board member at the IFF, was not present during the discussion or vote.

In the matter of **File Number 2003-00959, Board v. Pamela Ann Myers**, the Board reviewed the record, which consisted of the investigative file, transcript and exhibits from the IFF, and the presiding Board members summary and recommendation. Ms Myers, applicant, Ms Beverly Conner and Ms Norma Hall, participants, and Ms Starlet Lewis and Mr Paul Smith, references, were present and addressed the Board.

**File Number**  
**2003-00959 -**  
**Pamela Ann Myers**

Upon a motion by Ms Howard-Seldon and seconded by Mr Staples, the Board (1) accept the summary and (2) reject the recommendation, and (3) voted to approve Ms Myers Application for a Cosmetology License. The members voting 'yes' were Ms Dudley, Ms Howard-Seldon, Mr Quesenberry, and Mr Staples. There were no negative votes. The motion passed unanimously. Ms Alderson, as the

presiding Board member at the IFF, was not present during the discussion or vote

In the matter of **File Number 2003-00961, Board v. Unique Lawanda Berry**, the Board reviewed the record, which consisted of the investigative file, transcript and exhibits from the IFF, and the presiding Board members summary and recommendation. Ms Berry, applicant, Ms Beverly Conner, participant, and Ms Marcia Garnett, reference, for Ms Berry were present and addressed the Board

**File Number**  
**2003-00961 –**  
**Unique Lawanda**  
**Berry**

Upon a motion by Mr Staples and seconded by Mr Howard-Seldon, the Board (1) accept the summary and recommendation, and (2) voted to approve Ms. Berry's Application for a Cosmetology License. The members voting 'yes' were Ms. Dudley, Ms Howard-Seldon, Mr Quesenberry, and Mr Staples There were no negative votes The motion passed unanimously Ms Alderson, as the presiding Board member at the IFF, was not present during the discussion or vote

In the matter of **File Number 2001-03310, Board v. Tu Thi Nguyen**, the Board reviewed the record, which consisted of the investigative file, transcript and exhibits from the IFF, and the presiding Board member's summary and recommendation Ms Tu Thi Nguyen, respondent, was present, but did not address the Board Ms June Bishop, complainant, and Mr Jesse Narron and Mr Reginald Smith, witnesses, were present and addressed the Board

**File Number**  
**2001-03310 -**  
**Tu Thi Nguyen**

Upon a motion by Ms Dudley and seconded by Ms. Howard-Seldon, the Board (1) adopted the summary, (2) found clear and convincing evidence that Tu Thi Nguyen violated the following sections of the Board's 1999 Regulation. 18 VAC 55-22-330(A) (Count I), 18 VAC 55-22-350(2) (Count II), and Code of Virginia §54.1-704.1 (Count III); (4) accepted the recommendations, and (5) imposed the following penalties. a monetary penalty of \$1,000 for the violation of 18 VAC 55-22-330(A) (Count I); and a monetary penalty of \$2,500 for the violation of 18 VAC 55-22-350(2) (Count II), and a monetary penalty of \$250 for the violation of Code of Virginia §54.1-704.1 (Count III). The total monetary penalty is \$3,750 The members voting 'yes' were Ms. Dudley, Ms Howard-Seldon, Mr Quesenberry, and Mr Staples There were no negative votes The motion passed unanimously Ms Alderson, as the presiding Board member at the IFF, was not present during the discussion or vote

In the matter of **File Number 2002-03120, Board v. Tu Thi Nguyen**, the Board reviewed the record, which consisted of the investigative file, transcript and exhibits from the IFF, and the presiding Board member's

**File Number**  
**2002-03120 -**  
**Tu Thi Nguyen**

summary and recommendation Ms Tu Thi Nguyen, respondent, was present, but did not address the Board Ms June Bishop, complainant, and Mr Jesse Narron and Mr Reginald Smith, witnesses, were present and addressed the Board

Upon a motion by Ms Dudley and seconded by Ms Howard-Seldon, the Board (1) adopted the summary, (2) found clear and convincing evidence that Tu Thi Nguyen violated the following sections of the Board's 1999 Regulation 18 VAC 55-22-330(A) (Count I), 18 VAC 55-22-350(2) (Count II), and Code of Virginia §54.1-704.1 (Count III), (4) accepted the recommendations, and (5) imposed the following penalties: a monetary penalty of \$1,000 for the violation of 18 VAC 55-22-330(A) (Count I), and a monetary penalty of \$2,500 for the violation of 18 VAC 55-22-350(2) (Count II), and a monetary penalty of \$250 for the violation of Code of Virginia §54.1-704.1 (Count III) The total monetary penalty is \$3,750 The members voting 'yes' were Ms Dudley, Ms Howard-Seldon, Mr Quesenberry, and Mr Staples There were no negative votes The motion passed unanimously Ms Alderson, as the presiding Board member at the IFF, was not present during the discussion or vote

In the matter of File Number 2002-02305, Board v. Trung T. Arai, the Board reviewed the record, which consisted of the investigative file, transcript and exhibits from the IFF, and the presiding Board member's summary and recommendation Ms Trung t Arai, respondent, was not present Ms June Bishop, complainant, and Mr Jesse Narron and Mr Reginald Smith, witnesses, were present and addressed the Board

**File Number**  
**2002-02305 -**  
**Trung T. Arai**

Upon a motion by Ms Dudley and seconded by Ms Howard-Seldon, the Board remanded the case to an Informal Fact Finding Hearing in response to confusion concerning the identity of the respondent. The members voting 'yes' were Ms Dudley, Ms Howard-Seldon, Mr Quesenberry, and Mr Staples There were no negative votes The motion passed unanimously. Ms Alderson, as the presiding Board member at the IFF, was not present during the discussion or vote.

In the matter of File Number 2002-03343, Board v. Nhut Dong Nguyen t/a Pro Nails, the Board reviewed the record, which consisted of the investigative file, transcript and exhibits from the IFF, and the presiding Board member's summary and recommendation Nhut Dong Nguyen, respondent, was not present

**File Number**  
**2002-03343 -**  
**Nhut Dong Nguyen**  
**t/a Pro Nails**

Upon a motion by Ms Dudley and seconded by Ms Howard-Seldon, the Board (1) adopted the summary, (2) found clear and convincing evidence that Nhut Dong Nguyen violated the following section of the

Board's 1999 Regulation. 18 VAC 55-22-340(1)(a) (Count I) The members voting 'yes' were Ms Dudley, Ms Howard-Seldon, Mr Quesenberry, and Mr Staples There were no negative votes The motion passed unanimously Ms Alderson, as the presiding Board member at the IFF, was not present during the discussion or vote

Upon a motion by Ms Howard-Seldon and seconded by Ms Dudley, the Board (1) accepted the recommendation, and (2) imposed the following penalties: a monetary penalty of \$500 for the violation of 18 VAC 55-22-340(1)(a) (Count I) The members voting 'yes' were Ms Dudley, Ms Howard-Seldon, Mr Quesenberry, and Mr Staples There were no negative votes The motion passed unanimously Ms Alderson, as the presiding Board member at the IFF, was not present during the discussion or vote.

Upon a motion by Ms Dudley and seconded by Ms Howard-Seldon, the Board (1) adopted the summary and recommendation, and (2) closed Count II with a finding of no violation (Count II). The members voting 'yes' were Ms Dudley, Ms Howard-Seldon, Mr Quesenberry, and Mr Staples There were no negative votes The motion passed unanimously Ms Alderson, as the presiding Board member at the IFF, was not present during the discussion or vote

In the matter of **File Number 2002-03654, Board v. Nhut Dong Nguyen**, the Board reviewed the record, which consisted of the investigative file, transcript and exhibits from the IFF, and the presiding Board member's summary and recommendation Nhut Dong Nguyen, respondent, was not present

**File Number**  
**2002-03654 -**  
**Nhut Dong Nguyen**

Upon a motion by Ms Dudley and seconded by Ms Howard-Seldon, the Board (1) adopted the summary, (2) found clear and convincing evidence that Nhut Dong Nguyen violated the following section of the Board's 1999 Regulation: 18 VAC 55-22-340(1)(a) (Count I) The members voting 'yes' were Ms Dudley, Ms. Howard-Seldon, Mr Quesenberry, and Mr Staples. There were no negative votes The motion passed unanimously. Ms Alderson, as the presiding Board member at the IFF, was not present during the discussion or vote

Upon a motion by Ms Howard-Seldon and seconded by Ms Dudley, the Board (1) adopted the summary, (2) closed Count II with a finding of no violation (Count II) The members voting 'yes' were Ms Dudley, Ms Howard-Seldon, Mr Quesenberry, and Mr Staples There were no negative votes The motion passed unanimously Ms Alderson, as the presiding Board member at the IFF, was not present during the discussion or vote



Upon a motion by Ms Dudley and seconded by Ms Howard-Seldon, the Board (1) accepted the recommendations, and (2) imposed the following penalty. a monetary penalty of \$250 for the violation of 18 VAC 55-22-340(1)(a) (Count I), (3) closed Count II with a finding of no violation (Count II) The members voting 'yes' were Ms Dudley, Ms Howard-Seldon, Mr Quesenberry, and Mr Staples There were no negative votes. The motion passed unanimously Ms Alderson, as the presiding Board member at the IFF, was not present during the discussion or vote

In the matter of File Number 2003-00574, Board v. Jeffrey Washington, the Board reviewed the record, which consisted of the investigative file, transcript and exhibits from the IFF, and the presiding Board members summary and recommendation. Jeffrey Washington was not present

File Number  
2003-00574 -  
Jeffrey Washington

Upon a motion by Mr Staples and seconded by Mr Howard-Seldon, the Board (1) accept the summary and recommendation, and (2) voted to approve Jeffrey Washington's Application for a Barber License The members voting 'yes' were Ms Dudley, Ms Howard-Seldon, Mr Quesenberry, and Mr Staples. There were no negative votes The motion passed unanimously Ms Alderson, as the presiding Board member at the IFF, was not present during the discussion or vote

In the matter of File Number 2003-00788, Board v. Tarleefa Lynn, the Board reviewed the record, which consisted of the investigative file, transcript and exhibits from the IFF, and the presiding Board members summary and recommendation. Tarleefa Lynn was not present.

File Number  
2003-00788 -  
Tarleefa Lynn

Upon a motion by Ms. Howard-Seldon and seconded by Mr Quesenberry, the Board (1) accept the summary and recommendation, and (2) voted to approve Tarleefa Lynn's Application for a Barber License The members voting 'yes' were Ms Howard-Seldon, Mr Quesenberry, and Mr Staples The member voting 'no' was Ms Dudley The motion passed by majority vote Ms Alderson, as the presiding Board member at the IFF, was not present during the discussion or vote.

In the matter of File Number 2003-00858, Board v. Angie Marie Layman, the Board reviewed the record, which consisted of the investigative file, transcript and exhibits from the IFF, and the presiding Board members summary and recommendation. Angie Marie Layman was not present

File Number  
2003-00858 -  
Angie Marie  
Layman

Upon a motion by Ms Dudley and seconded by Ms Howard-Seldon, the Board (1) accept the summary and recommendation, and (2) voted not to approve Angie Marie Layman's Application for a Cosmetology License The members voting 'yes' were Ms Dudley, Ms Howard-Seldon, Mr Quesenberry, and Mr. Staples There were no negative votes. The motion passed unanimously Ms. Alderson, as the presiding Board member at the IFF, was not present during the discussion or vote

In the matter of File Number 2003-00960, Board v. Carlos Raymond Robinson, the Board reviewed the record, which consisted of the investigative file, transcript and exhibits from the IFF, and the presiding Board members summary and recommendation. Carlos Raymond Robinson was not present

File Number  
2003-00960 -  
Carlos Raymond  
Robinson

Upon a motion by Ms Dudley and seconded by Ms. Howard-Seldon, the Board (1) accept the , (2) rejected the recommendation based on the severity of his counts, and (3) voted not to approve Carlos Raymond Robinson's Application for a Barber License The members voting 'yes' were Ms. Dudley, Ms Howard-Seldon, and Mr Staples The member voting 'no' was Mr Quesenberry The motion passed by majority vote Ms. Alderson, as the presiding Board member at the IFF, was not present during the discussion or vote

In the matter of File Number 2003-01483, Board v. Antonio M. Finney, the Board reviewed the record, which consisted of the investigative file, transcript and exhibits from the IFF, and the presiding Board members summary and recommendation. Antonio M. Finney was not present, but Mr Finney submitted a letter that was read to the Board

File Number  
2003-01483 -  
Antonio M. Finney

Upon a motion by Ms. Dudley and seconded by Mr Staples, the Board (1) accepted the summary, (2) accept the recommendation, and (3) voted not to approve Antonio M Finney's Application for a Barber License The members voting 'yes' were Ms. Dudley, and Mr Staples The members voting 'no' were Ms. Howard-Seldon and Mr Quesenberry The motion died for lack of a majority vote Ms Alderson, as the presiding Board member at the IFF, was not present during the discussion or vote

Upon a motion by Ms Howard-Seldon and seconded by Mr. Quesenberry, the Board (1) accepted the summary, (2) rejected the recommendation based on providing a means to work, and (3) voted to approve Antonio M. Finney's Application for a Barber License The members voting 'yes' were Ms. Howard-Seldon, and Mr Quesenberry

The members voting 'no' were Ms Dudley and Mr Staples. The motion died for lack of a majority vote. Ms Alderson, as the presiding Board member at the IFF, was not present during the discussion or vote.

Upon a motion by Ms Dudley and seconded by Ms Howard-Seldon, the Board voted to defer action on this file to the next Board meeting. The members voting 'yes' were Ms Dudley, Ms Howard-Seldon, Mr Quesenberry, and Mr. Staples. There were no negative votes. The motion passed unanimously. Ms Alderson, as the presiding Board member at the IFF, was not present during the discussion or vote.

In the matter of **File Number 2002-03345, Board v. Hollywood Nails**, the Board reviewed the record which consisted of the presiding Board member's summary and recommendation. A representative from Hollywood Nails did not appear before the Board.

**File Number**  
**2002-03345 -**  
**Hollywood Nails**  
**Consent Order**  
**2003-0025**

Upon a motion by Ms Dudley and seconded by Ms Howard-Seldon, the Board accepted the recommendation of **Consent Order Number 2003-0025 (File Number 2002-03345 Board v. Hollywood Nails)** which cites violation of the Board's 1999 Regulations § 18 VAC 55-22-340(1)(a) and consent to the following monetary terms: monetary penalty of \$250 (Count I). The members voting 'yes' were Ms Dudley, Ms. Howard-Seldon, Mr Quesenberry, and Mr Staples. There were no negative votes. The motion passed unanimously. Ms Alderson, as the presiding Board member at the IFF, was not present during the discussion or vote.

In the matter of **File Number 2002-03822, Board v. Hollywood Nails**, the Board reviewed the record which consisted of the presiding Board member's summary and recommendation. A representative from Hollywood Nails did not appear before the Board.

**File Number**  
**2002-03822 -**  
**Hollywood Nails**  
**Consent Order**  
**2003-0026**

Upon a motion by Ms Dudley and seconded by Ms. Howard-Seldon, the Board accepted the recommendation of **Consent Order Number 2003-0026 (File Number 2002-03822 Board v. Hollywood Nails)** which cites violation of the Board's 1999 Regulations § 18 VAC 55-22-340(1)(a) and consent to the following monetary terms: monetary penalty of \$250 (Count I). The members voting 'yes' were Ms. Dudley, Ms Howard-Seldon, Mr Quesenberry, and Mr Staples. There were no negative votes. The motion passed unanimously. Ms Alderson, as the presiding Board member at the IFF, was not present during the discussion or vote.

At the conclusion of the cases, Ms Alderson returned to the meeting.

**Ms. Alderson**

and assumed chairing the meeting

returned to meeting

Carla Lewis with Fantasia's Spa Cosmetology and Dalton King with Exclusive Beauty Schools, Inc, presented information on the offering of education and training over the internet

Education/Training  
Internet

Ms Alderson requested Mr Quesenberry and Ms Howard-Seldon to review the material and discuss at next Board meeting

The Board upon a motion made by Mr Quesenberry and seconded by Ms Howard-Seldon adopted the Proposed Tattooing and Body-piercing regulations and gave Board staff the authorization to revise as deemed necessary by the Office of the Attorney General or Executive Branch review The members voting 'yes' were Ms Alderson, Ms Dudley, Ms Howard-Seldon, Mr Quesenberry, and Mr Staples There were no negative votes The motion passed unanimously

Tattooing & Body-  
Piercing  
Regulations

The Board upon a motion made by Mr Quesenberry and seconded by Mr. Staples adopted the Proposed Wax Technician regulations and gave Board staff the authorization to revise as deemed necessary by the Office of the Attorney General or Executive Branch review The members voting 'yes' were Ms Alderson, Ms Dudley, Ms Howard-Seldon, Mr Quesenberry, and Mr. Staples. There were no negative votes The motion passed unanimously

Technician  
Regulations

The Board upon a motion made by Mr Quesenberry and seconded by Mr. Staples adopted the Emergency Wax Technician regulations and gave Board staff the authorization to revise as deemed necessary by the Office of the Attorney General or Executive Branch review The members voting 'yes' were Ms Alderson, Ms Howard-Seldon, Mr Quesenberry, and Mr Staples The member 'abstaining' was Ms Dudley There were no negative votes The motion passed by majority vote

Emergency Wax  
Technician  
Regulations

The Board took up the election of Chair Ms Alderson asked for nominations for Chair Mr Quesenberry nominated Ms Alderson There were no other nominations Upon a motion by Mr Quesenberry that was seconded by Ms Howard-Seldon, the Board voted to elect Ms Alderson as Chair. The members voting 'yes' were Ms Alderson, Ms Howard-Seldon, Mr Quesenberry, and Mr Staples. The member 'abstaining' was Ms Dudley There were no negative votes The motion passed by majority vote

Election of Chair

The Board took up the election of Vice-Chair Ms Alderson asked for nominations for Vice-Chair Ms. Dudley nominated Ms Wilson-

Chair

Clemmons There were no other nominations Upon a motion by Ms Dudley that was seconded by Ms Howard-Seldon, the Board voted to elect Ms Wilson-Clemmons as Vice-Chair. The members voting 'yes' were Ms. Alderson, Ms Dudley, Ms Howard-Seldon, Mr. Quesenberry, and Mr Staples There were no negative votes The motion passed unanimously

The Esthetician Study and Electrology Study conduct by the Board for Professions and Occupations were presented to the Board The Board was informed the studies were forwarded to the Governor and the General Assembly.

**Esthetician and  
Electrology Studies**

The Board was informed that in the 2003 General Assembly a bill to establish licensure pertaining to hair braiding had passed the House and currently was in the Senate

**Braiding Bill**

Information pertaining to the NIC Region 1 Conference to be held March 29-31, 2003, in Atlanta, Georgia was presented to the Board Attendance will be determined based on funding available

**National-Interstate  
Council of State  
Boards of  
Cosmetology (NIC)**

Information pertaining to the activities of the NIC during 2002 was distributed to Board Members

James Guffey, Deputy Director, Enforcement, DPOR, was present to provide training on enforcement activities. He informed the Board that the training session would be conducted immediately after the adjournment of the Board meeting

**Board Training –  
Enforcement  
Division**

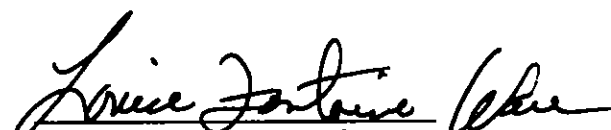
Conflict of Interest Forms were completed by Board Members present

**Conflict of Interest  
Forms**

There being no further business to come before the Board, the meeting was adjourned at 1 30 p m

**Adjournment**

  
Marian Lacy Alderson, Chair

  
Louise Fontaine Ware, Secretary

COPY TESTE

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Custodian of the Records

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