BOARD FOR BARBERS AND COSMETOLOGY

MINUTES OF MEETING

The Board for Barbers and Cosmetology met on Monday, May 8, 2017, at the Offices of the Department of Professional and Occupational Regulation, 9960 Mayland Drive, 2nd Floor, Board Room 4, Richmond, Virginia. The following board members were present:

Robert D. Jones II
T. Daniel Jones
Margaret B. LaPierre
Jonathan Wayne Minor
Lonnie Quesenberry
Daniella Tsamouras
Tony Miles Williams

The following board member was not present:

Norma J. Dorey
Anne R. McCaffrey
Marie F. Quinn

DPOR staff present for all or part of the meeting included:

Demetrios J. Melis, Executive Director Stephen Kirschner, Regulatory Operations Administrator Tamika Rodriguez, Licensing Operations Administrator Cathy Clark, Administrative Assistant

Representative from the Office of the Attorney General was present for all or part of the meeting:

Elizabeth B. Peay, Assistant Attorney General

Mr. Quesenberry, Chair, determined a quorum was present and called the meeting to order at 9:06 A.M.

The Board took the agenda under consideration. Mr. Quesenberry asked for any amendments.

Approximation Approximat

Approval of Agenda

Mr. Melis stated to the Board that Item 7 on the Agenda, Case 2016-02645, Hoang H. Nguyen dba Perfect Nails, was removed from consideration, as prior board guidance identified the activity as not requiring licensure. Mr. Melis also indicated that Agenda Item 36, Case 2017-01624, Rick Neil Toms, was removed from consideration, at the request of the Post-Adjudication and Licensing Section for a follow-up Informal Fact-Finding (IFF) Conference.

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Upon a motion by Mr. R. Jones and seconded by Mr. T. Jones, the Board voted to adopt the amended Agenda.

The members voting 'yes' were Mr. R. Jones, Mr. T. Jones, Ms. LaPierre, Mr. Minor, Mr. Quesenberry, Ms. Tsamouras, and Mr. Williams. There were no negative votes. The motion passed unanimously.

The Board took the minutes of the February 6, 2017 Board Meeting and the March 20, 2017 Committee on Esthetics Apprenticeships Meeting under consideration. Mr. Quesenberry asked for any amendments. There were none.

Upon a motion by Ms. Tsamouras and seconded by Ms. LaPierre, the Board voted to approve the February 6, 2017 Board for Barbers and Cosmetology Board Meeting minutes and the March 20, 2017 Committee on Esthetics Apprenticeships Meeting minutes.

The members voting 'yes' were Mr. R. Jones, Mr. T. Jones, Ms. LaPierre, Mr. Minor, Mr. Quesenberry, Ms. Tsamouras, and Mr. Williams. There were no negative votes. The motion passed unanimously.

The Board members were provided with a letter to review from Leslie Roste, BSN, RN, National Director – Education, BlueCo Brands, regarding infection control and sanitation. See Appendix A.

The Board members were also provided with a report from the Virginia Department of Education, Office of Career, Technical, and Adult Education, which provided highlights of accomplishments within the Department over several years. See Appendix B.

Mr. Quesenberry asked if there was any public comment.

Ms. Dee Suarez-Diaz, owner of ReNuew Wellness Spa LLC in Woodbridge, addressed the Board on the topic of micro-needling and micro-stamping, and advised that she will email the board data and information that she has gathered. The Board took Ms. Suarez-Diaz's remarks under advisement.

Ms. Meredith Harrison, of American Spirit Institute in Williamsburg, addressed the Board regarding transfer of student hours, and asked that the board consider accepting transfers of hours from SCHEV-approved schools to other accredited schools. Ms. Harrison provided the Board with a letter from herself which provided an outline of her remarks. The Board took Ms. Harrison's remarks under advisement.

Approval of
Minutes for the
February 6, 2017
Board Meeting
and the March
20, 2017
Committee on
Esthetics
Apprenticeships
Meeting

Communication

Public Comment

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Mr. McKinley Stockton, of Barber College in Woodbridge, addressed the Board on accreditation requirements for the transfer of student hours that are directly impacting the receipt of Veterans Administration funding. The Board took Mr. Stockton's remarks under advisement.

There was no additional public comment.

Cases

Ms. Tsamouras recused herself from the meeting.

Ms. Tsamouras Recused

In the matter of File Number 2015-02714, Candy G. Daniel, the Board reconsidered this case from the February 6, 2017 meeting.

File Number 2015-02714, Candy G. Daniel

Mr. Melis informed the Board that at the February 6, 2017 meeting, the Board voted to find Ms. Daniels in violation of the Board's regulations and impose a \$1,500.00 fine. However, it was discovered after the meeting that while the motion to find a violation passed, the motion to impose sanctions did not have sufficient votes to pass. As such, there has not been a successful motion on the sanction in her case.

The Board reviewed the record which consisted of the Summary of the Informal Fact-Finding Conference, investigative file, Report of Findings, transcript and exhibits. Candy G. Daniel appeared in person at the meeting and addressed the Board.

Concerning Count 1, upon a motion by Mr. R. Jones and seconded by Mr. Minor, the Board voted to reject the recommended sanctions contained in the Summary of the Informal Fact-Finding Conference and to impose the following sanction(s):

Count 2: 18 VAC 41-20-280.A.4 \$ 1,000.00

TOTAL (MONETARY PENALTIES) \$ 1,000.00

The members voting 'yes' were Mr. R. Jones, Mr. T. Jones, Ms. LaPierre, Mr. Minor, Mr. Quesenberry, and Mr. Williams. There were no negative votes. The motion passed unanimously.

As a Board representative in this case, Ms. Tsamouras were not present, did not participate in the discussion, and did not vote on this matter.

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Ms. Tsamouras returned to the meeting.

Upon a motion by Mr. Minor and seconded by Mr. Williams, the Board voted to accept the finding of violations and recommended sanctions for the five (5) Prima Facie cases as a block.

Board Considers
and Accepts
Prima Facie
Cases as a Block

The members voting 'yes' were Mr. R. Jones, Mr. T. Jones, Ms. LaPierre, Mr. Minor, Mr. Quesenberry, Ms. Tsamouras, and Mr. Williams. There were no negative votes. The motion passed unanimously.

In the matter of File Number 2016-01532, Khanh T. Nguyen, the Board reviewed the record, which consisted of the Notice of Prima Facie Case, Report of Findings, including exhibits, and the Recommendation. Khanh T. Nguyen did not appear at the meeting in person, by counsel or by any other qualified representative.

File Number 2016-01532, Khanh T. Nguyen

Concerning Count1, upon a motion by Mr. Minor and seconded by Mr. Williams, the Board adopted the Report of Findings which contains the facts regarding the regulatory and/or statutory issues in this matter, and found substantial evidence that Khanh T. Nguyen violated the following section of its Regulations.

(Effective July 1, 2003)

Count 1:

18 VAC 41-20-280.A.3

(Four violations)

The members voting 'yes' were Mr. R. Jones, Mr. T. Jones, Ms. LaPierre, Mr. Minor, Mr. Quesenberry, Ms. Tsamouras, and Mr. Williams. There were no negative votes. The motion passed unanimously.

Concerning Count 1, upon a motion by Mr. Minor and seconded by Mr. Williams, the Board voted to accept the sanctions contained in the Recommendation and to impose the following monetary penalties:

Count 1:

18 VAC 41-20-280.A.3

\$10,000.00

(Four violations at \$2,500 per violation)

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TOTAL (MONETARY PENALTIES)

\$ 10,000.00

The Board also imposes the following sanction:

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Revocation of Khanh T. Nguyen's cosmetologist license, number 1201121598, for violation of Count 1.

The members voting 'yes' were Mr. R. Jones, Mr. T. Jones, Ms. LaPierre, Mr. Minor, Mr. Quesenberry, Ms. Tsamouras, and Mr. Williams. There were no negative votes. The motion passed unanimously.

In the matter of File Number 2016-02958, Huong T. Nguyen, the Board reviewed the record, which consisted of the Notice of Prima Facie Case, Report of Findings, including exhibits, and the Recommendation. Huong T. Nguyen did not appear at the meeting in person, by counsel or by any other qualified representative.

File Number 2016-02958, Huong T. Nguyen

Concerning Count1, upon a motion by Mr. Minor and seconded by Mr. Williams, the Board adopted the Report of Findings which contains the facts regarding the regulatory and/or statutory issues in this matter, and found substantial evidence that Huong T. Nguyen violated the following section of its Regulations.

(Effective July 1, 2003)

Count 1: 18 VAC 41-20-280.A.3

(Four violations)

The members voting 'yes' were Mr. R. Jones, Mr. T. Jones, Ms. LaPierre, Mr. Minor, Mr. Quesenberry, Ms. Tsamouras, and Mr. Williams. There were no negative votes. The motion passed unanimously.

Concerning Count 1, upon a motion by Mr. Minor and seconded by Mr. Williams, the Board voted to accept the sanctions contained in the Recommendation and to impose the following monetary penalties:

Count 1: 18 VAC 41-20-280.A.3 \$10, 000.00

(Four violations at \$2,500 per violation)

TOTAL (MONETARY PENALTIES) \$ 10,000.00

The Board also imposes the following sanction:

Revocation of Huong T. Nguyen's cosmetologist license, number 1201119920, for violation of Count 1.

The members voting 'yes' were Mr. R. Jones, Mr. T. Jones, Ms. LaPierre, Mr.

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Minor, Mr. Quesenberry, Ms. Tsamouras, and Mr. Williams. There were no negative votes. The motion passed unanimously.

In the matter of File Number 2016-03263, Duy Khac Tran, the Board reviewed the record, which consisted of the Notice of Prima Facie Case, Report of Findings, including exhibits, and the Recommendation. Duy Khac Tran did not appear at the meeting in person, by counsel or by any other qualified representative.

File Number 2016-03263, Duy Khac Tran

Concerning Count1, upon a motion by Mr. Minor and seconded by Mr. Williams, the Board adopted the Report of Findings which contains the facts regarding the regulatory and/or statutory issues in this matter, and found substantial evidence that Duy Khac Tran violated the following section of its Regulations.

(Effective July 1, 2003)

Count 1: 18 VAC 41-20-280,A.3

(Three violations)

The members voting 'yes' were Mr. R. Jones, Mr. T. Jones, Ms. LaPierre, Mr. Minor, Mr. Quesenberry, Ms. Tsamouras, and Mr. Williams. There were no negative votes. The motion passed unanimously.

Concerning Count 1, upon a motion by Mr. Minor and seconded by Mr. Williams, the Board voted to accept the sanctions contained in the Recommendation and to impose the following monetary penalties:

Count 1: 18 VAC 41-20-280.A.3 \$ 7,500.00

(Three violations at \$2,500 per violation)

TOTAL (MONETARY PENALTIES) \$ 7,500.00

The Board also imposes the following sanction:

Revocation of Duy Khac Tran's cosmetologist license, number 1201119741, for violation of Count 1.

The members voting 'yes' were Mr. R. Jones, Mr. T. Jones, Ms. LaPierre, Mr. Minor, Mr. Quesenberry, Ms. Tsamouras, and Mr. Williams. There were no negative votes. The motion passed unanimously.

In the matter of File Number 2016-03280, Tuyen Thi Phan, the Board

File Number

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reviewed the record, which consisted of the Notice of Prima Facie Case, Report of Findings, including exhibits, and the Recommendation. Tuyen Thi Phan did not appear at the meeting in person, by counsel or by any other qualified representative.

2016-03280, Tuyen Thi Phan

Concerning Count1, upon a motion by Mr. Minor and seconded by Mr. Williams, the Board adopted the Report of Findings which contains the facts regarding the regulatory and/or statutory issues in this matter, and found substantial evidence that Tuyen Thi Phan violated the following section of its Regulations.

(Effective July 1, 2003)

Count 1:

18 VAC 41-20-280.A.3

The members voting 'yes' were Mr. R. Jones, Mr. T. Jones, Ms. LaPierre, Mr. Minor, Mr. Quesenberry, Ms. Tsamouras, and Mr. Williams. There were no negative votes. The motion passed unanimously.

Concerning Count 1, upon a motion by Mr. Minor and seconded by Mr. Williams, the Board voted to accept the sanctions contained in the Recommendation and to impose the following monetary penalties:

Count 1: 18 VAC 41-20-280.A.3 \$ 2,500.00 TOTAL (MONETARY PENALTIES) \$ 2,500.00

The Board also imposes the following sanction:

Revocation of Tuyen Thi Phan's cosmetologist license, number 1201120936, for violation of Count 1.

The members voting 'yes' were Mr. R. Jones, Mr. T. Jones, Ms. LaPierre, Mr. Minor, Mr. Quesenberry, Ms. Tsamouras, and Mr. Williams. There were no negative votes. The motion passed unanimously.

In the matter of File Number 2017-01509, Bong T. Nguyen, the Board reviewed the record, which consisted of the Notice of Prima Facie Case, Report of Findings, including exhibits, and the Recommendation. Bong T. Nguyen did not appear at the meeting in person, by counsel or by any other qualified representative.

File Number 2017-01509, Bong T. Nguyen

Concerning Count1, upon a motion by Mr. Minor and seconded by Mr.

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Williams, the Board adopted the Report of Findings which contains the facts regarding the regulatory and/or statutory issues in this matter, and found substantial evidence that Bong T. Nguyen violated the following section of its Regulations.

(Effective July 1, 2003)

Count 1:

18 VAC 41-20-280,A.3

The members voting 'yes' were Mr. R. Jones, Mr. T. Jones, Ms. LaPierre, Mr. Minor, Mr. Quesenberry, Ms. Tsamouras, and Mr. Williams. There were no negative votes. The motion passed unanimously.

Concerning Count 1, upon a motion by Mr. Minor and seconded by Mr. Williams, the Board voted to accept the sanctions contained in the Recommendation and to impose the following monetary penalties:

Count 1: 18 VAC 41-20-280.A.3 \$ 2,500.00

TOTAL (MONETARY PENALTIES)

\$ 2,500.00

The Board also imposes the following sanction:

Revocation of Bong T. Nguyen's cosmetologist license, number 1201118664, for violation of Count 1.

The members voting 'yes' were Mr. R. Jones, Mr. T. Jones, Ms. LaPierre, Mr. Minor, Mr. Quesenberry, Ms. Tsamouras, and Mr. Williams. There were no negative votes. The motion passed unanimously.

In the matter of File Number 2017-01052, Candace Lamoyne McLemore, the Board reviewed the record which consisted of the application file, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Candace Lamoyne McLemore appeared at the meeting in person and addressed the Board.

File Number 2017-01052, Candace Lamoyne McLemore

Ms. Tsamouras made a motion to accept the recommendation in the Summary of the Informal Fact-Finding Conference and deny Candace Lamoyne McLemore's license application. The motion was not seconded. The motion failed.

Upon a motion by Ms. Tsamouras and seconded by Mr. T. Jones, the Board voted to accept the recommendation in the Summary of the Informal Fact-

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Finding Conference and deny Candace Lamoyne McLemore's license application.

The members voting 'yes' were, Mr. T. Jones, Mr. Quesenberry, and Ms. Tsamouras. The members voting 'no' were Mr. R. Jones, Ms. LaPierre and Mr. Minor. The member abstaining was Mr. Williams. The motion failed.

Upon a motion by Mr. R. Jones and seconded by Ms. LaPierre, the Board voted to reject the recommendation in the Summary of the Informal Fact-Finding Conference and approve Candace Lamoyne McLemore's license application.

The members voting 'yes' were Mr. R. Jones, Ms. LaPierre, and Mr. Minor. The members voting 'no' were Mr. T. Jones, Mr. Quesenberry, and Ms. Tsamouras. The member abstaining was Mr. Williams. The motion failed.

Upon a motion by Mr. Minor and seconded by Ms. LaPierre, the Board voted to reject the recommendation in the Summary of the Informal Fact-Finding Conference and approve Candace Lamoyne McLemore's license application.

The members voting 'yes' were Mr. R. Jones, Ms. LaPierre, Mr. Minor, Mr. Quesenberry, and Mr. Williams. The members voting 'no' were Mr. T. Jones and Ms. Tsamouras. The motion passed by a majority.

In the matter of File Number 2017-01096, Carolyn Marie Henderson, the Board reviewed the record which consisted of the application file, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Carolyn Marie Henderson did not appear at the meeting in person. Ms. Debra Fortune, Director of the Cosmetology Program at Fluvanna Correctional Center for Women, appeared on behalf of Ms. Henderson and addressed the Board.

File Number 2017-01096, Carolyn Marie Henderson

Upon a motion by Mr. Minor and seconded by Ms. Tsamouras, the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and approve Carolyn Marie Henderson's license application.

The members voting 'yes' were Mr. R. Jones, Mr. T. Jones, Ms. LaPierre, Mr. Minor, Mr. Quesenberry, Ms. Tsamouras, and Mr. Williams. There were no negative votes. The motion passed unanimously.

In the matter of File Number 2017-01101, Amy Elizabeth Fitzgerald-Kelly, the Board reviewed the record which consisted of the application file, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Amy Elizabeth Fitzgerald-Kelly appeared at the meeting in person and addressed the Board.

File Number
2017-01101, Amy
Elizabeth
Fitzgerald-Kelly

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Upon a motion by Mr. R. Jones and seconded by Mr. Minor, the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and approve Amy Elizabeth Fitzgerald-Kelly's license application.

The members voting 'yes' were Mr. R. Jones, Mr. T. Jones, Ms. LaPierre, Mr. Minor, Mr. Quesenberry, Ms. Tsamouras, and Mr. Williams. There were no negative votes. The motion passed unanimously.

In the matter of File Number 2017-01250, Leonard Bullock, the Board reviewed the record which consisted of the application file, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Leonard Bullock did not appear at the meeting in person, by counsel or by any other qualified representative.

File Number 2017-01250, Leonard Bullock

Upon a motion by Mr. Minor and seconded by Ms. Tsamouras, the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and approve Leonard Bullock's license application.

The members voting 'yes' were Mr. R. Jones, Mr. T. Jones, Ms. LaPierre, Mr. Minor, Mr. Quesenberry, Ms. Tsamouras, and Mr. Williams. There were no negative votes. The motion passed unanimously.

In the matter of File Number 2017-01251, Kelly Lauren Muncy, the Board reviewed the record which consisted of the application file, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Kelly Lauren Muncy appeared at the meeting in person and addressed the Board. Ms. Debra Fortune, Director of the Cosmetology Program at Fluvanna Correctional Center for Women, appeared on behalf of Ms. Muncy and also addressed the Board.

File Number 2017-01251, Kelly Lauren Muncy

Upon a motion by Mr. T. Jones and seconded by Mr. R. Jones, the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and approve Kelly Lauren Muncy's license application.

The members voting 'yes' were Mr. R. Jones, Mr. T. Jones, Ms. LaPierre, Mr. Minor, Mr. Quesenberry, Ms. Tsamouras, and Mr. Williams. There were no negative votes. The motion passed unanimously.

In the matter of File Number 2017-01346, Sarah Evelyn Maydwell, the Board reviewed the record which consisted of the application file, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Sarah Evelyn Maydwell did not appear at the meeting in person, by counsel, or by any other qualified representative.

File Number 2017-01346, Sarah Evelyn Maydwell Board for Barbers and Cosmetology Minutes of Meeting May 8, 2017 Page 11 of 21

Upon a motion by Ms. Tsamouras and seconded by Mr. Minor, the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and approve Sarah Evelyn Maydwell's license application.

The members voting 'yes' were Mr. R. Jones, Mr. T. Jones, Ms. LaPierre, Mr. Minor, Mr. Quesenberry, Ms. Tsamouras, and Mr. Williams. There were no negative votes. The motion passed unanimously.

In the matter of File Number 2017-01347, Briana Nicole Gray, the Board reviewed the record which consisted of the application file, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Briana Nicole Gray appeared at the meeting in person and addressed the Board. Ms. Debra Fortune, Director of the Cosmetology Program at Fluvanna Correctional Center for Women, appeared on behalf of Ms. Gray and also addressed the Board.

File Number 2017-01347, Briana Nicole Gray

Upon a motion by Mr. Williams and seconded by Ms. Tsamouras, the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and approve Briana Nicole Gray's license application.

The members voting 'yes' were Ms. Dorey, Mr. R. Jones, Ms. LaPierre, Ms. McCaffrey, Mr. Minor, Mr. Quesenberry, Ms. Quinn, Ms. Tsamouras, and Mr. Williams. The motion passed unanimously.

In the matter of File Number 2017-01350, Tammy Marie Saunders, the Board reviewed the record which consisted of the application file, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Tammy Marie Saunders did not appear at the meeting in person, by counsel, or by any other qualified representative.

File Number 2017-01350, Tammy Marie Saunders

Upon a motion by Ms. LaPierre and seconded by Mr. Minor, the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and approve Tammy Marie Saunder's license application.

The members voting 'yes' were Ms. Dorey, Mr. R. Jones, Ms. LaPierre, Ms. McCaffrey, Mr. Minor, Mr. Quesenberry, Ms. Quinn, Ms. Tsamouras, and Mr. Williams. The motion passed unanimously.

In the matter of File Number 2017-01351, Donna Marlene Bryant, the Board reviewed the record which consisted of the application file, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Donna Marlene Bryant did not appear at the meeting in person, by counsel, or by any other qualified representative.

File Number 2017-01351, Donna Marlene Bryant Board for Barbers and Cosmetology Minutes of Meeting May 8, 2017 Page 12 of 21

Upon a motion by Mr. Minor and seconded by Ms. LaPierre, the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and approve Donna Marlene Bryant's license application.

The members voting 'yes' were Mr. R. Jones, Mr. T. Jones, Ms. LaPierre, Mr. Minor, Mr. Quesenberry, Ms. Tsamouras, and Mr. Williams. There were no negative votes. The motion passed unanimously.

In the matter of File Number 2017-01385, John Henry Johnson III, the Board reviewed the record which consisted of the application file, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. John Henry Johnson Henry Johnson III did not appear at the meeting in person, by counsel, or by any other qualified representative.

File Number 2017-01385, John III

Upon a motion by Mr. Minor and seconded by Mr. R. Jones, the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and approve John Henry Johnson III's license application.

The members voting 'yes' were Mr. R. Jones, Mr. T. Jones, Ms. LaPierre, Mr. Minor, Mr. Quesenberry, Ms. Tsamouras, and Mr. Williams. There were no negative votes. The motion passed unanimously.

In the matter of File Number 2017-01464, Shendell Tanganika Riggins, the Board reviewed the record which consisted of the application file, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Shendell Tanganika Riggins did not appear at the meeting in person, by counsel, or by any other qualified representative.

File Number 2017-01464, Shendell Tanganika Riggins

Upon a motion by Ms. LaPierre and seconded by Mr. R. Jones, the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and approve Shendell Tanganika Riggins' license application.

The members voting 'yes' were Mr. R. Jones, Mr. T. Jones, Ms. LaPierre, Mr. Minor, Mr. Ouesenberry, Ms. Tsamouras, and Mr. Williams. There were no negative votes. The motion passed unanimously.

Upon a motion by Mr. T. Jones and seconded by Mr. Minor, the Board voted to accept the recommendations in the Summaries of the Informal Fact-Finding Conferences and deny the twelve (12) limited term tattooer license applications.

Tattooer Application Denials as a Block

Limited Term

The members voting 'yes' were Mr. R. Jones, Mr. T. Jones, Ms. LaPierre, Mr. Minor, Mr. Quesenberry, Ms. Tsamouras, and Mr. Williams. There were no

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negative votes. The motion passed unanimously.

In the matter of File Number 2017-01483, Jacob John Ohlinger, the Board reviewed the record which consisted of the application file, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Jacob John Ohlinger did not appear at the meeting in person, by counsel, or by any other qualified representative.

File Number 2017-01483, Jacob John Ohlinger

Upon a motion by T. Jones and seconded by Mr. Minor, the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and deny Jacob John Ohlinger's license application.

The members voting 'yes' were Mr. R. Jones, Mr. T. Jones, Ms. LaPierre, Mr. Minor, Mr. Quesenberry, Ms. Tsamouras, and Mr. Williams. There were no negative votes. The motion passed unanimously.

In the matter of File Number 2017-01519, Landon B. Lewis, the Board reviewed the record which consisted of the application file, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Landon B. Lewis did not appear at the meeting in person, by counsel, or by any other qualified representative.

File Number 2017-01519, Landon B. Lewis

Upon a motion by T. Jones and seconded by Mr. Minor, the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and deny Landon B. Lewis' license application.

The members voting 'yes' were Mr. R. Jones, Mr. T. Jones, Ms. LaPierre, Mr. Minor, Mr. Quesenberry, Ms. Tsamouras, and Mr. Williams. There were no negative votes. The motion passed unanimously.

In the matter of File Number 2017-01566, Seth A. Moritz, the Board reviewed the record which consisted of the application file, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Seth A. Moritz did not appear at the meeting in person, by counsel, or by any other qualified representative.

File Number 2017-01566, Seth A. Moritz

Upon a motion by T. Jones and seconded by Mr. Minor, the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and deny Seth A. Moritz's license application.

The members voting 'yes' were Mr. R. Jones, Mr. T. Jones, Ms. LaPierre, Mr. Minor, Mr. Quesenberry, Ms. Tsamouras, and Mr. Williams. There were no negative votes. The motion passed unanimously.

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In the matter of File Number 2017-01567, Carlos D. Perez, the Board reviewed the record which consisted of the application file, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Carlos D. Perez did not appear at the meeting in person, by counsel, or by any other qualified representative.

File Number 2017-01567, Carlos D. Perez

Upon a motion by T. Jones and seconded by Mr. Minor, the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and deny Carlos D. Perez's license application.

The members voting 'yes' were Mr. R. Jones, Mr. T. Jones, Ms. LaPierre, Mr. Minor, Mr. Quesenberry, Ms. Tsamouras, and Mr. Williams. There were no negative votes. The motion passed unanimously.

In the matter of File Number 2017-01569, Aaron Matthew Francione, the Board reviewed the record which consisted of the application file, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Aaron Matthew Francione did not appear at the meeting in person, by counsel, or by any other qualified representative.

File Number 2017-01569, Aaron Matthew Francione

Upon a motion by T. Jones and seconded by Mr. Minor, the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and deny Aaron Matthew Francione's license application.

The members voting 'yes' were Mr. R. Jones, Mr. T. Jones, Ms. LaPierre, Mr. Minor, Mr. Quesenberry, Ms. Tsamouras, and Mr. Williams. There were no negative votes. The motion passed unanimously.

In the matter of File Number 2017-01584, Damion Christian de Leon, the Board reviewed the record which consisted of the application file, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Damion Christian de Leon did not appear at the meeting in person, by counsel, or by any other qualified representative.

File Number 2017-01584, Damion Christian de Leon

Upon a motion by T. Jones and seconded by Mr. Minor, the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and deny Damion Christian de Leon's license application.

The members voting 'yes' were Mr. R. Jones, Mr. T. Jones, Ms. LaPierre, Mr. Minor, Mr. Quesenberry, Ms. Tsamouras, and Mr. Williams. There were no negative votes. The motion passed unanimously.

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In the matter of File Number 2017-01585, Shane Taylor Hart, the Board reviewed the record which consisted of the application file, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Shane Taylor Hart did not appear at the meeting in person, by counsel, or by any other qualified representative.

File Number 2017-01585, Shane Taylor Hart

Upon a motion by T. Jones and seconded by Mr. Minor, the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and deny Shane Taylor Hart's license application.

The members voting 'yes' were Mr. R. Jones, Mr. T. Jones, Ms. LaPierre, Mr. Minor, Mr. Quesenberry, Ms. Tsamouras, and Mr. Williams. There were no negative votes. The motion passed unanimously.

In the matter of File Number 2017-01601, Sean Patrick Jankowski, the Board reviewed the record which consisted of the application file, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Sean Patrick Jankowski did not appear at the meeting in person, by counsel, or by any other qualified representative.

File Number 2017-01601, Sean Patrick Jankowski

Upon a motion by T. Jones and seconded by Mr. Minor, the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and deny Sean Patrick Jankowski's license application.

The members voting 'yes' were Mr. R. Jones, Mr. T. Jones, Ms. LaPierre, Mr. Minor, Mr. Quesenberry, Ms. Tsamouras, and Mr. Williams. There were no negative votes. The motion passed unanimously.

In the matter of File Number 2017-01602, Lydia Narayanasamy, the Board reviewed the record which consisted of the application file, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Lydia Narayanasamy did not appear at the meeting in person, by counsel, or by any other qualified representative.

File Number 2017-01602, Lydia Narayanasamy

Upon a motion by T. Jones and seconded by Mr. Minor, the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and deny Lydia Narayanasamy's license application.

The members voting 'yes' were Mr. R. Jones, Mr. T. Jones, Ms. LaPierre, Mr. Minor, Mr. Quesenberry, Ms. Tsamouras, and Mr. Williams. There were no negative votes. The motion passed unanimously.

In the matter of File Number 2017-01603, James A. Steinke, the Board

File Number

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reviewed the record which consisted of the application file, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. James A. Steinke did not appear at the meeting in person, by counsel, or by any other qualified representative.

2017-01603, James A. Steinke

Upon a motion by T. Jones and seconded by Mr. Minor, the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and deny James A. Steinke's license application.

The members voting 'yes' were Mr. R. Jones, Mr. T. Jones, Ms. LaPierre, Mr. Minor, Mr. Quesenberry, Ms. Tsamouras, and Mr. Williams. There were no negative votes. The motion passed unanimously.

In the matter of File Number 2017-01604, Gianna S. Phillips, the Board reviewed the record which consisted of the application file, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Gianna S. Phillips did not appear at the meeting in person, by counsel, or by any other qualified representative.

File Number 2017-01604, Gianna S. Phillips

Upon a motion by T. Jones and seconded by Mr. Minor, the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and deny Gianna S. Phillips' license application.

The members voting 'yes' were Mr. R. Jones, Mr. T. Jones, Ms. LaPierre, Mr. Minor, Mr. Quesenberry, Ms. Tsamouras, and Mr. Williams. There were no negative votes. The motion passed unanimously.

In the matter of File Number 2017-01611, Jeffrey Miller, the Board reviewed the record which consisted of the application file, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Jeffrey Miller did not appear at the meeting in person, by counsel, or by any other qualified representative.

File Number 2017-01611, Jeffrey Miller

Upon a motion by T. Jones and seconded by Mr. Minor, the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and deny Jeffrey Miller's license application.

The members voting 'yes' were Mr. R. Jones, Mr. T. Jones, Ms. LaPierre, Mr. Minor, Mr. Quesenberry, Ms. Tsamouras, and Mr. Williams. There were no negative votes. The motion passed unanimously.

In the matter of File Number 2017-01705, Perry Marquis Lee, the Board reviewed the record which consisted of the application file, transcript, exhibits,

File Number 2017-01705,

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and the Summary of the Informal Fact-Finding Conference. Perry Marquis Lee did not appear at the meeting in person, by counsel, or by any other qualified representative.

Perry Marquis Lee

Upon a motion by Mr. R. Jones and seconded by Ms. LaPierre, the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and approve Perry Marquis Lee's license application.

The members voting 'yes' were Mr. R. Jones, Mr. T. Jones, Ms. LaPierre, Mr. Minor, Mr. Quesenberry, Ms. Tsamouras, and Mr. Williams. There were no negative votes. The motion passed unanimously.

In the matter of File Number 2017-01706, Deon Lamar Hunt dba Styles II Profile, the Board reviewed the record which consisted of the application file, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Deon Lamar Hunt appeared at the meeting in person and addressed the Board.

File Number 2017-01706, Deon Lamar Hunt dba Styles II Profile

Upon a motion by Mr. T. Jones and seconded by Ms. LaPierre, the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and approve Deon Lamar Hunt's barber shop license reinstatement application.

The members voting 'yes' were Mr. R. Jones, Mr. T. Jones, Ms. LaPierre, Mr. Minor, Mr. Quesenberry, Ms. Tsamouras, and Mr. Williams. There were no negative votes. The motion passed unanimously.

In the matter of File Number 2017-01768, Jaimie Elston, the Board reviewed the record which consisted of the application file, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Jaimie Elston did not appear at the meeting in person, by counsel, or by any other qualified representative.

File Number 2017-01768, Jaimie Elston

Upon a motion by Ms. LaPierre and seconded by Mr. Minor, the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and approve Jaimie Elston's license application.

The members voting 'yes' were Mr. R. Jones, Mr. T. Jones, Ms. LaPierre, Mr. Minor, Mr. Quesenberry, Ms. Tsamouras, and Mr. Williams. There were no negative votes. The motion passed unanimously.

In the matter of File Number 2017-01769, Candice L. V. Choice, the Board reviewed the record which consisted of the application file, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Candice L. V. Choice appeared at the meeting in person and addressed the Board.

File Number 2017-01769, Candice L. V. Choice Board for Barbers and Cosmetology Minutes of Meeting May 8, 2017 Page 18 of 21

Upon a motion by Mr. R. Jones and seconded by Ms. LaPierre, the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and approve Candice L. V. Choice's license application.

The members voting 'yes' were Mr. R. Jones, Mr. T. Jones, Ms. LaPierre, Mr. Minor, Mr. Quesenberry, Ms. Tsamouras, and Mr. Williams. There were no negative votes. The motion passed unanimously.

In the matter of File Number 2017-01770, Eric Dennis Johnson, the Board reviewed the record which consisted of the application file, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Eric Dennis Johnson Dennis Johnson appeared at the meeting in person and addressed the Board.

File Number 2017-01770, Eric

Upon a motion by Ms. Tsamouras and seconded by Mr. T. Jones, the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and approve Eric Dennis Johnson's license application.

The members voting 'yes' were Mr. R. Jones, Mr. T. Jones, Ms. LaPierre, Mr. Minor, Mr. Quesenberry, Ms. Tsamouras, and Mr. Williams. There were no negative votes. The motion passed unanimously.

In the matter of File Number 2017-01909, Zachary Grant Hendrickson, the Board reviewed the record which consisted of the application file, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Zachary Grant Hendrickson appeared at the meeting in person and addressed the Board. File Number 2017-01909, Zachary Grant Hendrickson

Upon a motion by Mr. T. Jones and seconded by Mr. R. Jones, the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and deny Zachary Grant Hendrickson's license application.

The members voting 'yes' were Mr. R. Jones, Mr. T. Jones, Ms. LaPierre, Mr. Minor, Mr. Quesenberry, Ms. Tsamouras, and Mr. Williams. There were no negative votes. The motion passed unanimously.

In the matter of File Number 2017-01911, Erin Lea Robinson, the Board reviewed the record which consisted of the application file, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Erin Lea Robinson did not appear at the meeting in person, by counsel, or by any other qualified representative.

File Number 2017-01911, Erin Lea Robinson

Upon a motion by Mr. Minor and seconded by Ms. LaPierre, the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding

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Conference and approve Erin Lea Robinson's license application.

The members voting 'yes' were Mr. R. Jones, Mr. T. Jones, Ms. LaPierre, Mr. Minor, Mr. Quesenberry, Ms. Tsamouras, and Mr. Williams. There were no negative votes. The motion passed unanimously.

Mr. DeBoer reported to the Board regarding changes that had recently taken place in the management structure of certain agency divisions. He introduced Mary Broz-Vaughan, newly appointed Deputy Director for Communications and Board Operations; and Jessica Eldridge, Director of the Post-Adjudication and Licensing Section.

Director's Report

OLD BUSINESS

Examinations

Mr. Melis reported to the Board on the progress of the examination vendor transition to Professional Credential Services (PCS). He indicated that he is continuing to work closely with PCS and DPOR personnel to resolve I.T. logistical challenges. He reported that he is also working with the Department of Education to avoid scheduling issues for the testing of public school students.

Report on Vendor Transition

Mr. Kirschner reported to the Board on the exam statistics for the first several months of testing under the new exam vendor. He stated that exam scores for the barber exam have risen to their historical average prior to the previous vendor, and other scores are close to their historical averages.

Exam Statistics

Mr. Kirschner advised the Board of the development of a fast track regulatory action that would allow esthetics instructors to teach wax technician programs. He indicated that the regulations have not been filed yet, as staff is waiting for required financial information. He indicated that the fast-track regulations may take six to nine months to enact.

Regulatory Report

Mr. Kirschner advised the Board that a Notice of Intended Regulatory Action is being prepared to provide for a general review of the Tattoo and Body Piercing Regulations. He indicated that more information will be provided in the New Business portion of the meeting.

NEW BUSINESS

Mr. Kirschner advised the Board that the revised Esthetics Regulations were effective February 1, 2017. The Board was provided with a draft guidance document entitled, "Cleaning Multi-use Items Which Cannot Be Immersed," for its review and approval. See Appendix C. The guidance document clarifies that 18 VAC 41-70-270.A.2. allows multiuse items which cannot be fully immersed

Board Guidance:

18 VAC 41-70
270.D; Esthetics —

Disinfection of

Multi-Use Items

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without damaging the item to be cleaned according to manufacturer's recommendation.

That Cannot Be Immersed

Upon a motion by Ms. Tsamouras and seconded by Ms. LaPierre, the Board voted to approved the guidance document as written.

The members voting 'yes' were Mr. R. Jones, Mr. T. Jones, Ms. LaPierre, Mr. Minor, Mr. Quesenberry, Ms. Tsamouras, and Mr. Williams. There were no negative votes. The motion passed unanimously.

Health Education

Mr. Kirschner called the Board's attention to a proposal previously provided for review from the International Board of Medicine and Surgery (IBMS) to be a considered as an approved provider of required blood-borne pathogen training for tattooers and body-piercers.

The Board members had reviewed the proposal, and there was no discussion.

Upon a motion by Ms. Tsamouras and seconded by Mr. R. Jones, the Board voted to approve IBMS as an approved health education provider for tattooers and body-piercers.

The members voting 'yes' were Mr. R. Jones, Mr. T. Jones, Ms. LaPierre, Mr. Minor, Mr. Quesenberry, Ms. Tsamouras, and Mr. Williams. There were no negative votes. The motion passed unanimously.

Mr. R. Jones initiated a conversation about changes in the microneedling industry and whether or not the Board should revisit earlier guidance it had provided on the topic. The Board's consensus was that a committee should be created to address the issue. Ms. Tsamouras and Ms. LaPierre volunteered to form the committee, and will coordinate with staff with regard to a first meeting date.

Guidance Needed on Microneedling

Mr. Melis reported that the Committee on Esthetics Apprenticeship has created the Standards of Apprenticeship and practices for the esthetics apprenticeships. He indicated that copies of the proposed Standards and Practices will be sent to all licensed spas, and that a public comment hearing will be held in June.

Esthetics Apprenticeship

Mr. Kirschner asked the Board for a motion to submit a Notice of Intended Regulatory Review (NOIRA) to initiate a general regulatory review of the Tattoo Regulations and Body-Piercing Regulations.

Tattooing and
Body-Piercing
Notice of
Intended
Regulatory
Action (NOIRA)

Upon a motion by Ms. Tsamouras and seconded by Mr. T. Jones, the Board voted to direct staff to prepare and submit the Notice of Intended Regulatory

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Review.

The members voting 'yes' were Mr. R. Jones, Mr. T. Jones, Ms. LaPierre, Mr. Minor, Mr. Quesenberry, Ms. Tsamouras, and Mr. Williams. There were no negative votes. The motion passed unanimously.

There being no further business to be brought before the Board, Mr. Quesenberry adjourned the meeting at 11:14 a.m.

Adjourn

Lonnie Quesenberry, Board Chair

Jay W.(DeBoer, Board Secretary

1.	Name:	Robert D. Jones, II	
2.	Title:	Board Member	
3.	Agency:	Board for Barbers and Cosmetology	
4.	Meeting/IFF Date:	May 8, 2017	
5.	I have a personal interest in the following transaction:		
	Nature of Personal Interest Affected by Transaction: I declare that I am a member of the following business, profession, occupation group, the members of which are affected by the transaction:		
	☐ I am able to participate in interest.	n this transaction fairly, objectively, and in the public	
	☐ I did not participate in the	e transaction.	
6.	I do not have a personal i	nterested in any transactions taken at this meeting.	
Signature Date			

1.	Name:	T. Daniel Jones	
2.	Title:	Board Member	
3.	Agency:	Board for Barbers and Cosmetology	
4.	Meeting/IFF Date:	May 8, 2017	
5.	I have a personal interest in the following transaction:		
	Nature of Personal Interest Affected by Transaction:		
	I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:		
	☐ I am able to participate in interest.	n this transaction fairly, objectively, and in the public	
	☐ I did not participate in the	e transaction.	
6.	☑ I do not have a personal i	nterested in any transactions taken at this meeting.	
	Signature		

1.	Name:	Margaret B LaPierre	
2.	Title:	Board Member	
3.	Agency:	Board for Barbers and Cosmetology	
4.	Meeting/IFF Date:	May 8, 2017	
5.	I have a personal interest in the following transaction:		
	I declare that I am a member of the following business, profession, occupation group, the members of which are affected by the transaction:		
	•	n this transaction fairly, objectively, and in the public	
	interest.		
	☐ I did not participate in the	e transaction.	
6.	I do not have a personal in	nterested in any transactions taken at this meeting.	
	Margaret KaPr	<u>5/8/2017</u>	

1.	Name:	Jonathan W. Minor	
2.	Title:	Board Member	
3.	Agency:	Board for Barbers and Cosmetology	
4.	Meeting/IFF Date:	May 8, 2017	
5.	I have a personal interest in the following transaction:		
	Nature of Personal Interest Affected by Transaction:		
		of the following business, profession, occupation or are affected by the transaction:	
	I am able to participate in interest.	n this transaction fairly, objectively, and in the public	
	☐ I did not participate in the	e transaction.	
6.	do not have a personal i	nterested in any transactions taken at this meeting.	
	Signature	5/8/2017 Date	

1.	Name:	Lonnie Quesenberry	
2.	Title:	Board Member	
3.	Agency:	Board for Barbers and Cosmetology	
4.	Meeting/IFF Date:	May 8, 2017	
5. I have a personal interest in the following transaction:		he following transaction:	
	Nature of Personal Interest Affected by Transaction:		
	I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:		
	☐ I am able to participate interest. or	n this transaction fairly, objectively, and in the public	
	☐ I did not participate in the	e transaction.	
6.	I do not have a personal interested in any transactions taken at this meeting.		
(Signature	May 8 3217 Date	

1.	Name:	Daniella Tsamouras	
2.	Title:	Board Member	
3.	Agency:	Board for Barbers and Cosmetology	
4.	Meeting/IFF Date:	May 8, 2017	
5.	I have a personal interest in the	ne following transaction:	
	Nature of Personal Interest Affected by Transaction:		
		of the following business, profession, occupation or are affected by the transaction:	
	☐ I am able to participate in interest.	n this transaction fairly, objectively, and in the public	
	☐ I did not participate in the	e transaction.	
6.\	I do not have a personal interested in any transactions taken at this meeting.		
	Lillie L.	ll 5/8/17	

1.	Name:	Tony Miles Williams	
2.	Title:	Board Member	
3.	Agency:	Board for Barbers and Cosmetology	
4.	Meeting/IFF Date:	May 8, 2017	
5.	I have a personal interest in the	ne following transaction:	
		- M	
	Nature of Personal Interest Affected by Transaction:		
	I declare that I am a member of the following business, profession, occupation or		
	group, the members of which are affected by the transaction:		
	☐ I am able to participate in interest.	n this transaction fairly, objectively, and in the public	
	☐ I did not participate in the	e transaction.	
6.	I do not have a personal i	nterested in any transactions taken at this meeting.	
	1	4/1/10	
	Signature	Date	