

# BOARD FOR BARBERS AND COSMETOLOGY

## MINUTES OF MEETING

The Board for Barbers and Cosmetology met at 9:00 a.m. on Monday, November 18, 2024, at the Department of Professional and Occupational Regulation Offices, 9960 Mayland Drive, 2<sup>nd</sup> Floor, Board Room 4, Richmond, Virginia.

The following board members were present:

Margaret B. LaPierre  
Oanh “Tina” Pham Kim Dang  
Kailey Blakeney  
Emmanuel Gayot  
Claudia Espinoza  
Marques Blackmon  
Candice Benvenuti  
Kimberly Lewis

The following board members were not present:

Gregory Edwards

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

Brian Wolford, Director  
Jeb Wilkinson, Chief Deputy Director  
Stephen Kirschner, Deputy Director, Licensing & Regulatory Programs  
Kelley Smith, Executive Director  
Tamika Rodriguez, Regulatory Operations Administrator  
Wendy Duncan, Licensing Operations Administrator  
Heather Garnett, Administrative Coordinator  
Joseph Haughwout, Regulatory Affairs Manager

A representative from the Office of the Attorney General was present for the meeting.

Ms. LaPierre, Board Chair, determined a quorum was present and called the meeting to order at 9:12 a.m.

**CALL TO ORDER**

Ms. LaPierre read the Department of Professional & Occupational Regulations mission statement and announced several meeting reminders.

Ms. Smith, Executive Director, explained the emergency egress procedure for board room 4.

**EMERGENCY  
EGRESS**

Ms. Smith introduced Jeb Wilkinson, DPOR Chief Deputy Director and board members Candice Benvenuti and Kimberly Lewis.

**INTRODUCTION  
OF NEW AGENCY**

**STAFF AND  
BOARD MEMBERS**

The Board took the agenda under consideration.

**APPROVAL OF  
AGENDA**

Mr. Blackmon motioned to approve the agenda, seconded by Ms. Blakeney.

The members voting “yes” were Ms. LaPierre, Mr. Blackmon, Ms. Blakeney, Ms. Espinoza, Ms. Benvenuti, and Ms. Lewis. There were no negative votes. The motion carried.

The Board took the minutes of the Regulatory Advisory Panel meeting on September 23, 2024, and Board meeting on September 30, 2024, under consideration.

**APPROVAL OF  
MINUTES AS A  
BLOCK**

Ms. Blakeney motioned to approve the minutes as a block, seconded by Mr. Blackmon.

The members voting “yes” were Ms. LaPierre, Mr. Blackmon, Ms. Blakeney, Ms. Espinoza, Ms. Benvenuti, and Ms. Lewis. There were no negative votes. The motion carried.

Mr. Gayot arrived at 9:20 am.

**Arrival of Board  
Member**

Ms. LaPierre opened the floor for public comment.

**PUBLIC  
COMMENT**

Chris Pleasants addressed the board with concerns of his barbershop booth rental. Ms. Smith requested Mr. Pleasants discuss his concerns with board staff after the meeting.

Christine Werne addressed the board with concerns about the esthetics regulation survey results presented on the PowerPoint during the September 23, 2024, Regulatory Advisory Panel meeting.

Laura Todd addressed the board with concerns of the Regulatory Advisory Panel meeting minutes statement and survey.

Ms. Dang arrived at 9:30 am.

**Arrival of Board  
Member**

Matt England addressed the board with concerns of the Regulatory Advisory Panel survey.

**PUBLIC  
COMMENT**

**CASES**

**Disciplinary**

In the matter of File Number **2023-01146, Sammie Leary**, Ms. Dang recused herself and remaining Board members reviewed the record of the Informal Fact-Finding Conference which consisted of the transcript, investigative file, report of findings, and exhibits.

**File Number 2023-01146, Sammie Leary**

Sammie Leary did not appear at the meeting in person, by counsel, or by any other qualified representative.

Mr. Blackmon motioned to accept the recommendation which cites a violation for Count 1, seconded by Mr. Gayot.

There was no Board discussion.

The members voting “yes” were Ms. LaPierre, Mr. Blackmon, Ms. Blakeney, Ms. Espinoza, Ms. Benvenuti, Ms. Lewis, and Mr. Gayot. There were no negative votes. The motion carried.

Mr. Blackmon motioned to accept the recommended sanctions for Count 1, seconded by Ms. Blakeney.

There was no Board discussion.

The members voting “yes” were Ms. LaPierre, Mr. Blackmon, Ms. Blakeney, Ms. Espinoza, Ms. Benvenuti, Ms. Lewis, and Mr. Gayot. There were no negative votes. The motion carried.

The violations and sanctions were:

Count 1:	18 VAC 41-20-280.1	\$800.00
Total		\$800.00

**Prima Facia**

In the matter of File Number **2024-02094, Super Hair’s Beauty Academy**, Board members reviewed the record of the revised report of findings and exhibits.

**File Number 2024-02094, Super Hair’s Beauty Academy**

A representative from Super Hair’s Beauty Academy did not appear at the meeting in person, by counsel, or by any other qualified representative.

Mr. Blackmon motioned to find violations for Count 1 and Count 2 and accept the recommendation sanctions, seconded by Ms. Blakeney.

There was no Board discussion.

The members voting “yes” were Ms. LaPierre, Mr. Blackmon, Ms. Blakeney, Ms. Espinoza, Ms. Benvenuti, Ms. Lewis, Ms. Dang, and Mr. Gayot. There were no negative votes. The motion carried.

The violations and sanctions were:

Count 1:	18 VAC 41-20-280.4	\$2,500.00
Count 2:	18 VAC 41-20-280.9	\$1,000.00
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Total		\$3,500.00

In addition, for violations of Count 1 and 2 the Board imposed license revocation.

Ms. Duncan called the Boards attention to the electronic agenda that provided both private and high school examination statistics.

The Board did not have any questions or discussion.

Ms. Rodriguez presented the regulatory report that was provided in the electronic agenda.

The Board did not have any questions or discussion.

Ms. Smith presented the executive directors report that was provided in the electronic agenda.

The Board did not have any questions or discussion.

Ms. Smith provided an overview of training topics and speakers that attended the board member training conference on October 10<sup>th</sup> and 11<sup>th</sup>, 2024.

The Board discussed the training conference.

## **REPORTS**

### **Examination Statistics**

### **Regulatory Report**

### **Executive Director Report**

## **NEW BUSINESS**

### **Report on 2024 New Board Member Training Conference**

Ms. Smith informed the Board that DPOR is funded through licensing fees. The Code of Virginia requires DPOR Boards to establish fees that are sufficient to cover operating expenses. The 2019 General Assembly directed DPOR to spend down its surplus reserve through filling vacancies and upgrading its licensing and enforcement systems. The Board is expected to exhaust its cash reserve in the next fiscal year. To ensure DPOR and the Board have sufficient funds to continue operating, a fee increase is necessary. The Board's last fee increase was in September 2011. There has been 39% inflation since September 2011 and Board costs have increased during time. Staff recommended a fee increase to provide sufficient revenue to cover operating expenses.

**Fast-Track Fee Increase**

Ms. Blakeney motioned to adopt the proposed adjusted fee amounts and authorize staff to begin a fast-track regulatory action, seconded by Ms. Espinoza.

The Board discussed the fee increase. Mr. Kirshner explained the calculation of the new fees and the Callahan Act §54.1-113 of the Code of Virginia.

The members voting "yes" were Ms. LaPierre, Mr. Blackmon, Ms. Blakeney, Ms. Espinoza, Ms. Benvenuti, Ms. Lewis, Ms. Dang, and Mr. Gayot. There were no negative votes. The motion carried.

**REMINDERS**

Ms. LaPierre reminded the Board of the next board meeting scheduled for January 6, 2025.

**Next Board Meeting**

There being no further business brought before the Board, Ms. LaPierre adjourned the meeting at 10:02 a.m.

**Adjourn**

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Margaret LaPierre, Board Chair

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Brian P. Wolford, Board Secretary