

BOARD FOR BARBERS & COSMETOLOGY

DRAFT MINUTES OF MEETING

The Board for Barbers & Cosmetology met on Monday, February 13, 2012, at the Offices of the Department of Professional and Occupational Regulation, 9960 Mayland Drive, 2nd Floor, Board Room 4, Richmond, Virginia. The following members were present:

Marian L. Alderson
Jessie H. Anders
Ernest D. Chapman, Jr.
Stacy A. Crawford
Gail L. Mayhue
Jonathan W. Minor
Marie F. Quinn
Daniella Tsamouras

The following board members were not present:

Sean T. Sweeney
Virginia Lee Sanders

Board Liaison from the Board for Professional and Occupational Regulation was present:

Sheree L. Tsai

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

Gordon N. Dixon, Director
Mark N. Courtney, Deputy Director of LRD
William H. Ferguson, II, Executive Director
Demetrios J. Melis, Board Administrator
Cathy Clark, Administrative Assistant
Earlyne Perkins, Legal Analyst

Representative from the Office of the Attorney General was present for the meeting.

Elizabeth B. Peay, Assistant Attorney General

Mr. Minor, Chair, determined a quorum was present and called the meeting to order at 9:03 a.m. **Call To Order**

Mr. Minor announced the death of the Board's Office Manager, Elaine Knabel, on February 12th, and the Chair asked that those present **Moment of Silence**

observe a moment of silence in her memory.

Mr. Ferguson introduced, Ms. Sheree Tsai, the Board Liaison from the Board for Professional and Occupational Regulation. **Board Liaison**

The Board took the agenda under consideration. **Approval of Agenda**

Upon a motion by Mr. Anders and seconded by Ms. Crawford, the Board voted to adopt the agenda.

The members voting 'yes' were Ms. Alderson, Mr. Anders, Mr. Chapman, Ms. Crawford, Ms. Mayhue, Mr. Minor, Ms. Quinn, and Ms. Tsamouras. There were no negative votes. The motion passed unanimously.

Mr. Minor asked if there was any public comment. There was none. **Public Comment**

Upon a motion by Mr. Anders and seconded by Ms. Crawford, the Board voted to approve the minutes as written of the:

Nov. 7, 2011, Board for Barbers & Cosmetology Board Meeting,
Nov. 17, 2011, Informal Fact-Finding Conference,
Nov. 29, 2011, Informal Fact-Finding Conference,
Dec. 7, 2011, Informal Fact-Finding Conference,
Dec. 13, 2011, Informal Fact-Finding Conference,
Dec. 14, 2011, Informal Fact-Finding Conference,
Dec. 15, 2011, Informal Fact-Finding Conference,
Dec. 28, 2011, Informal Fact-Finding Conference
Jan. 5, 2012, Informal Fact-Finding Conference,

**Approval of
Minutes for
Nov. 7, 2011
Board Meeting,
Nov. 17, 2011 IFF,
Nov. 29, 2011 IFF,
Dec. 7, 2011 IFF,
Dec. 13, 2011 IFF,
Dec. 14, 2011, AM
IFF, Dec. 15, 2011
PM IFF, Dec. 28,
2011 IFF, and Jan.
5, 2012 IFF.**

The members voting 'yes' were Ms. Alderson, Mr. Anders, Mr. Chapman, Ms. Crawford, Ms. Mayhue, Mr. Minor, Ms. Quinn, and Ms. Tsamouras. There were no negative votes. The motion passed unanimously.

Cases

Ms. Quinn recused herself from the meeting.

Ms. Quinn Recused

In the matter of **File Number 2012-00739, Tuan T. Nguyen**, the Board reviewed the record which consisted of the Consent Order. Tuan T. Nguyen did not appear at the meeting in person, by counsel, or by any other qualified representative.

**File Number
2012-00739,
Nguyen, Tuan T.**

By signing this Consent Order, Tuan T. Nguyen acknowledges an

understanding of the charges and admits to the violation(s) of the Counts as outlined in the Report of Findings.

Count 1:	18 VAC 41-20-280.A.3	\$2,300.00

	SUB-TOTAL (MONETARY PENALTIES)	\$2,300.00
	BOARD COSTS	\$ 150.00
	TOTAL	\$2,450.00

In addition, for violation of Count 1, Tuan T. Nguyen agrees to revocation of his license.

Upon a motion by Mr. Anders and seconded by Ms. Mayhue, the Board voted to accept the Consent Order.

The members voting 'yes' were Ms. Alderson, Mr. Anders, Mr. Chapman, Ms. Crawford, Ms. Mayhue, Mr. Minor, and Ms. Tsamouras. There were no negative votes. The motion passed unanimously.

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

Ms. Quinn returned to the meeting.

Ms. Quinn Recused

Mr. Chapman recused himself from the meeting.

**Mr. Chapman
Recused**

In the matter of **File Number 2011-03333, Back to Life Barber Academy t/a Back to Life Unisex Barber Shop**, the Board reviewed the record which consisted of the Summary of the Informal Fact-Finding Conference, Report of Findings, transcript and exhibits. Back to Life Barber Academy did not appear at the meeting in person, by counsel, or by any other qualified representative.

**File Number
2011-03333, Back to
Life Barber
Academy**

Concerning Count 1, upon a motion by Mr. Anders and seconded by Ms. Tsamouras, the Board adopted the Report of Findings which contains the facts regarding the regulatory and/or statutory issues in this matter and the Summary of the Informal Fact-Finding Conference, and found substantial evidence that Back to Life Barber Academy violated the following section of its Regulations.

Count 1: 18 VAC 41-20-280.C.2.

The members voting 'yes' were Ms. Alderson, Mr. Anders, Ms.

Crawford, Ms. Mayhue, Mr. Minor, Ms. Quinn, and Ms. Tsamouras. There were no negative votes. The motion passed unanimously.

As a Board representative in this case, Mr. Chapman was not present, did not participate in the discussion, and did not vote on this matter.

Concerning Count 1, upon a motion by Ms. Tsamouras and seconded by Ms. Mayhue, the Board voted to accept the recommended sanctions contained in the Summary of the Informal Fact-Finding Conference and to impose the following sanctions:

Count 1:	18 VAC 41-70-280.A.2	\$1,000.00

TOTAL (MONETARY PENALTIES)		\$1,000.00

In addition, for violation of Count 1, the Board imposed a suspension of Back to Life Barber Academy's Barber Shop license 1304003706 for ninety (90) days.

The members voting 'yes' were Ms. Alderson, Ms. Crawford, Ms. Mayhue, Ms. Quinn, and Ms. Tsamouras. The members voting 'no' were Mr. Anders and Mr. Minors. The motion failed.

As a Board representative in this case, Mr. Chapman was not present, did not participate in the discussion, and did not vote on this matter.

Concerning Count 1, Mr. Anders made a motion to accept the recommendation of a \$1,000.00 monetary penalty, but impose no license suspension. There was no second.

Concerning Count 1, upon a motion by Ms. Crawford and seconded by Ms. Quinn, the Board voted to accept the recommendation of a \$1,000.00 monetary penalty, and amend the license suspension to thirty (30) days.

The members voting 'yes' were Ms. Alderson, Ms. Crawford, Ms. Mayhue, Ms. Quinn, and Ms. Tsamouras. The members voting 'no' were Mr. Anders and Mr. Minor. The motion failed.

As a Board representative in this case, Mr. Chapman was not present, did not participate in the discussion, and did not vote on this matter.

After a Board discussion which clarified that the recommended sanction is to suspend Back to Life's Barber Academy's barber shop license and not its barber school license, a motion was made by Ms.

Mayhue and seconded by Ms. Tsamouras to accept the recommended sanctions contained in the Summary of the Informal Fact-Finding Conference and to impose the following sanctions:

Count 1:	18 VAC 41-70-280.A.2	\$1,000.00

	TOTAL (MONETARY PENALTIES)	\$1,000.00

In addition, for violation of Count 1, the Board imposed a suspension of Back to Life Barber Academy's Barber Shop license 1304003706 for ninety (90) days.

The members voting 'yes' were Ms. Alderson, Mr. Anders, Ms. Crawford, Ms. Mayhue, Mr. Minor, Ms. Quinn, and Ms. Tsamouras. There were no negative votes. The motion passed unanimously.

As a Board representative in this case, Mr. Chapman was not present, did not participate in the discussion, and did not vote on this matter.

In the matter of **File Number 2011-04069, Tamara Burton Neagle**, the Board reviewed the record which consisted of the Summary of the Informal Fact-Finding Conference, Report of Findings, transcript and exhibits. Tamara Burton Neagle appeared at the meeting in person and addressed the Board.

File Number 2011-04069, Neagle, Tamara Burton

Concerning Count 1, upon a motion by Ms. Tsamouras and seconded by Ms. Crawford, the Board adopted the Report of Findings which contains the facts regarding the regulatory and/or statutory issues in this matter and the Summary of the Informal Fact-Finding Conference, and found substantial evidence that Back to Life Barber Academy violated the following section of its Regulations.

Count 1: 18 VAC 41-20-280.A.4.

The members voting 'yes' were Ms. Alderson, Mr. Anders, Ms. Crawford, Ms. Mayhue, Mr. Minor, Ms. Quinn, and Ms. Tsamouras. There were no negative votes. The motion passed unanimously.

As a Board representative in this case, Mr. Chapman was not present, did not participate in the discussion, and did not vote on this matter.

Concerning Count 2, upon a motion by Ms. Tsamouras and seconded by Ms. Mayhue, the Board adopted the Report of Findings which contains the facts regarding the regulatory and/or statutory issues in this matter and the Summary of the Informal Fact-Finding Conference,

and found substantial evidence that Back to Life Barber Academy violated the following section of its Regulations.

Count 2: 18 VAC 41-20-260.E.

The members voting 'yes' were Ms. Alderson, Mr. Anders, Ms. Crawford, Ms. Mayhue, Mr. Minor, Ms. Quinn, and Ms. Tsamouras. There were no negative votes. The motion passed unanimously.

As a Board representative in this case, Mr. Chapman was not present, did not participate in the discussion, and did not vote on this matter.

Concerning Count 3, upon a motion by Ms. Mayhue and seconded by Ms. Crawford, the Board adopted the Report of Findings which contains the facts regarding the regulatory and/or statutory issues in this matter and the Summary of the Informal Fact-Finding Conference, and found substantial evidence that Back to Life Barber Academy violated the following section of its Regulations.

Count 3: 18 VAC 41-20-280.A.7.

The members voting 'yes' were Ms. Alderson, Mr. Anders, Ms. Crawford, Ms. Mayhue, Mr. Minor, Ms. Quinn, and Ms. Tsamouras. There were no negative votes. The motion passed unanimously.

As a Board representative in this case, Mr. Chapman was not present, did not participate in the discussion, and did not vote on this matter.

Concerning Count 1, upon a motion by Ms. Tsamouras and seconded by Ms. Mayhue, the Board voted to reject the recommended sanctions contained in the Summary of the Informal Fact-Finding Conference and to impose the following sanctions:

Count 1:	18 VAC 41-70-280.A.2	\$1,000.00

TOTAL (MONETARY PENALTIES)		\$1,000.00

The members voting 'yes' were Ms. Alderson, Mr. Anders, Ms. Crawford, Ms. Mayhue, Mr. Minor, Ms. Quinn, and Ms. Tsamouras. There were no negative votes. The motion passed unanimously.

As a Board representative in this case, Mr. Chapman was not present, did not participate in the discussion, and did not vote on this matter.

Concerning Count 2, upon a motion by Ms. Tsamouras and seconded

by Ms. Mayhue, the Board voted to accept the recommended sanctions contained in the Summary of the Informal Fact-Finding Conference and to impose the following sanctions:

Count 2:	18 VAC 41-20-260.E.	\$ 250.00

TOTAL (MONETARY PENALTIES)		\$ 250.00

The members voting 'yes' were Ms. Alderson, Mr. Anders, Ms. Crawford, Ms. Mayhue, Mr. Minor, Ms. Quinn, and Ms. Tsamouras. There were no negative votes. The motion passed unanimously.

As a Board representative in this case, Mr. Chapman was not present, did not participate in the discussion, and did not vote on this matter.

Concerning Count 3, upon a motion by Ms. Tsamouras and seconded by Ms. Crawford, the Board voted to accept the recommended sanctions contained in the Summary of the Informal Fact-Finding Conference and to impose the following sanctions:

Count 2:	18 VAC 41-20-280.A.7.	\$ 200.00

TOTAL (MONETARY PENALTIES)		\$ 200.00

The members voting 'yes' were Ms. Alderson, Mr. Anders, Ms. Crawford, Ms. Mayhue, Mr. Minor, Ms. Quinn, and Ms. Tsamouras. There were no negative votes. The motion passed unanimously.

As a Board representative in this case, Mr. Chapman was not present, did not participate in the discussion, and did not vote on this matter.

Mr. Chapman returned to the meeting.

Mr. Chapman
recused

In the matter of **File Number 2011-03643, Michael Moore t/a Short Boyz Ink**, the Board reviewed the record which consisted of the Summary of the Informal Fact-Finding Conference, Report of Findings, transcript and exhibits. Michael Moore did not appear at the meeting in person, by counsel, or by any other qualified representative.

File Number 2011-
03643, Michael
Moore t/a Short
Boyz Ink

Concerning Count 1, upon a motion by Ms. Tsamouras and seconded by Mr. Anders, the Board adopted the Report of Findings which contains the facts regarding the regulatory and/or statutory issues in this matter and the Summary of the Informal Fact-Finding Conference, and found substantial evidence that Michael Moore t/a Short Boyz Ink

violated the following section of its Regulations.

Count 1: 18 VAC 41-50-420.A.3.

The members voting 'yes' were Ms. Alderson, Mr. Anders, Mr. Chapman, Ms. Crawford, Mr. Minor, Ms. Quinn, and Ms. Tsamouras. The member voting 'no' was Ms. Mayhue. The motion passed by a majority.

Concerning Count 1, upon a motion by Mr. Chapman and seconded by Ms. Tsamouras, the Board voted to accept the recommended sanctions contained in the Summary of the Informal Fact-Finding Conference and to impose the following sanctions:

Count 1:	18 VAC 41-50-420.A.3.	\$1,000.00
TOTAL (MONETARY PENALTIES)		\$1,000.00

In addition, the Board imposed revocation of license number 1232000325 for violation of the regulation in Count 1.

The members voting 'yes' were Ms. Alderson, Mr. Anders, Mr. Chapman, Ms. Crawford, Mr. Minor, Ms. Quinn, and Ms. Tsamouras. Board member abstaining was Ms. Mayhue. The motion passed by a majority.

In the matter of **File Number 2012-01409, Todd Allen**, the Board reviewed the record which consisted of the Summary of the Informal Fact-Finding Conference, transcript and exhibits. Todd Allen did not appear at the meeting in person, by counsel, or by any other qualified representative.

File Number 2012-01409, Allen, Todd

Concerning Count 1, upon a motion by Mr. Anders and seconded by Ms. Mayhue, the Board adopted the Summary of the Informal Fact-Finding Conference, which contains the facts regarding the regulatory and/or statutory issues in this matter, and found substantial evidence that Todd Allen violated the following section of its Regulations.

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

The members voting 'yes' were Ms. Alderson, Mr. Anders, Mr. Chapman, Ms. Crawford, Ms. Mayhue, Mr. Minor, Ms. Quinn, and Ms. Tsamouras. The motion passed unanimously.

Concerning Count 1, upon a motion by Mr. Anders and seconded by

Ms. Crawford, the Board voted to accept the recommended sanctions contained in the Summary of the Informal Fact-Finding Conference and to impose the following sanctions:

Count 1:	18 VAC 41-20-280.A.3.	\$750.00

	TOTAL (MONETARY PENALTIES)	\$750.00

In addition, the Board ordered that Allen report to the Board in writing within 30 days, of being convicted or found guilty regardless of adjudication, in any jurisdiction, of any felony or misdemeanor, and that license number 1301091203 is placed on probation, for a period of two (2) years. Failure to comply with the above reporting provision will result in the revocation of Allen's license.

The members voting 'yes' were Ms. Alderson, Mr. Anders, Mr. Chapman, Ms. Crawford, Ms. Mayhue, Mr. Minor, Ms. Quinn, and Ms. Tsamouras. The motion passed unanimously.

In the matter of **File Number 2011-04708, Vincent E. Lee**, the Board reviewed the record which consisted of the application file, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Vincent E. Lee appeared at the meeting in person and addressed the Board.

File Number 2011-04708, Lee, Vincent E.

Ms. Perkins submitted a correction to a Regulation cited on the IFF Referral Memo: 18 VAC 41-20-280(A)4 (induce others to violate regs) should be 18 VAC 41-20-280(A)9 (criminal convictions).

Upon a motion by Mr. Anderson and seconded by Ms. Crawford, the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and approve Vincent E. Lee's application.

The members voting 'yes' were Ms. Alderson, Mr. Anders, Mr. Chapman, Ms. Crawford, Ms. Mayhue, Mr. Minor, Ms. Quinn, and Ms. Tsamouras. The motion passed unanimously.

In the matter of **File Number 2011-00801, Bonnie Sue Hall**, the Board reviewed the record which consisted of the application file, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Deborah Fortune, a representative of Fluvanna Correctional Center for Women, appeared at the meeting on behalf of Ms. Hall and addressed the Board.

2011-00801, Hall, Bonnie Sue

Ms. Perkins submitted a correction to a Regulation cited on the IFF Referral Memo: 18 VAC 41-20-280(A)4 (induce others to violate regs) should be 18 VAC 41-20-280(A)9 (criminal convictions).

Upon a motion by Ms. Crawford and seconded by Ms. Mayhue, the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and approve Bonnie Sue Hall's application.

The members voting 'yes' were Ms. Alderson, Mr. Anders, Mr. Chapman, Ms. Crawford, Ms. Mayhue, Mr. Minor, Ms. Quinn, and Ms. Tsamouras. The motion passed unanimously.

In the matter of **File Number 2011-00802, James Neil Harshman, Jr.**, the Board reviewed the record which consisted of the application file, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. James Neil Harshman, Jr. appeared at the meeting in person, accompanied by his wife, Anna Harshman, and both addressed the Board.

File Number 2011-00802, Harshman, James Neil, Jr.

Upon a motion by Mr. Chapman and seconded by Ms. Crawford, the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and approve James Neil Harshman, Jr.'s application.

The members voting 'yes' were Ms. Alderson, Mr. Anders, Mr. Chapman, Ms. Crawford, Ms. Mayhue, Mr. Minor, Ms. Quinn, and Ms. Tsamouras. The motion passed unanimously.

In the matter of **File Number 2012-00803, Takia Marie Nelson**, the Board reviewed the record which consisted of the application file, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Takia Marie Nelson did not appear at the meeting in person, by counsel, or by any other qualified representative.

File Number 2012-00803, Nelson, Takia Marie

Ms. Perkins submitted a correction to a Regulation cited on the IFF Referral Memo: 18 VAC 41-20-280(A)4 (induce others to violate regs) should be 18 VAC 41-20-280(A)9 (criminal convictions).

Upon a motion by Ms. Tsamouras and seconded by Ms. Mayhue, the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and approve Takia Marie Nelson's application, subject to the following conditions:

1. If Ms. Nelson is placed on probation upon her release from

incarceration, she agrees to obtain a report from her probation officer and submit it to the Board each quarter for two years, on March 31, June 30, September 30, and December 31, following her release.

2. Ms. Nelson agrees to notify the Board in writing, and within 30 days, of any new felony or misdemeanor conviction;
3. Ms. Nelson agrees to obtain a letter from her employer that advises as to Nelson's status as a licensee, and submit it to the Board on a quarterly basis for one year, on March 31, June 30, September 30, and December 31, following her release;
4. Any and all other terms the Board deems appropriate.

The members voting 'yes' were Ms. Alderson, Mr. Anders, Ms. Crawford, Ms. Mayhue, Mr. Minor, Ms. Quinn, and Ms. Tsamouras. The member voting 'no' was Mr. Chapman. The motion passed by a majority.

In the matter of **File Number 2012-00805, Hoa Van Lam**, the Board reviewed the record which consisted of the application file, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Hoa Van Lam did not appear at the meeting in person, by counsel, or by any other qualified representative.

File Number 2012-00805, Lam, Hoa Van

Ms. Perkins submitted a correction to a Regulation cited on the IFF Referral Memo: 18 VAC 41-20-280(A)4 (induce others to violate regs) should be 18 VAC 41-20-280(A)9 (criminal convictions).

Upon a motion by Mr. Anders and seconded by Mr. Chapman, the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and approve Hoa Van Lam's application.

The members voting 'yes' were Ms. Alderson, Mr. Anders, Mr. Chapman, Ms. Crawford, Ms. Mayhue, Mr. Minor, Ms. Quinn, and Ms. Tsamouras. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2012-00806, Natosha L. Williams**, the Board reviewed the record which consisted of the application file, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Natosha L. Williams did not appear at the meeting in person, by counsel, or by any other qualified representative.

File Number 2012-00806, Williams, Natosha L.

Upon a motion by Ms. Crawford and seconded by Ms. Tsamouras, the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and approve Natosha L. Williams' application, subject to the following conditions:

1. Ms. Williams agrees to notify the Board in writing, and within 30 days, of any new felony or misdemeanor conviction; and
2. Any and all other terms the Board deems appropriate.

The members voting 'yes' were Ms. Alderson, Mr. Anders, Mr. Chapman, Ms. Crawford, Ms. Mayhue, Mr. Minor, Ms. Quinn, and Ms. Tsamouras. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2012-00807, Jordan Renee Lent**, the Board reviewed the record which consisted of the application file, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Jordan Renee Lent did not appear at the meeting in person, by counsel, or by any other qualified representative.

File Number 2012-00807, Lent, Jordan Renee

Upon a motion by Mr. Anders and seconded by Ms. Mayhue, the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and approve Jordan Renee Lent's application, subject to the following conditions:

1. Ms. Lent must provide the Board with a yearly report, which must include, but is not limited to her status as a probationer and any additional felony or misdemeanor convictions for a period of two (2) years or until she is released from probation, whichever occurs first; and
2. Any and all other terms the Board deems appropriate.

The members voting 'yes' were Ms. Alderson, Mr. Anders, Mr. Chapman, Ms. Crawford, Ms. Mayhue, Mr. Minor, Ms. Quinn, and Ms. Tsamouras. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2012-00808, Michael A. Eaddy**, the Board reviewed the record which consisted of the application file, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Michael A. Eaddy did not appear at the meeting in person, by counsel, or by any other qualified representative.

File Number 2012-00808, Eaddy, Michael A.

Upon a motion by Mr. Anders and seconded by Ms. Mayhue, the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and approve Michael A. Eaddy's application, subject to the following conditions:

1. Mr. Eaddy must obtain a yearly report from his probation officer and provide it to the Board for a period of two (2) years or until he is released from probation, whichever occurs first. This report must include, but is not limited to, Mr. Eaddy's status as a probationer and any new misdemeanor or felony convictions; and
2. Any and all other terms the Board deems appropriate.

The members voting 'yes' were Ms. Alderson, Mr. Anders, Mr. Chapman, Ms. Crawford, Ms. Mayhue, Mr. Minor, Ms. Quinn, and Ms. Tsamouras. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2012-00812, Jenna Danielle Bley**, the Board reviewed the record which consisted of the application file, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Jenna Danielle Bley did not appear at the meeting in person, by counsel, or by any other qualified representative.

File Number 2012-00812, Bley, Jenna Danielle

Upon a motion by Mr. Chapman and seconded by Mr. Anders, the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and approve Jenna Danielle Bley's application, subject to the following conditions:

1. Ms. Bley must obtain a semi-annual report from her probation officer and provide it to the Board for a period of two (2) years or until she is released from probation, whichever occurs first. This report must include, but is not limited to, Ms. Bley's status as a probationer and any new misdemeanor or felony convictions, and should be submitted to the Board, semi-annually, by June 30th and December 31st, beginning December 31, 2012; and
2. Any and all other terms the Board deems appropriate.

The members voting 'yes' were Ms. Alderson, Mr. Anders, Mr. Chapman, Ms. Crawford, Ms. Mayhue, Mr. Minor, Ms. Quinn, and Ms. Tsamouras. There were no negative votes. The motion passed

unanimously.

In the matter of **File Number 2012-00861, Shannon Lee**, the Board reviewed the record which consisted of the application file, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Shannon Lee did not appear at the meeting in person, by counsel, or by any other qualified representative.

File Number 2012-00861, Lee, Shannon

Ms. Perkins submitted a correction to a Regulation cited on the IFF Referral Memo: 18 VAC 41-20-280(A)4 (induce others to violate regs) should be 18 VAC 41-20-280(A)9 (criminal convictions).

Upon a motion by Mr. Anders and seconded by Mr. Chapman, the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and approve Shannon Lee's application.

The members voting 'yes' were Ms. Alderson, Mr. Anders, Mr. Chapman, Ms. Crawford, Ms. Mayhue, Mr. Minor, Ms. Quinn, and Ms. Tsamouras. The motion passed unanimously.

In the matter of **File Number 2012-01066, Jami Rose Davis**, the Board reviewed the record which consisted of the application file, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Jami Rose Davis did not appear at the meeting in person, by counsel, or by any other qualified representative.

File Number 2012-01066, Davis, Jami Rose

Ms. Perkins submitted a correction to the IFF Summary, Section 4; "... the duties of a licensed cosmetologist" should be "... the duties of a licensed nail technician."

Ms. Perkins submitted a correction to a Regulation cited on the IFF Referral Memo: 18 VAC 41-20-280(A)4 (induce others to violate regs) should be 18 VAC 41-20-280(A)9 (criminal convictions).

Upon a motion by Mr. Anders and seconded by Ms. Crawford, the Board voted to accept the recommendation in the amended Summary of the Informal Fact-Finding Conference and approve Jami Rose Davis' application.

The members voting 'yes' were Ms. Alderson, Mr. Anders, Mr. Chapman, Ms. Crawford, Ms. Mayhue, Mr. Minor, Ms. Quinn, and Ms. Tsamouras. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2012-01067, Paula Renee Brown**, the Board reviewed the record which consisted of the application file, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Paula Renee Brown did not appear at the meeting in person, by counsel, or by any other qualified representative.

File Number 2012-01067, Brown, Paula Renee

Ms. Perkins submitted a correction to a Regulation cited on the IFF Referral Memo: 18 VAC 41-20-280(A)4 (induce others to violate regs) should be 18 VAC 41-20-280(A)9 (criminal convictions).

Upon a motion by Mr. Anders and seconded by Mr. Chapman, the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and approve Paula Renee Brown's application.

The members voting 'yes' were Ms. Alderson, Mr. Anders, Mr. Chapman, Ms. Crawford, Ms. Mayhue, Mr. Minor, Ms. Quinn, and Ms. Tsamouras. The motion passed unanimously.

In the matter of **File Number 2012-01268, David Joseph Greene**, the Board reviewed the record which consisted of the application file, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. David Joseph Greene did not appear at the meeting in person, by counsel, or by any other qualified representative.

File Number 2012-01268, Greene, David Joseph

Upon a motion by Mr. Anders and seconded by Mr. Chapman, the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and approve David Joseph Greene's application.

The members voting 'yes' were Ms. Alderson, Mr. Anders, Mr. Chapman, Ms. Crawford, Ms. Mayhue, Mr. Minor, Ms. Quinn, and Ms. Tsamouras. The motion passed unanimously.

In the matter of **File Number 2012-01279, Rondell M. Davis**, the Board reviewed the record which consisted of the application file, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Rondell Davis appeared at the meeting in person and addressed the Board.

File Number 2012-01279, Davis, Rondell M.

Ms. Perkins submitted a correction to a Regulation cited on the IFF Referral Memo: 18 VAC 41-20-280(A)4 (induce others to violate regs) should be 18 VAC 41-20-280(A)9 (criminal convictions).

Ms. Perkins also submitted a correction to the IFF Summary, Section 7;

The time elapsed since last involvement in the commission of a crime should be seven years and six months.

Upon a motion by Mr. Anders and seconded by Mr. Chapman, the Board voted to accept the recommendation in the amended Summary of the Informal Fact-Finding Conference and approve Rondell M. Davis's application.

The members voting 'yes' were Ms. Alderson, Mr. Anders, Mr. Chapman, Ms. Crawford, Ms. Mayhue, Mr. Minor, Ms. Quinn, and Ms. Tsamouras. The motion passed unanimously.

In the matter of **File Number 2012-01280, Ophelia Tisdale**, the Board reviewed the record which consisted of the application file, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Ophelia Tisdale appeared at the meeting in person and addressed the Board.

File Number 2012-01280, Tisdale, Ophelia

Ms. Perkins submitted a correction to a Regulation cited on the IFF Referral Memo: 18 VAC 41-20-280(A)4 (induce others to violate regs) should be 18 VAC 41-20-280(A)9 (criminal convictions).

Upon a motion by Mr. Anders and seconded by Ms. Quinn, the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and approve Ophelia Tisdale's application.

The members voting 'yes' were Ms. Alderson, Mr. Anders, Mr. Chapman, Ms. Crawford, Ms. Mayhue, Mr. Minor, Ms. Quinn, and Ms. Tsamouras. The motion passed unanimously.

In the matter of **File Number 2012-01281, Sonji Antoinette Cary**, the Board reviewed the record which consisted of the application file, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Sonji Antoinette Cary did not appear at the meeting in person, by counsel, or by any other qualified representative.

File Number 2012-01281, Cary, Sonji Antoinette

Ms. Perkins submitted a correction to a Regulation cited on the IFF Referral Memo: 18 VAC 41-20-280(A)4 (induce others to violate regs) should be 18 VAC 41-20-280(A)9 (criminal convictions).

Upon a motion by Mr. Anders and seconded by Ms. Mayhue, the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and approve Sonji Antoinette Cary's application.

The members voting 'yes' were Ms. Alderson, Mr. Anders, Mr. Chapman, Ms. Crawford, Ms. Mayhue, Mr. Minor, Ms. Quinn, and Ms. Tsamouras. The motion passed unanimously.

In the matter of **File Number 2012-01405, Emma Ellen Godwin**, the Board reviewed the record which consisted of the application file, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Emma Ellen Godwin did not appear at the meeting in person, by counsel, or by any other qualified representative.

File Number 2012-01405, Godwin, Emma Ellen

Upon a motion by Mr. Anders and seconded by Ms. Mayhue, the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and approve Emma Ellen Godwin's application.

The members voting 'yes' were Ms. Alderson, Mr. Anders, Mr. Chapman, Ms. Crawford, Ms. Mayhue, Mr. Minor, Ms. Quinn, and Ms. Tsamouras. The motion passed unanimously.

In the matter of **File Number 2012-01406, Richard A. Crandall**, the Board reviewed the record which consisted of the application file, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Richard A. Crandall did not appear at the meeting in person, by counsel, or by any other qualified representative.

File Number 2012-01406, Crandall, Richard A.

Upon a motion by Mr. Anders and seconded by Ms. Mayhue, the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and approve Richard A. Crandall's application.

The members voting 'yes' were Ms. Alderson, Mr. Anders, Mr. Chapman, Ms. Crawford, Ms. Mayhue, Mr. Minor, Ms. Quinn, and Ms. Tsamouras. The motion passed unanimously.

In the matter of **File Number 2012-01567, Kenneth Rodgers**, the Board reviewed the record which consisted of the application file, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Kenneth Rodgers did not appear at the meeting in person, by counsel, or by any other qualified representative.

File Number 2012-01567, Rodgers, Kenneth

Ms. Perkins submitted a correction to a Regulation cited on the IFF Referral Memo: 18 VAC 41-20-280(A)4 (induce others to violate regs) should be 18 VAC 41-20-280(A)9 (criminal convictions).

Upon a motion by Ms. Mayhue and seconded by Mr. Chapman, the

Board voted to reject the recommendation in the Summary of the Informal Fact-Finding Conference and deny Kenneth Rodger's application. The board determined that, due to the seriousness and recentness of the convictions, that sufficient time has not elapsed since the offenses occurred; therefore, the Board is of the opinion that it could not protect the health, safety, and welfare of the public.

The members voting 'yes' were Ms. Alderson, Mr. Chapman, Ms. Crawford, Ms. Mayhue, and Ms. Quinn. The members voting 'no' were Mr. Anders, Mr. Minor, and Ms. Tsamouras. The motion passed by a majority.

The Board was informed that the Public Comment Period for the Notice of Intended Regulatory Action (NORA) for the Board for Barbers and Cosmetology Regulations began on February 13, 2012 and will end on March 14, 2012.

Regulations

The Board was informed that the Fast-Track Regulatory Actions to amend [attempted to obtain] the Board for Barbers and Cosmetology Regulations, Hair Braiding Regulations, Wax Technician Regulations, and Body Piercing Regulations was currently being reviewed by the Secretary of Commerce and Trade.

For regulatory review the following committees were established:

Barber and Cosmetology Regulations – Barber, Cosmetologist, and Nail Technician board members and board chair as ex-officio member.

Tattooing and Body Piercing Regulations - Tattooing and Body Piercing board member and board chair as ex-officio member.

Esthetics – Esthetician board members and board chair as ex-officio member.

The Board was informed that House Bill 1291 and Senate Bill 678, both of which address the Governor's reorganization of executive government, were introduced in the 2012 General Assembly. The deregulation of hair braiding is included in each bill.

Legislation

National-Interstate Council of State Boards of Cosmetology (NIC) Examination Program Update memorandum was distributed to the Board.

Other Board Business

Mr. Dixon presented the Director's Report, which included information about the Governor's Reform Commission and the impact on DPOR of

Director's Report

its recommendations to merge the Opticians and Hearing Aid Specialists Boards and to deregulate hair braiders.

There being no other business to be brought before the Board, the Chair adjourned the meeting at 11:00 a.m.

Adjourn

Jonathan W. Minor, Chair

Gordon N. Dixon, Secretary