

BOARD FOR BARBERS & COSMETOLOGY

MINUTES OF MEETING

The Board for Barbers & Cosmetology met on Monday, April 30, 2007, at the Offices of the Department of Professional and Occupational Regulation, 3600 West Board Street, 4th Floor, Richmond, Virginia. The following members were present:

Jessie H. Anders
Hien Huu Do
Algie T. Howell, III
Gloria L. Howard-Seldon
Lonnie E. Quesenberry
L. Saphonia Gee – in accordance with § 54.1-702 B of the Code of Virginia the esthetician member shall not vote on any matters before the Board except matters related to esthetics until July 1, 2007.
Laura A. Todd – in accordance with § 54.1-702 B of the Code of Virginia the esthetician member shall not vote on any matters before the Board except matters related to esthetics until July 1, 2007.

The following members were absent:

Janet E. Girardi
Virginia L. Sanders
Jessica B. Weaver

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

Jay W. DeBoer, Director
David B. Ashe, Deputy Director
Karen W. O'Neal, Deputy Director of LRD
Nick A. Christner, Deputy Director for Compliance & Investigations
Steven L. Arthur, Deputy Director of Administration & Finance
William H. Ferguson, II, Executive Director
Zelda D. Williams, Board Administrator
Earlyne B. Perkins, Legal Analyst
Sharon M. Sweet, Director of Education & Examinations
Tamika Watson, Administrative Assistant

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

Elizabeth B. Peay, Assistant Attorney General

Mr. Quesenberry, *Chair*, determined a quorum was present and called **Call to Order** the meeting to order at 9:22 a.m.

Upon a motion by Ms. Howard-Seldon and seconded by Mr. Anders the Board voted to adopt the agenda as written. **Approval of Agenda**

The members voting 'yes' were Mr. Anders, Mr. Do, Ms. Howard-Seldon, Mr. Howell, and Mr. Quesenberry. There were no negative votes. The motion passed unanimously.

Mr. Quesenberry asked if there was any public comment.

Public Comment

Lizanne Furrow, Angel Touch Electrolysis addressed the Board on qualifications for applying for licensure and the waiver of examination.

Nell Strecker, Director of Yvonne De Vilar Scientific Skin Care, addressed the Board on changes needing to be made to Esthetics regulations. She indicated she would like to help with the regulation process.

Beverly Conner, Henrico Regional Jail East, addressed the Board on the consideration of applicants coming from the jail system. She provided an overview of inmates participating in the cosmetology programs while incarcerated.

Rita Wilton, Fluvanna Correctional Center for Women, addressed the Board on the importance of helping inmates obtain licensure.

This ends the public comment.

Upon a motion by Mr. Howell and seconded by Ms. Howard-Seldon, the Board voted to approve the minutes of the

**Approval of
Minutes for
February 5, 2007
Board Meeting,
March 12, 2007 IFF,
March 15, 2007 IFF,
and March 29, 2007
IFF**

February 5, 2007 Board for Barbers and Cosmetology board meeting, March 12, 2007 Informal Fact-Finding Conference, March 15, 2007 Informal Fact-Finding Conference, and the March 29, 2007 Informal Fact-Finding Conference.

The members voting 'yes' were Mr. Anders, Mr. Do, Ms. Howard-Seldon, Mr. Howell, and Mr. Quesenberry. There were no negative votes. The motion passed unanimously.

Ms. Howard-Seldon left the meeting.

**Ms. Howard-Seldon
left the meeting.**

In the matter of **File Number 2007-00610, Board v. Empress Nails**, the Board reviewed the record which consisted of the Consent Order. Empress Nails did not appear at the meeting in person, by counsel, or by any other qualified representative.

File Number
2007-00610,
Empress Nails

By signing the Consent Order, Empress Nails acknowledges an understanding of the charges and admits to the violation(s) of the Counts as outlined in the Report of Findings. Empress Nails consents to the following term(s):

Count 1:	18VAC41-20-270.B.5	\$ 50.00
Count 2:	18VAC41-20-270.B 6	\$ 50.00
Count 3:	18VAC41-20-270.C.2	\$ 50.00
Count 4:	18VAC41-20-270.D.1	\$ 100.00
Count 5:	18VAC41-20-270.E.1	\$ 50.00
Count 6:	18VAC41-20-270.E.11	\$ 100.00
Count 7:	18VAC41-20-270.B.4	\$ 100.00
Count 8:	18VAC41-20-270.E.13	\$ 25.00
Count 9:	18VAC41-20-270.F.1	\$ 25.00
Count 10:	18VAC41-20-270.F.2	\$ 25.00
Count 11:	18VAC41-20-270.G.1	\$ 50.00
Count 12:	18VAC41-20-270.J.1	\$ 25.00
Empress Nails also agrees to pay Board costs in the amount of:		\$ 150.00

TOTAL		\$ 800.00

Upon a motion by Mr. Howell and seconded by Mr. Do, the Board voted to accept the Consent Order.

The members voting 'yes' were Mr. Anders, Mr. Do, Mr. Howell, and Mr. Quesenberry. There were no negative votes. The motion passed unanimously.

As Board Member participating in the negotiation of the Consent Order, Ms. Howard-Seldon was not present during the discussion or vote.

Ms. Howard-Seldon returned to the meeting.

Ms. Howard-Seldon
returned.

In the matter of **File Number 2007-03182, Board v. Costen, Terry**, the Board reviewed the record, which consisted of the application file, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Mr. Costen did not appear at the meeting in person, by

File Number
2007-03182, Costen,
Terry

counsel, or by any other qualified representative.

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

The members voting 'yes' were Mr. Anders, Mr. Do, Ms. Howard-Seldon, Mr. Howell, and Mr. Quesenberry. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2007-03222, Board v. Braxton, James**, the Board reviewed the record, which consisted of the application file, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Mr. Braxton did not appear at the meeting in person, by counsel, or by any other qualified representative.

File Number 2007-03222, Braxton James

Upon a motion by Ms. Howard-Seldon, and seconded by Mr. Howell, the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and approve Mr. Braxton's barber license application.

The members voting 'yes' were Mr. Anders, Mr. Do, Ms. Howard-Seldon, Mr. Howell, and Mr. Quesenberry. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2007-03223, Board v. Holloman, Shavis**, the Board reviewed the record, which consisted of the application file, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Mr. Holloman did not appear at the meeting in person, by counsel, or by any other qualified representative.

File Number 2007-03223, Holloman, Shavis

Upon a motion by Mr. Howell, and seconded by Ms. Howard-Seldon, the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and approve Mr. Holloman's barber license application.

The members voting 'yes' were Mr. Anders, Mr. Do, Ms. Howard-Seldon, Mr. Howell, and Mr. Quesenberry. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2007-03440, Board v. Moore, Jason**, the Board reviewed the record, which consisted of the application file, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Mr. Moore, appeared at the board meeting and addressed

File Number 2007-03440, Moore, Jason

the Board.

Upon a motion by Ms. Howard-Seldon, and seconded by Mr. Howell, the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and approve Mr. Moore's cosmetologist license application.

The members voting 'yes' were Mr. Anders, Mr. Do, Ms. Howard-Seldon, Mr. Howell, and Mr. Quesenberry. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2007-03439 Board v. Jason's Barber Shop**, the Board reviewed the record, which consisted of the application file, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Mr. Moore, appeared at the board meeting.

File Number 2007-03439, Jason's Barber Shop

Upon a motion by Mr. Howell, and seconded by Ms. Howard-Seldon, the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and approve Jason's Barber Shop barber shop license application.

The members voting 'yes' were: Mr. Do, Ms. Howard-Seldon, Mr. Howell, and Mr. Quesenberry. The member abstaining was Mr. Anders. There were no negative votes. The motion passed by majority.

Ms Peay left the meeting at 10:00 a.m.

Ms. Peay leaves

In the matter of **File Number 2007-03790, Board v. Scaife, Timothy** the Board reviewed the record, which consisted of the application file, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Mr. Scaife, did not appear at the meeting in person, by counsel, or by any other qualified representative.

File Number 2007-03790 Scaife, Timothy

Upon a motion by Ms. Howard-Seldon, and seconded by Mr. Howell, the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and approve Mr. Scaife's cosmetologist license application.

The members voting 'yes' were Mr. Anders, Mr. Do, Ms. Howard-Seldon, Mr. Howell, and Mr. Quesenberry. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2007-03791, Board v. Taylor, Christopher** the Board reviewed the record, which consisted of the

application file, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Mr. Taylor, did not appear at the meeting in person, by counsel, or by any other qualified representative.

File Number 2007-03791 Taylor, Christopher

Upon a motion by Ms. Howard-Seldon, and seconded by Mr. Anders, the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and approve Mr. Taylor's barber license application.

The members voting 'yes' were Mr. Anders, Mr. Do, Ms. Howard-Seldon, Mr. Howell, and Mr. Quesenberry. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2007-03220, Board v. Washington, Malikah** the Board reviewed the record, which consisted of the application file, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Ms. Washington, appeared at the board meeting and addressed the Board.

File Number 2007-03220 Washington, Malikah

Upon a motion by Mr. Howell, and seconded by Ms. Howard-Seldon, the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and approve Ms. Washington's cosmetologist license application.

The members voting 'yes' were Mr. Anders, Mr. Do, Ms. Howard-Seldon, Mr. Howell, and Mr. Quesenberry. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2007-03221, Board v. Bailey, Rebecca** the Board reviewed the record, which consisted of the application file, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Ms. Bailey, did not appear at the meeting in person, by counsel, or by any other qualified representative.

File Number 2007-03221 Bailey, Rebecca

Upon a motion by Ms. Howard-Seldon and seconded by Mr. Howell, the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and approve Ms. Bailey's cosmetologist license application.

The members voting 'yes' were Mr. Anders, Mr. Do, Ms. Howard-Seldon, Mr. Howell, and Mr. Quesenberry. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2007-04922, Board v. Henderson, Ericka** the Board reviewed the record, which consisted of the

application file, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Ms. Henderson, appear at the Board meeting and addressed the Board.

File Number 2007-04922 Henderson, Ericka

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

The members voting 'yes' were Mr. Anders, Mr. Do, Ms. Howard-Seldon, Mr. Howell, and Mr. Quesenberry. There were no negative votes. The motion passed unanimously.

At 10:08 the Board recessed and reconvened at 10:26

Break

Sharon Sweet informed the Board that the first tier theory esthetician exam will be offered in Spanish, Vietnamese and Korean. The instructor exam is also now offered in Spanish

Examinations

The Board was provided information on § 54.1-306. Enforcement of laws by Director or investigators; authority of investigators appointed by Director. of the Code of Virginia.

Compliance and Investigation

Upon a motion by Mr. Anders and seconded by Mr. Howell, the Board voted to adopt a resolution delegating to the sworn investigators appointed by the Director pursuant to § 54.1-306, the authority to conduct inspections.

The members voting 'yes' were Mr Anders, Mr. Do, Ms. Howard-Seldon, Mr. Howell, and Mr. Quesenberry. There were no negative votes. The motion passed unanimously.

Mr. Quesenberry recognized the students of Empire Beauty School who were observing the Barbers & Cosmetology Board meeting.

Empire Beauty School

The Board was informed that the Body-Piercing Regulations completed the regulatory process and went into effect April 1, 2007

Body-Piercers Regulations

The Board was informed that the Esthetics Regulations were in Executive Review and are currently being reviewed by the Department of Planning and Budget.

Esthetics Regulations

Steve Arthur, Deputy Director of Administration & Finance provided the Board with an overview of the examination procurement process.

Master Esthetician Practical Examination

Upon a motion by Ms. Gee and seconded by Ms. Todd the Board voted to issue a Request For Proposal (RFP) for the development and administration of a master esthetician practical examination.

The members voting 'yes' were Mr. Anders, Mr. Do, Ms. Gee, Ms. Howard-Seldon, Mr. Howell, Ms. Todd, and Mr. Quesenberry. There were no negative votes. The motion passed unanimously.

Steve Arthur gave a presentation to the Board detailing the upcoming move of DPOR to the Perimeter Center at 9960 Mayland Drive Richmond, VA 23233. At this time, the move is scheduled for August 2007.

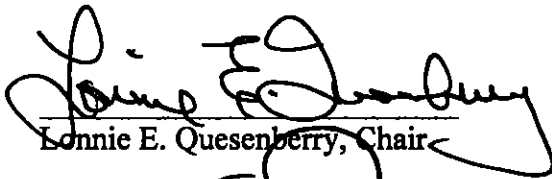
Location of DPOR

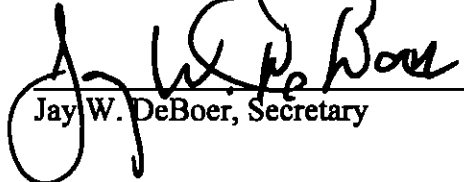
The next Board meeting is scheduled for August 6, 2007

Next Board Meeting

There being no other business to be brought before the Board, the meeting adjourned at 11:25 a.m.

Adjourn


Lonnie E. Quesenberry, Chair


Jay W. DeBoer, Secretary

COPY TESTE:

Custodian of the Records

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTEREST ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government**

- 1 Name: Joyce Clemmons
- 2 Title: Presiding Officer
- 3 Agency: Board for Barbers and Cosmetology
- 4 Transaction: Informal Fact-Finding Conferences on March 12, 2007
- 5 Nature of Personal Interest Affected by Transaction: N/A
-

6. I declare that:

(a) I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

(b) I am able to participate in this transaction fairly, objectively, and in the public interest.

Joyce Clemmons
Signature

March 12, 2007

Date

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTEREST ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government**

1. Name: Amy Chappell
Title: Presiding Board Member
3. Agency: Board for Barbers and Cosmetology
4. Transaction: Informal Fact-Finding Conferences on March 29, 2007
5. Nature of Personal Interest Affected by Transaction: _____
none

6. I declare that:

(a) I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

(b) I am able to participate in this transaction fairly, objectively, and in the public interest.

Achappell
Signature

3/29/07
Date

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT**

TRANSACTIONAL DISCLOSURE STATEMENT

1. Name: Lonnie E. Quesenberry
2. Title: Chair-Virginia Board for Barbers and Cosmetology
3. Agency: Department of Professional and Occupational Regulation
4. Transaction: Board Meeting
5. Nature of Personal Interest Affected by Transaction: _____

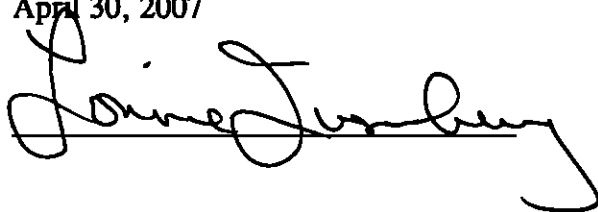
6. I declare that:

(a) I am a member of the following business, profession, occupation, or group, the members of which are affected by the transaction: _____

(b) I am able to participate in this transaction fairly, objectively, and in the public interest.

Dated: April 30, 2007

Signature: _____



**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT**

TRANSACTIONAL DISCLOSURE STATEMENT

1. Name: Laura Anne Todd
2. Title: Member - Virginia Board for Barbers and Cosmetology
3. Agency: Department of Professional and Occupational Regulation
4. Transaction: Board Meeting
5. Nature of Personal Interest Affected by Transaction: _____

6. I declare that:
 - (a) I am a member of the following business, profession, occupation, or group, the members of which are affected by the transaction: _____

 - (b) I am able to participate in this transaction fairly, objectively, and in the public interest.

Dated: April 30, 2007

Signature:  _____

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT**

TRANSACTIONAL DISCLOSURE STATEMENT

1. Name: Lakeisha Saphonia Gee
2. Title: Member- Virginia Board for Barbers and Cosmetology
3. Agency: Department of Professional and Occupational Regulation
4. Transaction: Board Meeting
5. Nature of Personal Interest Affected by Transaction: _____

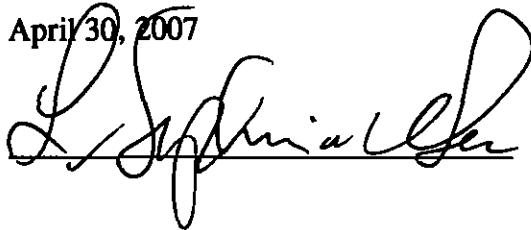
6. I declare that:

(a) I am a member of the following business, profession, occupation, or group, the members of which are affected by the transaction: _____

- (b) I am able to participate in this transaction fairly, objectively, and in the public interest.

Dated: April 30, 2007

Signature:



**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT**

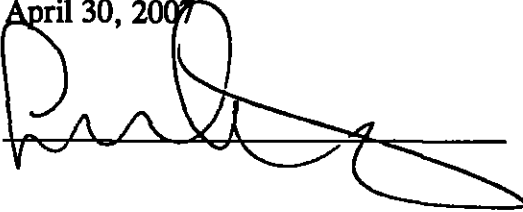
TRANSACTIONAL DISCLOSURE STATEMENT

- 1 Name: Hien Huu Do
- 2 Title: Member - Virginia Board for Barbers and Cosmetology
- 3 Agency: Department of Professional and Occupational Regulation
- 4 Transaction: Board Meeting
- 5 Nature of Personal Interest Affected by Transaction: _____

6. I declare that:

(a) I am a member of the following business, profession, occupation, or group, the members of which are affected by the transaction: Board Member
DPR

(b) I am able to participate in this transaction fairly, objectively, and in the public interest.

Dated: April 30, 2007
Signature: 

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT**

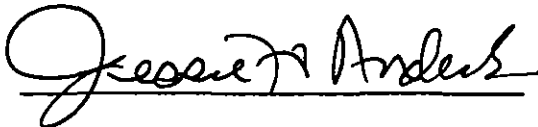
TRANSACTIONAL DISCLOSURE STATEMENT

- 1 Name: Jessie Harold Anders
- 2 Title: Member - Virginia Board for Barbers and Cosmetology
- 3 Agency: Department of Professional and Occupational Regulation
- 4 Transaction: Board Meeting
- 5 Nature of Personal Interest Affected by Transaction: _____

- 6 I declare that:
- (a) I am a member of the following business, profession, occupation, or group, the members of which are affected by the transaction: _____

- (b) I am able to participate in this transaction fairly, objectively, and in the public interest.

Dated: April 30, 2007

Signature: 

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT**


TRANSACTIONAL DISCLOSURE STATEMENT

1. Name: Gloria L. Howard-Seldon
2. Title: Vice Chair- Virginia Board for Barbers and Cosmetology
3. Agency: Department of Professional and Occupational Regulation
4. Transaction: Board Meeting
5. Nature of Personal Interest Affected by Transaction: _____

6. I declare that:
 - (a) I am a member of the following business, profession, occupation, or group, the members of which are affected by the transaction: _____

 - (b) I am able to participate in this transaction fairly, objectively, and in the public interest.

Dated: April 30, 2007

Signature: 

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT**

TRANSACTIONAL DISCLOSURE STATEMENT

1. Name: Algie T. Howell III
2. Title: Member - Virginia Board for Barbers and Cosmetology
3. Agency: Department of Professional and Occupational Regulation
4. Transaction: Board Meeting
5. Nature of Personal Interest Affected by Transaction: NONE

6. I declare that:
 - (a) I am a member of the following business, profession, occupation, or group, the members of which are affected by the transaction: NONE

 - (b) I am able to participate in this transaction fairly, objectively, and in the public interest.

Dated: April 30, 2007

Signature: Algie T. Howell III