



ALABAMA BOARD OF COSMETOLOGY

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Minutes for the Board Meeting March 16, 2009 100 North Union Street, Suite 300 Montgomery, AL 36104

Ms. Bennett called the meeting to order at 10:03 a.m. and presided over the meeting. The members present were Evonne Bennett, Floyd McDonald, Nancy Fair, Kathy Linden, Charles Preston and Wendy Merriweather. Sophia Taylor was absent due to illness. Monet Gaines from the Attorney General's Office was present as the Board's attorney. The office staff members present were Jodi Respass, Jason Watson and Carol Reynolds. Bob McKee, Executive Director, was present. There were no visitors present.

Ms. Fair gave the invocation. Roll call was taken.

For the minutes for February 9, 2009, Ms. Linden requested that the sentence "He feels that it's important to have a public hearing and that this may be a futile exercise this year" be changed to "Although he feels that it's important to have a public hearing, getting a barber bill through the Legislature may be a futile exercise this year." Ms. Merriweather made a motion to accept the minutes from the February 9, 2009 meeting with the correction. Ms. Fair seconded. All ayes, the motion carried.

Ms. Respass stated that Rater Training and School Overview is scheduled for August 15th through 17th and that this conflicts with the Board meeting scheduled on the 17th. Mr. McDonald made a motion to change the meeting date from August 17th to August 24th. Ms. Linden seconded. All ayes, the motion carried.

For the Alabama State Cosmetology Association's proposed continuing education seminars, Ms. Linden stated that there is information missing. Ms. Linden made a motion to not approve these seminars until the correct information is received. Ms. Merriweather seconded. All ayes, the motion carried.

For the continuing education proposals sent in by Marcia Lockett, Ms. Linden made a motion to accept and Ms. Fair seconded. All ayes, the motion carried. Ms. Bennett stated that Ms. Lockett's requesting a waiver for three of the dates and seems to request waivers on a regular basis. The Board Members discussed the 90-day waiver and requested that in Ms. Lockett's acceptance letter, it be noted that this is to be the exception, not the rule for seminars.

Mr. McKee asked a question about an instructor owning a school and a salon and wants to have an apprentice. Ms. Merriweather stated that it depends on the hours of the school and salon. Mr. McKee stated that he would check on it and bring it back next time.

Mr. McKee updated the Board Members concerning the proposed barber bill. Senator Figures and Representative Coleman are the sponsors. He stated that he had written the bill for the barber board to stand alone but had been advised that, in the current economic state of affairs, this would not pass. He discussed the different aspects that are to be proposed and stated that it may not pass any way but at least if we have a public hearing, it'll get the situation out in the open. He stated that he's very encouraged by the talk and reception that he's receiving and complimented the Board Members on their work.

Ms. Linden stated that in the changes Orson Steward has sent in for the seminar to be held at Southeastern School and changed from one day to two days, there seems to be a lot of filler and that she is disappointed in the content. Mr. McKee stated that a lot of the continuing education seminars are redundant. Mr. Preston stated that we currently do not have a problem with MRSA in salons, so what we're doing must be working. Each person can choose which seminar to go to. Ms. Merriweather stated that she's had complaints, that some say they are just here for the hours, that they are not learning anything. Mr. McKee stated that the inspectors are doing a good job. He stated that we could take the requirement for continuing education hours out of the law and deal with that with rules.

The Board took a break at 11:00

Ms. Bennett called the meeting back to order at 11:18.

The Board members had previously received the judge's recommendation for the following complaint. Mr. McDonald abstained from voting on all Investigative Committee recommendations.

Complaint #0859: Thanh Ton, Sam Dang, Anna Nguyen with Nail Palace. Mr. Preston made a motion to accept the judge's recommendation. Ms. Linden seconded. All ayes, the motion carried.

The following complaints were default judgments because the person did not show for the hearing:

Complaint #0805. Ms. Merriweather made a motion to accept the judge's recommendation for default. Ms. Fair seconded. All ayes, the motion carried.

Complaint #0830. Ms. Linden made a motion to accept the judge's recommendation for default. Mr. Preston seconded. All ayes, the motion carried.

Complaint #0697. Ms. Merriweather made a motion to accept the judge's recommendation for default. Ms. Fair seconded. All ayes, the motion carried.

For new complaints:

Complaint #1087: Mr. Preston made a motion to accept the Investigative Committee recommendation. Ms. Fair seconded. All ayes, the motion carried.

Complaint #1090: Ms. Merriweather made a motion to accept the Investigative Committee recommendation. Mr. Preston seconded. All ayes, the motion carried.

Complaint #1095: Ms. Merriweather made a motion to accept the Investigative Committee recommendation. Ms. Linden seconded. All ayes, the motion carried.

Complaint #1104: Ms. Merriweather made a motion to accept the Investigative Committee recommendation. Mr. Preston seconded. All ayes, the motion carried.

Complaints #1088: Ms. Linden made a motion to accept the Investigative Committee recommendation. Ms. Fair seconded. All ayes, the motion carried.

Complaint #1089: Ms. Merriweather made a motion to accept the Investigative Committee recommendation. Ms. Fair seconded. All ayes, the motion carried.

Complaints #1100: Ms. Fair made a motion to accept the Investigative Committee recommendation. Ms. Merriweather seconded. All ayes, the motion carried.

Complaints #1101: Ms. Linden made a motion to accept the Investigative Committee recommendation. Ms. Merriweather seconded. All ayes, the motion carried.

Complaint #1069: Ms. Linden made a motion to accept the Investigative Committee recommendation. Ms. Merriweather seconded. All ayes, the motion carried.

Complaint #1102 and 1103: Mr. Preston made a motion to accept the Investigative Committee recommendation. Ms. Fair seconded. All ayes, the motion carried.

Complaint #1091: Ms. Merriweather made a motion to accept the Investigative Committee recommendation. Ms. Linden seconded. All ayes, the motion carried.

Complaint #1092, 1093, 1094, 1105: Mr. Preston made a motion to accept the Investigative Committee recommendation. Ms. Fair seconded. All ayes, the motion carried.

Complaint #1096: Ms. Linden made a motion to accept the Investigative Committee recommendation. Ms. Fair seconded. All ayes, the motion carried.

Complaint #1097: Mr. Preston made a motion to accept the Investigative Committee recommendation. Ms. Fair seconded. All ayes, the motion carried.

Complaint #1098: Ms. Fair made a motion to accept the Investigative Committee recommendation. Mr. Preston seconded. All ayes, the motion carried.

Complaint #1099: Ms. Fair made a motion to accept the Investigative Committee recommendation. Ms. Bennett seconded. Ms. Linden, Ms. Fair and Ms. Bennett voted yes, Mr. Preston and Ms. Merriweather voted no. The motion carried.

Complaint #1106: Mr. Preston made a motion to accept the Investigative Committee recommendation. Ms. Linden seconded. All ayes, the motion carried.

Complaint #1072: Ms. Linden made a motion to dismiss this complaint. Ms. Merriweather seconded. All ayes, the motion carried.

Complaint #0910: Ms. Merriweather made a motion to dismiss this complaint. Ms. Linden seconded. All ayes, the motion carried.

