



ALABAMA BOARD OF COSMETOLOGY

RSA Union Building
100 N. Union Street, Suite 320
P. O. Box 301750
Montgomery, AL 36130-1750

334-242-1918 Office
800-815-7453 toll free

334-242-1926 Fax
www.aboc.state.al.us

Minutes for the Board Meeting February 9, 2009 100 North Union Street, Suite 300 Montgomery, AL 36104

Ms. Bennett called the meeting to order at 10:05 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 arrived at 10:10. Monet Gaines from the Attorney General's Office was present as the Board's attorney. The office staff members present were Jodi Respass, Mona Garrick, Jason Watson and Carol Reynolds. Bob McKee, Executive Director, was present. Richard Joseph Smith with Richard Joseph Salon/Spa and Renee Hughes with Body Logic – Birmingham were the visitors present.

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

Ms. Fair made a motion to accept the minutes from the January 12, 2009 meeting as presented. Ms. Merriweather seconded. All ayes, the motion carried.

Ms. Linden made a motion to accept Body Logic's application for an esthetic school in Birmingham. Ms. Merriweather seconded. All ayes, the motion carried.

Mr. Smith first asked that the Board approve out-of-state continuing education that he had taken in Tennessee. He currently holds a license in 4 states and this seminar was 22 hours. Mr. Preston asked if this continuing education was approved by the Tennessee State Board? Mr. Smith stated that the Tennessee Board had sponsored the seminar. Mr. Preston stated that since Alabama has reciprocity with Tennessee, it should be approved. Mr. Preston made a motion to accept the continuing education seminar. Ms. Fair seconded. All ayes, the motion carried.

Mr. Smith stated that he had spoken with Mr. McKee about an inspection made at his salon last week. He stated that he has about 50 employees on two floors. He used to have the employees' licenses in a book and it was easy for the Inspector to see and for him to keep track of anyone who had an expired license. He also stated that he did not understand that the master and apprentice need to be together while working, side by side. Mr. McKee asked Ms. Garrick about the posting of the licenses. Ms. Garrick stated that the work station is waist high and open and the license is posted on the inside. The Shampoo Tech's license was posted in the cabinet with the towels. The color girl's was posted on the bulletin board. One couldn't find her license and even the girl helping us around the salon couldn't find it. Ms. Gaines stated that it sounds like a cosmetic problem. Mr. Smith stated that he planned to put them in regular frames so that they will blend in. He stated that he feels the most effective way is to keep all of them in a book. He said he has to get someone to stop working to help the Inspector navigate the building. Mr. Preston stated that you're in charge since you are the owner, you are responsible. The way you have it posted in the door, it's not good.

Mr. McDonald stated that it should be posted so anyone can walk up and see it. Ms. Merriweather stated she doesn't know anyone with that many employees and that Mona is a good Inspector. Mr. McKee stated that having the Master next to the apprentice is a logistic problem. He stated that we've had no problem with you and appreciate you trying to keep the rules. Mr. McDonald stated that he appreciates Mr. Smith not using apprentices as cleaning people.

For the continuing education proposals sent in by Toni Love, Ms. Linden made a motion to accept proposal #00286. Mr. Preston seconded. All ayes, the motion carried.

Mr. McKee stated because the question had been raised, he proposed an amendment to *Rule 250-X-4(2)*. Ms. Merriweather made a motion to accept the rule amendment as presented. Ms. Linden seconded. All ayes, the motion carried.

Mr. McKee stated that the Examiners had brought up an issue about fees and asked the Board to consider increasing the late charge. If people renew on time, they don't have to worry about it. Ms. Linden made a motion to accept the changes in fees. Ms. Fair seconded. All ayes, the motion carried.

Mr. Preston made a motion for a break at 10:45.

Ms. Fair left at 10:50.

Ms. Bennett called the meeting back to order at 11:02.

Mr. McKee stated that a person is a Manicurist Instructor and an Esthetician Instructor. This person has renewed online and is claiming one seminar for both licenses. Mr. McDonald asked is the seminar was for 16 hours and Ms. Respass stated it's for 18 hours. After discussion, the Board indicated that one complete continuing education course for each licensing period would be acceptable.

Mr. McKee discussed the status of the barber board bill. He feels that it's important to have a public hearing and that this may be a futile exercise this year. He'd like to get some outside people to come in to testify like Mr. Kirkpatrick with the National Barber board and maybe Kirby Morris with NIC.

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 #0848: John Destefanis with Great Clips. 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 #0652: Hoa Nguyen with Nails Plus. Ms. Merriweather made a motion to accept the judge's recommendation for default. Ms. Taylor seconded. All ayes, the motion carried.

Complaint #0508: Dorothy Ann Johnson with Ann's Hair Shack. Ms. Linden made a motion to accept the judge's recommendation for default. Ms. Merriweather seconded. All ayes, the motion carried.

Complaint #0902/0903: Sharon Levert/Wilma Moore. Ms. Merriweather made a motion to accept the judge's recommendation for default. Ms. Taylor seconded. All ayes, the motion carried.

Complaint #0564: Loretta Hill with All For You Beauty Salon. Ms. Merriweather made a motion to accept the judge's recommendation for default. Ms. Linden seconded. All ayes, the motion carried.

Complaint #0815: Eunice Pickens with Faithful Steps. Ms. Linden made a motion to accept the judge's recommendation for default. Ms. Taylor seconded. All ayes, the motion carried.

For new complaints:

Complaint #1042: Ms. Merriweather made a motion to accept the Investigative Committee recommendation. Ms. Linden seconded. All ayes, the motion carried.

Complaint #1055: Ms. Merriweather made a motion to accept the Investigative Committee recommendation. Ms. Linden seconded. All ayes, the motion carried.

Complaint #1056: Ms. Merriweather made a motion to accept the Investigative Committee recommendation. Ms. Linden seconded. All ayes, the motion carried.

Complaint #1070: Ms. Linden made a motion to accept the Investigative Committee recommendation. Ms. Taylor seconded. All ayes, the motion carried.

Complaints #1043 and #1044: Ms. Merriweather made a motion to accept the Investigative Committee recommendation. Ms. Linden seconded. All ayes, the motion carried.

Complaint #1046: Ms. Linden made a motion to accept the Investigative Committee recommendation. Mr. Preston seconded. All ayes, the motion carried.

Complaints #1049, #1050, #1051, #1053, #1054, #1060, #1061 and #1065: Ms. Merriweather made a motion to accept the Investigative Committee recommendation. Ms. Taylor seconded. All ayes, the motion carried.

Complaints #1045 and #1047: Ms. Merriweather made a motion to accept the Investigative Committee recommendation. Ms. Taylor seconded. All ayes, the motion carried.

Complaint #1062: Ms. Taylor made a motion to accept the Investigative Committee recommendation. Ms. Merriweather seconded. All ayes, the motion carried.

Complaint #1068: Ms. Merriweather made a motion to accept the Investigative Committee recommendation. Ms. Linden seconded. All ayes, the motion carried.

Complaint #1057: Ms. Merriweather made a motion to accept the Investigative Committee recommendation. Ms. Linden seconded. All ayes, the motion carried.

Complaint #1058: Ms. Merriweather made a motion to accept the Investigative Committee recommendation. Ms. Linden seconded. All ayes, the motion carried.

Complaint #1059: Ms. Merriweather made a motion to accept the Investigative Committee recommendation. Ms. Linden seconded. All ayes, the motion carried.

Complaint #1048: Ms. Linden made a motion to accept the Investigative Committee recommendation. Ms. Taylor seconded. All ayes, the motion carried.

Complaint #1064: Ms. Merriweather made a motion to accept the Investigative Committee recommendation. Mr. Preston seconded. All ayes, the motion carried.

Complaint #1052 and #1063: Ms. Linden made a motion to accept the Investigative Committee recommendation. Ms. Merriweather seconded. All ayes, the motion carried.

Complaint #1066: Ms. Linden made a motion to accept the Investigative Committee recommendation. Ms. Merriweather seconded. All ayes, the motion carried.

Complaint #1071: Ms. Linden made a motion to accept the Investigative Committee recommendation. Ms. Taylor seconded. All ayes, the motion carried.

Complaint #1072: Ms. Taylor made a motion to accept the Investigative Committee recommendation. Ms. Merriweather seconded. All ayes, the motion carried.

Complaint #1073: Ms. Merriweather made a motion to accept the Investigative Committee recommendation. Ms. Taylor seconded. All ayes, the motion carried.

Complaint #1074: Ms. Merriweather made a motion to accept the Investigative Committee recommendation. Ms. Taylor seconded. All ayes, the motion carried.

Complaint #1075: Ms. Merriweather made a motion to accept the Investigative Committee recommendation. Ms. Taylor seconded. All ayes, the motion carried.

Complaint #1085: Ms. Taylor made a motion to accept the Investigative Committee recommendation. Ms. Merriweather seconded. All ayes, the motion carried.

Complaint #0593: Ms. Merriweather made a motion to accept the Investigative Committee recommendation. Ms. Linden seconded. All ayes, the motion carried.

Complaint #0673: Ms. Merriweather made a motion to accept the Investigative Committee recommendation. Ms. Taylor seconded. All ayes, the motion carried.

Complaint #0990: Ms. Linden made a motion to accept the Investigative Committee recommendation. Ms. Merriweather seconded. All ayes, the motion carried.

Complaint #1067: Mr. Preston made a motion to dismiss. Ms. Linden seconded. All ayes, the motion carried.

