



ALABAMA BOARD OF COSMETOLOGY & BARBERING  
MINUTES OF THE BOARD MEETING  
RSA Union | Suite 300  
Montgomery, Alabama

October 21, 2019  
10:00 a.m.

Board Chairman, Mr. Floyd McDonald, called the meeting to order at 10:01 am and presided over the meeting. The board members present were: Mr. McDonald, Mr. Daniel Powers, Mr. General Jackson, Ms. Tracy Smith and Ms. Michelle Callahan-Alvis. A quorum of the Board members was present. Ms. Jeannie Price was present as Executive Director and Ms. Madeline Lewis from the Attorney General's Office was present as legal counsel. The office staff member present was Susan Jana. There were also public visitors present.

The invocation was given by Mr. Jackson and a roll call was taken by Mr. McDonald.

Mr. Jackson made a motion to adopt the agenda, Ms. Smith seconded, and with all ayes, the motion was carried.

Mr. Jackson made a motion to accept the minutes from the July 8, 2019 meeting, Ms. Smith seconded, and with all ayes, the motion was carried.

Complaints and the Administrative Law Judge's recommendations were read one by one by Ms. Price. Ms. Callahan-Alvis abstained from voting on all complaints as she is a member of the Investigative Committee.

Complaint #3563 – Oumy African Hair Braiding (#930547) and Sory Conde (unlicensed), Huntsville, AL: \$1,000.00 fine plus administrative court costs and if not paid within 30 days, suspension of shop license until Respondents fully comply with the Final Order. Mr. Jackson made a motion to accept the Judge's recommendation, the motion was seconded, with all ayes, the motion was carried.

Complaint #3607 – Xscape Salon & Body Works (#917937) and Melissa Clark (#10622), Hoover, AL: \$500.00 fine plus administrative court costs and if not paid within 30 days, suspension of shop license until Respondents fully comply with the Final Order. Ms. Smith made a motion to accept the Judge's recommendation, the motion was seconded, and with all ayes, the motion was carried.

Complaint #3622 – T Nails & Spa, LLC (#925168) and Thuy Thanh Thi Dong (#103120), Tuscaloosa, AL: \$2,375.00 fine plus administrative court costs and if not paid within 30 days, suspension of personal and shop licenses until Respondents fully comply with the Final Order. Mr. Jackson made a motion to accept the Judge's recommendation, the motion was seconded, and with all ayes, the motion was carried.

Complaint #3631 – Unique Brow-Gadsden (#929303) and Shamsha Maredia (#120485), Hoover, AL: \$750.00 fine plus administrative court costs and if not paid within 30 days, suspension of personal and shop licenses until Respondents fully comply with the Final Order. Ms. Smith made a motion to accept the Judge’s recommendation, the motion was seconded, and with all ayes, the motion was carried.

Complaint #3665 – Beauty Nails (#918452) and Hien Ngoc Nguyen (#141674), Talladega, AL: \$1,500.00 fine plus administrative court costs and if not paid within 30 days, suspension of personal and shop licenses until Respondents fully comply with the Final Order. Mr. Jackson made a motion to accept the Judge’s recommendation, the motion was seconded, and with all ayes, the motion was carried.

The location of “sinks near workstations,” Alabama Administrative Rule 250-X-3-.03, Shops, was discussed. All members agreed that an in-room sink was preferable, but if the sink was outside of the room, it must be within 5 feet.

Ms. Price will amend the necessary rules to clarify the location of sinks and present them to the board at the next Board Meeting.

The service of “sugaring” was discussed as to whether or not this should be regulated by ABOCB. All members agreed that this service is under the regulatory authority of the Board and that the term “waxing” should be replaced by “temporary hair removal” in any section of the Administrative Rules or Code of Alabama.

With a few minutes to go until the Public Hearing time, Board Members and Ms. Price discussed the recent Premiere Birmingham Trade Show, as well as the Mississippi Board of Cosmetology hosting the NIC conference in April 2020. The Board Members and Ms. Price all agreed that they should try to attend this conference.

The Public Hearing commenced at 10:15 am. Two rule changes were ratified. Ms. Price read the rule changes aloud: A) correction to *Chapter 250-X-3-.01 (10) (a)* to cite the correct code section and B) the removal of restricting students from obtaining Shampoo Assistant licenses, *Chapter 250-X-5-.12* and *Chapter 250-X-4-.02*. Ms. Smith made a motion to adopt, Mr. Jackson seconded, and with all ayes, the motion was carried.

Mr. Jackson made a motion to move forward with new business. With all ayes, the motion carried.

Ms. Beverly Thornton had submitted a New School Application for Beverly’s Beauty Institute, LLC. Mr. McDonald acknowledged Ms. Thornton and requested for her to step forward. Ms. Thornton expressed her desire to open a school in Dothan, AL and that the Wiregrass was in need of such a school. Mr. McDonald asked Ms. Price if all of Ms. Thornton’s paperwork was received and in order. Ms. Price confirmed that it was. Mr. Powers made a motion to allow the school to be opened, Ms. Smith seconded, and with all ayes, the motion carried. The room exploded in applause and congratulations for Ms. Thornton.

Ms. Price read aloud two Sunset Bill Proposed Code Changes: *Code of Alabama, 1975*, §34-7B-1 to add “or apprentice” and §34-7B-25 to remove “by January 28, 2014” from the law. With no questions or concerns, all members agreed for the changes to proceed.

Ms. Price requested permission from the Board to obtain an Attorney General’s opinion regarding if licensees under ABOCB’s jurisdiction may display their licenses while performing services in medical and dental facilities. With all ayes, permission was granted.

Ms. Koniqueka Ross-Thompson, Owner of Transitions Technical College in Montgomery, AL requested to address the Board regarding “Licensure Modification/Creation”. Mr. McDonald acknowledged Ms. Ross-Thompson and requested for her to step forward. Ms. Ross-Thompson expressed concern that schools and shops and licensees who are licensed by ABOCB are held to more stringent rules and regulation than persons performing services such as body contouring, make up, and lashes. Mr. McDonald stated that if a service is not licensed under ABOCB, ABOCB Inspectors have no jurisdiction. Ms. Ross-Thompson requested that the Board look into these other services to see if ABOCB should be regulating them and suggested that they look at Nevada’s regulation of these services. She also stated that it is difficult to face her students and explain why they must follow ABOCB rules and pay for licensing when other people that the students know are not.

Ms. Price discussed Ms. Laura Garland Hudgens, a recent cosmetology school graduate, who is currently overseas as a military spouse. Ms. Hudgens has requested to take the written exam from Pearson Vue since ABOCB’s contract vendor, PSI, does not administer the exam in the United Kingdom. After a brief discussion for understanding, Board Members did not have any concerns. Ms. Smith made a motion to allow, Ms. Callahan-Alvis seconded, and with all ayes, permission was granted.

Ms. Price stated that PSI will hold School Overview on Monday, June 8, 2020 and Rater Training the Saturday and Sunday before (June 6-7, 2020). Board Members did not have any questions or concerns.

Mr. McDonald asked if all members had read the Financial Statements for July and August 2019. All members indicated they had. Board Members did not have any questions or concerns.

Ms. Price stated the Board Meetings were usually held on the first Monday of the quarter and proposed moving them to the third Monday of each quarter (unless that date conflicts with a holiday). The proposed Board Meeting dates for 2020 are January 13<sup>th</sup>, April 20<sup>th</sup>, July 20<sup>th</sup>, and October 19<sup>th</sup>. All Board Members were in favor and did not have any questions or concerns. If the NIC conference in Mississippi in April conflicts with the Board Meeting date, this date may be subject to change.

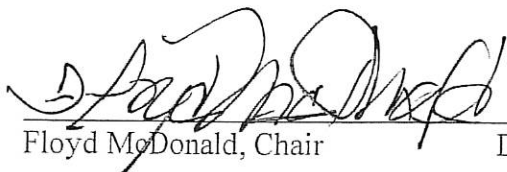
Two resolutions were introduced by Ms. Price. One was for Mr. Timothy L. Mitchell and one was for Ms. Linda G. McGuffie. Both individuals were longtime owners of schools that they were closing to go into retirement. Board Members did not have any questions or concerns and Mr. McDonald agreed to sign their respective resolutions.


Ms. Teri McLemore, Owner of School of Nail Technology in Dothan, AL, requested to address the Board regarding her school's building modification/expansion. Mr. McDonald acknowledged Ms. McLemore and requested for her to step forward. Ms. McLemore provided information on the building's history and discussed the proposed layout that was provided to Board Members. Ms. McLemore also stated that she felt sometimes ABOCB Inspectors were sometimes looking at things they didn't need to be and not looking at things they should be. Board Members did not have any concerns and felt that no action was needed by the Board for Ms. McLemore to proceed with the modification/expansion.


Mr. McDonald asked if there was any other business that needed to be attended to. No business was brought forward by any Board Members. Mr. McDonald thanked everyone in attendance and invited them to feel free to attend future Board Meetings.

Mr. Jackson made a motion at 10:40 am to adjourn the meeting, Ms. Smith seconded, and with all ayes, the motion carried.

The next Board Meeting is scheduled for January 13, 2020 at 10:00 am.

 1-13-20  
Floyd McDonald, Chair Date

 01/13/20  
General Jackson, Secretary Date

 01/14/20  
Susan D. Jana Date  
Recording Secretary