



ALABAMA BOARD OF COSMETOLOGY AND BARBERING

RSA Union Building
100 N. Union Street, Suite 324
P. O. Box 301750
Montgomery, AL 36130-1750

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

334-242-1926 Fax
www.aboc.alabama.gov

Minutes for the Board Meeting
July 8, 2019
10:00 a.m.

100 North Union Street, Suite 324
Montgomery, Alabama 36104

Mr. McDonald called the meeting to order at 10:01 a.m. and presided over the meeting. The members present were: Floyd McDonald, Daniel Powers, General Jackson, Kathy Linden, Tracy Smith and Michelle Callahan-Alvis. A quorum of the Board members was present. Jeannie G. Price was present as Executive Director. Madeline Lewis from the Attorney General's Office was present as legal counsel. The office staff members present were Jodi Respass and Carol Reynolds. The visitors present were Kelly Cova and Zoey Morgan with Sugarmoon Studio; Kimberly Cunningham with Dreamer's School of Cosmetology; Orson Steward with NPI Tutoring; Lydia Payne, Mona Poole and Enina Boatner with School of Nail Technology.

The invocation was given by Mr. Jackson. Roll call was taken.

Ms. Linden made a motion to accept the minutes as presented from the April 8, 2019 meeting. Mr. Jackson seconded. All ayes, the motion carried.

Kim Colvin had requested to address the Board Members concerning a makeup artist. She was not present.

Ms. Cunningham discussed opening a new school called Dreamer's School of Cosmetology. She does not yet have an on-call Instructor or her personal financial statement. Mr. Jackson made a motion to approve the school if all requirements are received by the office and the school passes an inspection. If all requirements are not received by the office or if the school doesn't pass an inspection, the school is not approved. Ms. Smith seconded. All ayes, the motion carried. Ms. Cunningham asked about when the inspection would be. Ms. Respass stated that it will be scheduled and the Inspectors will come by often during the first year to help her keep everything on track. Ms. Cunningham plans to open the school on September 18, 2019.

The NIC Annual Conference to be held in Milwaukee this year on September 7-9.

Ms. Linden commended Ms. Cunningham for providing an affordable opportunity for students. She stated that so many schools are too expensive for students to attend.

Mr. McDonald introduced the Board's new attorney, Madeline Lewis. He also introduced the new Board Member for District II, Daniel Powers.

The NIC School Overview will be held on July 15th at Hilton Garden Inn at East Chase from 8:30 a.m. to 1:00 p.m.

Ms. Price stated that the meeting with the Sunset Committee will be on August 22, 2019 at 9:30 a.m. Ms. Respass requested that the Board Members be at our office by 8:45 a.m. so everyone could walk over together.

At 10:15, Ms. Linden made a motion to adjourn the regular meeting and move into the public hearing. Mr. Jackson seconded. All ayes, the motion carried.

Ms. Smith made a motion to accept the Rule changes for *Chapter 250-X-1-.02(8)*, *Chapter 250-X-2-.01(3)(r)* and *Chapter 250-X-4-.01(17)*. Ms. Linden seconded. Ms. Respass stated that these will be effective September 1, 2019. At 10:19, Mr. Jackson made a motion to adjourn the public hearing and move back to the regular meeting. Ms. Callahan-Alvis seconded. All ayes, the motion carried.

For Complaint #3561: Ms. Callahan-Alvis and Mr. Powers abstained. Mr. Jackson made a motion to accept the Administrative Law Judge's recommendation of a fine of \$1,000.00 plus administrative hearing costs. If not paid within thirty (30) days, suspend shop license until Respondent fully complies with the Final Order. Ms. Linden seconded. All ayes, the motion carried.

For Complaint #3569: Ms. Callahan-Alvis and Mr. Powers abstained. Mr. Jackson made a motion to accept the Administrative Law Judge's recommendation for a fine of \$500.00 (already paid) plus administrative hearing costs. If not paid within thirty (30) days, suspend personal license until Respondent fully complies with the Final Order. Ms. Linden seconded. All ayes, the motion carried.

For Complaint #3591: Ms. Callahan-Alvis and Mr. Powers abstained. Ms. Linden made a motion to modify the Administrative Law Judge's recommendation to close the shop indefinitely until all past and present fines and hearing costs are paid, all counts are resolved and license is brought up to date. Ms. Smith seconded. All ayes, the motion carried.

For Complaint #3625: Mr. McDonald and Mr. Powers abstained. Mr. Jackson made a motion to accept the Administrative Law Judge's recommendation: if Respondent can show legal documentation that she sold or transferred her ownership of African Top Braids, only fine her \$250.00 for County VI (illegal implements) plus \$1,440.27 from the previous action (Complaint #3247). If unable to prove ownership was changed through legal documentation, recommends Respondent be fined \$1,500.00 plus hearing costs, in addition to the outstanding fine of \$1,440.27. If Respondent fails to comply with Final order within 90 days, recommends Board close Atlanta Braid for three days. Ms. Callahan-Alvis seconded. Mr. Jackson, Ms. Linden and Ms. Callahan-Alvis voted yes; Ms. Smith voted no because the shop would only be closed for three days. The motion carried.

A review of Complaint #3519: Ms. Callahan-Alvis abstained. The Respondent had sent Emails requesting that the Board review this in light of her situation. Ms. Smith made

a motion to lower the total to \$1,000.00. Mr. Powers seconded. All ayes, the motion carried. Ms. Linden asked if we accept a payment plan because of the Respondent's circumstances. Ms. Price stated that we will work with the Respondent.

Ms. Poole had arrived late to the meeting. She discussed Chapter 250-X-5-.07(1) and Chapter 250-X-5-.07(4). Mr. Jackson made a motion to table this until later. Ms. Smith seconded. All ayes, the motion carried.

Ms. Price stated that our office is open from 8:30 to 4:30 Monday through Friday. The office is staffed from 7:00 to 5:00. Mr. McDonald asked about the safety issues that had previously been discussed. Ms. Price stated that the office is with working with the RSA staff to ensure safety.

Ms. Price proposed a change to Chapter 250-X-3-.01 to correct the reference in this Rule. She also suggested changes to Chapter 250-X-5-.12(5) and Chapter 250-X-4-.02(6) to delete that a student may not be granted a shampoo assistant license. This will allow students to go to work in a shop when school is not in session. Ms. Smith made a motion to accept these changes. Ms. Linden seconded. All ayes, the motion carried.

Ms. Price stated that we have had several recent inquiries concerning the practice of sugaring. Ms. Linden stated that research is needed. Ms. Price stated that the definition may need to be changed from "waxing" to "hair removal." Ms. Callahan-Alvis stated that sugaring is hair removal. Ms. Linden made a motion to table this issue. Mr. Jackson seconded. All ayes, the motion carried.

Ms. Price stated that Genesis Career College and Linda's School of Beauty are closing.

Ms. Price stated that the office has had some personnel changes: Cindy Smith has retired and Madison Johnson has been hired to learn her position. She also stated that there are three new employees in Accounting and the heavy renewal time is coming up.

Ms. Respass stated that the exams have been rebid and these will be opened on July 11th. Susan Jana, a new employee, is an expert on the bid process and she has tightened up our requirements. Ms. Respass stated that our licensing program is upgrading and this slows down processing. Ms. Respass discussed the financial reports and stated that we already have more personal renewals this year than two years ago. She also stated that not as many exams are being taken.

Ms. Linden asked about the new entry for transportation. Ms. Respass stated that it is normal procedure for a new Director to have a new vehicle. She stated that we have one for the office, one for Vernon Gordon (Inspector) because this is cheaper than going through State Motor Pool and one for the Executive Director.

Ms. Respass stated that our Finance bill has increased 400% and will go up another 15% next year. With our new employees, our personnel costs will be down. A new person has been hired for the front desk and a new Inspector has been hired.

For the election of officers, Ms. Smith nominated Mr. McDonald as Chair and Ms. Callahan-Alvis seconded. All ayes, the motion carried. For Vice-Chair, Mr. Jackson nominated Ms. Smith and Mr. McDonald seconded. For Secretary/Treasurer, Ms. Smith

nominated Ms. Linden and Mr. Powers seconded. Mr. McDonald nominated Mr. Jackson and Ms. Callahan-Alvis seconded. Mr. McDonald, Ms. Callahan-Alvis and Mr. Powers voted for Mr. Jackson. Ms. Linden received no votes. Ms. Callahan-Alvis agreed to continue on the Investigative Committee.

Mr. Jackson made a motion to adjourn at 11:16. The next meeting is scheduled for October 7, 2019 at 10:00 a.m.

General Jackson 10-21-19
General Jackson, Secretary date

Floyd McDonald 10-21-19
Floyd McDonald, Chair date

Carol A. Reynolds 10-24-19
Carol A. Reynolds
Recording Secretary date