



## 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  
[www.aboc.alabama.gov](http://www.aboc.alabama.gov)

334-242-1926 Fax

Minutes for the Board Meeting  
April 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, General Jackson, Kathy Linden and Michelle Callahan-Alvis. Tracy Smith was absent. A quorum of the Board members was present. Jeannie G. Price was present as Executive Director. Todd Hughes 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 Robert Brown with Paul Mitchell The School Huntsville (PMAL), Courtney Clemons with Salon 34 Too Beauty Academy, Wanda Henry with the Department of Education, Andre Moore with Southeastern School and Orson Steward with NPI Tutoring.

Roll call was taken. The invocation was given by Mr. Jackson. Mr. McDonald introduced Jeannie G. Price, the new Executive Director.

Mr. Jackson made a motion to accept the minutes as presented from the January 7, 2019 meeting. Ms. Linden seconded. All ayes, the motion carried.

For the Minutes from May 8, 2017, Ms. Linden's name was accidentally left off as being present. Ms. Linden made a motion to accept the Minutes from the May 8, 2017 as amended. Mr. Jackson seconded. All ayes, the motion carried.

Mr. Brown addressed the Board concerning Paul Mitchell The School Huntsville. Instead of having 50% ownership, he will have 100%. Ms. Callahan-Alvis made a motion to accept the ownership change. Ms. Linden seconded. All ayes, the motion carried.

Ms. Clemons addressed the Board concerning opening a school in Mobile. Mr. Jackson made a motion to accept her application pending an inspection. Ms. Linden seconded. All ayes, the motion carried. Ms. Respass stated that the Inspectors are here to help her and will check on her.

Mr. Moore addressed the Board concerning the relocation of his school. The Inspectors had been by the new location and taken photos. Mr. Moore also brought photos and said he had made the changes the Inspectors had requested. There was a discussion concerning the floor plan, the location of the esthetic area, lockers and seating in the theory area. Ms. Respass stated that the Inspectors will check on the school frequently to see if Mr. Moore needs any assistance. Mr. Jackson made a motion to grant a school license to Southeastern at its new location. Ms. Callahan-Alvis seconded. All ayes, the motion carried.

For Complaint #3522: Mr. Jackson made a motion to accept the Administrative Law Judge's recommendation of a fine of \$2,250.00 plus administrative hearing costs. If not paid within thirty (30) days, suspend personal and shop licenses until Respondent fully complies with the Final Order. Ms. Linden seconded. All ayes, the motion carried.

For Complaint #3531: Ms. Linden made a motion to accept the Administrative Law Judge's recommendation of a fine of \$875.00.00 plus administrative hearing costs. If not paid within thirty (30) days, suspend personal and shop licenses until Respondent fully complies with the Final Order. Mr. Jackson seconded. All ayes, the motion carried.

For Complaint #3564: Mr. Jackson made a motion to accept the Administrative Law Judge's recommendation of a fine of \$1,250.00 plus administrative hearing costs. Ms. Linden seconded. All ayes, the motion carried.

For Complaint #3583: Ms. Linden made a motion to accept the Administrative Law Judge's recommendation of a fine of \$750.00 plus administrative hearing costs. If not paid within thirty (30) days, suspend personal and shop licenses until Respondent fully complies with the Final Order. Mr. Jackson seconded. All ayes, the motion carried.

Ms. Price deferred to Ms. Respass concerning issues since the last Board meeting. Ms. Respass discussed that the two-year colleges are enrolling students in a cosmetology course, then before this is completed, the students are enrolled in an esthetic course. The Board was made aware of this and no action was needed or taken.

Mr. McDonald asked about the monthly status reports and Ms. Respass stated that we are on track like we usually are. She stated that Sheila Paul had retired in December, 2018. Ashley Bankston has been hired for this position. Amy Fincher in our Accounting Department took a promotion as an IT Tech in the Revenue Department. Susan Jana has been hired part-time.

The curling sponges/gloves were discussed. Mr. McDonald and Ms. Linden discussed the research they had done. Mr. Jackson stated he appreciated the research that was done. Ms. Callahan-Alvis made a motion for curling sponges/gloves be considered a single-use item. Ms. Linden seconded. Ms. Callahan-Alvis, Ms. Linden and Mr. McDonald voted to accept this. Mr. Jackson voted no. The majority voted yes, so the motion carried.

There was a discussion concerning the complaint process. Mr. McDonald stated that the current systems works well, that the previous way took an obsessive amount of time. Ms. Linden made a motion to ratify the process from April 11, 2011 to present. Mr. Jackson seconded. All ayes, the motion carried. Mr. Jackson made a motion to continue the investigative process as it is currently being done. Ms. Linden seconded. All ayes, the motion carried.

Ms. Respass requested the Board members consider changing *Chapter 250-X-1-.02(8)* from:

“At any time during the investigation process, including the time that the Investigative Committee’s investigation is in progress, the Board may enter into informal settlement agreements, provided the information settlement is ratified and approved by the Board.”

to

“At any time during the investigation process, the Investigative Committee, the Executive Director or the Board’s Attorney may enter into information settlement agreements on behalf of the Board.”

Ms. Linden made a motion to accept this change. Mr. Jackson seconded. All ayes, the motion carried.

Ms. Respass requested the Board members consider adding *Chapter 250-X-4-.01(17)* as follows:

“A person is allowed to hold an apprentice permit for a type only once and an apprentice may not engage in multiple terms apprenticeship for the same type license.”

Mr. Jackson made a motion to approve adding this *Regulation*. Ms. Callahan-Alvis seconded. All ayes, the motion carried.

Ms. Price requested the Board members consider increasing the late fee from \$50.00 to \$54.00. Ms. Callahan-Alvis made a motion to increase the late fee to \$54.00. Mr. Jackson seconded. All ayes, the motion carried.

Mr. McDonald asked if the Examiner of Public Accounts has left the office. Ms. Respass stated that she has and is writing up her report for the Sunset Committee.

Ms. Reynolds asked the Board members to consider ratifying what the office is requiring for those wanting to be licensed by reciprocity from out-of-the-U.S.A. Mr. Jackson made a motion to require anyone coming from out-of-the-U.S.A. be required to take and pass the written and practical exams. Ms. Linden seconded.

Ms. Respass stated that the problems with PSI are continuing, both with the written and practical exams.

Mr. McDonald read a resolution for Shirlie Phan, former Board member.

Ms. Linden asked if a new Inspector has been hired. Ms. Respass stated that one has and will start soon.

Ms. Respass stated that at the most recent meeting with the Inspectors, a question was raised about *Chapter 250-X-3-.03(03)(4)(c)*:

“Shops providing esthetics services must have at least the following equipment or services: one sink near work stations.”

The Inspectors requested clarification on “near” and how far this means. The Board members discussed this and decided that more research is needed so that there is no undue burden placed on licensees.

Ms. Price stated that the Governor’s Office has requested that the office door be open to the public. She is researching closing in the reception area so that our staff will be safe.

Mr. Jackson made a motion to adjourn at 11:20. The next meeting is scheduled for July 8, 2019 at 10:00 a.m.

