

1 STATE OF ALASKA
2 DEPARTMENT OF COMMERCE, COMMUNITY AND ECONOMIC DEVELOPMENT
3 DIVISION OF CORPORATIONS, BUSINESS AND PROFESSIONAL LICENSING
4 BOARD OF BARBERS AND HAIRDRESSERS

5
6 MINUTES OF MEETING
7 February 22, 2018
8

9 By the authority of AS 08.01.070(2) and AS 08.86.030, and in compliance with the provisions of
10 AS 44.62.610(c)(3), Article 6, a teleconference meeting of the Board of Barbers and Hairdressers
11 was held February 22, 2018.

12
13 **Item 1. Call to Order/Roll Call**
14

15 The meeting of the Board of Barbers and Hairdressers was called to order by Kevin McKinley,
16 Chair at 9:08 a.m. Members present were:

17
18 Kevin McKinley, Tattooist/Body Piercer/Permanent Cosmetic Colorist, Chair
19 Michelle "Mitch" Black, Hairdresser
20 Mae Canady, Hairdresser/Esthetician
21 Michelle McMullin, Nail Technician
22 Jennifer Lombardo, Industry License, Tattooist/Permanent Cosmetic Colorist
23 Glenda Ledford, Barber
24 Terriann Shell, Public Member
25

26 Present from the Division of Corporations, Business and Professional Licensing were:

27
28 Alexa Adelmeyer, Licensing Examiner
29 Cynthia Spencer, Licensing Examiner
30 Sher Zinn, Records & Licensing Supervisor
31 Sara Chambers, Deputy Director
32 Jun Maquis, Regulation Specialist
33 Dawn Bundick, Investigator
34 Greg Francois, Investigator
35

36 **Item 2. Review/amend agenda**
37

38 Kevin McKinley asked Board members and staff if there were any changes to the agenda. Mr.
39 McKinley asked the Board to consider an "open agenda" which would allow the Board to move
40 around the agenda without keeping to a specific order in order to conduct a smooth flowing
41 meeting. Hearing no changes Mr. McKinley requested a motion.
42

43 **On a motion duly made by Michelle McMullin, seconded by Jennifer Lombardo,
44 and approved unanimously, it was**
45

46 **RESOLVED to approve the tentative meeting agenda as an open agenda**
47 **allowing the board to move around and add items.**

48
49 Mr. McKinley asked the Board if they would like any further discussion on this motion; hearing
50 none Mr. McKinley polled the Board. Hearing no disagreements, the motion passed.

51
52
53 **Item 3. Ethics Report**

54
55 The Board reviewed the provided ethics information.

56
57 Ms. Ledford stated she is Vice President of the National-Interstate Council of State Boards of
58 Cosmetology (NIC). Ms. Ledford went on to state she would disclose this at all meetings.

59
60 Ms. McMullin stated she is an educator for Elite Beauty Supplies that offer advanced classes for
61 Nail Technicians.

62
63 The board had no ethics violations to report.

64
65 **Item 4. Approve/Amend Meeting Minutes**

66
67 The Board reviewed the draft January 22, 2018 meeting minutes.

68
69 Mr. McKinley asked the Board if everybody had a chance to read the minutes, and if anybody
70 had any corrections, additions or concerns.

71
72 Mitch Black stated that she believes the corrections she requested had been updated.
73 However, Ms. Black wished that the minutes could be word for word verbatim, and not sugar
74 coated. Ms. Black stated that she disclosed more information regarding proctoring, and not all
75 the information was revealed in the meeting minutes.

76
77 Mae Canady stated that she made her own comments, and did not only agree with Ms. Black as
78 the meeting minutes read. Ms. Canady requested that the meeting minutes read what she
79 stated on the record.

80
81 Mr. McKinley asked Ms. Canady and Ms. Black if they had any corrections they would like to
82 disclose on the record.

83
84 Ms. Canady stated that she emailed Cynthia Spencer regarding her corrections, so it is already
85 in writing. Ms. Canady asked Mr. McKinley if she is required to submit her requests again.

86
87 Mr. McKinley replied that Ms. Canady is not required to submit another request, but rather was
88 curious if she submitted a request to Ms. Spencer.

89
90 Mr. McKinley asked Ms. Black if she had submitted her request for changes to Ms. Spencer.

91 Ms. Blacked responded that she submitted the basics, but didn't go into detail. She stated that
92 she was under the impression it would be corrected for word to word verbatim. Ms. Black
93 demanded that Ms. Spencer review the digital copy of the meeting and update the minutes on
94 exactly what was said, word for word.

95

96 Mr. McKinley asked Cynthia Spencer and Alexa Adelmeyer if they had any comments or
97 concerns.

98

99 Ms. Adelmeyer stated that Cynthia Spencer wrote the minutes for the January 22, 2018
100 meeting and made the corrections requested.

101

102 Ms. Spencer stated that she had no comments or apprehensions concerning the meeting
103 minutes.

104

105 Sara Chambers clarified that the licensing staff does not produce verbatim minutes, as it's not
106 the best practice for effectiveness. She also stated that the staff does there best job to capture
107 the most important points brought up during the meeting or capture the overall focus of the
108 conversation. Ms. Chambers relayed that as management overlooking the administrative
109 function, she can't support a board moving to demand verbatim minutes. Ms. Chambers also
110 stated that if there was something that was factually incorrect or a conversation that was
111 captured incorrectly, then the board member can email the examiner with the error and what
112 needs to be corrected. Ms. Chambers informed the board that this is the time that board
113 members can state the correction that was requested and the error that was made so the
114 correction can be amended or voted down.

115

116 Mae Canady stated that she can say for verbatim what was stated on the record. Ms. Canady
117 relayed that she believes what was said on the record is important, and would like it included in
118 the meeting minutes. Ms. Canady requested to state on the record what she will request to be
119 corrected via email to Ms. Spencer.

120

121 Mr. McKinley agreed that Ms. Canady could make a statement.

122

123 Ms. Canady stated that after it was clear that Glenda Ledford was the proctor trainer, she
124 understood that the board members cannot be proctors, but Glenda Ledford, whom owns a
125 school, can be a trainer. Ms. Canady stated that during the meeting she asked the board if it
126 was discussed to have Ms. Ledford be the proctor trainer. In a response to her question the
127 only board members that knew that Ms. Ledford was the proctor trainer was, Kevin McKinley,
128 Glenda Ledford, and licensing staff. Ms. Canady believes her statement was important and
129 would like it included in the meeting minutes.

130

131 **On a motion duly made by Mae Canady, seconded by Mitch Black, and approved**
132 **unanimously, it was**

133

134 **RESOLVED to accept Mae Canady changes to the meeting minutes.**

135

136 Mr. McKinley asked the Board if they would like any further discussion on this motion.

137

138 Mr. McKinley suggested that Ms. Canady put in writing what she would like to be corrected and
139 updated in the meeting minutes.

140

141 Ms. Canady relayed to Mr. McKinley she has already emailed Ms. Spencer with her corrections,
142 but that she will re-send her request.

143

144 Mr. McKinley asked the Board if they would like any further discussion. Hearing no
145 disagreements, Mr. McKinley requested a motion.

146

147 **Roll Call Vote**

148

149	NAME	YES	NO ABSTAIN
150	Mitch Black	X	
151	Terriann Shell	X	
152	Michelle McMullin	X	
153	Jennifer Lombardo	X	
154	Glenda Ledford	X	
155	Mae Canady	X	
156	Kevin McKinley	X	

157

158

159 **THE MOTION PASSED BY A UNANIMOUS VOTE.**

160

161 **On a motion duly made by Terriann Shell, seconded by Jennifer Lombardo, and**
162 **approved unanimously by roll call vote, it was**

163

164 **RESOLVED to adopt the corrected January 22, 2018 meeting minutes.**

165

166 Mr. McKinley polled the Board, hearing no disagreement the minutes were approved.

167

168

169 **Item 5. Review/Adopt Regulations**

170

171 Mr. McKinley asked the board if they had time to review the draft regulations and if there were
172 any questions or concerns.

173

174 **On a motion duly made by Glenda Ledford, seconded by Michelle McMullin, and**
175 **approved unanimously by roll call vote, it was**

176

177 **RESOLVED to adopt the regulations, 12 AAC 09.002, 09.005, 09.006, 09.066,**
178 **09.106, 09.108, 09.109, 09.115, 09.125, 09.127, 09.143, 09.146, 09.148,**
179 **09.155, 09.160, 09.180, 09.190, 09.990, taking into consideration submitted**
180 **public comments and the cost to the public.**

181 Mr. McKinley asked the Board if they would like any further discussion on this motion.

182

183 Jun Maiquis stated that the board can ask him if they have any questions or concerns regarding
184 the regulation project.

185

186 Mr. McKinley asked Mr. Maiquis what happens after the board adopts the regulation project.

187

188 Mr. Maiquis stated that after adoption, it goes to Department of Law for final review/approval,
189 and then to the Lieutenant Governor for filing. Mr. Maiquis relayed that if the Board has no
190 changes to the proposed regulations, they can adopt the regulations as written and publicly
191 noticed; unless there are changes or amendments to sections.

192

193 Mr. McKinley asked the Board if they had any further discussion. Hearing none, Mr. McKinley
194 requested a roll call vote.

195

196 Roll Call Vote

197

198	NAME	YES	NO ABSTAIN
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199	Mitch Black	X	
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200	Terriann Shell	X	
-----	----------------	---	--

201	Michelle McMullin	X	
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202	Jennifer Lombardo	X	
-----	-------------------	---	--

203	Glenda Ledford	X	
-----	----------------	---	--

204	Mae Canady	X	
-----	------------	---	--

205	Kevin McKinley	X	
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206

207

208 **THE MOTION PASSED BY A UNANIMOUS VOTE.**

209

210 ❖ Regulation project with Lieutenant Governor's Office

211

212 Mr. McKinley asked the Board if they received the email from Ms. Adelmeyer regarding the
213 regulation project that is at the Lieutenant Governor's office.

214

215 The Board members responded that they all received and reviewed the email.

216

217 Mr. McKinley stated that he had a meeting with a few people regarding the regulation project.
218 Sara Chambers, Sher Zinn, Jun Maiquis, Janey McCullough, and a few staff from Attorney
219 General's office were present. Mr. McKinley relayed to the Board that they went over options
220 regarding the regulation project that hasn't been signed, and factual information. Mr. McKinley
221 stated that the statute he included in the email to the individuals present during the meeting,
222 said that the Lieutenant Governor does not have the authority to reject the regulations. Mr.
223 McKinley stated the assistant to the Attorney General confirmed that the statute is still
224 enforced and valid.

225

226 Mr. McKinley asked for the Boards opinion on what action to take if the Lieutenant Governor
227 decides not to sign the regulation project. Mr. McKinley added that the Lieutenant Governor
228 has an issue with the tattooing hours to be increased to 1,000. Mr. McKinley informed the
229 Board that there was a constituent that voiced a concern about increasing the tattooing hours;
230 the constituent contacted the Lieutenant Governor's office after the public comment period.

231
232 Mr. McKinley continued that he had contacted Senator Micciche and Representative Kito, and
233 spoke to their aids. However, Senator Micciche's aid, Rachel, relayed she was aware of the issue
234 and would speak to Senator Micciche to see if he would be willing to have SB4 amended to
235 have the tattooing and permanent cosmetic coloring licenses separated. Mr. McKinley informed
236 the Board that is an option.

237
238 Mr. McKinley continued that another option is to pull the regulations back, strip the tattooing
239 hours, and deciding from there if the Board wants to resubmit a new regulation project. Mr.
240 McKinley finished by saying the last option is to contact the Lieutenant Governor's office and
241 challenge that he signs the regulation project as is, as it is his duty.

242
243 Mr. McKinley asked if the Board had any questions or discussion.

244
245 Glenda Ledford asked Mr. McKinley if the Board could table this for another date until the
246 Board receives more information. Mr. McKinley responded the Board could table this
247 discussion.

248
249 Michelle McMullin asked Mr. McKinley if the Board were to amend SB 4 to split the license into
250 tattooing and permanent cosmetic coloring, what would the required hours be for the
251 permanent cosmetic coloring.

252
253 Mr. McKinley responded that Jennifer Lombardo could answer that question more efficiently,
254 as she has done a lot of research regarding this.

255
256 Jennifer Lombardo replied that she has spoken to a few more tattoo artist and permanent
257 cosmetic coloring licensees in the community. She relayed that the tattoo artists mostly said
258 that 1,000 hours for permanent cosmetic coloring would be an extreme, and agreed that 380
259 hours of training for permanent cosmetic coloring seems more reasonable. She informed the
260 Board that there are some people who believe it should be higher and some believe it should
261 be lower; however for the most part, it is agreed that 380 hours of training is reasonable.

262
263 Glenda Ledford stated that she went to Florida to receive 380 hours of training to obtain her
264 tattooing and permanent cosmetic coloring. Ms. Ledford said she could see how the training
265 could be lowered; however suggests that 380 hours would be beneficial due to the sanitation
266 aspect.

267
268 Mr. McKinley added that the Board needs to look at the curriculum, design it, and figure out
269 how many hours it is. Mr. McKinley suggested that the Board finds a true and honest
270 curriculum, which serves the licensees and creates a safe environment for them to practice in.

271 Mr. McKinley continued he believes the Board should reach out to the licensees in the
272 profession to understand what permanent cosmetic coloring involves; this would give the
273 Board a clear idea on how to develop an efficient curriculum.

274
275 Cynthia Spencer urged the Board to not get locked in training specifics within statute. Ms.
276 Spencer continued if the Board locks itself in a specific amount of training hours within a
277 legislative change, they are locked in by statute. Ms. Spencer highly suggested that when
278 speaking with folks regarding legislation, use the verbiage, 'through regulation can set the
279 requirement for', as this will give the Board more authority to set training hours through
280 regulation.

281
282 Mr. McKinley asked the Board if there were any comments regarding the options, or if there
283 were any other suggestions.

284
285 Michelle McMullin stated the permanent cosmetic coloring artists do need their own separate
286 license. Ms. McMullin continued by asking Mr. McKinley if the Board pulled the regulation
287 project, does the Board need to start the regulation project all over again?

288
289 Mr. McKinley relayed that he spoke to a few people about this, which one of them was Sara
290 Chambers. Mr. McKinley asked Ms. Chambers if she would answer Ms. McMullin's question.

291
292 Sara Chambers stated that there is a concern within Department of Law that the Board may not
293 have the authority to withdraw from the regulation project as there is not an immediate error.
294 Ms. Chambers continued that Department of Law advises the Board that it could be
295 problematic legally for the Board to withdraw the project; it could possibly come back to the
296 Board with unintended consequences, such as a law suit or another legal issue.

297
298 Mr. McKinley responded to Ms. Chambers by asking if a legislator asked or requested to have
299 the two licenses separated, would that give the Board a reason to pull the regulation project
300 back?

301
302 Ms. Chambers responded that the only way for a legislator to request that, is by adopting
303 legislation. Ms. Chambers stated the Board could wait and not take action until the end of
304 session to see if that's what a legislator elects to do. Ms. Chambers continued that the Board
305 could sit on this discussion, pass a resolution to request the Lieutenant Governor file the
306 regulation project, or if the Board decides to withdraw the regulations it may lead the Board to
307 unintended consequences.

308
309 Ms. Ledford asked Ms. Chambers if the Board goes through with the project and the legislator
310 separates the two licenses, then the Board could submit another regulation project lowering
311 the hours?

312
313 Ms. Chambers responded yes, the Board would have to due to the licenses being separated.
314

315 Mr. McKinley asked Ms. Chambers why the Lieutenant Governor's Office is suggesting to pull
316 back the regulation project.

317
318 Ms. Chambers responded that she could not answer for the Lieutenant Governor's Office, but
319 rather Mr. McKinley would need to ask whom he spoke with.

320
321 Mr. McKinley then continued to ask Ms. Chambers if she was also under the impression that
322 the staff from the Lieutenant Governor's Office suggested to withdraw from the regulation
323 project.

324
325 Ms. Chambers replied that it was a suggestion the aid had provided within an email, but the
326 Lieutenant Governor's Office in not with the Department of Law.

327
328 Mr. McKinley asked the Board if there was further discussion.

329
330 Ms. Lombardo stated the increase of the tattoo hourly requirement came about because the
331 tattoo community come forward to the Board requesting a change. Ms. Lombardo asked Mr.
332 McKinley if she had the correct information.

333
334 Mr. McKinley responded that it was in large force, yes.

335
336 Ms. Lombardo asked how the community was informed with the regulation project, as it seems
337 none of the tattoo artists nor permanent cosmetic colorists had come forward with any
338 objections or concerns during the public comment period about raising the training hours. Ms.
339 Lombardo asked if the Board could have informed the public more efficiently.

340
341 Jun Maiquis responded that the Board informed all licensees, shop owners, and the interested
342 parties list via newspaper, letters, Alaska Online Public Notice System, and the board website.
343 Mr. Maiquis continued that the Board reached out to the public as much as possible.

344
345 Ms. Lombardo replied that it was under her impression that the Board reached out to the
346 community efficiently, however, the Board did not receive any objections during the public
347 comment period from tattoo artists or permanent cosmetic colorists. Ms. Lombardo relayed
348 that she believes the licensees had a chance to comment regarding the changes of training
349 hours.

350
351 Mae Canady commented that she believes this all came about due to the micro blading, which
352 is part of permanent make up. Mae Canady believes there is a misunderstanding, and once the
353 Board holds a town hall meeting they will have a chance to clear it up with the permanent
354 cosmetic coloring community.

355
356 Mr. McKinley stated that it is under his understanding that the Lieutenant Governor's Office
357 received one complaint from a licensee that is not licensed as a tattoo artist, but rather had an
358 interest in obtaining a license to perform permanent cosmetics. Mr. McKinley continued that

359 the constituent complained that the increase of hours was unreasonable for the permanent
360 cosmetic coloring artists.

361
362 Ms. Lombardo asked for clarification if the complaint was made after the public comment
363 period.

364
365 Mr. McKinley replied that he has been told the complaint was received after the public
366 comment period.

367
368 Mr. McKinley stated the current motion is to postpone the discussion for another time made by
369 Glenda Ledford.

370
371 **On a motion duly made by Glenda Ledford, seconded by Mitch Black and**
372 **approved unanimously, it was**

373
374 **RESOLVED to table the discussion regarding tattooing and permanent**
375 **cosmetic coloring regulation project that hasn't been signed.**

376
377 Mr. McKinley asked if the Board if there was any further discussion. Hearing none; Mr.
378 McKinley requested a roll call vote.

379
380 **Roll Call Vote**

381	NAME	YES	NO ABSTAIN
382			
383	Mitch Black	X	
384	Terriann Shell	X	
385	Michelle McMullin	X	
386	Jennifer Lombardo	X	
387	Glenda Ledford	X	
388	Mae Canady	X	
389	Kevin McKinley	X	

390
391
392 **THE MOTION PASSED BY A UNANIMOUS VOTE.**

393
394 **Item 5. Board Business/Discussion**

395
396 **❖ Scheduling 2019 Examination Dates**

397
398 The Board set the following examination dates for Anchorage, Fairbanks, and Juneau. All
399 examination application deadlines are 30 – days from the next scheduled examination.

400
401 **Anchorage:**
402 January 13 & 14, 2019
403 February 10 & 11, 2019

404 March 24 & 25, 2019
405 April 14 & 15, 2019
406 May 19 & 20, 2019
407 June 9 & 10, 2019
408 July 14 & 15, 2019
409 August 11 & 12, 2019
410 September 15 & 16, 2019
411 October 20 & 21, 2019
412 November 17 & 18, 2019

413
414 **Fairbanks:**
415 January 13 & 14, 2019
416 April 14 & 15, 2019
417 July 14 & 15, 2019
418 October 20 & 21, 2019

419
420 **Juneau:**
421 January 13 & 14, 2019
422 April 14 & 15, 2019
423 July 14 & 15, 2019
424 October 20 & 21, 2019

425
426 **On a motion duly made by Jennifer Lombardo, seconded by Mitch Black, and**
427 **approved unanimously, it was**

428
429 **RESOLVED to approve the 2019 tentative examination dates for Anchorage,**
430 **Fairbanks, and Juneau.**

431
432 ❖ **Micro Blading**

433
434 Mr. McKinley asked the Board if they had comments regarding micro blading.

435
436 Greg Francois stated that he spoke with Bob Auth, and he relayed that he has reviewed the
437 materials, however he has not had a chance to get deeper into research involving micro blading
438 due to the high volume of work at the Attorney General's office.

439
440 Cynthia Spencer stated the Board requested information on which license micro blading falls
441 under and requested that the Board's website could reflect the information. Ms. Spencer
442 continued that the information cannot be posted until the Board receives information from the
443 Attorney General's office.

444
445 Greg Francois stated that Mr. Auth relayed the Board could make their own decision on which
446 license micro blading falls under and then he could give advice regarding their decision. Mr.
447 Francois relayed that he looked on the Board website, and under frequent asked questions, it

448 already states that micro blading falls under a tattooing and permanent cosmetic coloring
449 license.

450
451 Sher Zinn stated the Board has already made a motion and stated on the record that micro
452 blading requires a tattooing and permanent cosmetic coloring license. Ms. Zinn continued that
453 Mr. Auth can give the Board advice, but it is ultimately the Board's decision.
454 Mr. McKinley thanked Ms. Zinn for the clarification.

455
456 ❖ **Town Hall Meetings**

457
458 Terriann Shell stated that she has been doing research regarding spaces for the town hall
459 meetings. Ms. Shell stated that the Board could use a conference room in the Atwood Building.
460 Ms. Shell relayed to the Board that Ms. Spencer informed her that the conference room could
461 hold around 160 people.

462
463 Ms. Shell encouraged the Board to have the town hall meeting focused on the communities'
464 opinion and concerns. Ms. Shell stated she believes this is a time the Board should be listening
465 to the community so the licensees feel heard.

466
467 Mr. McKinley stated he agrees that if the Board does more listening during the town hall
468 meetings, then in the future the practitioners would be more likely to give their opinions and
469 concerns, knowing that the Board will listen and take it into consideration.

470
471 Ms. Lombardo suggested separating the town hall meetings for the tattooing and permanent
472 cosmetic coloring licensees and another town hall meeting for the manicuring licensees. Ms.
473 Lombardo stated that having the two meetings separate could eliminate confusion.

474
475 Mae Canady also suggested holding a town hall meeting for the non-chemical barbering due to
476 not having a lot of discussion on the license. Ms. Canady also suggested holding the town hall
477 meetings at a later time due to a lot of people working during the day. Ms. Canady believes the
478 outcome would be greater if it was held during a time that most people could attend, rather
479 than in the middle of a work day.

480
481 Ms. Spencer stated that there is limited availability at the Atwood building and that she will
482 contact Ms. Shell with the available dates.

483
484 The Board agreed they would prefer the town hall meetings to be held before the May, 2018
485 Board meeting.

486
487 The Board discussed dates and times for the town hall meetings. Ms. Shell stated she will
488 contact Ms. Spencer about finalizing dates and times.

489
490 Alexa Adelmeyer stated that either Ms. Spencer or she will contact the Board via email with the
491 dates and times regarding the town hall meetings after speaking with Ms. Shell.

492

493 **Item 8. Investigative Report**

494
495 Dawn Bundick, Investigator greeted the Board and reviewed the investigative process with the
496 Board.

497
498 **On a motion duly made by Jennifer Lombardo, seconded by Michelle McMullin,**
499 **and approved unanimously, it was**

500
501 **RESOLVED to enter into Executive Session under the authority of AS**
502 **44.62.310(C) to discuss the investigative report.**

503
504 The Board entered into executive session at 10:40 a.m., and returned from executive session at
505 10:58 a.m.

506
507 **On a motion duly made by Jennifer, seconded by Mitch Black, and approved by**
508 **roll call vote, it was**

509
510 **RESOLVED to accept the Imposition of Civil Fine as written for case 2017-**
511 **001112.**

512
513 Mr. McKinley asked the Board if they would like any further discussion; hearing none Mr.
514 McKinley requested a roll call vote.

515
516 **Roll Call Vote**

517	518	519	520	521	522	523	524
	NAME	YES	NO	ABSTAIN			
518	Terriann Shell	X					
519	Mae Canady	X					
520	Mitch Black	X					
521	Jennifer Lombardo	X					
522	Kevin McKinley	X					
523	Michelle McMullin	X					

525
526 **THE MOTION PASSED UNANIMOUSLY FOR CASE 2017-001112, Juan Carlos Rivera.**

527
528 The Board discussed the Imposition of Civil Fine letter.

529
530 Mae Canady stated she is open to lower the fine or extend the time he has to pay it, due to the
531 effort of trying to obtain his license.

532
533 Jennifer Lombardo agreed with Ms. Canady that the time could be extended for him to make
534 his payment, however she believes that the fine should not be lowered.

535
536 Mitch Black agreed with Ms. Lombardo, that the Board should allow extended time for the
537 payment, however should not lower the fine.

