

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 11 – 12, 2020
8

9 By the authority of AS 08.01.070(2) and AS 08.86.030 and in compliance with the provisions of AS 44.62
10 Article 6, a scheduled meeting of the Board of Barbers and Hairdressers was held via videoconference
11 and at Robert B. Atwood Bldg., Ste 1550, February 11-12, 2020.
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 Jennifer Lombardo, Chair at
16 9:14 a.m. Members present were:
17

18 **Item 1. Roll Call**
19

20 **Board Members Present, constituting a Quorum:**
21

22 Jennifer Lombardo, Chairperson, Industry License, Tattooist
23 Willie Canady (Mae), Hairdresser/Esthetician
24 Michelle McMullin, Nail Technician
25 Terriann Shell, Public Member
26 Kevin McKinley, Tattooist/Body Piercer/Permanent Cosmetic Colorist
27 Vershawn Idom (Shawn), Barber
28 Jessica Steele, Hairdresser @ 9:25am
29

30 **Present from the Division of Corporations, Business and Professional Licensing were:**
31

32 Cynthia Spencer, Acting Records & Licensing Supervisor
33 Wanda Whitcomb, Licensing Examiner
34 Sharon Walsh, Deputy Director
35 Sher Zinn, Regulation Specialist
36

37 **Item 2. Review/Amend Agenda**
38

39 Board Chair, Jennifer Lombardo requested the board review the approved agenda and provide any
40 amendments.
41

42 Ms. Lombardo requested that the November 2019 meeting minutes under Item 4, be moved to
43 February 12 due to the last-minute submission. Hearing no comments, the agenda was approved.
44

45 Deputy Director Sharon Walsh, joined the board and introduced Cynthia Spencer, Records and Licensing
46 Supervisor and Wanda Whitcomb, Licensing Examiner.
47

48 Ms. Walsh stated she would re-join the board for the Division report tomorrow, February 12, 2020.

49 **Item 3. Ethics Disclosure**

50
51 The Board reviewed the provided ethics information. There were no ethics violations reported.
52

53 **Item 4. Review/Edit Meeting Minutes**

54
55 The board reviewed October 7-8, 2019 meeting minutes. Ms. Lombardo stated she would email her
56 edits to Cynthia Spencer. Kevin McKinley stated he would also email edits.
57

58 **On a motion duly made by Terriann Shell, seconded by Kevin McKinley, and approved**
59 **unanimously, it was**

60
61 **RESOLVED to adopt the October 7-8, 2019 meeting minutes with emailed edits.**
62

63 Ms. Lombardo polled the Board, hearing no disagreement the minutes were approved.
64

65 Ms. Lombardo informed the board they were ahead of schedule and asked the board to review the
66 provided FY20 Goals and Objectives located in the meeting packet and requested the November 2019
67 meeting minutes be reviewed tomorrow, February 12.
68

69 Ms. Lombardo asked Ms. Spencer why this information was included with the meeting packet. Ms.
70 Spencer stated that it was important to provide this information to the board as it is a helpful reminder
71 and may also serve as a task list for the board.
72

73 **Item 5. Board Training and Legislation**

74
75 A. Legislative Guidance
76

77 The board reviewed provided documentation. Ms. Spencer reviewed the Alaska Legislative website and
78 Bill Tracking options. Ms. Spencer and the board also reviewed the Legislative Testimony Call-In Do's
79 and Don'ts. Ms. Spencer informed the board that if they had any questions or concerns regarding
80 legislation, participation with the process, or other legislative questions to please contact herself or
81 Melynda Foster, Assistant to the Director.
82

83 B. Legislative Project Update (Canady)
84

85 Mae Canady reported that legislation was moving along with the assistance of Senator Michiccie's
86 office.
87

88 C. Appoint New Legislative Liaison
89

90 Ms. Spencer reviewed the importance of having a board liaison for legislative projects they may submit
91 the appointed board member should have knowledge of submitted legislation and be able to speak
92 about the bill(s) and answer questions from legislative staff if/when needed.
93

94 The board discussed and decided that a board member would be selected to proposed legislative
95 submission(s) as they were drafted.
96

97 Jessica Steele announced that she would be withdrawing from the board.

98 Ms. Lombardo suggested that Ms. Steele submit a letter of resignation as she would still be considered a
99 board member until her term expired or a new board member was appointed; a letter of resignation
100 would end her term with the board quicker.

101
102 Ms. Spencer informed Ms. Steele if she needed assistance, to let her know.

103
104 The board continued to discuss legislative liaisons.

105
106 *Recess The Board recessed at 10:00 a.m. for a break; reconvened at 10:03 a.m. Cynthia Spencer*
107 *conducted a roll call vote – all board members present.*

108
109 The board decided that Jennifer Lombardo and Michelle McMullin would be the board’s legislative
110 liaisons for current legislative submissions. Ms. Lombardo polled the Board, hearing no disagreement
111 Ms. Lombardo and Ms. McMullin are the legislative liaisons for current legislative projects and would
112 coordinate with Mae Canady for an update on current legislative projects.

113 114 **Item 6. Correspondence**

115 116 A. Fine Consideration Requests

- 117
118 • The board reviewed and discussed the submitted request from Ryan Cunningham. Mr. McKinley
119 recused himself from this conversation.

120
121 Ms. McMullin asked if the board should table this discussion. Ms. Lombardo responded that the
122 board would need to decide what they want, present their decision, and ask any questions
123 during the investigative unit tomorrow during the investigative section.

124
125 The board formulated the following questions for investigative staff and requested Ms. Spencer
126 email to Investigator Amber Whaley for response.

- 127 • How much has been paid to date
128 • What is the total amount of fines due
129 • Is offering a payment plan an option

- 130
131 • The board reviewed and discussed the submitted request from Christy Zeiler. Mr. McKinley
132 recused himself from this conversation.

- 133
134 • The board formulated the following questions for investigative staff and requested Ms. Spencer
135 email to Investigator Amber Whaley for response.

- 136 • What is the total amount of fines due
137 • Offer payment plan
138 • Sign over Permanent Fund Dividend
139 • How much has been paid to date

140 141 **Item 7. Application Review**

142
143 Ms. Spencer informed the board that there were no applications ready to be presented.

144
145 *Recess The Board recessed at 11:00 a.m. for a break; reconvened at 11:07a.m. Cynthia Spencer*
146 *conducted a roll call vote – all board members present.*

147 **Item 6. Regulation Projects and Processes Training.**

148
149 Sher Zinn, Regulation Specialist, greeted the board.

150
151 Ms. Zinn and the board reviewed provided regulation process training materials and regulation changes
152 questionnaire. The board asked Ms. Zinn what options were allowable for public comments.

153
154 Ms. Zinn informed the board that it is required to allow for written comments and optional to have oral
155 comments. Ms. Zinn stated that if a project is a hot topic or contentious issue for the industry and
156 community, the board may want to consider allowing for oral comments as well as written. Ms. Zinn
157 also stated that if a board did not public notice the option for oral comments on a project; if during a
158 meeting oral comments were entertained about a project; the project would be pulled and would need
159 to go through the public noticing process again.

160
161 The board asked Ms. Zinn if referencing written and/or oral comments when making a motion to adopt
162 a regulation project was needed. Ms. Zinn stated that at the conclusion of a regulation project, the
163 board must be sure to at least state in the adoption motion, "...taking into consideration written and/or
164 oral comments....". Ms. Zinn also informed the board that also when adopting, making mention of any
165 estimated costs to licensees; if there are no costs involved with a project, be sure to state that in the
166 motion.

167
168 The board briefly discussed the hair braiding license with Ms. Zinn.

169
170 *Recess The Board recessed at 11:47 a.m. for lunch; reconvened at 12:56 pm. Cynthia Spencer*
171 *conducted a roll call vote – all board members present.*

172
173 **Item 10. Regulation Projects and Processes Training Cont.**

174
175 A. Regulation Project - 12 AAC – Shops and School

176
177 Ms. Zinn rejoined the board at 1:00 p.m.

178
179 The board reviewed drafted proposed regulation change to 12 AAC 09.110, 12 AAC 09125, and Alaska
180 Statute (AS) 08.01.087, investigative and enforcement powers of the department to see what options
181 were available to allow investigative staff to inspect shops and schools in conjunction with proposed
182 shop and school inspection reporting changes.

183
184 Ms. Zinn informed the board AS 08.01.030 allows for enforcement of board statutes and regulations.
185 Ms. Zinn also informed the board that AS 08.13.210 and Regulation 12 AAC 09.110(d) allows inspection
186 authority.

187
188 Ms. Zinn relayed to the board that per her conversations with Kimberly Stryker, Environmental Program
189 Manager, Dept. of Environmental Conservation; the Dept. of Environmental Conservation (DEC) does not
190 review floor plans and suggested the board add floor plan review to their regulation(s).

191
192 Terriann Shell asked Ms. Zinn to define the use of "aspect" in the drafted 12 AAC 09.125(d). Ms. Zinn
193 responded using "aspect" referred to a specific curriculum without using a title, i.e., hairdressing,
194 tattooing, etc., and would allow the board to add a new subsection addressing approved school want to
195 ad aspect before training begin the school would need to be inspected by a board member to verify
196 equipment was in place.

197 The board briefly discussed the use of “aspect”. Ms. Lombardo suggested removing “and” from
198 09.125(d) and add “if another aspect is added.

199
200 **On a motion duly made by Terriann Shell, seconded by Kevin McKinley, and approved by**
201 **roll call vote, it was**

202
203 **RESOLVED to approve the drafted regulation project for 12 AAC 09.110 and 12 AAC**
204 **09.125 as written for public noticing and allow for written comments.**

205
206 Ms. Lombardo asked the Board if they would like any further discussion; hearing none, Ms. Lombardo
207 requested a roll call vote.

208
209 **Roll Call Vote**

210	NAME	YES	NO	ABSTAIN	Not in attendance
211	Jennifer Lombardo	X			
212	Jessica Steele	X			
213	Kevin McKinley	X			
214	Michelle McMullin	X			
215	Shawn Idom	X			
216	Terriann Shell	X			
217	Mae Canady	X			
218					
219					

220 **THE MOTION PASSED BY A MAJORITY VOTE.**

221
222 The board was ahead of scheduled so moved to Item 15 and requested Ms. Zinn remain for discussion.

223
224 **Item 15. Old Business**

225
226 C. Discuss Removal of Testing Barriers – AS 08.13.090(c)

227
228 Mr. McKinley reported that the practical examinations were subjective and causing barriers to licensure
229 for students/apprentices, the practical examinations were not revenue generators, eliminating the
230 practical exam would be a cost saver for the board and applicants. Mr. McKinley stated he felt adding a
231 jurisprudence examination as part of the application process would be beneficial.

232
233 Ms. Canady agreed with Mr. McKinley and stated she felt the board should keep the National-Interstate
234 Council of State Boards of Cosmetology (NIC) and the State Board tattoo/pcc written examination
235 requirements.

236
237 Ms. McMullin stated she agreed with Ms. Canady and Mr. McKinley and suggested the board require
238 schools to administer some sort of practical exam.

239
240 *Mr. Idom left the meeting at 1:57 p.m.*

241
242 Ms. Zinn informed the board she would do a cursory review of the boards regulations to mark up any
243 regulation that would need updating if the board removed the practical examination requirements and
244 send it to board members. Ms. Zinn also informed the board that they had the statutory authority to
245 stop practical examinations before a regulation project was adopted.

246 Ms. Lombardo asked Ms. Zinn what would be needed to repeal practical examination regulations. Ms.
247 Zinn stated she would pull all effected regulations and submit a drafted project for the board to review
248 and consider during its May 2020 meeting.

249
250 Mr. McKinley briefly reviewed 12 AAC 09.173 with the board. Mr. McKinley informed the board that
251 applicants who fall under 12 AAC 09.173 are about the only applications the board reviews to approve
252 examination and/or licensure. Mr. McKinley went on to state that with worksheets and curriculums,
253 staff is able to verify if training requirements are met and can make the determination if an exam is
254 required and to move forward with licensure. Mr. McKinley stated he felt staff was able to make these
255 types of determinations however, applicants with out of country training would still need to be
256 presented to the board for consideration prior to exam and/or licensure.

257
258 Ms. Zinn informed the board she would review the regulation and would let the board know if they had
259 the authority to make the suggested change to 12 AAC 09.173.

260
261 Ms. Lombardo asked if the board could just repeal the regulation. Ms. Zinn stated the board could
262 repeal, but reminded the board that it is the boards responsibility to approve licensure.

263
264 Ms. Lombardo asked if Ms. Zinn had any background/history on this regulation. Ms. Zinn informed the
265 board 12 AAC 09.173 has gone into effect sometime during the 1980's and had been updated some time
266 during 2000 when tattooing and body piercing started to be regulated, since 2000 there had been no
267 change to the regulation.

268
269 The board briefly discussed 12 AAC 09.173 and requested Ms. Zinn begin a regulation project to
270 determine if 09.173 could be repealed or amended.

271
272 *Recess The Board recessed at 2:25 p.m. for a break; reconvened at 2:34 p.m. Cynthia Spencer*
273 *conducted a roll call vote – all board members present.*

274
275 Ms. Spencer reminded the board that if anyone arrives for public comment they would need to stop
276 what they are doing and move into Item 11.

277
278 B. Crazy Hair

279
280 The board reviewed the documentation provided by Ms. Shell and discussed what is crazy hair. The
281 board discussed a possible regulation project due to certain “crazy hair” services do require the use of
282 heat.

283
284 Ms. Lombardo asked if the division has received any complaints related to “crazy hair” services and if no
285 complaints have been received, did the board need to get involved.

286
287 Ms. McMullin stated that people didn't know where or who to complain to for bad service or an
288 accident.

289
290 Ms. Lombardo stated that for this service, a complaint should be submitted to all agencies, DEC, Dept. of
291 Health, or Ombudsman's office, and this office. Ms. Lombardo also stated that this seems more like a
292 public awareness issue and there are plenty of licensees that can already provide these services.

293
294 Ms. Lombardo requested Ms. Shell revise the statement position she had written and represent at the
295 May 2020 meeting. Ms. Shell agreed.

296 C. Discuss Removal of Testing Barriers – AS 08.13.090(c), Cont.

297
298 Ms. Lombardo asked Ms. Zinn if it was possible to remove the practical examination requirement sooner
299 rather than later. Mr. McKinley concurred with Ms. Lombardo and asked if the board could possibly
300 remove the practical examinations by June 1,2020.

301
302 Ms. Zinn stated that the schools and instructors would need six weeks notification of the change.

303
304 Mr. McKinley asked Ms. Zinn if the board could do all required notification by April 1. Ms. Zinn
305 responded it would be a push, but possible.

306
307 **On a motion duly made by Kevin McKinley, seconded by Terriann Shell, and approved by**
308 **roll call vote, it was**

309
310 **RESOLVED to remove practical examination requirements for licensure for**
311 **hairdressers, barbers, estheticians, instructors, and non-chemical barbers as of June**
312 **1, 2020.**

313
314 Ms. Lombardo asked the Board if they would like any further discussion; hearing none, Ms. Lombardo
315 requested a roll call vote.

316
317 **Roll Call Vote**

318	NAME	YES	NO	ABSTAIN	Not in attendance
319	Jennifer Lombardo	X			
320	Jessica Steele	X			
321	Kevin McKinley	X			
322	Michelle McMullin	X			
323	Shawn Idom				X
324	Terriann Shell	X			
325	Mae Canady	X			

326
327
328 **THE MOTION PASSED BY A MAJORITY VOTE.**

329
330 Mr. McKinley asked Ms. Zinn if the board could do all required notification by April 1. Ms. Zinn
331 responded it would be a push, but possible. The board briefly discussed changing the effective date.

332
333 **On a motion duly made by Kevin McKinley, seconded by Terriann Shell, and approved by**
334 **roll call vote, it was**

335
336 **RESOLVED to amend the previous motion and remove practical examination**
337 **requirements for licensure for hairdressers, barbers, estheticians, instructors, and**
338 **non-chemical barbers no later than May1, 2020 and upon approval from the**
339 **Division.**

340
341 Ms. Lombardo asked the Board if they would like any further discussion; hearing none, Ms. Lombardo
342 requested a roll call vote.

343
344
345
346
347
348
349
350
351
352
353
354
355
356
357
358
359
360
361
362
363
364
365
366
367
368
369
370
371
372
373
374
375
376
377
378
379
380
381
382
383
384
385
386
387
388
389
390
391
392

Roll Call Vote

NAME	YES	NO	ABSTAIN	Not in attendance
Mae Canady	X			
Michelle McMullin	X			
Terriann Shell	X			
Jessica Steele	X			
Kevin McKinley	X			
Jennifer Lombardo	X			
Shawn Idom				X

THE MOTION PASSED BY A MAJORITY VOTE.

Ms. Zinn reported to the board that she had found an amendment to 12 AAC 09.173 should be doable as she believes AS 08.13.082(d), would give authority. Ms. Zinn stated she would reach out to the Dept. of Law to confirm.

The board thanked Ms. Zinn for all her time and assistance.

The board briefly discussed teeth whitening and writing a position statement about the service begin provided by barber/hairdresser licensees. Ms. Spencer stated she thought the Dental Board may have a position statement or additional information on their website. The board requested Ms. Spencer find and email any information she could find addressing teeth whitening.

The board was ahead of schedule at 3:15 p.m., decided to move onto Item 17 and would stop if anyone joined the meeting for public comment.

Item 17. New Business

B. Schedule Town Hall Meeting

The board discussed the need to hold another town hall meeting due to the success of previous town hall meetings. The board stated they would prefer to have a live in-person meeting, however due to pandemic uncertainty and with starting several new regulation projects, the board decided to table this discussion until the May 11 - 12, 2020 meeting.

Item 11. Public Comment

There were no attendees present for public comment.

Recess The Board recessed at 4:00 p.m. until February 12, 2020 at 9:00a.m.

Item 13. Call to Order/Roll Call February 12, 2020

Prior to roll call, Ms. Lombardo announced that several board members were having travel difficulties due to bad weather and the Anchorage meeting site was experiencing difficulties with MiFi which was affecting their ability to use equipment.

The February 12, 2020 meeting of the Board of Barbers and Hairdressers was called to order by Jennifer Lombardo, Chair at 9:01 a.m. Members present were:

393 **Board Members Present, constituting a Quorum:**

394
395 Jennifer Lombardo, Chairperson, Industry License, Tattooist
396 Willie Canady (Mae), Hairdresser/Esthetician
397 Michelle McMullin, Nail Technician
398 Terriann Shell, Public Member
399 Kevin McKinley, Tattooist/Body Piercer/Permanent Cosmetic Colorist
400 Vershawn Idom (Shawn), Barber @ 9:16 a.m.
401 Jessica Steele, Hairdresser @ 9:26 a.m.
402

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

404
405 Cynthia Spencer, Acting Records & Licensing Supervisor
406 Wanda Whitcomb, Licensing Examiner
407 Sharon Walsh, Deputy Director
408 Greg Francois, Chief Investigator
409 Amber Whaley, Senior Investigator
410 Erika Prieksat, Investigator
411 Ryan Gill, Investigator/Probation Monitor
412 Sher Zinn, Regulation Specialist
413

414 Ms. Canady informed the board she had a prior commitment and would need to leave the meeting
415 around 12:30 p.m.
416

417 **Item 14. Division/Fiscal Update**

418
419 A. FY20 Budget Report

420
421 Sharon Walsh, Deputy Director joined the board to review the FY20 2nd Quarter Report.
422

423 Mr. McKinley asked if the report included travel costs for investigative staff. Ms. Walsh informed the
424 board that only board travel was reflected in the report.
425

426 Ms. Lombardo asked what the downside would be of having a surplus. Ms. Walsh informed the board
427 that a surplus may assist in lowering license fees.
428

429 The board asked Ms. Walsh what happens with surplus funds. Ms. Walsh informed the board that
430 whatever surplus was on file, would be carried over into the next quarter, etc.
431

432 Mr. McKinley stated the last time the board had a surplus, at renewal time, the board urged the division
433 against lowering license fees however the division did lower fees which put the board in the red.
434

435 Ms. Walsh assured the board the division's goal was to find middle ground with boards when setting
436 fees.
437

438 Ms. Lombardo asked how much control a board does have when making suggested fee changes. Ms.
439 Walsh encouraged the board to make a motion addressing fees and submit a letter to Director Sara
440 Chambers. Ms. Lombardo thanked Ms. Walsh and stated the board would take her suggestion under
441 advisement.

442 Ms. Shell asked if the board could remove testing monitors/exam proctors and move onto computer-
443 based testing administration.

444
445 Wanda Whitcomb gave the board a brief background on her tenure with the University of Southeast
446 Alaska as a Testing Supervisor and Regional Test Administrator for the Learning Connection. Ms.
447 Whitcomb briefly discussed problems they had using Person Vue; testing locations are limited.

448
449 The board briefly discussed current exam locations and the possibility of consolidating multiple locations
450 needed for the practical and written examinations.

451
452 Ms. Spencer briefly reviewed the board's proposed regulation change of removing the practical
453 examination requirements for licensure which may solve the issue of multiple exam locations which
454 were needed to administer the practical examination.

455
456 A. Online Application Review

457
458 B. Board member participation

459
460 Ms. Walsh spoke briefly to the board regarding the importance of board member participation in
461 meetings and application reviews.

462
463 Ms. Lombardo and Ms. Spencer reviewed board member participation over the last several months. Ms.
464 Lombardo stated she understood that board members are not aware of the real expectations they will
465 be required to do during their time with a board when going through the board member application
466 process with Boards and Commissions. Ms. Lombardo stated she felt Boards and Commissions should
467 be more aware of actual board member duties and provide clearer information to board member
468 applicants and new board members during the interview process.

469
470 Ms. McMullin stated she felt boards and commissions should also include information regarding the
471 board member participation with investigative issues as "consulting board members".

472
473 Mr. Idom stated he was not comfortable reviewing applications or investigative issues not for barbers
474 and hairdressers as he was not completely knowledgeable with other aspect requirements. Mr. Idom
475 went on to state he preferred face to face discussion when reviewing applications as this type of setting
476 allows for discussion and learning opportunities.

477
478 The board agreed with Mr. Idom.

479
480 The board thanked Ms. Walsh for her time and participation.

481
482 *Recess The Board recessed at 10:02 a.m. for a break; reconvened at 10:07 a.m. Cynthia Spencer*
483 *conducted a roll call vote – all board members present.*

484
485 **Item 15. Old Business**

486
487 E. Disciplinary Sanctions/Fine Schedule Update

488
489 Ms. Lombardo asked if the board wanted to change their current Disciplinary Schedule what was the
490 best way to do this. Ms. Spencer stated the board should make a motion with changes and then present
491 to the Investigative Unit or they could consult with the Investigative Unit during the Investigative section
492 of their agenda.

493 • November 2019 Meeting Minutes

494

495 The board reviewed November 20, 2019 meeting minutes. Ms. Lombardo stated she would email her
496 edits to Cynthia Spencer.

497

498 **On a motion duly made by Terriann Shell, seconded by Kevin McKinley, and approved**
499 **unanimously, it was**

500

501 **RESOLVED to adopt the November 20, 2019 meeting minutes with emailed edits and**
502 **spelling corrections.**

503

504 Ms. Lombardo polled the Board, hearing no disagreement the minutes were approved.

505

506 *Recess The Board recessed at 10:38 a.m. for a break; reconvened at 10:43 a.m. Cynthia Spencer*
507 *conducted a roll call vote – all board members present.*

508

509 While waiting for the Investigative Unit to join the meeting the board reviewed the February 11, 2020
510 email from Senior Investigator, Amber Whaley regarding fine requirements.

511

512 **Item 16. Investigations**

513

514 Senior Investigator Amber Whaley, Investigator Erika Prieksat, Probation Monitor Ryan Gill, and Chief
515 Investigator Greg Francois joined the meeting.

516

517 Ms. Lombardo reviewed the changes made to the Disciplinary Sanctions/Fine Schedule that had been
518 made during the October 2019 meetings and asked if investigators had received the updated schedule.

519

520 Chief Francois stated they had not received an updated schedule.

521

522 The board relayed the following changes to the schedule, stated they would make a motion addressing
523 the changes later in the meeting.

524 • 08.13.070(3), 08.13.070(4), 08.13.070(5), and 08.13.070(6), change the time frame from less
525 than 90 days or 90 days over, to first offense and second offense.

526

527 • Remove the title of the “employee” and add “practitioner” and “apprentice” to the tile of a
528 licensee.

529

530 Chief Francois reminded the board when an investigator consults with a board member on a case if
531 there is a deviation from the normal processes, the consulting board member and investigator must
532 write up details which must be backed up by statutory authority. Chief Francois went on to state he saw
533 no problems with the 1st and 2nd offence information reflected on the schedule and suggested the board
534 use the verbiage “guidelines” and reminded the board that the schedule is a public document.

535

536 Ms. Spencer stated she would email Chief Francois the amended schedule after the board completes a
537 motion to accept changes.

538

539 The board thanked Chief Francois for his time and assistance. Chief Francois left the meeting at 11:06
540 a.m.

541

542 The board and Senior Investigator Amber Whaley reviewed shop and school information reflected on
543 the Disciplinary Sanctions/Fine Schedule.

544 Mr. Lombardo stated that once updated regulations are in place addressing inspection changes for shop
545 and school, she would like the board and investigators to consider a new matrix specifically for shops
546 and schools.
547

548 Investigator Whaley stated she could pull investigative statistics for shops/schools to see what issues
549 have been acted upon by the investigative unit. Ms. Lombardo thanked Investigator Whaley and
550 requested she email that information to Ms. Spencer to add as a discussion to the May 2020 meeting
551 agenda.
552

553 Investigator Whaley introduced Board Investigator Erika Prieksat and Probation Monitor Ryan Gill to the
554 board.
555

- 556 • Investigative Report

557
558 Investigator Erika Prieksat reviewed the Investigative Report with the board. Investigator Prieksat
559 reported twenty-seven matters remain ongoing and under active investigation or are pending litigation,
560 the division closed twenty-one matters during the reporting period, October 1, 2019 through January
561 27, 2020.
562

563 The board discussed the fine consideration request from Ryan Cunningham and email from Investigator
564 Whaley with investigative staff. Investigator Whaley reported the board had a \$2,000 fine balance due
565 and that the original fine was \$5,000 with \$2,000 suspended. The board discussed offering a payment
566 plan option.
567

568 The board discussed the fine consideration request from Christy Zeiler and email from Investigator
569 Whaley with investigative staff. The board stated they would like a payment plan set up for Ms. Zeiler
570 which would run through October 2020 and allow Ms. Zeiler to use her Permanent Fund Dividend (PFD)
571 to pay the balance due if Ms. Zeiler's PFD was not already subject to garnishment.
572

- 573 • Probation Report

574
575 Probation Monitor, Ryan Gill, reviewed the Probation Report with the board. Investigator Gill informed
576 the board that case 2015-000817 did surrender the license which is being presented to the board.
577

578 Investigator Gill reported that Saeed McKoy, case 2019-001074, does have fines due, no fine payment
579 had yet been received, and the board suspended \$2,000 of the \$5,000 fine, and the barber and shop
580 owner license held by Mr. McKoy were both lapsed and no payments have been made.
581

582 Investigator Gill requested the board to consider additional license action by possibly offering the option
583 to surrender the license or suspend license and reinstate if Mr. McKoy did renew. The Board asked if
584 motion to suspend was needed. Investigator Gill responded if fine payment date was not met, options
585 would be presented during a future meeting.
586

587 Investigator Gill also reported that he had received a verbal confirmation from Jenna Maropis, case
588 2019-000242, agreeing to sign the Consent Agreement.
589

590 The board thanked Investigative staff for their time and diligence.
591

592 *Recess The Board recessed at 11:55 a.m. for a break; reconvened at 11:58 a.m. Cynthia Spencer*
593 *conducted a roll call vote – all board members present.*

594 On a motion duly made by Terriann Shell, seconded by Kevin McKinley, and approved by
595 roll call vote, it was

596
597 **RESOLVED to accept the Surrender of License for case 2015-000817, Loretta**
598 **Overway.**

599
600 Ms. Lombardo asked the Board if they would like any further discussion; hearing none Ms. Lombardo
601 requested a roll call vote.

602 **Roll Call Vote**

603
604

605	NAME	YES	NO	ABSTAIN	Not in attendance
606	Jennifer Lombardo	X			
607	Jessica Steele	X			
608	Kevin McKinley	X			
609	Michelle McMullin	X			
610	Shawn Idom	X			
611	Terriann Shell	X			
612	Mae Canady	X			

613

614 **THE MOTION PASSED UNANIMOUSLY.**

615
616 On a motion duly made by Shawn Idom, seconded by Michelle McMullin, and approved
617 by roll call vote, it was

618
619 **RESOLVED to accept fine consideration request from Ryan Cunningham; set a \$50.00**
620 **payment per month payment plan and to keep the owed fine amount at \$2,000.00.**

621
622 Ms. Lombardo asked the Board if they would like any discussion on this motion; hearing none, Ms.
623 Lombardo requested a roll call vote.

624
625 **Roll Call Vote**

626

627	NAME	YES	NO	ABSTAIN	Not in attendance
628	Jennifer Lombardo	X			
629	Jessica Steele	X			
630	Kevin McKinley				X (reviewing board member)
631	Michelle McMullin	X			
632	Shawn Idom	X			
633	Terriann Shell	X			
634	Mae Canady	X			

635

636 **THE MOTION PASSED BY A MAJORITY VOTE.**

637
638 On a motion duly made by Shawn Idom, seconded by Mae Canady, and approved by roll
639 call vote, it was

640
641 **RESOLVED to accept fine consideration request from Christy Zeiler; set a monthly**
642 **payment plan, fines to paid by October 31, 22020, and allow the use Permanent**
643 **Fund Dividend to pay off remaining balance, no change to the amount of fines due.**

644

645 Ms. Lombardo asked the Board if they would like any discussion on this motion; hearing none, Ms.
646 Lombardo requested a roll call vote.

647
648 **Roll Call Vote**

649

650	NAME	YES	NO	ABSTAIN	Not in attendance
651	Jennifer Lombardo	X			
652	Jessica Steele	X			
653	Kevin McKinley				X (reviewing board member)
654	Michelle McMullin	X			
655	Shawn Idom	X			
656	Terriann Shell	X			
657	Mae Canady	X			

658

659 **THE MOTION PASSED BY A MAJORITY VOTE.**

660
661 **Item 17. New Business**

662 A. Regulation Change Suggestions for DEC 18 AAC 23

663
664
665 Ms. Zinn joined the board.

666
667 The board reviewed the February 7, 2020 email from Sher Zinn and Kimberly Stryker, Environmental
668 Program Manager, Dept. of Environmental Conservation (DEC)

669
670 Ms. Lombardo briefly reviewed the current project of reviewing the DEC regulations of 18 AAC 23 and
671 submitting suggested changes through Ms. Zinn which would then be passed along to Ms. Stryker for
672 consideration.

673
674 Ms. Zinn stated that she knows the board had been working on this project for quite some time and
675 suggested that the board consider a teleconference/videoconference to review proposed drafted
676 examination regulations and allow several hours for the board to complete their review of 18 AAC 23
677 and submit recommended changes.

678
679 Ms. Lombard asked Ms. Zinn how she would prefer to receive these suggested changes. Ms. Zinn
680 suggested each board member be assigned an article of 18 AAC 23, mark up a hard copy with their
681 suggestions, bring that to the meeting and email her suggested changes.

682
683 Ms. Lombardo recognized this was a difficult task and suggested at two-hour agenda item at the May
684 meeting so the board could complete this task.

685
686 *Ms. Canady left the meeting at 12:33 p.m.*

687
688 The board briefly discussed March 25th or 27th, 2020 for a regulation meeting date and decided to email
689 Ms. Spencer after the meeting once everyone had a chance to check their schedules.

690
691 C. House Bill (HB) 216/Senate Bill (SB) 157

692
693 The board briefly discussed HB216 and SB157.

694 On a motion duly made by Terriann Shell, seconded by Jessica Steele, and approved by
695 roll call vote, it was

696
697 **RESOLVED to amend the current Disciplinary Sanctions/Fine Schedules to reflect the**
698 **following changes: 08.13.070(3), 08.13.070(4), 08.13.070(5), and 08.13.070(6),**
699 **change time frame from [LESS THAN 90 DAYS OR 90 DAYS OVER], to first offense**
700 **and second offense and remove title of the “employee” and add “practitioner” and**
701 **“apprentice” to the tile of a licensee.**
702

703 Ms. Lombardo asked the Board if they would like any discussion on this motion; hearing none, Ms.
704 Lombardo requested a roll call vote.

705

706 **Roll Call Vote**

707	708	709	710	711	712	713	714	715	716
	NAME	YES	NO	ABSTAIN	Not in attendance				
	Jennifer Lombardo	X							
	Jessica Steele	X							
	Kevin McKinley	X							
	Michelle McMullin	X							
	Shawn Idom	X							
	Terriann Shell	X							
	Mae Canady							X	

717 **THE MOTION PASSED BY A MAJORITY VOTE OF THE MEMBERS PRESENT**

718
719 Ms. Lombardo asked the board if they had any other business they would like to discuss before
720 adjourning the meeting.

721
722 Ms. Lombardo thanked board members for their time, participation, and hard work.

723
724 *The Board adjourned at 1:17 p.m.*

725
726 Respectfully submitted:
727
728 _____/s/
729 Cynthia Spencer, Records and Licensing Supervisor

730
731 Approved:
732
733 _____/s/
734 Michelle McMullin, Chairperson
735 Board of Barbers and Hairdressers

736
737 Date: 01/25/2021