

**Vermont Secretary of State
Office of Professional Regulation
BOARD OF BARBERS AND COSMETOLOGISTS
UNAPPROVED MINUTES
August 20, 2012**

1. The meeting was called to order at 9:04 a.m.

Board Members Present: Ruth Comeau, Vice-Chair; Donna Hendee, Secretary; Jon Somes; and Judith Wernecke. Absent: Madonna Commo, Chair.

OPR Staff Present: Colin Benjamin, Board Counsel; Gabriel Gilman, State Prosecuting Attorney; Carla Preston, Case Manager; Terry Gray, Board Administrator; and Kara Shangraw, Licensing Board Specialist.

2. The Chair called for approval of the Minutes of the July 16th meeting. Ms. Hendee, made a motion, seconded by Ms. Wernecke, to approve the Minutes of the July 16, 2012 meeting as presented. Motion passed unanimously.

3. **Case Manager's Report/Follow-Up**

Ms. Preston made her Case Manager's report, there are currently 51 pending cases.

4. **Hearings/Stipulations**

The Board held a Default Hearing in the matters of 2012-183 & 2012-182 (Henry St. Cyr & St. Cyr's Barber Shop). The Respondent was present. Gabriel Gilman, Prosecuting Attorney was present for the State. Attorney Benjamin presided for the Board. Based on the information submitted, Ms. Wernecke made a motion, seconded by Mr. Somes, to find Mr. St. Cyr in Default. Motion passed 3-0. Attorney Gilman recommended a sanction of a conditioned license with a warning, administrative penalty of \$200.00, and passing two random inspections within twelve months. Ms. Hendee made a motion, seconded by Mr. Somes, to accept the States recommendation. An order will be issued. Motion passed 3-0. Ms. Comeau, Investigative Team member abstained from the Hearing and vote.

The Board reviewed the *Stipulation and Consent Order* in the matters of 2011-618; & 2011-619 (Nails Time & Janice My Le). The Respondent was not present. Gabriel Gilman, Prosecuting Attorney was present for the State. Attorney Benjamin presided for the Board. Based on the information submitted, Ms. Hendee made a motion, seconded by Mr. Somes, to accept the *Stipulation and Consent Order* as presented. Motion passed 4-0.

The Board reviewed the *Stipulation and Consent Order* in the matters of 2010-354 & 2012-23 (Clip & Natalya Karpova). The Respondent was not present. Gabriel Gilman, Prosecuting Attorney was present for the State. Attorney Benjamin presided for the Board. Based on the information submitted, Ms. Wernecke made a motion, seconded by Ms. Comeau, to accept the *Stipulation and Consent Order* as presented. Motion passed 4-0.

The Board reviewed the *Stipulation and Consent Order* in the matters of 2012-399 & 2012-398 (Duc N. Le & Luxury Salon). The Respondent was not present. Gabriel Gilman, Prosecuting Attorney was present for the State. Attorney Benjamin presided for the Board. Based on the information submitted, Ms. Comeau made a motion, seconded by Ms. Hendee, to accept the *Stipulation and Consent Order* as presented. Motion passed 4-0.

4. Hearings/Stipulations – Continued:

The Board reviewed the *Stipulation and Consent Order* in the matters of 2012-401 & 2012-400 (Lan N. Ong & Mimi Nails). The Respondent was not present. Gabriel Gilman, Prosecuting Attorney was present for the State. Attorney Benjamin presided for the Board. Based on the information submitted, Ms. Hendee made a motion, seconded by Ms. Wernecke, to accept the *Stipulation and Consent Order* as presented. Motion passed 4-0.

The Board reviewed the *Stipulation and Consent Order* in the matter of 2012-291 (Susan Burland). The Respondent was not present. Gabriel Gilman, Prosecuting Attorney was present for the State. Attorney Benjamin presided for the Board. Based on the information submitted, Ms. Wernecke made a motion, seconded by Ms. Comeau, to accept the *Stipulation and Consent Order*. The Board went into deliberative session at 10:56 a.m. and out at 11:15 a.m. The Board voted to reject the *Stipulation and Consent Order* as submitted. Motion passed 3-0. A revised order will be resubmitted for the Board's consideration. Mr. Somes made a motion, seconded by Ms. Comeau, to allow Ms. Burland to sit for the State Board Examinations. Motion passed 3-0. Ms. Hendee, Investigative Team member abstained from the Hearing and vote.

The Board reviewed the *Stipulation and Consent Order* in the matter of 2010-717 (Venise S. Lindo). The Respondent was not present. Gabriel Gilman, Prosecuting Attorney was present for the State. Attorney Benjamin presided for the Board. Based on the information submitted, Ms. Wernecki made a motion, seconded by Ms. Hendee, to accept the *Stipulation and Consent Order* as presented. Motion passed 4-0.

5. Reports/Guests

6. Correspondence

The Board reviewed the Apprenticeship application for Alyson Van Schaick. Ms. Van Schaick attended the meeting. Based on the information submitted, Ms. Wernecke made a motion, seconded by Ms. Hendee, to grant Ms. Van Schaick's request for apprenticeship. Motion passed unanimously. Ms. Hendee made a motion, seconded by Ms. Comeau, to remove the mandatory question of "Do you hold a High School Diploma or GED" on the apprenticeship application. Motion passed unanimously.

7. Public Comment

8. There being no other business, the meeting adjourned at 11:40 a.m.

Respectfully submitted,

Kara Shangraw
Licensing Board Specialist