

**Vermont Secretary of State
Office of Professional Regulation
BOARD OF BARBERS AND COSMETOLOGISTS
UNAPPROVED MINUTES
April 19, 2010**

1. The meeting was called to order at 9:03 a.m.

Board Members Present: Madonna Commo, Chair; Ruth Comeau, Vice-Chair; Donna Hendee; and Marsha Descheneau.

OPR Staff Present: Larry Novins, Board Counsel; Carla Preston, Unit Administrator; Terry Gray, Unit Administrator; Gregg Meyer, State Prosecuting Attorney; and Kara Shangraw, Administrative Assistant.

Others Present: Suong Lam, and Janice Crossan.

2. The Chair called for approval of the Minutes of the February 1st meeting. Ms. Comeau made a motion, seconded by Ms. Hendee, to approve the Minutes of the February 1, 2010 meeting as presented. Motion passed unanimously.

3. **Hearings/Stipulations**

- a. The Board held a Hearing in the matters of 2008-227 & 2008-228 (Suong Lam & Vy Vy Nail Salon). Mr. Lam, was present and represented himself. Gregg Meyer, Prosecuting Attorney was present for the State. Attorney Novins presided for the Board. After the hearing, the Board voted to go into deliberative session at 9:50 a.m. and out of deliberative session at 10:40 a.m. A written decision will be forwarded to the parties.
- b. The Board considered the *Stipulation and Consent Order* in the matter of Docket Number 2008-359 (Ernest Wheeler). The Respondent was not present. Gregg Meyer, Prosecuting Attorney was present for the State. Attorney Novins presided for the Board. Based on the information submitted, Ms. Commo made a motion, seconded by Ms. Comeau, to accept the *Stipulation and Consent Order* as submitted. Motion passed 4-0.
- c. The Board considered the *Stipulation and Consent Orders* in the matters of 2008-360, & 2008-361 (Penny Upton, and The Nail Lady). The Respondent was not present. Gregg Meyer, Prosecuting Attorney was present for the State. Attorney Novins presided for the Board. Based on the information submitted, Ms. Commo made a motion, seconded by Ms. Descheneau, to accept the *Stipulation and Consent Orders* as submitted. Motion passed 4-0.

4. Reports/Guests

5. Complaints/Follow ups

- a. 2009-50 & 2009-51 (CO27-0109 & CO28-0109) – The Board reviewed the report of concluded investigation. Ms. Comeau made a motion, seconded by Ms. Hendee, to accept the Investigative Team's recommendation and conclude the case without formal prosecution. Motion passed. Madonna Commo, Investigating Member, did not participate in the vote.
- b. 2007-230 & 2007-231 (CO06-0707 & CO07-0707 – The Board reviewed the report of concluded investigation. Ms. Commo made a motion, seconded by Ms. Comeau, to accept the Investigative Team's recommendation and conclude the case without formal prosecution. Motion passed.

6. Legislation & Draft Rules

The Board discussed training options for licensed cosmetologists to become Barbers.

7. Applications for Discussion

8. Correspondence

The Board reviewed the February 5, 2010 letter from Kim Scofield requesting clarification on the instructor's endorsement. Ms. Preston explained that the grandfather clause is for licensees that have been teaching prior to January, 2004 would be exempted from taking the instructors exam. Also the multiple licenses allowed is the provision for a licensed cosmetologist who was licensed prior to November 2005 to be allowed to gain a license in nail technology or esthetics by only taking the State Board examination. Ms. Gray advised the Board she contacted Ms. Scofield and advised her of the process for the endorsement.

9. National-Interstate Council of State Boards of Cosmetology Inc. Correspondence

10. Other National Correspondence

11. Public Comment

12. Other Business Introduced by the Board

- 13.** The meeting adjourned at 12:30 p.m.

Respectfully submitted,

Kara Shangraw
Administrative Assistant