

MINUTES

UTAH Barber, Cosmetology/Barber, Esthetics, Electrology and Nail Technology Licensing Board MEETING

December 7th, 2009

Room 474 – Fourth Floor – 9:00 am
Heber M. Wells Building
Salt Lake City, UT 84111

CONVENED: 9:04 a.m.

ADJOURNED: 4:18 p.m.

Bureau Manager:

Sally A. Stewart

Board Secretary:

Penny L. Vogeler

Board Members Present:

Marti Frasier, Chairperson
Holly A. Murphy
Lyle G. Ferguson
Sunny Smith
Carlotta Veasy
Annette Bergstrom (new)
Dianne Niebuhr, Public Member
Fran Brown

Board Members Absent/Excused:

Shauna Fox, Public Member
Holly Murphy

Guests:

Brittany Langford, Cameo College
Monica Bruin, Color My Nails School
Bret Bowman, Rachel Bowman
Darlene Durrant, MATC
Shaun Simpson, Patricia McKenna
Carol Simpson, Patricia McKenna

DOPL Staff Present:

Debbie Harry, Compliance Specialist
Kent Barnes, Compliance Manager

ADMINISTRATIVE BUSINESS:

DECISIONS AND RECOMMENDATIONS

OATH OF OFFICE - NEW MEMBER:

Ms. Stewart administered the Oath to Annette Bergstrom. She was congratulated on joining the Licensing Board.

MINUTES:

The minutes from the September 14th, 2009, meeting were reviewed. A motion was made by Ms. Brown, seconded by Mr. Ferguson, to approve the minutes

with two noted corrections. The motion passed unanimously.

PROBATION INTERVIEWS:

Debbie Harry, Compliance Specialist

Ms. Harry reviewed the probationers being seen today. She stated the Compliance Unit has made some changes and will oversee the probationers that are compliant. The Board will be notified if they are out of compliance. If out of compliance, the probationers will be scheduled to come before the Board. This will reduce the number of probationers being seen at the Board meeting.

Meeting Closed at 9:20 a.m.

Ms. Harry asked the Board for approval to close the meeting. A motion was made by Mr. Ferguson and seconded by Ms. Smith to close the meeting for discussion physical or mental health of Stevie Noel Burtenshaw. The closed meeting was held in Room 474 of the Heber M. Wells Building at 160 East 300 South, Salt Lake City, Utah. Board members present were Marti Frasier, Annette Bergstrom, Lyle Ferguson, Fran Brown, Sonia Smith, Carlotta Veasy, and Dianne Niebuhr. Shawna Fox was absent and Holly Murphy was excused. All visitors were asked to leave the room. Motion carried. The Sworn Statement Supporting Closure of Board meeting was signed. Meeting was closed at 9:20 a.m.

Open Meeting resumed

APPOINTMENTS/INTERVIEWS:

Tanya Hofeling

Mr. Ferguson interviewed Ms. Hofeling. She is working at Hair Elegance and will submit an employer report. She was married a few months ago but has chosen not to change her name at this time. Ms. Hofeling was asked to have her probation officer submit a report. She was reminded she needs to have her reports in by the 28th of the month prior to her meeting with the Board. Ms. Hofeling will be monitored by the compliance unit and seen by the Board once a year. **Compliant**

Dallin Simper

Ms. Brown interviewed Mr. Simper. Ms. Harry informed him he needs to pay the \$45.00 to sign up with CVI and begin to call everyday. His testing will not start actual testing with CVI until he is finished testing with AP&P. He was given a form to be signed, stating his supervisor has read his MOU. Next will be seen in March, 2010. **Compliant**

Stephanie Diane Brown

Ms. Brown interviewed Stephanie Brown. She is employed in a managerial position and doing well. She has completed all her criminal sanctions. Ms. Brown will be monitored by the compliance unit and seen by the Board once a year. **Compliant**

Stuart William Nelson

Ms. Frasier interviewed Mr. Nelson. He stated he is in First Step and will be going through traditional housing soon. He was reminded he is **not compliant** at this time due to his license being expired. It was suggested he check with Work Force Services to see about help with the reinstatement fee for his license. He is enjoying working with AA. He is also working with a counselor at First Step and getting his bills paid. He is finding a lot of support and realizes it is a lifetime of change. The Board congratulated Mr. Nelson on his progress. Next will be seen in March, 2010. **Non-Compliant**

Stevie Noel Burtenshaw

Ms. Harry will contact Ms. Burtenshaw for information about her current circumstances. A motion was made by Ms. Brown, seconded by Ms. Veasy to allow the Compliance Unit to work with her until January 31st 2010. If she is not compliant by that date, an Order to Show Cause will be considered. Next will be seen in March, 2010. **Non-Compliant**

Marcy Pruitt

Ms. Veasy interviewed Ms. Pruitt. She is still working at the same place she has been for the past six years. She is current on all reports. She is attending meetings once a week. She stated she has no new stressors. It was suggested she be monitored by the Compliance Unit. Her probation ends in September. **Compliant**

BREAK: 10:30 a.m.

Resumed: 10:44 a.m.

Andrea Jimmie

Andrea had car trouble but joined us at a later time. Ms. Frasier interviewed Ms. Jimmie. She has a new sponsor. She is on step 8 of her 12 step program. She is working at NAILS. She is also working for hospice. The Board congratulated her for a job well done. Next will be seen in March, 2010. **Compliant**

Michael Sipes

Ms. Brown interviewed Mr. Sipes. He is employed in Kaysville on a part time basis. He stated he has been sober for over a year now. He has had a busy month

but stated things are going well. He mentioned he has not tested in the past month. It was explained to him it is random drug testing. Next will be seen in March, 2010. **Compliant**

Megan Ann Linihan

Mr. Ferguson interviewed Ms. Linihan. She has recently moved and did not get her letter until Friday. She did not bring an employer report to the meeting today. At this time she is doing Yoga and stated that her work and social life are going well. She stated she has completed her criminal sanctions and thought she had previously submitted that documentation. Ms. Harry said she would look again in her file and may have to ask her to resend it. Next will be seen in March, 2010. **Non-Compliant**

DISCUSSION ITEM

Mr. Barnes explained the function of the Compliance Unit to the new members of the Board. He clarified the part the Unit plays in the licensee's probation. This discussion allowed the new members to ask any questions they had about compliance and to better understand the program.

Jessica Albritton

Ms. Albritton did not appear for her interview. A letter will be sent by the Compliance Unit. Next will be seen in March, 2010. **Non-Compliant**

NEW STIPULATIONS:

Jenny Louise Anderson

Ms. Anderson did not appear for her interview. A motion by Carlotta Veasy, seconded by Fran Brown was made to allow the Compliance Unit to work with her until January 31st 2010. If she is not compliant by that date, an Order to Show Cause will be considered. Next will be seen in March, 2010. **Non-Compliant**

Mallory Cochran

Ms. Brown interviewed Ms. Cochran. She turned in her paperwork. Her reports are all current and her fine is also paid. She has completed everything required of her and feels good about herself. Next will be seen in March, 2010. **Compliant**

Rachel Bowman

Rachael Bowman came before the Board and was interviewed by Diane Neibuhr. Rachael was upset about having to drug test. She has just completed two years of drug testing. Her father was present for the interview. Ms. Stewart explained DOPL's position in the MOU and explained why she must drug test. She

is working at the Sports Clips, as well as the Pie, and her father's gift shop. She talked about her support system and that it is mostly family. Her stressors are the Board and credit card debt and student loans. She relieves stress through her niece, her dog and music. Next will be seen in March, 2010. **Compliant**

Valerie Lynn Jansen

Ms. Jansen did not appear for her interview. A letter will be sent by the Compliance Unit. Next will be seen in March, 2010. **Non-Compliant**

TELEPHONE DISCUSSION:

Candice Daly

A phone discussion was conducted with Candace Daly. The following topics were discussed: Possible Rule Changes; NIC Testing Developments; UMA House of Delegates Report.

NEW STIPULATIONS (continued):

Kathleen Francis Barker

Excused (Called in with H1N1 Flu) Next will be seen in March, 2010.

Patricia Lynn McKenna

This was Ms. Smith's first meeting with the Board. Board members were introduced. Ms. Smith interviewed Ms. McKenna. She will be calling CVI daily. She is not working in the profession at this time, but is going to Massage school. A motion was made by Ms. Smith, seconded by Ms. Veasy to modify the MOU Section 5(j) to allow Ms. McKenna to continue the probation period regardless of her not working within the profession. Motion carried unanimously. Ms. Harry asked for a report on her criminal sanctions. Next will be seen in March, 2010. **Compliant**

HEARING:

Ashley Marie Midby

Ms. Midby called from Idaho and stated they would not be driving down due to road conditions. **Hearing was cancelled.**

LUNCH: 1:15 p.m.

Resumed: 2:00 p.m.

NEW STIPULATIONS (continued):

Suzanne Nicole Spagnolo

Mr. Ferguson made a motion, seconded by Ms. Smith to close the meeting to discuss health issues of Suzanne Nicole Spagnolo.

Meeting Closed at 3:00 p.m.

The closed meeting was held in Room 474 of the Heber M. Wells Building at 160 East 300 South, Salt Lake City, Utah. Board members present were Marti Frasier, Annette Bergstrom, Lyle Ferguson, Fran

Brown, Sonia Smith, Carlotta Veasy, and Dianne Niebuhr. Shawna Fox was absent and Holly Murphy was excused. All visitors were asked to leave the room. Motion carried. The Sworn Statement Supporting Closure of Board meeting was signed.

Open Meeting resumed at 3:12 p.m.

Ms. Smith interviewed Ms. Spagnolo. She is currently working but not in the profession. Ms. Smith made a motion, seconded by Ms. Brown to modify the MOU Section 5(j) to allow Ms. Spagnolo to continue the probation period regardless of her not working within the profession. Motion carried unanimously. Next will be seen in March, 2010. **Compliant**

Lauren Elizabeth Hardy

Ms. Frasier interviewed Ms. Hardy. Ms. Hardy is on probation with Argus. She plans to change her life and not go down this road again. She has been given meetings to attend and has completed all requirements of the criminal sanction. She has been sober almost a year. She is working at Studio 210. Ms. Hardy was asked to turn in Drug Screens. Next will be seen in March, 2010. **Compliant**

Vera I. Baird

Ms. Veasy interviewed Ms. Baird. She is employed at M&H Salon and Supply. She asked if she can drug test with Weber County Health and Human Services. She was told to sign up with Compass Vision (CVI) and continue to test with her other company until it is completed and then test with CVI. She is seeing a counselor. Next will be seen in March, 2010. **Compliant**

Shauna Elizabeth Reeder

Ms. Reeder was introduced to the Board members and was interviewed by Mr. Ferguson. She has been doing counseling at Bear River. Nupp probation and drug testing. Her support system is her work. She is currently working at a Spa. She is a rock climber and enjoys this sport. She has both a probation officer and a counselor that she can contact if needed. Her only stressor now is work because it is slow. She has been clean since May 6, 2009. Next will be seen in March, 2010. **Compliant**

Stephanie Gammell

Ms. Brown interviewed Ms. Gammel. She was asked why she has been out of compliance so many times during her probation. She stated she had been out of

state, moved, and there were health issues in the family. She is happy with where she is in her life at this time. She is attending LDS Family Services. Ms. Gammell stated she has had a lot of family issues to deal with over the past few months. She has rebuilt relationships with her family members. She stated she is doing well in school despite having to deal with many family issues. She was asked to submit documentation of completion of her criminal sanctions to Ms. Harry. She stated she has sent that information in previously. Ms. Harry will look again for any documentation in regards to her criminal sanctions. She was asked what changed to have her make such a change of attitude. She stated she thought it was determination to make this work. Next will be seen in March, 2010. **Compliant**

Mary O. Booth

A letter was read by Ms. Frasier from Ms. Booth requesting early release. The Board discussed her Order. As this letter was not received early enough to be placed on the agenda, a decision could not be made at this meeting. Her probation is scheduled to end in May of 2010. She is only required to submit an employer report and meet with the Board twice a year. The Board will have Ms. Booth come to the March meeting and have a formal discussion with her on whether to grant her an early release or have her finish out her probation (2 additional months until May 2010).

NEXT SCHEDULED MEETING:

Monday, March 1st, 2010

ADJOURN: 4:18 p.m.

No motion required

Note: These minutes are not intended to be a verbatim transcript but are intended to record the significant features of the business conducted in this meeting. Discussed items are not necessarily shown in the chronological order they occurred.

March 1, 2010
Date Approved

(ss) Marti Frasier, Chairperson
Barber, Cosmetology/Barber, Esthetics, Electrology
and Nail Technology Licensing Board

March 1 2101
Date Approved

(ss) Sally A. Stewart ,Bureau Manager
Division of Occupational & Professional Licensing