

**UTAH
BARBER, COSMETOLOGIST/BARBER, ESTHETICIAN, ELECTROLOGIST AND
NAIL TECHNICIAN LICENSING BOARD MEETING**

December 5, 2016

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

CONVENED: 9:01 a.m.

ADJOURNED: 2:15 p.m.

Bureau Manager:	Allyson Pettley
Board Secretary:	Nicky Glover
Compliance Specialist:	Brandie Rigby
Investigator:	Elisa Campbell
Investigator:	Lynne Anthony

Board Members Present:	Chad W. Price, Chair
	Marti Frasier
	Jackie Lynn McKay
	Adriane Baxter
	Julianne Young
	Sherri Steele

Board Members Absent:	Carlotta Veasy
	Christine Heathman

Guests:	Shannon Mechling
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TOPICS FOR DISCUSSION:

DECISIONS AND RECOMMENDATIONS

**ADMINISTRATIVE BUSINESS:
MINUTES:**

The minutes from the October 3, 2016 meeting were reviewed. Ms. Frasier made a motion to approve the minutes as written, seconded by Ms. McKay. The motion passed unanimously.

**ACTING CHAIR FOR DECEMBER 5,
2016 MEETING:**

Mr. Price informed the Board that he will need to leave the meeting early today. Ms. McKay made a motion to appoint Ms. Baxter as acting Chair for the remainder of the meeting, seconded by Ms. Young. The motion passed unanimously.

COMPLIANCE UPDATE:

Ms. Rigby provided a compliance report on the probationers being seen today.

APPOINTMENTS:

Casey Leavitt

Ms. Frasier interviewed Ms. Leavitt telephonically. Ms. Frasier asked how she was doing on her criminal citation. She said she is paying \$100 - \$200 every month on her fine and has paid it down to \$175. Ms. Leavitt received a promotion last month to Master Stylist and she has been keeping busy. Ms. Leavitt asked the Board to lift her probation. Ms. Frasier said she has met all of her other requirements. Ms. Leavitt realizes she made a big mistake and this has been a valuable lesson. Ms. Leavitt does not struggle with drugs or alcohol and said that it does not affect her career. Ms. Frasier made a motion for early release upon final payment of her criminal citation, seconded by Ms. Steele. The motion passed unanimously. Ms. Frasier explained what the next process will be.

Tori Draper

Ms. McKay interviewed Ms. Draper. Ms. Draper thanked the Board for letting her come in and discuss her early release. Ms. Draper's probation ends on April 5, 2017. She has made changes and has a better understanding of what she needs to do. Ms. Draper does booth rental and works full time at a salon in American Fork. Ms. Draper has a meeting with her probation officer tomorrow to ask them to pull documents to provide to the courts so she can ask for an early release on December 23, 2016. Ms. McKay made a motion for early release once she has been released from the court, seconded by Ms. Baxter. The motion passed unanimously. Ms. McKay explained what the next process will be.

Carmen Hansen

Ms. Baxter interviewed Ms. Hansen. Ms. Hansen was promoted to District Leader for Regis Corporation managing six stores. Ms. Hansen is on a three year probation, ending on June 25, 2018 and is half way through the probation. Ms. Baxter shared that Ms. Hansen has had only six missed check ins since she began testing and has had no positive tests. Ms. Baxter made a motion to release Ms.

Hansen from her probation, seconded by Ms. Frasier. The motion passed unanimously. Ms. Baxter explained what the next process will be.

Andre Hill

Ms. Frasier interviewed Mr. Hill. Mr. Hill missed one check in on Thanksgiving. He called Ms. Rigby and let her know. Ms. Frasier asked Mr. Hill how work was going. Mr. Hill is looking to start his own business, but is happy where he is, so there is no rush. Ms. Frasier said he is on probation until February, 2019, but if he keeps up what he is doing he may not have to be on probation that long. Mr. Hill thanked the Board for giving him a chance and he is going to keep on the right track. The Board would like to see him at the Board meeting in April.
COMPLIANT

Landry Renzaho

Mr. Price interviewed Mr. Renzaho. Mr. Price asked how Mr. Renzaho was doing and he said that he is still working at Ray's Barber Shop. Mr. Renzaho is going to be taking a trip to Africa and he hasn't been there for 16 years. Mr. Price said that the last employer report from October said he was doing a great job. Mr. Renzaho said he is in a good place and he is being a good example to his siblings. Mr. Renzaho thanked the Board for their support. Mr. Price said that he was put on a five year probation and if he keeps doing what he is doing, there is no reason that he should still be on probation in five years. The Board would like to see him at the Board meeting in April.
COMPLIANT

Elizabeth Canzonetti

Ms. McKay interviewed Ms. Canzonetti. Ms. Canzonetti asked if there was a way she could work on getting an early release. Half of her probation would be March 4, 2017. Ms. Canzonetti has been doing everything she is supposed to do. She is working booth rental at Pamela's Salon and Spa and doing freelance for Bobbi Brown. The Board would like to see her in April to review her probation for early release.
COMPLIANT

Cindy Satterfield

Ms. Baxter interviewed Ms. Satterfield. Ms. Satterfield still owes \$78 on her citation and will pay it next week. Ms. Baxter asked why she missed her check in on October 29, 2016. Ms. Satterfield said that she was not sure why. Ms. Satterfield is

working at Forever Beauty four days a week. Ms. Baxter said that she is getting on track and that her probation ends in March. Ms. Baxter told her to remain on track since she already had two citations and they will not issue a third. The Board would like to see her at the Board meeting in February.

NON-COMPLIANT

Whitney Terry

Ms. Terry failed to show for her appointment. Ms. Baxter made a motion to send a Notice of Agency Action to Ms. Terry, seconded by Ms. Frasier. The motion passed unanimously. Ms. Rigby will follow up with her. Ms. Pettley reviewed with the Board that the criminal offenses were from 2011. Ms. Terry has had zero dirty tests and only a few missed check-ins. Ms. Terry still owes \$200 on her last citation. Ms. Pettley feels that it might be helpful that the Board reconsider their decision on the Agency of Action. Ms. Pettley recommends that she have a conversation with Ms. Terry about the three options, Notice of Agency Action for failure to comply, she can continue on with her probation, or she can have an early release. Ms. Pettley said that Ms. Terry has been hit and miss with her compliance. Ms. Pettley said that if the application was just coming in today, she would not see how it would be impactful to Ms. Terry's profession or that her clients were at risk. Ms. Anthony explained that DOPL's mission statement was about promoting commerce while protecting the public. Mr. Price asked the Board on their thoughts. Ms. Frasier said that she would like to have Ms. Pettley meet with Ms. Terry one-on-one. Ms. Baxter made a motion to withdraw the motion to issue the Notice of Agency Action for Whitney Terry, seconded by Ms. Frasier. The motion passed unanimously. Ms. Baxter made a motion that Ms. Pettley meet with Ms. Terry and allow Ms. Pettley to make the decision, seconded by Ms. McKay. The Motion passed unanimously.

Darrell Morreale

Mr. Morreale did not attend the Board meeting due to the surrender of his license.

Michael Rios

Ms. Frasier interviewed Mr. Rios. Ms. Frasier asked Mr. Rios why he missed two check ins, one in October and one in November. He said it slipped his mind. Mr. Rios is working at Joseph's Barber Shop. Ms. Frasier said that he has all his documents, but he will be non-compliant because of

his missed check ins. If he misses again he needs to make sure he contacts Ms. Rigby. The Board would like to see him at the Board meeting in February.

NON-COMPLIANT

Mycol Warnick

Mr. Price interviewed Ms. Warnick. Ms. Warnick has not missed any check-ins and is doing everything she is asked to do. Ms. Warnick is working at JZ Styles Salon in American Fork. Ms. Pettley asked her if she paid her citation, she said that she had at the last meeting. The Board would like to see her at the Board meeting in April.

COMPLIANT

NEW ORDER:

Chelsi Jumper

This is Ms. Jumper's first meeting. Mr. Price interviewed Ms. Jumper. Ms. Jumper said that the reason she was here is because in her younger years, she did not make the best decisions. She has had run ins with law enforcement and received more than one DUI by the time she reached her late 20's. She realized what she was doing was not working for her and that she is responsible for the choices she made. She made the choice to stop drinking and she is thankful, no one was harmed for her behavior. Mr. Price shared that the goal of the Board is to help her succeed. Mr. Price asked her about the criminal case which is still open. She said that she is still on a five year probation that started in 2014. Mr. Price asked her what steps she has taken to help her change her life. Ms. Jumper goes to AA with friends who are in recovery. AA is not mandated by the courts. Her life is calm and quiet. She has been sober for just over two years. Mr. Price asked if she sees a therapist and she said that she does. Mr. Price asked if she has any questions on her expectations and what she is supposed to do. She said when she does, she contacts Ms. Rigby. The Board would like to see her at the February Board meeting.

Britney Bateman

Ms. Young interviewed Ms. Bateman. Ms. Bateman had been issued a Notice of Agency Action prior to the last Board meeting. Her written response was reviewed at that meeting. The Board recommended keeping Ms. Bateman on probation with no violations. The Notice of Agency Action was dismissed. Ms. Young asked her about her four missed check ins. Ms. Bateman said that she was

overwhelmed with Christmas and that she started Beach Bodies. She now has her alarm set for 9:30 a.m. to remind her to check in. When she was on the phone or something, she thought she had checked in and didn't remember. Ms. Young asked her if she communicated to Ms. Rigby about her four missed check ins, she said she had not, but she would start. Ms. Young asked if she understands how important it was that she followed the directions from the last meeting. That she was given an extra chance, but that she had to be 100% compliant. Ms. Young told her that she is non-compliant because of the missed check ins and a new prescription that was not turned into Affinity. Ms. Rigby said that she did not turn in her prescription with Affinity until today. It is required to be turned in within 48 hours of filling it. Mr. Price asked her if she was going to counseling and if it helps. Ms. Bateman said that she goes about once a month, but a lot of it is in her mind. She is doing the Beach Bodies for her personal development which is helping her more than anything else in her life. Ms. Bateman works at her home and also goes to her clients homes. Ms. Young asked her if she has access to any drugs when she goes to a client's home. She said she doesn't ask and doesn't think about it. Mr. Price asked her why she doesn't take calling in to Affinity more seriously. She said that she does. He asked her if her license is important to her. She said that it is and that she hardly charges her clients anything to ensure she gets her eight hours per week in. The Board expressed frustrations that although Ms. Bateman has been given many chances to be compliant, she still has violations of the terms of her Stipulation and Order. Ms. Pettley explained what the Notice of Agency Action meant and that it was the last step to revocation. Ms. Pettley made the recommendation to issue a Notice of Agency Action. Ms. Pettley explained that Ms. Bateman will have 30 days to respond or she also has the option to surrender her license. Ms. Young made a motion to issue a Notice of Agency Action, seconded by Ms. Frasier. The motion passed unanimously.

APPLICATION REVIEW:
Sherman North

Mr. Price asked Mr. North to explain why he was at the meeting today. Mr. North owns Executive Stylists and went to school in 1959. In 2008 he accepted a position to volunteer at the Family History Center and went part time. He decided to

quit the business and is now cutting hair at home. He filed for a business license to cut hair and was asked about his professional license. He realized that he did not have one. He said that the state has not come to look for him to find him in error. He said that there was a mistake made by both him and the state. Mr. Price asked him how long he has been working without a license. Mr. North said that he has not had a license since 2008. Mr. Price explained that it is unlawful conduct to practice without a license. Mr. North asked the Board to uphold, reverse or modify the decision and reissue a license. Mr. Price asked why he felt that DOPL did not issue a license. Mr. North said that he feels that there was a mistake made and he did not get notice. Ms. Pettley explained the current requirements and that he would need to take the examinations. Mr. North said that he cannot take the examinations and pass them and he feels that it is not reasonable for him to be required to. Mr. Price explained that the Board does not have the authority to change the law. Ms. Frasier asked if he felt it was strange that he had not renewed his license. He said that he simply overlooked it and did not with any consciousness realize it. Ms. Pettley let Mr. North know that his application will be denied then he can follow the directions on the Request for Agency Action form, which Mr. North had in his possession. Ms. Mechling from JATC offered to help him with the bookwork to pass the examination. Ms. Pettley let him know he may follow the instructions on the form and send a request for agency review.

DEFAULT ORDER:

Josh Stoney

Ms. Pettley reviewed Mr. Stoney's cases and Notice of Agency Action. He was sent his notice on October 18, 2016 with 30 days to respond. He did not respond. The Division is recommending revocation of his license. Ms. Frasier made a motion to support the Division's request for default for revocation of his license, seconded by Ms. McKay. The motion passed unanimously.

APPLICATION REVIEW:

Eric Payne

Ms. Pettley reviewed Mr. Payne's application and criminal history with the Board. Ms. Pettley explained to Mr. Payne why he was asked to attend the Board meeting and that this is a good opportunity for the Board to meet him. Ms. Baxter asked Mr. Payne where he went to school. He said that he went to the Barber School. He started school about

a month after he got to Utah and found out that he was at one of the best schools in the country. Ms. Baxter asked why he chose Utah. He said that he met his wife who was from Utah and he knew he needed to get out of Indiana and felt like it this was his opportunity. Ms. Baxter asked if he has a job lined up. Mr. Payne has been offered a position at Ray's Barber Shop. He brought letters of recommendation and read some of the letters to the Board. Ms. Baxter made the recommendation to grant him a short probationary license to see where he is going and monitor him. Ms. Pettley explained what the typical probationary license would be and she feels he would be a great asset to the community. She explained what a probationary license for him would be and said it would be for one year. Ms. Pettley said that she would contact him to complete the process.

NEW ORDER:

Esteem Academy of Beauty

Ms. Pettley explained to the Board the licensing situations of schools. She explained that Esteem Academy was listed on the NACCAS website as in candidate status, and a few days later it was no longer on the website. Ms. Pettley contacted NACCAS and was told that the candidate status had expired. At that time Ms. Pettley contacted Ms. Anthony and asked her to visit Esteem Academy to inquire about the accreditation status expiration. Darci Brown, the school owner, explained that they went to the workshop before the school opened and started the process. She sent in the paperwork in May, but left out the consultation request form and the check. Two days before the candidate application expired, they received a letter letting them know their status was ready to expire. They sent the variance in but it didn't make it in time. Because the school was not a candidate any longer, NACCAS would not consider the variance. DOPL had reached out to them, but her daughter did not get the information to them. She is grateful to be here today and have the opportunity to move forward. Ms. Brown is now fully in charge of the accreditation process and she is focusing on getting ready to for the NACCAS visit. Ms. Pettley shared that there is a provision in the law that states a school who fails to achieve or maintain candidate status would have to surrender their license or have it revoked. Dr. Miranda, director at NACCAS, said that if DOPL would allow them to keep their license,

they would pull them back through. The Division was able to draft a stipulation to revoke the license, then the revocation is stayed with a stipulation for one year at which time they need to become accredited. Ms. Pettley will be following up with the probation. Ms. Pettley recommended that Ms. Brown reach out for help. The Board members offered some names to Ms. Brown to help her with the process.

NEXT SCHEDULED MEETING: February 27, 2017

ADJOURN: 2:15 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.

FEB. 27, 2017
Date Approved

Chad Price
Chairperson
Barbering, Cosmetology/Barbering, Esthetics,
Electrology and Nail Technology Licensing Board

2/27/17
Date Approved

Allison Pettley
Bureau Manager
Division of Occupational & Professional Licensing