IOWA BOARD OF BARBERING
October 26, 2010. 9:00 a.m.
5th Floor Board Room
Lucas State Office Building
Des Moines, IA 50319

Minutes

Call to Order:
Meeting called to order by Clark (Sam) Kauffman at 8:58 a.m.

Roll Call:

Board Members Present:
Clark (Sam) Kauffman, Chuck Wubbena, Tammy Ortiz, Robert Van Vooren, and Rhonda Reif.

Staff Present:
Susan Reynolds, Board Executive; Marvin Firch, Outreach and Compliance Educator; Barb Huey, Bureau Chief; AAG Kris Ensign, AAG Scott Galenbeck and Tammy Hidlebaugh, Clerk Specialist

Public In Attendance:
Terry Millis and Jim Looker, American College of Hairstyling

Approval of Minutes:
The minutes of July 27 and August 30, 2010, were approved as written. (MSC: Reif/VanVooren)

Hearings:
At the discretion of the licensee a closed hearing was requested in accordance with IAC 11.19(10). Closed hearing began at 9:00 a.m. and ended 9:54 a.m.

Closed Session:
In accordance with Iowa Code 272C.6, a disciplinary hearing shall be open to the public at the discretion of the licensee. A deliberation on a contested case hearing is held in closed session, as specified in Iowa Code 21.5. The board continued with closed session at 9:55 a.m. by unanimous roll call vote to deliberate on the contested case hearing. (MSC: Reif/VanVooren)

Open Session:
The board returned to open session at approximately 10:23 a.m. and took the following actions:

Board directed ALJ to draft the Decision and Order as recommended on the contested case hearing for Troy Donovan Walker. (MSC: Wubbena/Van Voreen)

Board took a 10-minute recess and resumed open session at 10:31 a.m.

Case BA 08-010 was originally heard by the Board on July 27, 2010. On August 10, 2010, the board chair received a letter in the form of a motion from AAG Ensign, the state prosecutor, stating she received new evidence relevant to the case. AAG Ensign requested the new evidence be presented to the board prior to issuing a final decision. Hearing will be scheduled at the next meeting on January 25, 2011. The Board approved motion to consider additional evidence presented by the State in case BA 08-010. (MSC: Kauffman/Van Vooren).

Reports:

Chair: None

Vice Chair: Chuck Wubbena represented the State of Iowa at the 84th Annual Conference of Barber Boards of America in St. Paul, Minnesota. Mr. Wubbena distributed conference information to board members and staff.

- Met with counterpart from Nebraska and exchanged information.
- 21 out of the 53 license jurisdictions were represented. NBBA's goal is to increase membership.
- Sanitation – what is logical and what is legally. Mr. Wubbena stated the board, not manufacturers need to set standards of what disinfectant products meet legal sanitation and safety requirements.
- 85th Annual Conference will be held mid-September in Myrtle Beach, South Carolina.
- Definition of fine or fee. Fees generated by the 19 boards under the Bureau of Professional Licensure are used for operational costs. Fines revert back into the general fund. AAG Galenbeck recommended to the board to maintain the current definitions of fine and fee.

Public Comment:

Terry Millis, President of American College of Hairstyling addressed the board regarding his concerns about the Board office denying continuing education certificates issued by the school.

Closed Session:

In accordance with Iowa Code 21.5(1) a, d, and f, portions of the meeting are held in closed session when confidential materials are reviewed. The board may also hold closed sessions when it discusses whether to initiate disciplinary investigations or proceedings. The board went into close session at 11:08 a.m. by unanimous roll call vote. (MSC: Wubbena/Van Vooren).

Open Session:

Motion made by Ortiz and seconded by Van Voreen to return to open session at 11:38 a.m. During open session the Board took the following actions:

Applicant 1 – Motion made by Ortiz and seconded by Wubbena to approve reactivation of barber license. Motion carried.

Patrick Thomas Smith – Motion made by Wubbena and seconded by Van Vooren to deny barbershop application. Motion carried.

BA 08-09 – Richard Hubbard – Motion made by Wubbena and seconded by Ortiz to accept the Stipulated Citation and Warning as written. Motion carried.

BA 09-018 – Dixie's Barber Shop/Dixie Van Ryswyk – Motion made by Van Vooren and seconded by Reif to accept Voluntary Surrender of barber and barbershop license. Motion carried.

Closed Session:

In accordance with Iowa Code 21.5(1) a, d, and f, portions of the meeting are held in closed session when confidential materials are reviewed. The board may also hold closed sessions when it discusses whether to initiate disciplinary investigations or proceedings. The board went into close session at 12:00 a.m. by unanimous roll call vote. (MSC: Reif/Wubbena).

Open Session:

Motion made by Van Voreen and seconded by Wubbena to return to open session at 12:10 p.m.

Future Board Meetings:

April 26, 2011
July 26, 2011
October 25, 2011

Adjournment:

Motion to adjourn made by Wubbena and seconded by Van Voreen. Motion carried. Meeting adjourned at 12:11 p.m.