IOWA BOARD OF BARBERING
January 29, 2013
Lucas State Office Building, 5th Floor Conference Room #526
Des Moines, IA

Open Session Meeting Minutes

Call to Order:
The meeting was called to order at 9:03 a.m. by Chuck Wubbena, Chairperson.

Roll Call:

MEMBERS PRESENT:
Chuck Wubbena, Licensed Barber
John Anderson, Public Member
Valerie Felton, Licensed Barber
Gwen Ecklund, Public Member

MEMBERS ABSENT:
Dennis Rafdal, Licensed Barber

STAFF PRESENT:
Susan Reynolds, Board Executive
Marvin Firch, Education and Outreach Coordinator
Barb Huey, Bureau Chief
Tammy Hidlebaugh, Licensure Specialist
Barb Christiansen, Administration Assistant
Dave VanCompernolle, AAG

PUBLIC PRESENT:
Jim Looker, American College of Hairstyling, Des Moines

Review Agenda:
Change in agenda item: 2012 School Inspections should read 2013 School Inspections.

Approval of Minutes:
A motion was made by Anderson to approve the meeting minutes of October 23, 2012. A second was received from Felton. All ayes, opposed none, motion carried.

A motion was made by Felton to approve the conference call minutes of November 5, 2012. A second was received from Wubbena. All ayes, opposed none, motion carried.

Reports:
Board Executive: No report

Bureau Chief: Barb Huey distributed a cost analysis spreadsheet that gave a break-out of the expenditures for the barber board. The documents were reviewed and discussed by members. Anderson made the observation that if you divide the net loss by the number of active licenses it amounts to a loss of $7.53 per license. With the number of inactive license, it increases the loss to $8.44 per license. Huey suggested that Firch provide a copy of the self-inspection sheet developed for salon owners. Inspection sheet could be replicated for barber shops. Professional Licensure has adopted a new format for the licensure certificate. The gold seal has been replaced with a security watermark. A memo to the Chief Clerk of the Iowa House from IDPH Director Miller-Meeks was distributed to the board to review. The memo accompanied an executive summary for improvement in efficiencies, reduction of duplication, or consolidation of boards. A proposed recommendation is to consolidate the barber and cosmetology boards.

Public Comment:
No public comment received.

New Business:
Revised School Inspections Report: Marvin Firch distributed a new school inspection form.

Service Agreement – American College of Hairstyling, Des Moines: The service agreement between American College of Hairstyling and the Iowa Department of Public Health is for retaining the use of the facility to administer the NIC practical exam. The agreement will terminate April 30, 2013. Board executive asked the membership if they would like to change locations for examination. Members agreed to renew the agreement with the American College of Hairstyling in Des Moines.

2013 School Inspections:
Wubbena suggested after the meeting he would take John Anderson, Valerie Felton and Gwen Ecklund on the inspection of American College of Hairstyling. Members agreed to do the inspection after the April meeting. Valerie Felton will inspect American College of Hairstyling in Cedar Rapids. Chuck Wubbena will inspect College of Hair Design in Waterloo.

Old Business:
Lelanya Baltazar Consent Order: Licensee appeared before the board to request they lift the supervision requirement in the consent order. Ms. Baltazar has had four jobs since her graduation but has found it difficult to find and keep employment because of the restriction. Ms. Baltazar is asking that she be allowed to be unsupervised at the shop.

A motion was made by Anderson to amend the consent order to drop the requirement to have a supervisor present at all times in the shop. A second was received from Ecklund. All ayes, opposed none. Motion carried.

Applications:
American College of Hairstyling in Cedar Rapids submitted a petition requesting the board to waive the requirement that a barber must have two years of experience before applying for an instructor's license. The school wants to hire an instructor with less than two years of experience to work with ethnic students and clientele.

A motion was made by Anderson to deny the application for waiver of 645-21.2(3)(c). A second was received from Ecklund. All ayes, opposed none, motion carried.

Dulce Burt – barber reactivation: Licensee was convicted of theft in the 2nd degree in August 2010 and OWI convictions in 2010 and 2011. Burt is on probation until July 2016 and has completed a substance abuse evaluation. Licensee has submitted proof of continuing education hours. Board agreed to license by consent and for the board executive to maintain contact with licensee's probation officer.

A motion was made by Felton to approve the reactivation under a consent order. A second was received from Ecklund. All ayes, opposed none, motion carried.

Priest Wilson – reinstatement of barber license: The board revoked Wilson's barber and shop license for sanitation violation and structural damage. Mr. Wilson submitted a

letter and signed petition with citizen signatures requesting the board to reinstate his license. Board executive recommended sending a DIA investigator to inspect the shop to confirm violations and repairs have been done. Board requested to see the inspection report before approving the reinstatement. Firch suggested that an informal conference could be requested for Mr. Wilson to come and address the board. Arrangements will be made with DIA to inspect the shop. Members questioned if Mr. Wilson is currently working.

Hearings: In accordance with Iowa Code § 272C.6, a disciplinary hearing shall be open to the public at the discretion of the licensee. However, deliberations on a contested case hearing is held in closed session, as specified in Iowa Code § 21.5(1)(f).

- 10:30 a.m. - BA 10-001 – John Gillespie

At respondent's request the board entered into a closed session hearing at 10:32 a.m. pursuant to Iowa Code section 272C.6 (1) (2011) and 645 IAC 11.32.

Hearing concluded at 11:26 a.m. Anderson made a motion to go into closed session at 11:27 a.m. to deliberate the contested case in accordance with 21.5(1) (f). Motion seconded by Ecklund. All ayes, opposed none, motion carried.

Board returned to open session at 11:47 a.m. Ecklund made a motion to draft decision and order consistent with closed session discussion. Motion seconded by Felton. All ayes, opposed none, motion carried.

Board executive left the meeting at 11:50 a.m.

Board took a break and resumed at 11:54 a.m.

Closed Session:
In accordance with Iowa Code § 21.5, 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 will go into closed session to discuss complaints and applications containing confidential information according to Iowa Code § 21.5(1)(a), (d) and (f).

A motion was made by Anderson for the board to enter into closed session at 11:55 a.m. to discuss confidential material related to applications and complaints according to Iowa Code Chapter 21.5(1) a and d. A second was received from Felton. Roll call taken.
Wubbena – aye

Felton – aye
Ecklund – aye
Anderson – aye
Motion carried.

Board returned to open session at 12:21 p.m. and took the following actions:

A motion was made by Anderson to rescind statement of charges and close Case #10-007. A second was received from Ecklund. All ayes, opposed none, motion carried.

A motion was made by Felton to close Case #12-004 and Case #13-001. A second was received from Anderson. All ayes, opposed none, motion carried.

A motion was made by Anderson to adjourn the meeting at 12:27 p.m. A second was received from Felton. All ayes, opposed none, motion carried.