

IOWA BOARD OF BARBERING
October 23, 2012
Lucas State Office Building, 5th Floor Conference Room #526
Des Moines, Iowa

Open Session Meeting Minutes

Call to Order:

The meeting was called to order at 9:07 a.m. by Chuck Wubbena, Chairperson.

Roll Call:

MEMBERS PRESENT:

Chuck Wubbena, Licensed Barber
Valerie Felton, Licensed Barber
John Anderson, Public Member
Dennis Rafdal, Licensed Barber
Gwen Ecklund, Public Member

STAFF PRESENT:

Susan Reynolds, Board Executive
Barb Christiansen, Administrative Assistant
Tammy Hidlebaugh, Licensure Specialist
Barb Huey, Bureau Chief
Dave VanCompernelle, AAG

PUBLIC PRESENT:

Jackie Dahlquist, National-Interstate Council of State Boards of Cosmetology
Sue Koontz
Terry Millis, American College of Hairstyling, Des Moines

Review Agenda:

No changes made to agenda.

Approval of Minutes:

A motion was made by Rafdal to approve the July 24 2012, and August 20, 2012, minutes. A second was received from Felton. All ayes, opposed none, motion carried.

Reports:

Chair: Chuck Wubbena gave a report to the members on his trip to the 2012 NABBA Conference. NABBA presented a communications program for instructors and inspectors. Wubbena recommended the board endorse the program because it would be a great way to integrate inspection standards nationwide. Sales tax is a big issue at this time. Apprentice programs were also discussed by the representative from Arizona. The Barber Museum was discussed and it was reported that the museum now has a National Director overseeing the Hall of Fame. Wubbena mentioned that contributions are always needed. Iowa has a stockpile of barber memorabilia that he would like the board to investigate and find where these items are housed. Iowa lost the bid to host the 2014 NABBA Conference to Las Vegas.

Board Executive: Reynolds reported that the board has hearings later in the morning.

Bureau Chief: No report.

Public Comment:

Sue Koontz: Integration of continuing education of Iowa law for barbers and cosmetologists. Koontz is a continuing education instructor and always assumed if a barber attended a cosmetology continuing education class on Iowa law they would be eligible for the one hour. Koontz is asking the board to approve the program she offers to barbers. Chuck Wubbena stated that the board will take Ms. Koontz concerns under advisement and the board executive will contact her when a decision has been made.

Jackie Dahlquist, NIC: Former president of NIC, Dahlquist was assigned to do on-site observation visits during the national exam with states that participate in the examinations. NIC looks at security and consistency in implementing the practical exam. Dahlquist was present at the practical exam yesterday and was very satisfied with what she observed and thanked Iowa for its integrity in administering the exam.

Hearings:

In accordance with Iowa Code 272C.6, a disciplinary hearing shall be open to the public at the discretion of the licensee. However, deliberation on that contested case hearing is held in closed session, as specified in Iowa Code 21.5

Hearing for 09-007 was held by conference call. At the respondent's discretion, board went into closed session at 9:38 a.m. to conduct the hearing. Board returned to open session at 10:27 a.m.

A motion was made by Rafdal to instruct Judge LaMarche to draft a decision and order. A second was received from Felton. All ayes, opposed none, motion carried.

Hearing for 11-002 began at 10:42 a.m. and was conducted in open session. Respondent failed to appear for the hearing.

A motion was made by Rafdal to enter into closed session at 10:59 a.m. for deliberations. A second was received from Anderson. A roll call was taken with a unanimous aye vote.

Board returned to open session at 11:19 a.m. Motion was made by Anderson to instruct Judge LaMarche to draft a decision and order. A second was received from Rafdal. All ayes, opposed none, motion carried.

Hearing for 09-011 began at 12:45 p.m. and was conducted in open session. Respondent failed to appear for the hearing.

A motion was made by Rafdal to enter into closed session at 1:03 p.m. for deliberations. A second was received from Anderson. All ayes, opposed none, motion carried.

Board returned to open session at 1:08 p.m. Motion was made by Ecklund to instruct Judge LaMarche to draft a decision and order. A second was received from Rafdal. All ayes, opposed none, motion carried.

AAG VanCompernelle reported the 1:30 p.m. hearing had been resolved.

New Business:

Current reciprocity agreement with Nebraska was discussed. Motion was made by Rafdal to continue the reciprocal agreement with the state of Nebraska. A second was received from Ecklund. All ayes, opposed none, motion carried.

Integrating continuing education of barber and cosmetology law: The board discussed the differences of teaching Iowa law to barbers as opposed to cosmetologists. Sanitation issues must be the same and consistent across the professions. Board felt that the Department of Public Health needs to keep barbers and cosmetologists up to date on health and safety standards for the protection of the public. The Board agreed that the Iowa law requirement could be acquired at a cosmetology continuing education

class as long as Chapter 22 is covered for barbers in attendance. Board executive will contact Sue Koontz with the board's decision.

Appeal of continuing education requirements: The licensee was selected for an audit and found he did not meet continuing education requirements because the 8 hours were done entirely on-line. After denying his continuing education, the licensee appealed the decision.

A motion was made by Rafdal to deny the appeal and allow the individual time to obtain the 8 hours of continuing education in the manner the rules require without further penalty. A second was received from Anderson. All ayes, opposed none, motion carried.

Applications:

Donnell Lee Rivers: Applicant has a history of felony convictions and is on probation until 2017. Board agrees to license this individual under a Consent Order to run concurrently with his civil probation.

A motion was made by Anderson to grant licensure under a consent order with probation to run concurrently with criminal probation. A second was received from Felton. All ayes, opposed none, motion carried.

Lelanya Baltazar: Applicant is on probation for three years. The board voiced concerns about public safety with this individual. Members suggested that if license is granted the applicant would need to make her situation known to the shop owner and the owner would agree to monitor individual very closely.

A motion was made by Wubbena to approve licensure with conditions to include employer notification and monitoring of individual for 3-year probation period. A second was made by Felton. All ayes, opposed none, motion carried.

Closed Session:

A motion was made by Anderson to go into closed session at 11:49 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 Rafdal. Roll call taken

Wubbena - aye

Rafdal - aye

Anderson - aye
Felton - aye
Ecklund - aye
Motion carried.

The board returned to open session at 12:09 p.m. and took the following actions discussed in closed session.

A motion was made by Anderson to approve the Stipulation and Consent Order for Case # 12-001 as discussed in closed session. A second was received from Rafdal. All ayes, opposed none, motion carried.

Case #12-004 will remain pending.

Chuck Wubbena reported that NABBA would like for him to serve on the national board but it would require a 5-year commitment. Board members agreed to support Wubbena in this effort.

Wubbena would like to discuss at a future board meeting reserving the razor and barber pole exclusively for the barber industry. Wubbena would like to obtain copies of the Milady textbook that covers sanitation regulations and distribute to barber instructors or anyone else who presents education to barbers.

Wubbena asked about the Illinois-Quad City Barber College. Reynolds reported the board office has been receiving certificates of continuing education hours with renewal applications.

Rafdal reported that some applicants brought models that did not have the required length of hair to work on. Rafdal would like those taking the exam to come ready to deal with any model and his/her length of hair.

A motion to adjourn was made at 1:24 p.m. by Rafdal. A second was received from Felton. All ayes, opposed none, motion carried.