



NORTH DAKOTA STATE BOARD OF COSMETOLOGY

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NORTH DAKOTA STATE BOARD OF COSMETOLOGY November 18, 2019 Minutes

A regular meeting was held at the board office, 4719 Shelburne St., Suite 1, Bismarck, ND. President, Maureen Wanner called the meeting to order at 10:00 a.m.

Present: Eunice Smith, Maureen Wanner, Magen Buchholz, Tenalee Tangen, Miranda Stanley, Sue Meier and Legal Counsel; Sandy DePountis.

Minutes: Miranda Stanley moved, seconded by Eunice Smith to approve the October 21, 2019, Board minutes. Roll call vote: Buchholz, yes; Tangen, yes; Smith, yes; Wanner, yes, Smith; yes, Stanley; yes. Motion Carried.

S& P Nails, Minot: S&P Nails was inspected by a Board Inspector on June 4, 2019, October 28, 2019 and November 15, 2019. At each inspection, the inspector witnessed unlicensed individuals providing manicuring services in the salon and numerous sanitation violations. S& P Nails also had a waxing pot with no licensee authorized to perform waxing under the scope of its license. After discussion, the Board found grounds to seek disciplinary action. Magen Buchholz moved that the Board found grounds to take disciplinary action against S&P nails for an unlicensed worker and sanitation violations and authorize Sandy DePountis to offer a settlement agreement of a \$1000 fine and one year probation. S& P Nails has 10 days to clean up before they are re inspected once the settlement agreement is executed. Tenalee Tangen seconded the motion. The motion carried unanimously.

Lux Spa, Fargo: Lux Spa was inspected by a Board Inspector on October 25, 2019, and November 6, 2019, who witnessed unlicensed individuals providing manicuring services in the salon and numerous sanitation violations. After discussion, the Board found grounds to seek disciplinary action. Miranda Stanley moved that the Board found grounds to take disciplinary action against Lux Spa for an unlicensed worker and sanitation violation and authorize Sandy DePountis to offer a settlement agreement of \$500 fine and one year probation. Eunice Smith seconded the motion. The motion carried unanimously.

Tam Thi Nguyen: Ms. Nguyen has failed her manicure practical two times which requires 300 hours of additional school education. Magen Buchholz stated that Mona at TSPA agreed to privately tutor Ms. Nguyen at TSPA for the 300 hours required and not make her enroll as a student. Tenalee Tangen moved to approve the tutoring to be provided in this manner to accomplish the 300 hours for Ms. Nguyen. Miranda Stanley seconded the motion. The motion carried unanimously.

PSI contract: The Board was presented the amended contract with PSI. Magen Buchholz moved to approve the amended contract. Miranda Stanley seconded the motion. The motion carried unanimously.

NIC report: Tenalee Tangen presented a brief summary of the NIC conference.

October financial statement: Eunice Smith motioned to approve the October financial report. Tenalee Tangen seconded the motion. The motion carried unanimously.

Old Business:

- Magen Buchholz asked about creating a Facebook page for the Board to better reach the public. She will do more research into this matter and present at the January meeting.

New Business:

- Risk management advised that the Board members make a motion to delegate authority to issue licenses for all licenses that meet all requirements and do not require any discretion in issuing. The authorized individuals will produce a list of all licenses issued for ratification and approval by the full board at each meeting. Tenalee moved that Magen Buchholz and Sue Meier are authorized to issue licenses that meet all requirements. Eunice Smith seconded the motion. The motion carried unanimously.
- JZ Trend Academy will be closing as of December 13, 2019.
- Rick Laqua applied for his 2020 individual license renewal and for a new salon license. He had past conviction and provided proof that he has completed treatment. Magen Buchholz motioned that his applications be approved and his licenses granted. Miranda Stanley seconded the motion. The motion carried unanimously.
- Bellissima Nails & Spa was inspected by Tenalee Tangen on November 14, 2019. She reported an individual leaving through the back of the salon when she entered the building, and sanitation violations. The salon is currently under probation. Miranda Stanley motioned that Bellissima Nails & Spa be closed for one day so all employees providing services can attend a mandatory sanitation class and that they pay a \$500 fine. Magen Buchholz seconded this motion. Eunice Smith voted yes. Tenalee Tangen and Maureen Wanner recused their vote. Motion Carried. Sandy DePountis issued an order for violating their settlement agreement, and probation is continued.
- Star Nails was inspected on November 14, 2019, at which time the inspector found various sanitation violations and failure to display licenses. Miranda Stanley moved that the Board find grounds to take disciplinary action against Star Nail for sanitation violations and failure to display licenses and authorize Sandy DePountis to offer a settlement agreement of \$500 fine and one year probation. Eunice Smith seconded the motion. Magen Buchholz voted yes. Tenalee Tangen and Maureen Wanner recused their vote.
- Discussion on approval of a foot file/tool. Sandy stated that the Board does not approve such things. We can simply refer individuals to our laws, rules and regulations and they can seek a private attorney if needed.
- Since the Board is now requiring sanitation classes as part of settlement agreements, Tenalee Tangen did some research of different certification courses for the inspectors. She and Magen will be doing more research. It will be presented to the board again in January.
- Tenalee presented a more streamlined, clear and concise disinfection poster for consideration. It will make it more to the point and easier for licensees to refer to and understand.

The next regular Board meeting is scheduled for January 21, 2020, at 10 am.

No other business. It was moved by Magen Buchholz and seconded by Eunice Smith to adjourn.

Maureen Wanner adjourned the meeting at 11:15 am.

Minutes submitted by Magen Buchholz.

