

**NORTH DAKOTA STATE BOARD OF COSMETOLOGY
4719 SHELBURNE ST. SUITE 1
BISMARCK, ND 58503 TELEPHONE (701) 224-9800**

The North Dakota State Board of Cosmetology held a regular monthly meeting on Monday, January 24, 2022, at 9:30AM at the board office and via GoTo Meeting

Board Members Present:

Tenalee Tangen

Becky Wood via GoTo

Eunice Smith

Miranda Stanley via GoTo

Maureen Wanner

Also present: Sue Meier, Board Administrator

Carl Karpinski, Legal Counsel

1. Approval of Minutes:

December 13, 2021 Regular Board Meeting

December 30, 2021 Public Hearing Minutes

December 31, 2021 Special Board Meeting

January 18, 2022 Special Board Meeting

Rebecca questions the board's concern of the punctuation, grammar, and context of the minutes. Carl clarifies that the substance and voting is solid verses sentence structure and grammar. Rebecca brings attention to the special meeting adjournment where the roll call vote was not recorded. Maureen reminded the board that there was no roll call vote done at the meeting. Eunice makes a motion to approve the minutes for December 13, December 30, and December 31, 2021, and January 18, 2022. Miranda seconds that motion. All voting: Rebecca (y), Maureen (y), Miranda (y), Eunice (y), and Tenalee (y). Motion carries.

2. Approval of Licenses.

Maureen makes a motion to approve the licenses. Miranda seconds that motion. All voting: Rebecca (y), Maureen (y), Miranda (y), Eunice (y), and Tenalee (y). Motion carries.

3. December 2021 Financial Statement.

Rebecca questioned the income for account number 4150, homebound license. Sue will look into it. Rebecca makes a motion to table the financial statement until next month. Maureen seconds that motion. All voting: Rebecca (y), Maureen (y), Miranda (y), Eunice (y), and Tenalee (y). Motion carries.

4. Renae Heller, State P-Card Program Administrator. She will explain the card.

Renae gave an overview of the P-Card. Discussion only. No motion needed.

5. Jessica Schaff: Reconsider Reinstating License.

Carl reiterates that this has been an ongoing process with Jessica since 2019. This is in litigations. Sue informed the Board that Jessica came into the office wanting to pay her fine. Since it is in litigations it needs to go through the process. Discussion only. No motion needed.

6. Megan Thiel: Renewal of Master Cosmetology License.

Megan's current agreement is that she cannot reapply for renewal until March. Rebecca mentions the concern of making her wait until March. Tenalee brings up the concern of not waiting, something may come up in the remaining time. Maureen makes a motion to have Sue send out a letter to encourage her to reapply in March. Eunice seconds that motion. All voting: Rebecca (y), Maureen (y), Miranda (y), Eunice (y), and Tenalee (y). Motion carries.

7. Kathy Osland: Checked Yes for Conviction on Practical Exam Application.

Her offence was in 2017. On probation until September 25, 2022. Maureen makes a motion to grant the license for Kathy Osland. Miranda seconds that motion. All voting: Rebecca (y), Maureen (y), Miranda (y), Eunice (y), and Tenalee (y). Motion carries.

8. Angela Carter: Checked Yes for Conviction on Renewal.

Her offences were charges as felonies and then dropped down to misdemeanors. Maureen questions if this affects her salon work. Rebecca reminds us of the "grossly unprofessional" terms in our laws and rules. She is on probation until March 21, 2023. Rebecca states that the simple assault on the peace officers and resisting arrest seems grossly unprofessional and dishonest. Maureen makes a motion to renew her license with a settlement agreement that goes until the end of her probation of March 22, 2023. Carl will draft the settlement agreement to her. Eunice seconds that motion. All voting: Rebecca (n), Maureen (y), Miranda (y), Eunice (y), and Tenalee (y). Motion carries.

9. Connor Maki: Checked Yes for Conviction on Salon Application.

Her offenses are misdemeanors. No probation. Maureen makes a motion that we approve the application for independent licensee. Miranda seconds the motion. Rebecca asks Carl if there were anything more on her. Carl states that it was dismissed. It was charged as domestic violence, bodily injury but completely dismissed on April 28, 2021. No probation, no time served. Roll call vote: Rebecca (y), Maureen (y), Miranda (y), Eunice (y), and Tenalee (y). Motion carries.

10. Antoinett Hair Salon: Request to make payments on Settlement Fee.

Antoinett Peal has paid \$500 towards her settlement agreement and will make another payment next month if the board is willing to make those arrangements. Maureen makes a motion that the board would work with Antoinett Peal to make payments on her

settlement agreement of \$500 next month. Eunice seconds that motion. All voting: Rebecca asks if she fulfilled all the requirements of the settlement agreement. Sue states that she has. All voting: Rebecca (y), Maureen (y), Miranda (y), Eunice (y), and Tenalee (y). Motion carries.

11. Madison Nieuwenhuis: Discontinued Cosmetology Program with 1589 Hours and would like to apply for examination.

If Madison finished the hourly requirements in each category, she would be eligible to register for the exam. She discontinued the program in 2019. She is short 50 hours in a category. The board cannot reallocate hours on the curriculum card. She needs to provide the breakdown of hours before applying for the examination. Maureen makes a motion to have Sue send her a letter along with a 1500-hour curriculum card and letting her know that her hours are lacking and fill out the new card and resubmit. Eunice seconds the motion. All voting: Rebecca (y), Maureen (y), Miranda (y), Eunice (y), and Tenalee (y). Motion carries.

12. Josef's School of Hair, Nails & Skin, Grand Forks: Follow up Letter and Inspection Report.

The school was inspected after the mice infestation was cleared up. The school passed inspection. The inspector states that there was a lack of instructors for student's ratio. The school gave the contact information of two exterminators that they used to clear the infestation. Tenalee would like information from the exterminators to have peace of mind that the infestation was taken care of and to have the school reinspected to make sure the space that was blocked off is disinfected. Eunice makes a motion to have Sue call the exterminators to make sure the problem was taken care of, to contact Mario Olivieri, the school owner, for a response, and have the inspector reinspect. Rebecca seconds that motion. All voting: Rebecca (y), Maureen (n), Miranda (y), Eunice (y), and Tenalee (y). Motion carries. Rebecca asks for clarification on the inspection report. There is a separate letter from the inspector stating concerns with instructor/student ratio, and other discrepancies but not reflected in the report. Tenalee will follow up with the inspector. Rebecca states that these are public safety concerns and need to be stated in the inspection reports and not in a private letter to the board from the inspectors. Carl reminds the board to be consistent with the salons and schools on inspections. Rebecca states that this is very concerning.

13. Nursing Home Salons: Shelly Peterson with Long Term Care Assn. Discussion by Tenalee.

Tenalee gives an update on her conversations with other groups such as the ND Long Term Care Association, ND Nursing Board, Dental Board of Examiners, Food and Lodging Division, and the Optometry Board. Maureen makes a motion to have Tenalee continue these conversations and to continue working with Carl. Eunice seconds that motion. All voting: Rebecca (y), Maureen (y), Miranda (y), Eunice (y), and Tenalee (y). Motion carries. Miranda reminds us that the elderly is an under served population and does not want their care restricted from those services. She suggests asking what other states are doing.

14. Invasive care: Esthetician in Medical Spas. Discussion by Tenalee.

Tenalee brings up estheticians working in medical offices, and we cannot inspect medi-spa. Tenalee and Miranda discuss the services that are offered in these offices. Miranda reminds us that these services are bigger than our board, starting with the Medical Board then the Nursing Board and then down to us. Carl asks for clarification on what a medical director is. 43-11-02 sub.6 was discussed. Carl asks if the medical boards inspect these offices. Discussion only. No motion needed.

15. Consideration for a Salary Increase for Sue Meier.

Eunice makes a motion to have a raise in Sue's salary by \$3/hour. Maureen seconds that motion. All voting: Rebecca (y), Maureen (y), Miranda (y), Eunice (y), and Tenalee (y). Motion carries.

16. Payroll Schedule to comply with IRS.

Fronteer payroll services has set payroll dates, the last business day of the month and the 15th of the month. Maureen makes a motion to send out a letter to all board employees stating that their time sheets need to be in on the last day of the month in order to get paid on the first and if it's later than that they will have to wait until the 15th to get a check. Eunice seconds that motion. All voting: Rebecca (y), Maureen (y), Miranda (y), Eunice (y), and Tenalee (y). Motion carries.

17. CLEAR Learning: Updates on Classes.

Tenalee gives an update on CLEAR classes. Maureen states that she reached out to Hannah from CLEAR and she states that there are no free classes, only discounted classes. Tenalee will send out login information. Tenalee would like the board to attend the class on board roles and responsibilities. Maureen clarifies that the board members can take classes anytime at their own cost and on their own time. The board members would need prior approval to have the board pay for class fee and hourly pay. The Board Roles and Responsibilities class cost \$75 plus \$25/board member to attend. The class is on March 24, 2022, from 1-2PM. Tenalee makes a motion to attend this educational program for CLEAR Learning Roles and Responsibilities of a Board Members, and have the board pay the \$75 for the class, and the board members attending without pay. Eunice seconds that motion. All voting: Rebecca (y), Maureen (y), Miranda (y), Eunice (y), and Tenalee (y). Motion carries.

18. NIC Virtual Education Program and 2022 Annual Conference.

NIC sent save the date information. Discussions only. No motion needed.

19. New Business.

- **Board motions**

Carl mentions that Tenalee and Miranda's positions are up at the end of June.

- **P-Card**

Carl brings the board back to the P-Card. Maureen states that the board should keep the card instead of looking for another card that may cost fees. Maureen makes a motion that we keep the P-Card, keep Sue as the cardholder and Maureen as the administrator. Miranda seconds that motion. All voting: Rebecca (y), Maureen (y), Miranda (y), Eunice (y), and Tenalee (y). Motion carries.

- **Chrissie Hager. Late fee.**

Chrissie received salon license in December 2021. She thought it was good for a year. Maureen makes a motion to have Sue send a letter stating the law and the rule. Eunice seconds that motion. All voting: Rebecca (y), Maureen (y), Miranda (y), Eunice (y), and Tenalee (y). Motion carries.

20. Old Business.

- **Letter to Instructors**

Sue drafted a letter to all instructors informing them that all classes must be board-approved before receiving CEUs.

- **Inspector candidates-Fargo Area**

Sue states that there are only three applicants.

21. Adjournment

Eunice makes a motion to adjourn the meeting. Maureen seconds that motion. All voting: Rebecca (y), Maureen (y), Miranda (y), Eunice (y), and Tenalee (y). Motion carries. Meeting adjourned at 12:25PM.

The next regular meeting is scheduled for February 14, 2022, at 9:30 am.

Minutes submitted by Maureen Wanner