

The North Dakota State Board of Cosmetology held a regular meeting on Monday, November 14, 2022, at 9:30 a.m. at the board office, 4719 Shelburne St., Suite 1, Bismarck, N.D.

Board Members Present:

Rebecca Wood

Maureen Wanner

Holly Blomquist

Eunice Smith

Also present: Sue Meier, Board Administrator

Annique Lockard, Legal Counsel

Agenda

1. Approval of Minutes:

October 17, 2022, Regular Meeting Minutes.

November 7, 2022, Special Meeting Minutes.

Holly made a motion to approve the October 17 regular meeting minutes and November 7, 2022, special meeting minutes. Maureen second that motion. All voting: Holly (y), Maureen (y), Eunice (absent) and Becky (y). Motion carried.

2. Approval of Licenses: 10/11/2022 – 11/8/2022.

Maureen made a motion to approve the licenses from October 11 – November 8, 2022. Holly second that motion. All voting: Holly (y), Maureen (y), Eunice (absent) and Becky (y). Motion carried.

3. October 2022 Financial Statement.

Maureen made a motion to approve the October financial statement. Holly second that motion. All voting: Holly (y), Maureen (y), Eunice (absent) and Becky (y). Motion carried.

4. The Best Little Hair House: Sanitation Violations.

Inspection November 14, 2018, resulted in a recommended pass.

Inspection December 28, 2020, resulted in a recommended pass.

Inspection November 23, 2021, resulted in a recommended pass.

Inspection August 9, 2022, resulted in a recommended disciplinary action.

Inspection October 31, 2022, resulted in a recommended disciplinary action.

Kevin is an independent licensee within Essentials Salon and Spa.

Maureen made a motion to issue a settlement agreement of 6 months' probation and a \$250 fine regarding the sanitation violations in the inspections on August 9, 2022, and October 31, 2022. Holly second that motion. All voting: Holly (y), Maureen (y), Eunice (absent) and Becky (y). Motion carried.

N.D.A.C. 32-03-01-10 and 32-02-01-15 were referred to for discussion regarding the comments from Kevin. Holly made a motion to have Sue send a letter to Kevin stating that the board considered his concerns, and we feel sending two inspectors out at the

same time is fair and biased. Maureen seconded the motion. All voting: Holly (y), Maureen (y), Eunice (absent) and Becky (y). Motion carried.

5. Lovely Nails Salon: Sanitation Violations and Pam Bethke's Concerns with the Inspection.

Inspection September 11, 2019, resulted in a recommended pass.

Inspection November 24, 2020, resulted in a recommended re-inspection.

Inspection January 21, 2021, resulted in a recommended disciplinary action. Settlement issued sanitation violations and unlicensed workers. Fine, one year probation, and class was given.

Inspection March 29, 2021, resulted in a recommended pass.

Inspection July 29, 2021, resulted in a recommended pass.

Inspection February 7, 2022, resulted in a recommended pass.

Inspection August 9, 2022, resulted in a recommended disciplinary action.

Inspection October 31, 2022, resulted in a recommended disciplinary action.

Maureen made a motion to issue a settlement agreement of an one year probation and a \$500 fine regarding the sanitation violations in the inspections on August 9, 2022, and October 31, 2022. Holly second that motion. All voting: Holly (y), Maureen (y), Eunice (absent) and Becky (y). Motion carried.

Holly made a motion to table this until there is a response from all parties. Maureen seconded the motion. All voting: Holly (y), Maureen (y), Eunice (absent) and Becky (y). Motion carried.

Holly made a motion to amend the agenda to go back to discuss Kevin's complaint. Maureen seconded the motion. All voting: Holly (y), Maureen (y), Eunice (absent) and Becky (y). Motion carried.

Holly made a motion to table Kevin's complaint until there is a response from all parties. Maureen seconded the motion. All voting: Holly (y), Maureen (y), Eunice (absent) and Becky (y). Motion carried.

6. Jill Krahn. Two emails concerning Curriculum Card, Testing Sites, Approved Educators for Continuing Education (CE) Hours, and a Request for Approval of CE Hours for Lola Eppard & Jill Krahn.

- Test sites had been addressed in the October meeting.
- Curriculum Card. Filling in the student hour.

Holly made a motion to have Sue get estimates from the state on the fillable and calculation card for students to fill out for their hours. Maureen seconded the motion. All voting: Holly (y), Maureen (y), Eunice (absent) and Becky (y). Motion carried.

- CE Hours. Discussion only.
- Approved CE Hours for Lola. Holly made a motion to approve 16 CE hours for Jill and Lola. Maureen seconded that motion. All voting: Holly (y), Maureen (y), Eunice (absent) and Becky (y). Motion carried.

Maureen made a motion to amend the agenda to move item 21 after item #6. Holly seconded the motion. All voting: Holly (y), Maureen (y), Eunice (absent) and Becky (y). Motion carried.

7. Jennifer Sharp's Complaint against Hair Society Institute and HSI response.

Jennifer's complaint states there was a lack of instructors and professionalism. N.D.C.C. 43-11-31 sub 7, N.D.A.C. 32-04-01-21 were referred to. Maureen made a motion to have the school inspected to assure there are enough instructors per student. Holly seconded the motion. All voting: Holly (y), Maureen (y), Eunice (absent) and Becky (y). Motion carried.

Holly made a motion to table the complaint until there is a response from all parties. Maureen seconded the motion. All voting: Holly (y), Maureen (y), Eunice (absent) and Becky (y). Motion carried.

8. Hair Society Institute and Students' complaints against Tanner Stevens. Tanner's response and email from Courtney Curl on behalf of Tanner.

Maureen made a motion to dismiss the complaint against Tanner and to have a response sent to the school from the Attorney. Holly seconded the motion. All voting: Holly (y), Maureen (y), Eunice (absent) and Becky (y). Motion carried.

9. Anonymous Complaint against Amanda Grover, My Deja'vu.

A complaint was filed on October 28, 2022. An inspector was sent to do an inspection. The November 2, 2022, inspection resulted in a recommended reinspection due to sanitation violations.

Maureen made a motion to table the complaint and have the salon reinspected. Holly seconded the motion. All voting: Holly (y), Maureen (y), Eunice (absent) and Becky (y). Motion carried.

10. Skyler Coon's Complaint against Polished Nail Spa.

Holly made a motion to dismiss the complaint and have a letter sent from the Attorney to parties involved. Maureen seconded the motion. All voting: Holly (y), Maureen (y), Eunice (absent) and Becky (y). Motion carried.

11. LeDaija Sowell: Conviction on Examination Application. Additional Information.

N.D.C.C. 43-11-31 sub 2 was referred to. Holly made a motion to grant LeDaija's license upon passing her exams. Maureen seconded that motion. All voting: Holly (y), Maureen (y), Eunice (absent) and Becky (y). Motion carried.

12. Maddison Hanson: Conviction on Examination Application.

Holly made a motion to grant Maddison's license upon passing her exams. Maureen seconded that motion. All voting: Holly (y), Maureen (y), Eunice (absent) and Becky (y). Motion carried.

13. Larissa Augare: Request approval to accept Montana's Exams.

N.D.C.C. 43-11-21, 43-11-25, 43-11-22, were referred to. She passed NIC practical exam and NIC theory exam that were given in Montana. She did have adequate hours of schooling.

Holly made a motion to have Larissa get more information as to the NIC exams being the same as given in ND vs MT. Maureen seconded that motion. All voting: Holly (y), Maureen (y), Eunice (absent) and Becky (y). Motion carried.

14. Julia Tello, owner of Hi Honey Salon: Request to reconsider Brittany Brettin's Reciprocity Application.

Based on N.D.C.C. 43-11-25 sub b, Holly made a motion to stand on the board's original decision and to send a letter to her letting her know that we discussed this further, and the Board stands on its original decision. Maureen seconded that motion. All voting: Holly (y), Maureen (y), Eunice (absent) and Becky (y). Motion carried.

15. Amitaben Chaudhari: Application for Reciprocity. Included Work Experience.

N.D.C.C. 43-11-25.1. and 43-11-21. Holly made a motion to table until later. Maureen seconded that motion. All voting: Holly (y), Maureen (y), Eunice (y), and Becky (y). Motion carried.

Maureen made a motion to have Sue send a letter requesting Amitaben to have a credential review of her education. Holly seconded that motion. All voting: Holly (y), Maureen (y), Eunice (y), and Becky (y). Motion carried.

16. Josef's Request for Approval for CE Hours. Additional Information.

Holly made a motion to approve 8 CE hours for Josef's school instructors that were in attendance. Maureen seconded that motion. All voting: Holly (y), Maureen (y), Eunice (y), and Becky (y). Motion carried.

17. Melissa Jordan: Request for Approval of CE Hours.

Maureen made a motion to approve 9 CE hours for Melissa. Holly seconded that motion. All voting: Holly (y), Maureen (y), Eunice (y), and Becky (y). Motion carried.

18. Amanda Hendrickson: Request for Approval of CE Hours.

Holly made a motion to approve the class. Maureen seconded the motion. All voting: Holly (y), Maureen (y), Eunice (y), and Becky (y). Motion carried.

19. All Star Training request to renew CE Courses.

Maureen made a motion to approve All Star Training online classes. Holly seconded the motion. All voting: Holly (y), Maureen (y), Eunice (y), and Becky (y). Motion carried.

20. Board's Continued Education Approval Guidelines and Application.

Requested changes were made to Holly's document proposed. Maureen made a motion to approve the form/application one would have to fill out to have continuing education

approved. Holly seconded the motion. All voting: Holly (y), Maureen (y), Eunice (y), and Becky (y). Motion carried.

Holly made a motion to approve the board office to the ability to approve continuing education applications if all information is provided. Maureen seconded the motion. All voting: Holly (y), Maureen (y), Eunice (y), and Becky (y). Motion carried.

21. The Salon Professional Academy: A request for Students to participate in an off-campus event and receive credit hours.

N.D.C.C. 43-11-20 and 43-11-02 were referred to for this discussion. Discussion only.

22. Prov Survey.

Holly made a motion to have Sue fill out the survey. Maureen seconded the motion. All voting: Holly (y), Maureen (y), Eunice (y), and Becky (y). Motion carried.

23. NIC National Database & Registry. Pilot Program Meeting.

Maureen made a motion to have Holly register for this meeting. Holly seconded that motion. All voting: Holly (y), Maureen (y), Eunice (y), and Becky (y). Motion carried.

24. NIC Automated Examiner Training.

Maureen made a motion to have Holly contact Tami to schedule time to gather the information on the automated examiner training. Holly seconded the motion. All voting: Holly (y), Maureen (y), Eunice (y), and Becky (y). Motion carried.

25. Discussion of Instructor Exams & Updated NIC Candidate Information Bulletin.

Holly made a motion to have Maureen and Tenalee look into the inconsistencies in the Candidate Information Bulletin. Maureen seconded the motion. All voting: Holly (y), Maureen (y), Eunice (y), and Becky (y). Motion carried.

26. Update Attorney General's letter pertaining to N.D.A.C. 32-03-01-10.

Maureen made a motion to have the Attorney update the letter. Holly seconded the motion. All voting: Holly (y), Maureen (y), Eunice (y), and Becky (y). Motion carried.

27. Sue Meier Retirement.

Discussion only.

28. Hiring of the Office Staff.

Maureen made a motion to recuse Holly from the discussion and voting. Becky seconded that motion. All voting: Holly (y), Maureen (y), Eunice (y), and Becky (y). Motion carried.

Maureen made a motion to hire an Executive Director. More discussion was had. Eunice seconded that motion. All voting: Maureen (y), Eunice (y), and Becky (y). Motion carried.

Maureen suggests paying \$32/hour with benefits, \$36/hour without benefits. Annique makes suggestions on wording and clarifications of hours and requirements. Eunice suggested posting minimum requirements and salary to be determined.

Becky made a motion to hire an outside source for the hiring process. No second. Motion fails.

Maureen made a motion to hire Holly as the Executive Director. Eunice seconded that motion. All voting: Maureen (y), Eunice (y), and Becky (n). Motion carried.

Eunice suggested \$32/hour with benefits. Becky brings further state benefits would be \$36,000. Maureen suggested 40 hours per week, full time.

Maureen made a motion to pay \$62,400 per year. Benefits pending. All voting: Maureen (y), Eunice (y), and Becky (n). Motion carried.

Maureen made a motion to provide benefits similar to what we were paying Sue. Eunice seconded the motion. All voting: Maureen (y), Eunice (y), and Becky (n). Motion carried.

Maureen made the motion to hire an outside source for the hiring process if Holly does not agree to the position and benefits. Becky seconded the motion. All voting: Maureen (y), Eunice (y), and Becky (y). Motion carried.

Holly was offered the position. She will get back to the board. The board will make this offer in writing.

29. New Business.

There was no new business.

30. Old Business.

- Julie Wagendorf with the ND Department of Health Division of Food and Lodging discussed the concern of Blushed Beauty Bar providing microchanneling services with Becky. Becky gave an update on the discussion and the technicians at Blushed and what services they are allowed to do.

31. Adjournment.

Maureen made a motion to adjourn the meeting. Holly seconded that motion. All voting: Maureen (y), Eunice (y), and Becky (y). Meeting adjourned at 2:56 p.m.

The next regular meeting is scheduled for December 12, 2022, at 9:30 am.

Minutes submitted by Maureen Wanner.