

IDAHO BOARD OF BARBER EXAMINERS
Bureau of Occupational Licenses
700 West State Street, P.O. Box 83720
Boise, ID 83720-0063

Board Meeting Minutes of 11/14/2011

BOARD MEMBERS PRESENT: Kevin J. Moriarty - Chair
Gussie O'Connor
Dennis G. Bostwick

BUREAU STAFF: Tana Cory, Bureau Chief
Dawn Hall, Administrative Support Manager
Lori Peel, Investigative Unit Manager
Maurie Ellsworth, Legal Counsel
Kim Aksamit, Technical Records Specialist I

OTHERS PRESENT: Brad Perkins, Boise Barber College,
Johnny Moore, Sam Bird, Jac Cramer,
and Debra Garcia

The meeting was called to order at 8:30 AM MST by Kevin Moriarty.

APPROVAL OF MINUTES

A motion was made by Ms. O'Connor to accept the minutes from March 14, 2011. Seconded by Mr. Bostwick, motion carried.

A motion was made by Mr. Bostwick to accept the minutes from July 11, 2011. Seconded by Ms. O'Connor, motion carried.

LEGISLATIVE REPORT

Ms. Cory said the Board has no law or rule changes that are pending this year.

FINANCIAL REPORT

Ms. Hall gave the financial report. This report is available on the website. As of 10/31/2011, the Board has \$12,913.82, in expenditures with a cash balance of \$41,371.64.

FY 2012 CONTRACT RENEWAL

Ms. Hall presented the FY 2012 Contract Renewal to the Board members.

A motion was made Mr. Bostwick to authorize the Board Chair to sign the FY 2012 Contract Renewal. Seconded by Ms. O'Connor, motion carried.

INVESTIGATIVE REPORT

Ms. Peel presented the investigative report.

FOR BOARD DETERMINATION

I-BAR-2010-19 A motion was made by Ms. O'Connor to accept the recommendation of the Bureau to authorize closure with a warning letter. Seconded by Mr. Bostwick, motion carried.

I-BAR-2012-4 A motion was made by Mr. Bostwick to accept the recommendation of the Bureau to authorize closure. Seconded by Ms. O'Connor, motion carried.

MEMORANDUM

Ms. Peel, presented a Memorandum.

BAR-2012-2 and BAR-2012-3- The Board gave IBOL guidance to move forward regarding appropriate sanctions for discipline.

COLLECTIONS

Ms. Peel discussed with the Board a request from the collection agency that handles past due disciplinary accounts. The collection agency asked if the Board would give the Bureau the authority to negotiate a settlement on any past due balances.

A motion was made by Ms. O'Connor to grant the Bureau the authority to allow the collection agency to negotiate settlement of a collections case to a minimum amount, and any potential settlement less than that amount of the original debt would be brought to the Board for review. Seconded by Mr. Bostwick, motion carried.

DISCIPLINARY ACTION

Lori Peel presented several Settlement Orders:

BAR-2012-1 A motion was made by Mr. Bostwick to accept the Settlement Order as signed and authorize Mr. Moriarty to sign on behalf of the Board. Seconded by Ms. O'Connor, motion carried.

BAR-2012-4 AND BAR-2012-5 A motion was made by Mr. Bostwick to accept the Settlement Orders as signed and authorize Mr. Moriarty to sign on behalf of the Board. Seconded by Ms. O'Connor, motion carried.

BAR-2012-6 AND BAR-2012-7 A motion was made by Mr. Bostwick to accept the Settlement Orders as signed and authorize Mr. Moriarty to sign on behalf of the Board. Seconded by Ms. O'Connor, motion carried.

BAR-2012-8 A motion was made by Mr. Bostwick to accept the Settlement Orders as signed and authorize Mr. Moriarty to sign on behalf of the Board. Seconded by Ms. O'Connor, motion carried.

Discussion was held on the Open Meeting Law and how public comments should be made in open meetings.

Mr. Ellsworth said that if an individual would like to address the Board during a meeting, then that individual should request to be put on the agenda. Mr. Ellsworth said it is not a normal procedure to take comments from the members of the public regarding the business that is being discussed by the Board during the meeting.

Mr. Perkins addressed with the Board on how members of the public are able to speak with the Board. Mr. Bostwick informed Mr. Perkins that they can speak to a Board member individually, but not as a quorum outside of an open meeting.

Ms. Cory informed Mr. Perkins that if he has information for the Board it would be best to contact the Bureau and have the information sent to the Board members by the Bureau. Ms. Cory also clarified that the Board is here to protect the public and they serve the public and if someone wants to talk to the Board they need to notify the Bureau and be put on the agenda.

OLD BUSINESS

Discussion was held regarding continuing education for instructors and the Board decided to leave it as is per Rule 200 (03).

NEW BUSINESS

NATIONAL ASSOCIATION OF BARBER BOARDS OF AMERICA

A motion was made by Ms. O'Connor to approve the 2012 membership dues for the National Association for Barber Boards. Seconded by Mr. Bostwick, motion carried.

A motion was made by Ms. O'Connor approve the payment of the rental car that was used at the NABBA meeting in North Myrtle Beach South Carolina. Seconded by Mr. Bostwick, motion carried.

EXECUTIVE SESSION

A motion was made by Mr. Bostwick to go into executive session per Idaho Code 67-2345 (1) (d), to consider records that are exempt from disclosure under the Idaho Public Records Law. The purpose of the Executive Session was to consider license application materials. Seconded by Ms. O'Connor, motion carried. Individual vote was: Mr. Bostwick, aye; Ms. O'Connor, aye; and Mr. Moriarty, aye.

A motion was made by Mr. Bostwick to come out of executive session. Seconded by Ms. O'Connor, motion carried. Individual vote was: Mr. Bostwick, aye; Ms. O'Connor, aye; and Mr. Moriarty, aye.

NEW BUSINESS

APPLICATIONS

A motion was made by Mr. Bostwick to accept the application for Kathy Miles and issue her a license once she has passed the examination. Seconded by Ms. O'Connor, motion carried.

A motion was made by Ms. O'Connor to accept the application for Johnny Moore and issue him a barber license. Seconded by Mr. Bostwick, motion carried.

NEXT MEETING

The Board scheduled its next meeting for March 12, 2012 at 8:30 AM MDT at the Bureau of Occupational Licenses.

ADJOURNMENT

A motion was made by Ms. O'Connor to adjourn the meeting at 10:18 AM MST. Seconded by Mr. Bostwick, motion carried. Individual vote was: Mr. Bostwick, aye; Mr. Moriarty, aye; and Ms. O'Connor, aye.

Kevin J. Moriarty, Chair

Gussie O'Connor

Dennis G. Bostwick

Tana Cory, Bureau Chief