



NORTH CAROLINA BOARD OF ELECTROLYSIS EXAMINERS

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Semi-Annual Regular Meeting Minutes July 30, 2017 8:00 p.m. via teleconference

Board: Cheryl Delaney, Acting Chairman, Dr. Munavalli, Treasurer, members Ronda Jones, Jennifer Morris, Lydia Monks, Public Member. Susan Magas, Adm. Assistant.

Public Participation: Alice Saintsing, Dorenda Stilwell, Patty Lilly, Tracey Jonas, Kathy McHale, EANC President, Myrtle Hamrick Margaret Wingate, Dennis Seavers, Executive Director NC Barber Board Examiners, others not identified.,

Ethics and Conflict of Interest: No Conflict. Ronda Jones agreed to serve as.

Parliamentarian: Ronda Jones

Elections: Board counsel has advised that election of officers must be conducted at this meeting, even though three members have either resigned (Delaney, Monks) or will be rotating off (Munavalli). Morris was recently re-appointed to the Board, and Jones is in her second term. The Boards and Commissions Office has advised that the governor's new appointments will not be completed by July 31. Board members are obliged by § G.S. 88-A (c) to serve until their successor is appointed. On a motion by Jones, seconded by Munavalli, Delaney was nominated and unanimously elected as Chairman. She agreed to serve. On a motion by Jones, seconded by Delaney, Munavalli was nominated and elected as Vice-chair (Ayes = 2, Nays = 1). He agreed to serve. On a motion by Jones, seconded by Monks, Morris was nominated and elected as Treasurer. She agreed to serve, but indicated she would need guidance. Her schedule does not allow her to be able to go to Raleigh to obtain the training from state personnel. Susan advised that the bulk of the state training is devoted to input of documents directly into state systems. OSC took back this task in years past when NCBEE had to operate without a Treasurer, because no one would serve. The Treasurer's duty at this point is to:

1. enter data on deposits and expenses into an Excel,
2. certify at the end of each month, and
3. prepare various reports required by the state

Magas has continued to do the preparation of deposit and expenditure documents and transmit them to OSC for data entry.

Treasurer's Report: All Board members received the transmitted reports compiled by OSC. There were no questions. The Annual Self-Assessment Report on internal control is due July 31 and is being handled. The year-end spreadsheet preparation is pending.

Approval of Minutes: On a motion made by Jones and seconded by Morris, the minutes for the following meetings were approved as emailed:

<u>2016</u>	<u>2017</u>
March 20	January 22
July 24	March 9
August 4	March 28
October 13	April 27
November 27	May 23

April 24, 2017 pending – Morris did not have table to read.

Old Business:

EANC Inquiry – The Board revisited a request made by EANC, 2016 to verify aspects of the April 2016 GPEA seminar, for which CEU credits were approved and granted to participants.

- Issue: The presentation made by Pearl Warner, AEA President.
- Background: Board initially approved a topic of Sterilization Techniques
 - presented by the President Warner.

Reasoning: EANC challenged Ms. Warner's credentials for presenting continuing education on the topic requested for approval. As a result, EANC was advised by some members of AEA's Executive Council, as well as the AEA legal counsel, that Ms. Warner actually spoke on another topic at GPEA's seminar, which is in violation of 21NCAC 702 (f)

The request to NCBEE last year asked the following question:

Was NCBEE notified of the change in subject matter (as required by 21NCAC19.702)?

The Board had not acted upon this request and discussed it briefly at today's meeting. It would not be desirous to renege on approved CEUs over a year after the session. One option for the Board to consider is making a change to repeal the Rule that *automatically* grants CEUs that are sponsored or approved by a national electrolysis organization. This would require greater scrutiny by the Board for courses submitted by local associations, even though they are sanctioned by a national organization. No further discussion at this time, as it will likely be considered when Rules are next amended.

Merger with the Board of NC Barber Board Examiners – Delaney asked Magas to recap the history of our discussions about merger with another board, and in particular, the Barber Board. Magas provided the following summary of events:

- In October 2016, the EANC had a meeting with Senator Andy Wells, Co-Chair of APO, to gain support for maintaining licensure and consolidating NCBEE with another board.

- In a then unrelated action, House Bill # 493 to merge the Board of Cosmetic Arts and the Board of Barber Examiners was proposed.
- Upon Senator Wells' request, the Barber Board contacted NCBEE to discuss the possibility of a merger.
- On the advice of NCBEE counsel, Delaney and Magas had a telephone conference with Dennis Seavers, Executive Director to the NC Barber Board Examiners (Barber Board), to discuss a possible merger. Results: The Barber Board is willing to absorb the NCBEE with licensure intact so long as the NCBEE and its practitioners are in support of the move.
- NCBEE conducted a poll of its licensees to determine interest in and support for a merger with the Barber Board. 79% of respondents favored the merger.
- At a called board meeting in May 2017, a practitioner, (*name withheld*) asked if a committee could be formed to solicit other boards for merging with NCBEE. This practitioner volunteered to head up such a committee and was advised by Delaney that NCBEE would consider any new information or recommendations brought to it regarding a merger.
- Meanwhile, HB 493 originally proposed to merge the Cosmetic Arts and *Barber* boards was redrafted by the House to merge Cosmetic Arts and *NCBEE*. This action was taken without the knowledge or support of either of these boards, yet congressional committee representatives were led to believe by two NCBEE practitioners, (*names withheld*) that all affected boards were in favor of a Cosmetic Arts/NCBEE consolidation.
- Delaney was urged by one practitioner, (*name withheld*) to call an immediate meeting to vote on this new proposal since, she stated, "*the Barber Board was no longer interested in a merger with NCBEE*".
- A call was received from the Executive Director of Cosmetic Arts advising NCBEE of the adamant calls she had received from two NCBEE practitioners urging that board to approve the proposed merger with NCBEE. She advised them that her board was not aware of the substitution of NCBEE for the Barber Board of HB 493. They had not been approached by anyone in advance or the redraft of the bill. The Cosmetic Arts board is not in favor this merger.
- The Cosmetic Arts Executive Director made personal contacts with four members of the House committee sponsoring HB493 and advised them neither her board nor NCBEE had requested or supported the legislation. The bill was pulled from the calendar by a committee member and is currently residing in the House Rules committee.

Delaney called upon Dennis Seavers, Executive Director of the Barber Board for comments. He assured the board that the Barber Board was willing to absorb NCBEE provided there was support for the move. There is no intent for a hostile takeover. He continues to say, this can be accomplished fairly easily by the projected date of July 1, 2018, provided the Legislature moves on it during the short session. A practitioner asked how the new merged board would be structured. Mr. Seavers said one combined board would be established to manage licensees from both former organizations. Board makeup would include one or two public members and representatives chosen from both barbers and electrologists. Delaney asked if there were practitioners desiring to speak who may have originally voted in favor of the Barber Board merger, but then changed their mind. There were no comments.

At the conclusion of the discussion, Delaney asked the Board to recess at 9:05 p.m. and go into Executive Session. On a motion by Jones, seconded by Munavalli, all callers disconnected from

the regular meeting and the Board conducted an Executive Session. The regular meeting reconvened in approximately 20 minutes at 9:25 p.m.

When the regular meeting was reconvened, Delaney thanked Munavalli and Monks for their willingness to serve despite their resignations and end of terms. There being no further business, Jones moved and Morris seconded a motion to adjourn at 9:28 p.m.

Respectfully submitted,

Cheryl Delaney, LE

Cheryl Delaney, LE
Acting Chairman

Approved 08.20.17

EXECUTIVE SESSION MEETING MINUTES
July 20, 2017 – 9:05 p.m.

Delaney stated the purpose of the Executive Session was to discuss freely the actions of three practitioners, Dana Combopiano, President of GPEA, Dorenda Stilwell, V. Chairman, GPE and Alice Saintsing, Member, GPEA regarding the proposed merger of NCBEE with the Cosmetic Arts Board.

Stilwell and Combopiano are the two practitioners who have had contact with the Executive Director at Cosmetic Arts. Stilwell identified herself to the North Carolina State Board of Cosmetic Arts Examiners (NCSBCAE) Executive Director (ED) as the incoming NCBEE appointee. Combopiano, contacted the ED on multiple occasions to attempt to garner support for the NCSBCAE/NCBEE proposed merger, *despite her own favorable vote in favor of the NCBEE/Barber Board merger in NCBEE's practitioner poll*. In fact, all three voted in favor of the Barber Board/NCBEE merger when polled by NCBEE. Stilwell had one or more meetings with the House sponsors of the redrafted HB493 NCSBCAE/NCBEE merger. One, or all of these practitioners represented to the congressional members that NCBEE and NCSBCAE were in favor of the merger. This support, purportedly on behalf of both boards involved, was the motivation for the House representative to sponsor the bill. Saintsing stated that the Barber Board was no longer supporting a merger with NCBEE. NCBEE counsel, Ann Brown, has advised that practitioners have a constitutional right as citizens of NC to lobby their representatives; however, this should not extend to making unauthorized representations on behalf of NCBEE.

Jones indicated some punitive action against licensee(s) is in order. This is an habitual issue with Stilwell. She referred to Stilwell's lobbying Rep. Rayne Brown while she was a sitting board member, which is prohibited under Ethics Rules. Munavalli said these actions constitute a misrepresentation of the Board.

Due to the lateness of the hour and expiration of the previously announced Executive Session timeframe, Jones moved and Morris seconded a motion to end the Executive session and return to the regular session. The Executive Session was adjourned at 9:05 p.m.