



RICK SNYDER  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS  
LANSING

SHELLY EDGERTON  
DIRECTOR

## MICHIGAN BOARD OF BARBER EXAMINERS November 14, 2016 MEETING

### APPROVED MINUTES

In accordance with the Open Meetings Act, 1976 PA 267, as amended, the Michigan Board of Barber Examiners met on November 14, 2016, at the Ottawa Building, Conference Room 4, 611 West Ottawa Street, Lansing, Michigan 48933.

#### CALL TO ORDER

Robert Morey, Chairperson, called the meeting to order at 10:01 AM.

#### ROLL CALL

**Members Present:** Robert Morey, Chair, Professional Member  
Eric Dimoff, Public Member  
Marlene Grover, Professional Member  
Perry Vitto, Professional Member  
Jordan Dutcher, Professional Member  
Micaela Reardon, Public Member

**Members Absent:** Kelly Mitchell, Public Member  
Philip Smith, Professional Member

**Staff:** Andrew Brisbo, Director, Licensing Division  
Cheryl Wykoff Pezon, Manager, Boards and Committees Section  
Brian Hoot, Board Support, Boards and Committees Section  
LeAnn Payne, Board Support, Boards and Committees Section  
Ron Hitzler, Board Analyst, Boards and Committees Section  
Laury Brown, Analyst, Compliance Section

#### APPROVAL OF AGENDA

MOTION by Dutcher, seconded by Dimoff, to approve the agenda with the following changes: moving item 7(C), Department Updates, before Approval of Minutes from the previous meeting and adding Discussion of Rule #33 to Public Comments

A voice vote was taken.

MOTION PREVAILED

## **DEPARTMENT UPDATE**

Andrew Brisbo, Director of Licensing, addressed the Board regarding the Department's pre-licensure inspections for new barbershops and the enforcement for violations of the code for operating a barbershop without a license.

## **APPROVAL OF MINUTES**

MOTION by Vitto, seconded by Dimoff, to approve the minutes from June 6, 2016 as presented.

A voice vote was taken.

MOTION PREVAILED

## **OLD BUSINESS**

None.

## **REGULATORY CONSIDERATIONS**

### **Hearing Reports**

#### **Michael Yosue Rodriguez**

MOTION by Vitto, seconded by Dimoff, to dissolve the order of Summary Suspension and fine Respondent \$5,000.00 payable within 60 days. Respondent's license is revoked for not less than two years. Respondent will also be placed on probation for not less than 2 years.

Discussion was held.

A roll call vote was taken: Yeas – Dimoff, Dutcher, Grover, Reardon, Vitto, Morey  
Nays – None  
Abstain - None

MOTION PREVAILED

#### **Alberto Alejandro Vazquez**

MOTION by Dutcher, seconded by Vitto, to dissolve the order of Summary Suspension and fine Respondent \$5,000.00 payable within 60 days. Respondent's license is revoked for not less than two years. Respondent will also be placed on probation for not less than 2 years.

A roll call vote was taken: Yeas - Dimoff, Dutcher, Grover, Reardon, Vitto, Morey  
Nays – None  
Abstain - None

MOTION PREVAILED

## **Stipulations**

### **Golden Scissors**

MOTION by Dutcher, seconded by Reardon, to reject the Consent Order and Stipulation with a counter offer. The terms of the counter offer are: Fine Respondent \$1500, and must have a State Inspection within 6 months. All other language, terms and conditions remain the same.

Discussion was held.

A roll call vote was taken: Yeas – Dimoff, Dutcher, Grover, Reardon, Vitto, Morey  
Nays – None  
Abstain - None

MOTION PREVAILED

PLEASE NOTE: It was determined after the meeting adjourned that the Occupational Code does not allow the Board to propose a counter offer to a Consent Order and Stipulation. The matter will be scheduled for a hearing.

## **NEW BUSINESS**

### **Elections**

Hitzler ran the election for Chairperson.

MOTION by Grover, seconded by Dutcher, to re-elect Robert Morey as Chairperson.

A voice vote was taken.

MOTION PREVAILED

Morey ran the election for Vice Chairperson.

MOTION by Grover, seconded by Dutcher, to elect Eric Dimoff as Vice Chairperson.

A voice vote was taken.

MOTION PREVAILED

## **Committee Assignments**

Morey will appointment three members for a Rules Committee via email.

## **PUBLIC COMMENT**

Morey provided a handout (see Addendum 1) regarding Rule 33(2), and its interpretation by inspectors, with regard to proper storage of equipment not in use. Hitzler will follow up with inspectors and provide an update on the matter at the next Board meeting.

## **ANNOUNCEMENTS**

The next regularly scheduled meeting will be held January 30, 2017 at 10:00 a.m. at the Ottawa Building, 611 West Ottawa Street, Upper Level Conference Center, Conference Room 4, Lansing, Michigan.

## **ADJOURNMENT**

MOTION by Vitto, seconded by Reardon, to adjourn the meeting at 10:57 a.m.

A voice vote was taken.

MOTION PREVAILED

\*Minutes approved by the Board on May 22, 2017.

Prepared by:  
Brian Hoot, Board Support

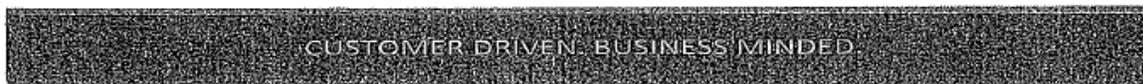
Date: November 14, 2016

Addendum 1



BARBER SHOP

Personnel performing or attempting to perform services are currently licensed.	§601(1)/1104(1)
All licenses are properly displayed in a prominent place visible to the public.	§1111(4)
A barber shop shall be completely portioned from a dwelling and shall not be occupied for lodging or residential purposes.	§1111(2)
Operating in an unsanitary manner; failure to abide by sanitation standards set forth in rules authorized under this article.	§1118(c)
Willfully violating the health and safety rules of any political subdivision.	§1118(d)
*Hiring or permitting an unlicensed person or student to work in a barbershop as a barber or permitting an unlicensed person or student to attend barber college as a student.	§1118(h)
Operating as a barber from premises not licensed under this article, except as otherwise provided in this article.	§1118(i)
All premises used by the Licensee shall be maintained in a clean, safe, and sanitary condition. The premises shall be free from all of the following (a) Dust, (b) Mold, (c) Mildew, (d) Insects, (e) Rodents, (f) Vermin (g) and other sources of contamination or potential causes of health or safety hazards or nuisances.	R 31(1)(a-g)
Floors, walls, ceilings, fixtures and furnishings shall be kept clean. Open windows and doors shall be screened to prevent the entry of insects.	R 31(2)
Waste containers shall be cleaned and disinfected at least once every 24 hours and shall be large enough to contain 1 day's accumulation of waste.	R 31(2)
Equipment and supplies shall be stored separately from storage for any other purpose.	R 31(3)
Soiled, used towels or rubbish shall not be allowed to accumulate on the premises or in adjacent areas. Used towel and rubbish storage shall not be adjacent to storage for clean supplies. Covered containers or cabinets shall be provided for supplies which are not wrapped for sanitation.	R 31(3)
Toilet facilities shall be furnished on the premises unless public toilet facilities are reasonably available.	R 31(4)
Licensed premises shall have stationary washbasins located within the licensed premises. Each basin shall be connected to a pressurized water system with hot and cold running water and with adequate drainage and disposal of waste. In disposal system or septic tank.	R 31(5)
Before being used on a patron, tools and equipment shall be wiped clean and sanitized using ultraviolet light from a germicidal lamp. (b) Thoroughly washing the equipment in a detergent solution and placing the rinsed equipment in a container holding a chemical sanitizing agent. (c) Sharp edged tools shall be wiped with a 70% alcohol solution.	R 33(1)(a-c)
When not in use equipment shall be stored in drawers or covered containers.	R 33(2)
The reuse of un-sanitized finger bowls, common powder puffs, common sponges, and paper and cotton items is prohibited, such items shall be sanitized before use or shall be discarded.	R 33(4)
Small items of equipment, including combs, brushes, rollers, clips, pins, head coverings, caps, permanent waving rods, protectors, and supplies shall be maintained in a sanitary condition and shall be stored in covered containers.	R 33(5)
The use or storage on license premises of styptic pencils, lump aluminum, or drops, washes, and treatment of the eyes is prohibited; Only powdered or liquid astringent applied on a clean towel, cotton or gauze may be used to stop bleeding.	R 35(1); (2)



ADMINISTRATIVE RULES, Board of Barber Examiners

PART 3. SANITATION

**R 339.6031 Premises.**

Rule 31. (1) All premises used by a licensee shall be maintained in a clean, safe, and sanitary condition. The premises shall be free from all of the following:

- (a) Dust.
- (b) Mold.
- (c) Mildew.
- (d) Insects.
- (e) Rodents.
- (f) Vermin.
- (g) Other sources of contamination or potential causes of health or safety hazards or nuisances.

(2) Floors, walls, ceilings, fixtures, and furnishings shall be kept clean. Open windows and doors shall be screened to prevent the entry of insects. Waste containers shall be cleaned and disinfected at least once every 24 hours and shall be large enough to contain 1 day's accumulation of waste.

(3) Equipment and supplies for barbering use shall be stored separately from storage for any other purpose. Soiled or used towels or rubbish shall not be allowed to accumulate on the premises or in adjacent areas. Used towel and rubbish storage shall not be adjacent to storage for clean supplies. Covered containers or cabinets shall be provided for supplies which are not wrapped for sanitation.

(4) Toilet facilities shall be furnished on the premises unless public toilet facilities are reasonably available.

(5) Licensed premises shall have stationary washbasins located within the licensed premises. Each basin shall be connected to a pressurized water system with hot and cold running water and with adequate provision for drainage and disposal of waste into a public disposal system or septic tank. Covered containers or cabinets shall be provided for supplies which are not wrapped for sanitation.

(6) Licensed premises shall be in compliance with all regulations of the political subdivision in which they are located and with state and federal building codes, health regulations, and fire safety regulations.

History: 1991 AACS, Eff. Mar. 15, 1991.

**R 339.6033 Tools and equipment.**

Rule 33. (1) Before being used on a patron, tools and equipment used for barbering shall be wiped clean and sanitized using 1 of the following methods:

(a) Exposure to ultraviolet light at a distance of not more than 8 inches for not less than 2 minutes from a germicidal lamp which is satisfactory to the department of public health and which has a strength of not less than 15 watts. Tools sanitized in this manner shall be kept mechanically clean.

(b) Thoroughly washing the equipment in a detergent solution and placing the rinsed equipment in a container holding a chemical sanitizing agent. Chemical sanitizing agents acceptable for such uses are those registered for use in interstate commerce by the United States department of agriculture.

(c) Sharp-edged tools shall be wiped with a 70% alcohol solution.

(2) When not in use, equipment shall be stored in drawers or covered containers.