



State of New Hampshire
OFFICE OF PROFESSIONAL LICENSURE AND CERTIFICATION
DIVISION OF LICENSING AND BOARD ADMINISTRATION
Board of Barbering, Cosmetology and Esthetics
7 Eagle Square, Concord, NH 03301-2412
Phone: 603-271-2152

PUBLIC MINUTES
Tuesday, January 17, 2023

The January 17, 2023, Board meeting was called to order at 9:04 a.m. at 7 Eagle Square, Concord, NH with the following members present:

Jeanne Chappell, Chair, School Owner Member
Joshua Craggy, Barber Member
Kimberly Hannon, Vice Chair, Cosmetologist Member - **Absent**
Sarah Partridge, Public Member
Anne Dalton, Manicure Member
Donna Woodsom, Esthetic Member
Talia Wilson, Board Administrator
Tracey Pappas, Board Administrator
Charlene Anstead, Board Administrator
Lauren Warner, Board Counsel

The below times are notated for breaks taken by the Board

11:18am – Returned at 11:26am

11:49am – Returned at 11:55am

HEARINGS

Daisy Nails - Adjudicatory -Translator provided by OPLC appeared to assist respondent

Hearings Officer: Nikolas Frye

Hearing Counsel: Collin Phillips

Witnesse(s): Sandra Hodgdon

Respondant: Chau N. Nguyen, & Kristina Tran

Hearing commenced at 9:06am. Attorney Collin Phillips called Inspector Sandra Hodgdon as a witness who gave testimony regarding an inspection that took place on April 25, 2022, where violations were found. Respondents Chau N. Nguyen, and Kristina Tran gave testimony with assistance of a translator explaining the shop had made improvements since the inspection which included better sanitation practices and they have obtained the required MSDS sheets. Hearing closed at 10:15am. After reviewing all the documentary evidence, in non-public session, drawing all reasonable inferences therefrom, and taking into account the presentation and demeanor of all the witnesses, the



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Board finds that Hearing Counsel has met his burden of proof that the Licensee has committed professional misconduct and voted to impose discipline as contained in the order published on the Board's website.

The Laundry Spa - Adjudicatory

Hearings Officer: Nikolas Frye

Hearing Counsel: Marissa Schuetz

Witnesse(s): Sandra Hodgdon

Respondant: Heidi North, & Jeffrey North

Hearing commenced at 10:18am. Attorney Marissa Schuetz called Inspector Sandra Hodgdon as a witness who gave testimony regarding an inspection that took place on March 1, 2022, where violations were found. Respondents Heidi North, & Jeffrey North gave testimony explaining that there was confusion the day of the inspection and the required forms that were indicated as missing on the inspection report were at the shop. Hearing closed at 11:18am. After reviewing all the documentary evidence, in non-public session, drawing all reasonable inferences therefrom, and taking into account the presentation and demeanor of all the witnesses, the Board finds that Hearing Counsel has met her burden of proof that the Licensee has committed professional misconduct and voted to impose discipline as contained in the order published on the Board's website.

Isis Colindres - Application Show Cause

Hearings Officer: Nikolas Frye

Respondant: Isis Colindres

Hearing commenced at 11:27am. Hearings Officer Nikolas Frye explained to Ms. Colindres that this was not a disciplinary proceeding, but a opportunity for her to explain to the Board why she is qualified to be licensed. She explained to the Board that she received her education in Honduras and then took a manicuring course in Massachusstts at the Lawrence Technical School when arriving to the US. Hearing closed at 11:41am. After reviewing all the documentary evidence, in non-public session, drawing all reasonable inferences therefrom, and taking into account the presentation and demeanor of all the witnesses, the Board finds that Ms. Colindres has met her burden of proof that she qualifies for licensure.



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Zapata Barber Shop - Adjudicatory

Hearings Officer: Nikolas Frye

Hearing Counsel: Marissa Schuetz

Witnesse(s): Sandra Hodgdon

Respondant: Francis Zapata

Hearing commenced at 11:42am. Hearings Officer Nikolas Frye asked Mr. Zapata if he had a chance to review the submitted exhibits from Hearing Counsel. Mr. Zapata said that he had not received a copy of the exhibits prior to the hearing. At 11:49am the Board went into a non-meeting to confer with Board Counsel on how they should proceed. The hearing resumed at 11:55am. Hearings Officer Frye asked Mr. Zapata if he felt comfortable still proceeding with the Hearing today, or would he like to reschedule. Mr. Zapata said he would like to continue. Hearings Officer Frye allowed 10 minutes for Mr. Zapata to review the exhibits before continuing. Attorney Marissa Schuetz called Inspector Sandra Hodgdon as a witness who gave testimony regarding an inspection that took place on April 7, 2022, where violations were found. Mr. Zapata gave testimony explaining that since the inspection he had made improvements to sanitation practices which included spacing out appointments to allow staff to clean inbetween clients and staff are required to take photos of their stations before leaving for the day. Hearing closed at 12:47am. After reviewing all the documentary evidence, in non-public session, drawing all reasonable inferences therefrom, and taking into account the presentation and demeanor of all the witnesses, the Board finds that Hearing Counsel has met her burden of proof that the Licensee has committed professional misconduct and voted to impose discipline as contained in the order published on the Board's website.

Industry Hair Lounge - Adjudicatory

Hearing Continued

The Board was notified that the scheduled hearing for Industry Hair Lounge was continued pending Board approval of a proposed settlement agreement submitted by Hearing Counsel. The Board review the settlement agreement in non-public session and then voted to accept the agreement as submitted.



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Motion to commence non-public session: 12:50pm

On the motion of Joshua Craggy, seconded by Sarah Partridge the Board voted to conduct a non-public session for the purpose of discussing investigations of alleged licensee misconduct and noting that such a non-public session is authorized by RSA 91-A: 3, II (c), RSA 91-A: 3, II (e), RSA 91-A: 5, IV, *Lodge v. Knowlton*, 119 N.H. 574 (1978), and the Board's executive and deliberative privileges. Each member recorded his or her vote on the motion, which passed by the unanimous vote of all members present. The Board returned to public session at 1:01 pm. on the motion of Sarah Partridge and second by Donna Woodsom.

Motion to keep minutes of non-public session confidential:

Upon the motion of Sarah Partridge, seconded by Joshua Craggy, the Board voted to withhold and seal all the minutes of the preceding non-public session from public disclosure pursuant to RSA 91-A:3, III on the grounds that public disclosure would be likely to affect adversely the reputation of a person other than a Board member and to render the proposed action ineffective. Each member recorded his or her vote on the motion, which passed by the unanimous vote of all members present.

Adjournment

Sarah Partridge made a motion to adjourn at 3:57 pm. Joshua Craggy seconded; motion passes with a roll call vote.