

The Oklahoma State Board of Cosmetology met at 10:00 a.m. on Monday, November 10, 2014 at 2401 NW 23rd Street, Suite 84, Testing Center, Oklahoma City, OK 73107. The following persons were present:

BOARD MEMBERS

Ken Young, Board Chair
Max Thomas, Vice Chair
LaFaye Austin
Anthony Baldini
Rick Bennett
Bill Helton
Pamela Martin

BOARD'S LEGAL ADVISOR

Kim Heaton, Assistant Attorney General

BOARD STAFF

Sherry G. Lewelling, Executive Director
Jennifer McRee, Principal Assistant
Deloris Merriman
Donnie Allen
Elaine Klemme
Vicki Middleton
Jennifer Briggs

VISITORS

Zak Madison
Terri Johnson
Alan Anderson
Bruce Wait
Rosemary Greenlee
Linda Wiist
Carolyn Webster
Miranda Augusta
LJ Hill
Matthew Lafon

CALL TO ORDER

Chair Young called the meeting to order and confirmed with Ms. McRee that the agenda had been posted and agenda-ized.

ROLL CALL

Quorum was established with roll call. The following persons answered roll call: Young, Thomas, Austin, Baldini, Bennett, Helton and Martin. The following persons were not present: Fisher, Graham, Payne and Webb. (Payne was present prior to the meeting but was called away for an emergency).

PUBLIC COMMENT – OPPORTUNITY FOR THE BOARD TO RECEIVE PUBLIC COMMENT EACH SPEAKER IS LIMITED TO THREE MINUTES. COMMENTS MUST BE RELATED TO ITEMS ON THE AGENDA.

Bruce Waint invited members to follow him on his blog. He said he was curious about what was happening with the mobile salons. Chair young stated the Board would be getting to that later in the meeting in the proposed rules.

COMMENTS FROM INSPECTOR COMMENTS MUST BE RELATED TO ITEMS ON THE AGENDA

No comments were heard.

DISCUSSION AND BOARD ACTION TO APPROVE OR DISAPPROVE FINANCIAL REPORT (JULY 1, 2014 to OCTOBER 31, 2014) – LATISHA EDWARDS, OMES – AGENCY BUSINESS SERVICES.

Ms. Edwards presented the financial report to the Board.

A motion was made by Ms. Austin and seconded by Mr. Helton to approve the financial report from July 1, 2014 to October 31, 2014 as presented.

VOTING: Thomas, yes; Austin, yes; Baldini, yes; Bennett, yes; Helton, yes; Martin, yes.

Motion passed.

Ms. Edwards introduced Ms. Betty Johnson from Agency Business Services who would be making future presentations to the Board.

DISCUSSION AND BOARD ACTION TO APPROVE OR DISAPPROVE BOARD MEETING MINUTES OF SEPTEMBER 8, 2014

Mr. Helton made a motion seconded by Mr. Thomas to approve the Board meeting minutes of September 8, 2014.

VOTING: Thomas, yes; Austin, yes; Baldini, yes; Bennett, yes; Helton, yes; Martin, yes.

Motion passed.

DIRECTOR'S REPORT – SHERRY G. LEWELLING, EXECUTIVE DIRECTOR

- a) Mock Barber practical exam
- b) Rules/law written exam for reciprocity and demonstrator applicants
- c) Cosmetology/Barber Inspector vacancy

Ms. Lewelling provided a written report to the Board.

BARBER EXAM COMMITTEE REPORT – ANTHONY BALDINI, Chair

Report from October 6, 2014 meeting

Mr. Baldini reported that the committee met on October 6, 2014 with several schools for a mock Barber practical examination. He stated that everyone's input was taken into consideration and everything went extremely well. He stated that the committee is ready to move forward and go ahead even more with the Barber practical examination.

RULES COMMITTEE REPORT – PAM MARTIN, CHAIR

REPORT FROM OCTOBER 13, 2014

Ms. Martin reported that the committee met and had a very productive meeting and is prepared to present the Board with a draft of their proposed rules.

DISCUSSION AND BOARD ACTION TO APPROVE OR DISAPPROVE RULES COMMITTEE PROPOSED RULES, SUBMIT TO GOVERNOR AND INITIATE RULEMAKING ACTION.

Ms. McRee stated that she received a call from Peggy Coe, Director of the Office of Administrative Rules, less than an hour before the Board meeting and was informed that there was conflicting language in the bill that combined the Barber Board with the Cosmetology Board. She said that procedurally a filing could have been done to eliminate the Barber rules under Title 310 after the permanent rules that combined the Barber rules became effective November 1st, 2014. She stated that now the Board needs to consider emergency rules to add them in a new Chapter 15 and then repeal them or, but, more ideally, add this to the permanent draft now and repeal the Chapter 15. She stated that Ms. Poe recommended that the Board consider action at this meeting and explained that it could be done through the permanent rule making process. She stated that she and Ms. Heaton had a few minutes to discuss this before the meeting.

Ms. Heaton suggested that the Board follow the advice of Ms. Peggy Coe from the Office of Administrative Rules.

Mr. Helton made a motion seconded by Ms. Martin to accept the draft of rules from the Rules Committee and initiate the Rulemaking process and include Barber rules in Chapter 15 and repeal them.

VOTING: Thomas, yes; Austin, yes; Baldini, yes; Bennett, yes; Helton, yes; Martin, yes.

Motion passed.

TESTING COMMITTEE REPORT – BILL HELTON, CHAIR

HAIRBRAIDING TEST UPDATES

Mr. Helton stated that there was still committee work needed on the Hairbraiding exam and the committee was meeting after the Board meeting to discuss that as well as reviewing Ms. Lewelling's sanitation and safety test for Demonstrators and Reciprocity applicants as well as starting the review process for the cosmetology practical exam.

BARBER BOARD CONVENTION REPORTS – RICK BENNETT AND KEN YOUNG

Mr. Bennett and Chair Young gave the Board reports regarding their experiences at the Barber Board convention.

MIRANDA AUGUST, CREATIVE DIRECTOR, ECHELON INC TO ADDRESS BOARD RE: CONTINUING EDUCATION

Ms. Augusta provided the Board with a packet of information regarding a study on the importance of continuing education for cosmetologists focusing on safety.

Board discussion began.

Through discussion it was stated that the Board does not currently require continuing education for licensees but Chair Young stated that the Board would take the information she provided under consideration for future study and consideration.

PERFORMANCE APPRAISAL COMMITTEE REPORT, JANET DALE WEBB, COMMITTEE CHAIR

Ms. Webb was unable to attend the meeting. Mr. Helton provided the report and stated that the committee did conduct the annual review and confirmed that Ms. Lewelling did receive an Exceeds Standards evaluation.

PERFORMANCE EVALUATION AND DISCUSSION AND BOARD ACTION TO APPROVE OR DISAPPROVE SLARY INCREASE OF EXECUTIVE DIRECTOR, SHERRY G. LEWELLING.

PROPOSED EXECUTIVE SESSION FOR DISCUSSION OF THE ABOVE PURSUANT TO 25 O.S. SECTION 307(B)(1)

A motion was made by Mr. Helton and seconded by Ms. Martin to adjourn regular session and go into Executive Session to discuss this agenda item.

VOTING: Thomas, yes; Austin, yes; Baldini, yes; Bennett, yes; Helton, yes; Martin, yes.

Motion passed.

The Board convened in Executive Session.

A motion was made by Mr. Helton and seconded by Mr. Thomas to adjourn Executive Session and return to regular session.

VOTING: Thomas, yes; Austin, yes; Baldini, yes; Bennett, yes; Helton, yes; Martin, yes.
Motion passed.

A motion was made by Mr. Thomas seconded by Mr. Baldini to table this agenda item to the next meeting and request the Budget committee meet prior to the next Board meeting to review the possibilities.

VOTING: Thomas, yes; Austin, yes; Baldini, yes; Bennett, yes; Helton, yes; Martin, yes.
Motion passed.

NEW BUSINESS WHICH COULD NOT HAVE BEEN REASONABLY FORSEEN PRIOR TO POSITNG OF MEETING AGENDA 25 O.S. § (A)(9)

No new business was heard.

BOARD ADJOURNMENT

Chair Young declared the meeting to be adjourned.

Ken Young, Chair

Max Thomas, Vice Chair

LaFaye Austin

Anthony Baldini

Rick Bennett

Bill Helton

Pamela Martin