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Governor

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## STATE OF OKLAHOMA



### BOARD OF COSMETOLOGY AND BARBERING

#### MEMEBERS

Leah Longest, Chair  
Heather Sinclair, Vice-chair  
Machele Calliccoat  
Kyle Jarnagin  
Ericka Jackson  
Christie Luther  
Annie Jo Gilbert  
Krissy Miller  
Joel Rogers  
Carla Dame  
Carla Wilkins

#### MINUTES OF THE MEETING November 4, 2024

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#### CALL TO ORDER

Chair Leah Longest called the meeting of the State Board of Cosmetology and Barbering to order at 10:00 a.m. on Thursday, November 4, 2024. The meeting was held at the State Cosmetology Board Office.

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#### BOARD MEMBERS PRESENT

- Leah Longest
- Heather Sinclair
- Machele Calliccoat
- Kyle Jarnagin
- Christie Luther
- Annie Jo Gilbert
- Krissy Miller
- Joel Rogers
- Carla Dame
- Carla Wilkins

#### BOARD MEMBERS ABSENT

- Ericka Jackson

## **AGENCY MEMBERS PRESENT**

- Matt Burton, Principal Assistant
- MiMi Casebolt, Lead Exam Coordinator

## **LEGAL COUNSEL PRESENT**

- Kylie Cooper, Assistant Attorney General
  - Maria Maule, Senior Assistant Attorney General
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## **1. Introduction and Swearing-In of New Board Members**

### **New Members Sworn In:**

- **Carla Dame:**
    - Swore to support and defend the U.S. Constitution and the Oklahoma State Constitution.
    - Committed to faithfully discharging duties without accepting undue compensation.
  - **Annie Jo Gilbert:**
    - Similarly sworn in with the same commitments as Carla Dame.
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## **2. Approval of Previous Meeting Minutes**

### **September 9, 2024 Minutes:**

- **Motion to Accept Minutes:**
    - Moved by: Callicoat
    - Seconded by: Jarnigan
    - Vote: Unanimously approved by all present members.
  - **Outcome:** Minutes from September 9, 2024, approved.
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## **3. Budget Report**

### **Overview:**

- Budget reviewed by: Miller
  - Key Points:
    - Minor discrepancies noted in the inspection department due to the acquisition of two additional fleet vehicles.
    - Adjustments pending to reflect these additions.

### **Motion to Approve Budget:**

- Moved by: Miller
- Seconded by: Wilkins
- Vote: Unanimously approved by all present members.

- **Outcome:** Budget report approved with noted adjustments.
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## 4. Individual Proceedings: Complaint Against Wesley Cole

### Case Details:

- Respondent: Wesley Cole
- License Number: 195104
- Case Number: 2024-002
- Hearing adjourned to 10:15 a.m. for further proceedings.

### Procedural Actions:

- **Motion to Continue Agenda Items:**
    - Moved by: Undisclosed
    - Seconded by: Sinclair
    - Vote: Approved unanimously.
  - **Outcome:** Meeting continued with agenda items postponed for a later hearing.
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## 5. Massage Therapy Board Report

### Report by Laura Grisso Eyster:

- **Appointment Updates:**
    - Four out of five Massage Advisory Board members reappointed by Governor Stitt:
      - Kelly Lean
      - Pamela Matherly
      - Laura Eyster
    - New Member: Jani Williams Light, replacing Robert Rowe.
  - **Upcoming Meeting:**
    - Rescheduled for Tuesday, November 19, 2024.
    - Agenda includes reviewing legislation and other items.
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## 6. Rules Committee Update

### Presented by Miller:

- **Focus Areas:**
  - Cosmetology and Non-Chemical Cosmetology: Updated supplemental rules, including uniform requirements.
  - Master Instructor Updates: Curriculum and hours revisions.
  - Barbering: Non-chemical barbering updates.
  - Eyelash Extension Curriculum: Awaiting District of Columbia information for curriculum enhancements.
- **Next Steps:**
  - Finalize and agree on rule updates before presentation.

- Ensure cohesion among committee members' contributions.
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## 7. Thentia Update

**Presented by Sinclair:**

- **System Migration:**
    - Fee increases effective November 1, 2024.
    - Migration of 70,000 licensees' data preparing for live system launch.
  - **Portal Launch:**
    - Initial Launch Date: Monday, November 11, 2024.
    - Portals Opening: Application, Licensee, and Online Registry.
    - Future Plans: Inspector, Complaints, Testing, and School portals to follow after initial checks.
  - **Additional Features:**
    - Print licenses with a hard stop after one free print; subsequent prints cost \$10.
    - Implementation of QR codes for inspectors to verify licenses.
  - **Challenges:**
    - Ongoing training for staff.
    - Dependence on outdated AS400 system for data verification.
  - **Action Items:**
    - Complete system checks by November 11.
    - Launch kiosks in-office for licensees without internet access.
    - Continue backend training and system updates.
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## 8. Conference Report

**Presented by Sinclair:**

- **Event:** 97th Annual NABBA Conference in Bricktown.
  - **Attendees:** Sinclair, Leah, Emily, and Angie.
  - **Highlights:**
    - Representation by Governor and Senator Shane Jett.
    - Presentations by CareerTech ODCTE, NACAS on school accreditation, and Cecil Kidd on gainful employment legislation.
  - **Upcoming Events:**
    - NABBA Mid-Year: March 8-12, 2025, Las Vegas.
    - 98th Annual NABBA Conference: September 14-18, 2025, West Virginia.
  - **Personal Update:**
    - Sinclair accepted the position of Third Vice President for NABBA for one year.
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## 9. Return to Individual Proceedings: Complaint Against Wesley Cole

**Hearing Proceedings:**

- **Date:** November 4, 2024

- **Time:** 10:21 AM
- **Case:** OSBCB vs. Wesley Cole
- **Attendees:** All board members present, including Assistant Attorney General Kylie Cooper.
- **Witnesses Testified:**
  - **Matthew Burton:** Principal assistant detailing complaint receipt and license verification.
  - **Tony Blazer:** Certified law enforcement officer providing service of complaint affidavit.
  - **Heather Rabbit:** Victim describing assault by Wesley Cole on May 23, 2024.
  - **Holly Soho:** Victim describing assault by Wesley Cole on June 20, 2024.

#### **Charges Against Respondent:**

- **Count One:**
  - Violation of Board Rule 29.1C
  - Violation of Board Rule 29.1D
  - Violation of Board Rule 29.4
- **Count Two:**
  - Same as Count One plus Violation of Board Rule 29.1I

#### **Prosecutor's Recommendation:**

- Invoke emergency to suspend Wesley Cole's license permanently.
- Impose administrative costs of \$945.

#### **Motion to Enter Executive Session:**

- **Moved By:** Chair
- **Seconded By:** Unspecified
- **Vote:** Approved unanimously by all present members.
- **Outcome:** Proceeding moved to executive session for further deliberation.

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## **10. Executive Decisions on Wesley Cole's License**

#### **Case Details:**

- **Case Number:** OSBCB 2024002
- **Respondent:** Wesley Cole
- **License Number:** 195104

#### **Motions and Outcomes:**

1. **Verification of Complaint Facts:**
  - **Motion:** That the facts alleged in the complaint are true.
  - **Seconded By:** Multiple board members including Sinclair, Calliccoat, Jarnigan, Luther, Gilbert, Miller, Rogers, Dame, and Wilkins.
  - **Result:** Passed unanimously.
2. **Establishment of Guilt Based on Violations:**
  - **Violations Cited:**
    - 20A1, subsection CH&I
    - OAC 17529 1, subsection CH&I
    - 294 subsection A

- **Motion:** Clear and convincing evidence establishes the respondent is guilty of the aforementioned violations.
- **Seconded By:** Sinclair, Callicoat, Jarnigan, Luther, Gilbert, Miller, Rogers, Dame, and Wilkins.
- **Result:** Passed unanimously.
- 3. **Revocation of Respondent's License:**
  - **Motion:** Respondent's license to be revoked.
  - **Seconded By:** Sinclair, Callicoat, Jarnigan, Luther, Gilbert, Miller, Rogers, Dame, and Wilkins.
  - **Result:** Passed unanimously.
- 4. **Suspension of Respondent's License:**
  - **Legal Basis:** AOC 17520131 subsection D concerning public health, safety, or welfare.
  - **Motion:** Respondent's license to be suspended pending finalization and approval of findings, conclusions, and final agency order.
  - **Seconded By:** Gilbert, Sinclair, Callicoat, Jarnigan, Luther, Miller, Rogers, Dame, and Wilkins.
  - **Result:** Passed unanimously.
- 5. **Order for Respondent to Pay Disciplinary Costs:**
  - **Amount:** \$945
  - **Legal Basis:** OAC 1752013 1C
  - **Motion:** Respondent to pay the cost of disciplinary proceedings.
  - **Seconded By:** Luther and Sinclair, followed by Callicoat, Jarnigan, Luther, Gilbert, Miller, Rogers, Dame, and Wilkins.
  - **Result:** Passed unanimously.

#### **Final Actions:**

- **Responsibility:** Chair Longest will prepare the findings of fact, conclusions of law, and final agency order.
- **Outcome:** Hearing concluded with actions to be dispatched to the respondent.

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## **11. NIC Report from Board Member Miller**

#### **Conference Insights:**

- **Attendee:** Miller attended the NIC conference for the first time.

#### **Key Highlights:**

- **Leadership Update:** Heather Sinclair nominated and accepted the position of Secretary Treasurer for NIC.
- **Historical Influence:** Presentation of Oklahoma's longstanding impact on NIC through archival event photos.
- **Combating Adversarial Organizations:** Discussion led by Dale Atkinson on strategies against organizations akin to the Institute of Justice.

#### **Licensing vs. Certification:**

- Variations in state recognition of certifications.
- Challenges with reciprocity across states.
- Exploration of micro-credentialing and micro-badging in career tech.

### Regulatory Differences:

- Distinctions between med spas and day spas across states.
- Utah's separation of Cosmo-Barb license affecting reciprocity.

### NIC Database Initiative:

- Current participation of four states.
- Requirement of gold membership for database access.
- Agency's current status: Silver membership.
- Future prospects contingent on database enhancements and user-friendliness.

### Conferences and Membership:

- **Next Annual Conference:** Scheduled for October 16-20, 2025, in Phoenix, Arizona.
- **Membership Upgrade Consideration:** Evaluating the feasibility and benefits of upgrading to NIC gold membership.

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## 12. NABA Mid-Year Conference

### Conference Details:

- **Dates:** March 8-12, 2025
- **Location:** Las Vegas

### Attendance Strategy:

- **Previous Decision:** Three board members attend in rotation.
- **Registration:** \$150 per person, covered by membership.
- **Logistical Considerations:** Necessity to arrange six months in advance due to OMES requirements.

### Motions and Outcomes:

1. **Representation at Conference:**
  - **Motion:** Board to be represented by its members at the Midwinter Conference.
  - **Seconded By:** Sinclair, Calliccoat, Jarnigan, Luther, Gilbert, Miller, Rogers, Dame, and Wilkins.
  - **Result:** Passed unanimously.
2. **Selection of Attendees:**
  - **Chosen Members:** Carla, Dean, Dame.
  - **Considerations:** If a permanent director is in place, they will attend instead; otherwise, board members will attend.
  - **Motion:** To send three specific board members.
  - **Seconded By:** Sinclair and Calliccoat.
  - **Result:** Passed unanimously.

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## 13. Executive Session on Employment Matters

**A. Discussion on Angie Davis:**

**Subject:** Employment-related decisions concerning Angie Davis, including compensation.

**Motions and Outcomes:**

1. **Enter Executive Session:**
  - **Motion:** To convene an executive session per 25 OS 307.
  - **Seconded By:** Miller.
  - **Result:** Passed unanimously.
2. **Exit Executive Session:**
  - **Motion:** To exit executive session.
  - **Seconded By:** Callicoa and others.
  - **Result:** Passed unanimously.
3. **Appointment of Interim Executive Director:**
  - **Candidate:** Mary Casebolt
  - **Motion:** To offer the interim executive director position to Mary Casebolt.
  - **Seconded By:** Jarnigan and others.
  - **Result:** Passed unanimously.
  - **Action:** Update Alex and ensure she has access to all necessary information.

**B. Discussion on Matthew Burton:**

**Subject:** Employment-related decisions concerning Matthew Burton, including compensation.

**Motions and Outcomes:**

1. **Enter Executive Session:**
    - **Motion:** To convene an executive session per 25 OS 307.
    - **Seconded By:** Gilbert.
    - **Result:** Passed unanimously.
  2. **Exit Executive Session:**
    - **Motion:** To exit executive session.
    - **Seconded By:** Callicoa and others.
    - **Result:** Passed unanimously.
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## **14. Cost of Living Increases for Agency Employees**

**Current Situation:**

- Employees earn salaries significantly lower than local job markets (e.g., \$35,200 per year vs. nearby positions offering \$35,200 plus additional earnings).
- Existing raises have been tied to promotions or additional duties, not general cost of living adjustments.

**Proposal:**

- Generalized cost of living (COL) raises for all employees.
- **Suggested Amount:** \$2,000 per employee annually.
- **Rationale:** To retain staff and remain competitive with local wages.



### **Financial Considerations:**

- **Current Budget Status:**
  - Over budget for Q1 due to transition costs.
  - Remaining fiscal year budget: Approximately \$1.3 million.
  - Under budget for agency payroll by ~4.41%.
  - Potential funds available: ~\$52,000 for 4% raises.
- **Long-term Impact:** COL increases would have permanent financial implications beyond the current fiscal year.

### **Concerns:**

- Impact on the agency's deficit and long-term financial sustainability.
- Necessity to retain existing staff versus hiring new employees.

### **Motions and Outcomes:**

- **Motion:** To table the discussion on cost of living increases until the next meeting.
- **Result:** Passed unanimously.

### **Action Items:**

- Prepare a detailed financial analysis and proposal for COL increases for discussion at the next meeting.

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## **15. Establishment of Regularly Scheduled OSBCB Meetings in 2025**

### **Proposed Schedule:**

- **Frequency:** Every other month
- **Day:** Second Monday of each month
- **Time:** 10:00 AM
- **Dates:**
  - January 13
  - March 10
  - May 12
  - July 14
  - September 8
  - November (Date Not Specified)

### **Motions and Outcomes:**

- **Motion:** To approve the establishment of regularly scheduled OSBCB meetings for 2025 as per the proposed schedule.
- **Result:** Passed unanimously.

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## **ADJOURNMENT**

**Motion to Adjourn:**

- **Time:** 2:45 PM

**Outcome:** Meeting adjourned.

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*End of Board Meeting Minutes for November 4, 2024.*