

The Oklahoma State Board of Cosmetology and Barbering met at 10:00 a.m. on Monday, November 18, 2013 at 2401 NW 23rd Street, Suite 84 in the Testing Center, Oklahoma City, OK 73107. The following persons were present:

BOARD MEMBERS

Ken Young, Chair
LaFaye Austin
Anthony Baldini
Rick Bennett
Diana Fisher
Bill Helton
Gretchen Payne
Matthew Smith
Janet Dale Webb

BOARD'S LEGAL ADVISOR

Kimberly Heaton, Assistant Attorney General

BOARD STAFF

Sherry Lewelling, Executive Director
Jennifer McRee, Principal Assistant
Vicki Middleton, Cosmetology Inspector
Michelle Palmer, Cosmetology Inspector
Shelley Oden, Cosmetology Inspector
Delores Merriman, Cosmetology Inspector

VISITORS

Darren Gibson
Sarah Mohler
Paula Matthews
Linda Wiist
Tammy McAlvain
Cedric Swift
Steve Schardein

CALL TO ORDER

Chair Young called the meeting to order. He stated he was proud the Chair to first meeting of the Oklahoma State Board of Cosmetology and Barbering.

ROLL CALL

The following persons answered roll call: Young, Austin, Baldini, Bennett, Fisher, Helton, Payne, Smith and Webb. (Thomas and Martin were not present)

PUBLIC COMMENT – OPPORTUNITY FOR THE BOARD TO RECEIVE PUBLIC COMMENT – EACH SPEAKER IS LIMITED TO THREE MINUTES

No one was present to speak.

WELCOME AND SWEARING IN OF NEW BOARD MEMBERS RICK BENNETT AND ANTHONY BALDINI

Chair Young administered the loyalty oath to new Board members Rick Bennett and Anthony Baldini.

COMMENTS FROM INSPECTORS

No comments were heard.

DISCUSSION AND BOARD ACTION TO APPROVE OR DISAPPROVE FINANCIAL REPORT (JULY 1, 2013 to OCTOBER 31, 2013) – LAURA SWINGLE, OMES, AGENCY BUSINESS SERVICES

Ms. Swingle presented the financial report to the Board.

A motion was made by Ms. Austin and seconded by Mr. Helton to approve the Financial report as presented.

VOTING: Austin, yes; Baldini, yes; Bennett, yes; Fisher, yes; Helton, yes; Payne, yes; Smith, yes and Webb, yes.

Motion carried.

DISCUSSION AND BOARD ACTION TO APPROVE OR DISAPPROVE BOARD MEETING MINUTES OF SEPTEMBER 9, 2013

A motion was made by Ms. Webb and seconded by Mr. Helton to approve the minutes of September 9, 2013.

VOTING: Austin, yes; Baldini, abstain; Bennett, abstain; Fisher, yes; Helton, yes; Payne, yes; Smith, yes and Webb, yes.

Motion carried.

DISCUSSION AND BOARD ACTION TO APPROVE AND DISAPPROVE AMENDED CONTRACT FOR FY2014 LEGAL SERVICES

A motion was made by Ms. Webb and seconded by Ms. Austin to approve the amended contract for FY2014 Legal services.

VOTING: Austin, yes; Baldini, yes; Bennett, yes; Fisher, yes; Helton, yes; Payne, yes; Smith, yes and Webb, yes.

Motion carried.

DIRECTOR'S REPORT

Ms. Lewelling welcomed Mr. Bennett and Mr. Baldini to the Board along with Shelley Oden, Cosmetology Inspector to the team. She invited everyone to the agency Christmas party on December 9th. She told of the information in the proposed rules and statutes to comply with the Department of Education as understood by the Board. She said she is still waiting on feedback to know if it will meet their requirements. She stated that she has confirmed that there are approximately 1036 Barber shops and of those, the Board currently licenses 492 of those. She told of a recent Channel 5 news story where they told of the illegal use of the credo blade but that they did make this a positive story and she was pleased. She stated that the Barber Board fund transferred about \$72,000 and they did keep 10% of the funds to take care of any outstanding financial obligations and the remainder of the funds could be transferred in January as Ms. Swingle had reported.

Three visitors from the audience, one who identified himself as Omar presented information to the Board for future consideration regarding a specialty threading license to be created. It was determined that this would require a separate agenda item for Board discussion at a future date.

BUDGET COMMITTEE REPORT, MAX THOMAS – CHAIR

Mr. Thomas was not present to report.

TESTING COMMITTEE REPORT, BILL HELTON-CHAIR

Mr. Helton reported that the Committee met at 8am and worked on the Hairbraiding written and practical exam. He stated that it should be ready for Board review by the January Board meeting and then they would begin the Barber practical exam review.

RULES COMMITTEE REPORT, PAM MARTIN-CHAIR

Ms. Martin was not present to report. Chair Young stated that Ms. Martin had worked hard on preparing the draft to begin the rule making process.

LEGISLATIVE COMMITTEE REPORT, MAX THOMS-CHAIR

Mr. Thomas was not present to report. Chair Young stated that the committee had prepared the draft for presentation to the Board later in the agenda.

PERFORMANCE APPRAISAL COMMITTEE REPORT, JANET DALE WEBB-CHAIR

Ms. Webb reported that the committee met at 9:30 this morning and conducted Ms. Lewelling's end of year review.

DISCUSSION AND BOARD ACTION TO APPROVE OR DISAPPROVE THE INITIATION OF THE RULEMAKING PROCESS

A motion was made by Ms. Fisher and seconded by Ms. Austin to approve the initiation of the rulemaking process.

VOTING: Austin, yes; Baldini, yes; Bennett, yes; Fisher, yes; Helton, yes; Payne, yes; Smith, yes and Webb, yes.

Motion carried.

DISCUSSION AND BOARD ACTION TO APPROVE LEGISLATION AS PRESENTED BY THE LEGISLATIVE COMMITTEE FOR 2014

A motion was made by Ms. Helton and seconded by Ms. Smith to approve the Legislation as presented for 2014.

VOTING: Austin, yes; Baldini, yes; Bennett, yes; Fisher, yes; Helton, yes; Payne, yes; Smith, yes and Webb, yes.

Motion carried.

PERFORMANCE EVALUATION AND DISCUSSION AND BOARD ACTION TO APPROVE OR DISAPPROVE SALARY 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 made by Ms. Payne and seconded by Ms. Webb to adjourn regular session and go into Executive Session to discussion the above agenda item.

VOTING: Austin, yes; Baldini, yes; Bennett, yes; Fisher, yes; Helton, yes; Payne, yes; Smith, yes and Webb, yes.

Motion carried.

The Board convened in Executive Session.

A motion was made be Ms. Payne and seconded by Ms. Fisher to adjourn Executive Session and return to regular session of the meeting.

VOTING: Austin, yes; Baldini, yes; Bennett, yes; Fisher, yes; Helton, yes; Payne, yes; Smith, yes and Webb, yes.

Motion carried.

A motion was made by Mr. Helton and seconded by Ms. Austin to approve that the agenda item to approve or disapprove the salary increase of Executive Director, Sherry G. Lewelling and proposed Executive Session for further discussion be postponed until the January 2014 Board meeting.

VOTING: Austin, yes; Baldini, yes; Bennett, yes; Fisher, yes; Helton, yes; Payne, yes; Smith, yes and Webb, yes.

Motion carried.

NEW BUSINESS NOT KNOWN OR WHICH COULD NOT HAVE BEEN REASONABLY FORESEEN PRIOR POSTING OF MEETING AGENDA – 25 O.S. § (A)(9)

No new business was heard.

BOARD ADJOURNMENT

Chair Young announced the meeting to be adjourned.

Ken Young, Chair

LaFaye Austin

Anthony Baldini

Rick Bennett

Diana Fisher

Bill Helton

Gretchen Payne

Matthew Smith

Janet Dale Webb