

The Oklahoma State Board of Cosmetology met at 10:00 am on Monday, July 12, 2010 at 2401 NW 24th Street, Suite 84 in the Testing Center, Oklahoma City, Oklahoma, 73107. The following persons were present:

BOARD MEMBERS

Freda Poe, Vice Chair
A LaFaye Austin
Bill Helton
Tuan A. Nguyen
Gretchen Payne
Max Thomas
Janet Dale Webb
Ken Young

BOARD'S LEGAL COUNSEL

Sandra Balzer, Assistant Attorney General

BOARD STAFF

Sherry G. Lewelling, Executive Director
Jennifer McRee, Principal Assistant
Candis Ross, Administrative Assistant To The Director
Michelle Huitt-Shook, Inspector/Examiner
Karen Glasco, Inspector/Examiner
Vicki Middleton, Inspector/Examiner
Patricia Migliaccio, Inspector/Examiner

VISITORS

Steven Schardein
Linda Wiist

Vice Chair Poe called the meeting to order. She confirmed that the meeting agenda had been properly posted and agenda-ized.

ROLL CALL

Quorum was established with roll call. The following persons answered roll call: Poe, Austin, Helton, Nguyen, Payne, Thomas, Webb and Young. Mr. Carter was not present for the meeting.

SWEARING IN OF NEW BOARD MEMBER – MAX THOMAS

Vice Chair Poe swore in new member Max Thomas.

BOARD DISCUSSIN AND POSSIBLE ACTION RE: APPROVAL OF SEPTEMBER 13, 2010 BOARD MEETING MINUTES

A motion was made by Ms. Webb and seconded by Mr. Helton to approve the Board meeting minutes of September 13, 2010.

VOTING: Austin, yes; Helton, yes; Nguyen, yes; Payne, yes; Thomas, abstain; Webb, yes; and Young, yes. Motion passed.

BOARD DISCUSSION AND POSSIBLE ACTION RE: APPROVAL OF 2011 1st QUARTER FINANCIAL REPORT – CANDIS ROSS

A motion was made by Mr. Young and seconded by Mr. Thomas to approve the 2011 1st quarter financial report.

VOTING: Austin, yes; Helton, yes; Nguyen, yes; Payne, yes; Thomas, yes; Webb, yes; and Young, yes.
Motion passed.

BOARD DISCUSSION AND POSSIBLE ACTION RE: APPROVAL OF 2012-2016 STRATEGIC PLAN – CANDIS ROSS

A motion was made by Ms. Payne and seconded by Mr. Young to approve the Strategic plan and budget request as presented.

Board discussion followed.

Vice Chair Poe (hearing no objection from members) announced the tabling of this item till after the Legislative Affairs Committee item in #10.

BOARD COMMITTEE MEETING REPORTS

A. LEGISLATIVE AFFAIRS – BILL HELTON, CHAIR

REPORT FROM MEETING – BOARD DISCUSSION TO REFER A RULEMAKING PROPOSAL TO THE RULES COMMITTEE FOR CONSIDERATION AND POSSIBLE ACTION AT THE JANUARY 10, 2011 BOARD MEETING THAT WOULD ALLOW MASTER INSTRUCTOR LICENSING BY RECIPROCITY WITH EXAMINATION TO OKLAHOMA BARBER INSTRUCTORS

Mr. Helton told of the first meeting with Barber Board representative and Barber school owners. He stated that the discussion was friendly and it was agreed at that meeting that the Board would do nothing and not be aggressive. He said at the meeting this morning it was determined that we should not allow them to pursue legislation without us. He asked that the Board consider tabling the fee increase legislation to work on the Barber issue first.

Board discussion began.

Ms. Austin stated she appreciations the pro-activeness of the Committee but feels the Board should do nothing until we see a proposal in black and white. She asked that this be tabled because right now it is just speculation.

Mr. Young stated that the new Governor wants to eliminate agencies that have similar functions in government and we may be easy targets. He said the barber school owners want us and we should be proactive and this may be the time.

Discussion continued.

A motion was made by Mr. Young and seconded by Ms. Payne to meet with the Barber Board representatives prior to the legislative deadline filing date to discuss the advancement of legislation for possible combining of Boards. Also, a Special Board meeting would follow for full Board consideration of possible legislation.

VOTING: Austin, yes; Helton, yes; Nguyen, yes; Payne, yes; Thomas, yes; Webb, yes; and Young, yes.
Motion passed.

BUDGET COMMITTEE – GRETCHEN PAYNE, CHAIR

Ms. Payne stated that the committee has met by email and in person today and with the recent resignation of the part time Examiner, the Committee believes a full time Inspector/Examiner should be hired in her place.

(Return to Strategic Plan and Budget Request item)

Board discussion continued. Through discussion it was determined that the language on the last page of the strategic plan was too strong using the word “acquire”. Suggested language included: Striking 2 sentences and replacing with: The Board is looking to work with the Barber Board to combine agencies through legislation. The Board is willing to combine due to the similarities in mission and services provided to the public.

Ms. Payne amended her motion with a seconded by Mr. Young to allow staff and legal counsel to work on language similar to above with the spirit and intent as through Board discussion.

VOTING: Austin, yes; Helton, yes; Nguyen, yes; Payne, yes; Thomas, yes; Webb, yes; and Young, yes.
Motion passed.

Note: Document changes were made to include:

In the “provide a description” section:

The Board is seeking to work with the Barber Board to propose legislation to combine the two agencies.

In the “explain why” section:

The similarities in mission and services provided by the two agencies support a proposed consolidation, which may result in more efficient operation of the state government function of regulating the practice of barbering and cosmetology.

BOARD DISCUSSION AND POSSIBLE ACTION RE: FY 2010 ANNUAL REPORT – CANDIS ROSS

A motion was made by Ms. Payne and seconded by Mr. Thomas to approve the FY 2010 Annual Report as presented.

VOTING: Austin, yes; Helton, yes; Nguyen, yes; Payne, yes; Thomas, yes; Webb, yes; and Young, yes.
Motion passed.

BOARD DISCUSSION RE: COSMETICIAN LICENSE AND BROADENING LIMITATION BEYOND PRACTICING PHOTO STUDIOS

Ms. Lewelling explained that Clary Sage College was wanting to offer this course and she felt it was important for the Board to consider allowing persons with a Cosmetician license to practice in salons and not just studios as it was originally intended.

Vice Chair Poe asked Ms. Balzer to research this further and report to the Board with the options as allowed by statutes and rules at the January 2011 meeting.

DIRECTOR'S REPORT – SHERRY G. LEWELLING

Ms. Lewelling provided a written report to the Board. She updated the Board with the latest happenings within the agency. She provided members with her copy of the Governor's office request of an Executive Summary on the agency and copies of travel documents as requested by LaFaye Austin.

BOARD DISCUSSION AND POSSIBLE ACTION RE: APPROVAL TO RE-INTRODUCE LEGISLATION FOR FEE INCREASE (EXAM AND STUDENT FEES) – BILL HELTON, COMMITTEE CHAIR

No action was taken on this item and will be tabled until the Special Board meeting when possible Barber Board legislation is considered.

NEW BUSINESS NOT KNOWN OR WHICH COULD NOT HAVE BEEN REASONABLY FORESEEN PRIOR TO POSTING OF MEETING AGENDA – 25 O.S. 311 (A)(9)

No new business was heard

BOARD MEETING ADJOURNMENT

Vice Chair Poe announced the meeting to be adjourned.

A welcome reception for new Board member, Max Thomas followed the Board meeting. No Board business was discussed. Board members and visitors were invited to attend.

Freda Poe, Vice Chair

A. LaFaye Austin

Bill Helton

Tuan A. Nguyen

Gretchen Payne

Max Thomas

Janet Dale Webb

Ken Young