

# **SOUTH DAKOTA COSMETOLOGY COMMISSION MEETING MINUTES**

**July 16, 2012**

## **Call Meeting to Order**

The regular meeting of the Cosmetology Commission was called to order by President Nora Slykhuis on Monday, July 16, 2012 at 5:00 p.m. at the Cosmetology Commission office, 111 E Capitol Avenue, Pierre, South Dakota.

## **1. Roll Call**

Attendance was taken by Secretary Treasurer Pat Clark, with the following members present: Lori Berreth, Pat Clark, Kory McKay, Lois Porch, and Nora Slykhuis. Staff present: Attorney Aaron Arnold and Executive Director Kate Boyd.

## **2. Minutes of the May 3 & 4, 2012 Meeting**

Two minor corrections were pointed out in the May 3 & 4, 2012 meeting minutes. IT WAS MOVED BY PAT CLARK, SECONDED BY KORY MCKAY, TO APPROVE THE MINUTES OF THE MAY 3 & 4 MEETING AS CORRECTED. THE MOTION PREVAILED ON A VOICE VOTE.

## **3. Treasurer's Report**

Secretary-Treasurer Pat Clark reported that as of June 30, 2012, the available budget was \$29,689.24, and the cash center balance was \$297109.87.

IT WAS MOVED BY LOIS PORCH, SECONDED BY LORI BERRETH, TO APPROVE THE TREASURER'S REPORT AS PRESENTED. THE MOTION PREVAILED ON A VOICE VOTE.

## **4. Executive Director's Report**

The Executive Director's Report had previously been mailed to Commission members and is attached to these Minutes as Attachment 1. The report included: (1) distribution of the updated nail brochures, (2) copy of the nail services press release, (3) update on on-line license renewals, (4) copy of the Commission policies, with a request that the Commission reconsider its policy with regard to testing of nail technician and esthetician reciprocity applicants, (5) question about communicating with beauty supply houses regarding legal esthetics products, and (6) note that Executive Director Kate Boyd will be taking vacation days July 23-31.

The Commission asked for the reciprocity applicants test policy to be placed on the next meeting agenda and for Attorney Aaron Arnold to offer legal guidance on this subject.

## **5. Disciplinary Actions**

### **• Case B-2012-VIP Nails - Proposed Consent Agreement**

IT WAS MOVED BY LORI BERRETH, SECONDED BY PAT CLARK, TO APPROVE THE PROPOSED CONSENT AGREEMENT FOR VIP NAILS AND LIEN HINRICH'S. THE MOTION PREVAILED ON A VOICE VOTE WITH VIOLATIONS COMMITTEE LOIS PORCH ABSTAINING.

### **• Paris Nails, Rapid City - Salon Application Received From Previous Owner**

The Commission reviewed a salon application from Tyler Huynh, a former owner of Paris Nails, Rapid City. Tyler had been the manager of the salon in 2011 and was named in a Commission Order relating to disciplinary action stemming from three unlicensed individuals performing nail technology services on customers in the salon.

IT WAS MOVED BY KORY MCKAY, SECONDED BY LORI BERRETH, TO APPROVE THE SALON LICENSE APPLICATION FROM TYLER HUYNH PARIS NAILS IN RAPID CITY. THE MOTION PREVAILED ON A VOICE VOTE.

## **OLD BUSINESS**

### **6. Administrative Rules Changes**

The Commission reviewed draft administrative rules changes that the Commission had proposed in the past, as well as proposed changes offered by Attorney Aaron Arnold, who reviewed the entire rules to clean up the language and eliminate redundancies. IT WAS MOVED BY LORI BERRETH, SECONDED BY KORY MCKAY, TO APPROVE THE ADMINISTRATIVE RULES WITH THE AGREED UPON AMENDMENTS SUGGESTED DURING THE REVIEW. THE MOTION PREVAILED ON A VOICE VOTE.

It was noted that the proposed changes still have to go through several steps before the Commission can finally adopt the changes.

## **NEW BUSINESS**

### **7. Report of July 14, 2012 Inspectors Meeting**

President Nora Slykhuis and Executive Director reported on the annual inspectors meeting that had been held on Saturday, July 14, 2012. The meeting was attended by all inspectors and included: review of inspection procedures, tips for investigating violations, paperwork submission, and dress code for inspectors. It had been suggested and two of the four inspectors were in favor of having some kind of uniform/shirt to wear while performing inspections. The Commission said that they would be in favor of having blue smocks to wear while administering State Board examinations.

### **8. Report of May 22, 2012 Roberts Rules of Order Training**

President Nora Slykhuis, Secretary-Treasurer Pat Clark, and Executive Director Kate Boyd attended training on May 22, 2012 regarding Roberts Rules of Order. All three agreed that the training was worthwhile and other Commission members expressed an interest in attending similar training in the future.

### **9. Black Hills Beauty College - Request for approval of 2012 Instructor Continuing Education Plan**

The Commission reviewed the plan submitted by Black Hills Beauty College for their 2012 12-Hour Instructor Continuing Education training.

IT WAS MOVED BY KORY MCKAY, SECONDED BY LORI BERRETH, TO APPROVE THE BLACK HILLS BEAUTY COLLEGE 12-HOUR INSTRUCTOR CONTINUING EDUCATION

CLASS SCHEDULED FOR SEPTEMBER 30 & OCTOBER 1, 2012. THE MOTION PREVAILED ON A VOICE VOTE.

#### **10. Election of Officers**

##### **President**

IT WAS MOVED BY LOIS PORCH, SECONDED BY LORI BERRETH TO NOMINATE NORA SLYKHUIS AS PRESIDENT.

IT WAS MOVED BY PAT CLARK, SECONDED BY KORY MCKAY, TO CEASE NOMINATIONS AND CAST A UNANIMOUS BALLOT FOR NORA SLYKHUIS AS PRESIDENT. THE MOTION PREVAILED ON A VOICE VOTE.

Pat Clark commended Nora on her leadership and time commitment as President these past two years and suggested that next year after Nora's third year as President, the Commission should elect a new member as President. She suggested that Lois Porch, given her knowledge length of service on the Commission would be the logical candidate for President next year.

##### **Vice President**

IT WAS MOVED BY KORY MCKAY, SECONDED BY PAT CLARK TO NOMINATE LOIS PORCH AS VICE PRESIDENT.

IT WAS MOVED BY LORI BERRETH, SECONDED BY PAT CLARK, TO CEASE NOMINATIONS AND CAST A UNANIMOUS BALLOT FOR LOIS PORCH AS VICE PRESIDENT. THE MOTION PREVAILED ON A VOICE VOTE.

##### **Secretary-Treasurer**

IT WAS MOVED BY LOIS PORCH, SECONDED BY LORI BERRETH TO NOMINATE KORY MCKAY AS SECRETARY-TREASURER.

IT WAS MOVED BY LORI BERRETH, SECONDED BY PAT CLARK, TO CEASE NOMINATIONS AND CAST A UNANIMOUS BALLOT FOR KORY MCKAY AS SECRETARY-TREASURER. THE MOTION PREVAILED ON A VOICE VOTE.

#### **11. Requests for Independent Study Program for Senior Instructor License - Deferred**

#### **12. Other Business - N/A**

#### **13. Upcoming Meeting Dates**

- August 23-24, 2012 - NIC Board Administrators Meeting - Salt Lake City (Kate Attending)
- August 24-27, 2012 - NIC Conference - Salt Lake City (Nora, Lori & Kate Attending)
- September 14 & 15, 2012 - State Board Exams - Sioux Falls
- September 27-29, 2012 - State Board Exams, Commission Meeting & School Visits - Rapid City

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Three Commission members stated that they now have unavoidable conflicts with the September 27-29, 2012 dates for the western South Dakota school visits and Commission meeting. It was agreed to move those dates to October 25-27, 2012 and to eliminate the November 30/December 1, 2012 testing dates in Rapid City.

**Adjournment**

IT WAS MOVED BY LORI BERRETH, SECONDED BY KORY MCKAY, TO ADJOURN. THE MOTION PREVAILED ON A VOICE VOTE.

The meeting adjourned at 8:50 p.m.

Respectfully submitted by:

\_\_\_\_\_  
Kate Boyd, Recording Secretary

and \_\_\_\_\_  
Pat Clark, Secretary-Treasurer

## **ATTACHMENT 1**

### **Executive Director's Report - July 16, 2012**

**1. Updated Nail Brochures** - With the assistance of the Department of Labor and Regulation we have updated our nail brochures. The first brochure is for licensees and the second one is for consumers of nail services. While we had brochures in the past, they were done in-house and merely printed on colored paper. The new brochures have a professional design and are printed in two-colors. Nail salons across the state were mailed copies of the brochures in June. The staff will continue to mail the brochures with nail salon or nail technician license renewals. The inspectors have all been given a supply of the new brochures to distribute when they do inspections in salons that offer nail services. (Samples of the new brochures and the letter of distribution are enclosed for Commission members.)

**2. Nail Services Press Release** - With the help of the department, a press release was sent out in late June regarding safety and sanitation when receiving nail services. (A copy of the press release is enclosed.)

**3. On-line License Renewals** - It is my understanding that after they complete programming for another board/commission, we are next in line for BIT to do computer programming so that we can offer on-line renewals of licenses.

**4. Commission Policies** - Enclosed with the Commission packets is a copy of the current Commission policies. I would like to have a discussion about the Commission's policy on State Board exams for nail technician and esthetician reciprocity applicants.

**5. Beauty Supply Houses** - I would like Commission input on communicating with them about esthetics products that are "legal" for estheticians and cosmetologists in South Dakota.

**6. Vacation Plans** - I plan to take vacation days July 23 - 31, but will also need to work adjust at the end of the week following State Board exams and the Commission meeting in July.