

Meeting Minutes
SOUTH DAKOTA COSMETOLOGY COMMISSION
February 19, 2021
Meeting held via video-conferencing

President Tami Stokes called the meeting to order at 10:04 am CST.

Secretary-Treasurer Annette Petersen read the roll and a quorum was established.

Members Present: Renee Graf
Debbie Pageler
Annette Petersen
Tami Stokes

Members Absent: N/A

Others Present: Graham Oey, Senior Staff Attorney
Kate Boyd, Executive Director
Teresa Diederich, Program Assistant
Angela Taylor, Stewart School
Angela Larson, LATC Cosmetology Program

Debbie Pageler made a motion to approve the agenda. Annette Petersen seconded the motion.
MOTION PASSED. (Graf yea; Pageler yea; Petersen yea; Stokes yea.)

Renee Graf made a motion to approve the minutes of the December 11, 2020 meeting as presented. Tami Stokes seconded the motion. **MOTION PASSED.** (Graf yea; Pageler yea; Petersen yea; Stokes yea.)

Treasurer Annette Petersen reported that as of January 31, 2021, the available funds balance was \$171,299.43 and the cash center balance was \$157,377.61.

The Executive Director's Report was included in the meeting handouts and included: (1a) HB 1018 that would have combined the SD Barber Board, Cosmetology Commission, and SD Massage Therapy Board into one board was killed in the first committee following opposition from barbers and some massage therapists (1b) HB 1258 will allow for esthetics apprenticeships; increase the allowable number of apprentices in salons from four to eight, while maintaining the instructor:apprentice ratio at 1:2; (1c) if amended, decrease the required education hours for apprentices to the same hours of education required in cosmetology school. (2a) there is increasing interest in apprenticeships; and (2b) the existing instructor state laws exam has been revised for instructors who wish to mentor apprentices and the draft will be sent to the commission for input.

Case E- 2018- Tami Stokes made a motion to approve the Consent Agreement with the following conditions:

- a) Monica Long's personal license will be suspended for a period of 7 days beginning March 12, 2021.
- b) The 7 days of suspension will be held in abeyance for a period of one year and her personal license will not be actively suspended so long as the following conditions are observed:
 - a. Monica Long will pay \$150 by March 12, 2021.

- b. Comply with all laws and regulations of the Commission.

Renee Graf seconded the motion. **MOTION PASSED.** (Graf yea; Pageler yea; Petersen yea; Stokes yea.)

Lapsed Case 22- 2020- Debbie Pageler made a motion to approve the Consent Agreement with the following conditions:

- a) Katelynn Nguyen personal license will be suspended for a period of 10 days beginning March 12, 2021.
- b) The 10 days of suspension will be held in abeyance for a period of one year and her personal license will not be actively suspended so long as the following conditions are observed:
 - a. Katelynn Nguyen will pay \$175 by March 12, 2021.
 - b. Comply with all laws and regulations of the Commission.

Renee Graf seconded the motion. **MOTION PASSED.** (Graf yea; Pageler yea; Petersen yea; Stokes yea.)

Lapsed Case 24-2020- Annette Petersen made a motion to approve the Consent Agreement with the following conditions:

- a) Amy Bennett's personal license will be suspended for a period of 10 days and her booth license will be suspended for a period of 30 days beginning March 12, 2021.
- b) The 10 days of suspension for her personal license and the 30 days of suspension for her booth license will be held in abeyance for a period of one year and her personal and booth license's will not be actively suspended so long as the following conditions are observed:
 - a. Amy Bennett will pay \$375 by March 12, 2021.
 - b. Comply with all laws and regulations of the Commission.

Renee Graf seconded the motion. **MOTION PASSED.** (Graf yea; Pageler yea; Petersen yea; Stokes yea.)

Lapsed Case 25-2020- Tami Stokes made a motion to approve the Consent Agreement with the following conditions:

Nicole Miller's personal and booth license will be suspended for a period of 15 days beginning March 12, 2021.

- a) The 15 days of suspension will be held in abeyance for a period of one year and her personal and booth license will not be actively suspended so long as the following conditions are observed:
 - a. Nicole Miller will pay \$375 by March 12, 2021.
 - b. Comply with all laws and regulations of the Commission.

Annette Petersen seconded the motion. **MOTION PASSED.** (Graf yea; Pageler yea; Petersen yea; Stokes yea.)

Lapsed Case 30- 2020- Annette Petersen made a motion to approve the Consent Agreement with the following conditions:

- a) Prairie Creek Salon's license will be suspended for a period of 14 days beginning March 12, 2021.
- b) The 14 days of suspension will be held in abeyance for a period of one year and the salon license will not be actively suspended so long as the following conditions are observed:
 - a. Prairie Creek Salon will pay \$250 by March 12, 2021.
 - b. Comply with all laws and regulations of the Commission.

Tami Stokes seconded the motion. **MOTION PASSED.** (Graf yea; Pageler yea; Petersen yea; Stokes yea.)

Lapsed Case 31- 2020- Renee Graf made a motion to approve the Consent Agreement with the following conditions:

- a) Sunflower Salon and Spa's salon license will be suspended for a period of 10 days beginning March 12, 2021.
- b) The 10 days of suspension will be held in abeyance for a period of one year and the salon license will not be actively suspended so long as the following conditions are observed:
 - a. Sunflower Salon and Spa will pay \$150 by March 12, 2021.
 - b. Comply with all laws and regulations of the Commission.

Debbie Pageler seconded the motion. **MOTION PASSED.** (Graf yea; Pageler yea; Petersen yea; Stokes yea.)

Lapsed Case 2- 2021- Tami Stokes made a motion to approve the Consent Agreement with the following conditions:

- a) Tamra Peschong's booth license will be suspended for a period of 5 days beginning March 12, 2021.
- b) The 5 days of suspension will be held in abeyance for a period of one year and her personal license will not be actively suspended so long as the following conditions are observed:
 - a. Tamara Peschong will pay \$100 by March 12, 2021.
 - b. Comply with all laws and regulations of the Commission.

Renee Graf seconded the motion. **MOTION PASSED.** (Graf yea; Pageler yea; Petersen yea; Stokes yea.)

Lapsed Case 3- 2020- Annette Petersen made a motion to approve the Consent Agreement with the following conditions:

- a) Jodi's Hair Studio's salon license will be suspended for a period of 14 days beginning March 12, 2021.
- b) The 14 days of suspension will be held in abeyance for a period of one year and the salon license will not be actively suspended so long as the following conditions are observed:
 - a. Jodi's Hair Studio will pay \$250 by March 12, 2021.
 - b. Comply with all laws and regulations of the Commission.

Tami Stokes seconded the motion. **MOTION PASSED.** (Graf yea; Pageler yea; Petersen yea; Stokes yea.)

Lapsed Case 4- 2020- Debbie Pageler made a motion to approve the Consent Agreement with the following conditions:

- a) Smiling and Styling's salon license will be suspended for a period of 5 days beginning March 12, 2021.
- b) The 5 days of suspension will be held in abeyance for a period of one year and the salon license will not be actively suspended so long as the following conditions are observed:
 - a. Smiling and Styling Salon will pay \$125 by March 12, 2021.
 - b. Comply with all laws and regulations of the Commission.

Tami Stokes seconded the motion. **MOTION PASSED.** (Graf yea; Pageler yea; Petersen yea; Stokes yea.)

Lapsed Case 5- 2020- Annette Petersen made a motion to approve the Consent Agreement with the following conditions:

- a) Kim Ullom's personal license will be suspended for 10 days and Shear Magic Hair Salon's license will be suspended for a period of 14 days beginning March 12, 2021.
- b) The 10 days of suspension for the personal license and the 14 days of suspension of the salon license will be held in abeyance for a period of one year and her personal and salon license will not be actively suspended so long as the following conditions are observed:
 - a. Kim Ullom will pay \$300 by March 12, 2021.
 - b. Comply with all laws and regulations of the Commission.

Renee Graf seconded the motion. **MOTION PASSED.** (Graf yea; Pageler yea; Petersen yea; Stokes yea.)

Lapsed Case 6- 2021- Renee Graf made a motion to approve the Consent Agreement with the following conditions:

- a) Nicole Whitlock's booth license will be suspended for a period of 10 days beginning March 12, 2021.
- b) The 10 days of suspension will be held in abeyance for a period of one year and the booth license will not be actively suspended so long as the following conditions are observed:
 - a. Nicole Whitlock will pay \$150 by March 12, 2021.
 - b. Comply with all laws and regulations of the Commission.

Debbie Pageler seconded the motion. **MOTION PASSED.** (Graf yea; Pageler yea; Petersen yea; Stokes yea.)

Lapsed Case 7- 2020- Annette Petersen made a motion to approve the Consent Agreement with the following conditions:

- a) Kesha Arthurs personal license will be suspended for a period of 5 days beginning March 12, 2021.

- b) The 5 days of suspension will be held in abeyance for a period of one year and her personal license will not be actively suspended so long as the following conditions are observed:
 - a. Kesha Arthurs will pay \$100 by March 12, 2021.
 - b. Comply with all laws and regulations of the Commission.

Renee Graf seconded the motion. **MOTION PASSED.** (Graf yea; Pageler yea; Petersen yea; Stokes yea.)

Lapsed Case 8- 2020- Annette Petersen made a motion to approve the Consent Agreement with the following conditions:

- a) Chelsey Reddick personal license will be suspended for a period of 10 days and A Little Off the Top's salon license will be suspended for a period of 5 days beginning March 12, 2021.
- b) The 10 and 5 days of suspension will be held in abeyance for a period of one year and the personal and salon license will not be actively suspended so long as the following conditions are observed:
 - a. Chelsey Reddick will pay \$125 by March 12, 2021.
 - c. Comply with all laws and regulations of the Commission.

Tami Stokes seconded the motion. **MOTION PASSED.** (Graf yea; Pageler yea; Petersen yea; Stokes yea.)

The meeting was opened for public comment; no public comments were received.

Annette Petersen made a motion to approve the school license renewal application of Stewart School, Sioux Falls. Debbie Pageler seconded the motion. **MOTION PASSED.** (Graf yea; Pageler; Petersen yea; Stokes yea.)

Renee Graf made a motion to approve the school license renewal application of The Salon Professional Academy, Rapid City. Tami Stokes seconded the motion. **MOTION PASSED.** (Graf yea; Pageler; Petersen yea; Stokes yea.)

Annette Petersen made a motion to approve the instructor continuing education request submitted by The Salon Professional Academy entitled, "FUEL For Design, taught by Brian Washburn, a Redken Master Educator." Renee Graf seconded the motion. **MOTION PASSED.** (Graf yea; Pageler; Petersen yea; Stokes yea.)

Annette Petersen made a motion to approve the apprentice application of Megan Rolla at Revive Day Spa in Aberdeen. Tami Stokes seconded the motion. **MOTION PASSED.** (Graf yea; Pageler; Petersen yea; Stokes yea.)

Annette Petersen made a motion to allow Dep Ho to sell Oscar Nail Spa in Huron prior to completion of the consent agreement. Tami Stokes seconded the motion. **MOTION PASSED.** (Graf yea; Pageler; Petersen yea; Stokes yea.)

Renee Graf requested that the Commission change the dates of the April 8 & 9, 2021 Commission Meeting and school visits to April 29 & 30 2021 due to a conflict she has on April 9. The consensus was to change the April meeting dates as requested.

Annette Petersen made a motion to adjourn. Tami Stokes seconded the motion. **MOTION PASSED.** (Graf yea; Pageler; Petersen yea; Stokes yea.)

The meeting was adjourned at 10:38 am.

Respectfully submitted,

Kate Boyd, Executive Director

Annette Petersen, Secretary-Treasurer

**SOUTH DAKOTA COSMETOLOGY COMMISSION
EXECUTIVE DIRECTOR'S REPORT**

February 19, 2021

1. 2021 LEGISLATIVE UPDATE

HB 1018 – Combine Cosmetology Commission, Barber Board, and Massage Therapy Board into one board. This bill was strongly opposed by the barbers and by a group of massage therapists, although other massage therapists were in favor of the bill. The bill was killed in the first committee to hear the bill.

HB 1258 – Esthetics Apprenticeships. At the request of Fallon Helm, owner of Revive Day Spa in Aberdeen, a legislator has introduced a bill regarding apprenticeships. As currently written the bill will:

a. Allow for Esthetics Apprenticeships. Current Cosmetology law allows for cosmetology apprenticeships and nail technology apprenticeships, but not for esthetics. The bill as introduced proposes 900 hours of apprentice education in esthetics.

b. Increase Maximum Allowable Number of Apprentices in a Salon. Current law limits a salon to four apprentices and each instructor can mentor two apprentices. The bill as proposed would increase the allowable number of apprentices to eight, but still maintain the instructor/apprentice ratio at 1:2.

c. Possible Amendments. Amendments are anticipated to reduce the required apprentice education to the same number of hours required for students in cosmetology, esthetics and nail technology school programs as shown below:

Cosmetology – from 2150 hours to 1500 hours
Esthetics – from proposed 900 hours to 600 hours
Nail Technology – from 900 hours to 400 hours

2. APPRENTICESHIPS

a. Increased Interest. We are receiving an increasing number of phone calls inquiring about apprenticeships. On February 4 received one apprenticeship request for a salon in Sioux Falls. This will be presented at April 8 Commission meeting because we need to visit the salon for an interview with the instructor and proposed apprentice and ensure that the salon is set up appropriately to meet the apprenticeship requirements.

b. Apprentice Instructor State Laws/Rules Examination. With the increasing interest in apprenticeships, the staff is in the process of creating a laws/rules exam specifically for apprentice instructors. The current examination is geared toward instructors in a school. Copies of the draft exam will be sent to the Commission members for your review and comment.