

**SOUTH DAKOTA COSMETOLOGY COMMISSION**  
**Minutes**  
**May 4, 2009**

The regular meeting of the Cosmetology Commission was called to order by President Jacquelyn Dahlquist on Monday, May 4, 2009 at 4:31 p.m. in the Cosmetology office, Pierre, South Dakota.

**Roll call** was taken by Secretary/Treasurer Lois Porch, with the following members present: Pat Clark, Jackie Dahlquist, Ila Davis, Lois Porch, and Nora Slykhuis. Staff present: Susan Monge, Executive Director and Nathan Lukkes, Special Assistant Attorney General. Others present: Joy and Tom Polonic;

**Minutes**

**A MOTION WAS MADE** by Ila Davis, seconded by Pat Clark, to accept the minutes of March 9, 2009. The motion passed.

**Treasurer's Report**

Lois Porch reported that as of 4/30/09 the available budget was \$44,236.22, and the cash center balance was \$95,634.09.

**A MOTION WAS MADE** by Nora Slykhuis, seconded by Lois Porch, to approve the Treasurer's report. The motion passed.

**Executive Director's Report**

Susan Monge reported on numerous issues (attachment #1.)

The Commission felt that there should be no problem regarding a Pivot Point class, but requested that Holly Keszler supply further information on the Pivot Point classes she would like to have her instructors complete for the required continuing education.

**Disciplinary Actions**

**Cases T-2007, U-2007, and W-2007.** Lukkes explained that these three cases have been investigated, and the investigating committee is recommending that each of these cases be dismissed without prejudice as a result of insufficient evidence at this time.

**A MOTION WAS MADE** by Pat Clark, seconded by Lois Porch, to dismiss Cases T-2007, U-2007, and W-2007 without prejudice. A voice vote was taken: Clark-yes, Dahlquist-yes, Davis- abstain since she was part of the Investigating Committee, Porch, yes, Slykhuis, yes. The motion passed by a voice vote majority.

**Case R-2007 – Huong Pho.** Lukkes explained that Case R-2007 was settle on September 29, 2008 with a consent order between Hung Pho and the Commission. Ms. Pho voluntary surrendered her license. Ms. Pho is now requesting either a reinstatement of her license or a new license be approved. Ms. Pho's letters and application state that she attended another school in Washington State and completed a 600-hour nail technology course.

Monge distributed the letters from Ms. Pho and her application. The Commission reviewed the consent order signed September 29, 2008.

**A MOTION WAS MADE** by Nora Slykhuis, seconded by Pat Clark, to deny the license request. A voice vote was taken: Clark-yes, Dahlquist-yes, Davis-yes, Porch, yes, Slykhuis, abstain since she was part of the Investigating Committee. The motion passed by a voice vote majority.

Monge requested that the conditional instructor license request be considered at this time.

### **New Business**

#### **Conditional instructor license request**

Tom and Joy Poloncic presented their request for a conditional junior instructor license due to emergency circumstances at their Black Hills Beauty School in Sioux Falls. The individual they wish to hire has not completed the 1,000 salon work experience hours so they are asking the Commission to grant Amy Gorter a conditional license with conditions.

After much discussion, the Commission directed Monge to approve a conditional junior instructor for Amy Gorter if she applies. Ms. Gorter would need to submit an application with the required fee; complete the 1,000 salon work experience hours at the same time she completes the 1000 instructor program hours; complete the Boot Camp online course and the instructor laws test within two weeks of receiving the license; and sign a statement of understanding which would note that if these conditions were not met the license would be null and void. The Commission further directed Monge to require the school to submit a detailed statement of emergency need.

The Commission stated that each case for a conditional license would need to be presented to the Commission.

### **Old Business**

#### **Proposed 2009 Rules – schools and branch**

Monge presented a rough draft revision of the rules which deal with schools, branch schools, and instructors. The revised rules for schools would be tentatively completed in 2009.

Each change was discussed by the Commission. The Commission requested that Monge incorporate the changes and then present another draft at the June meeting. A public hearing date would need to be set after June.

#### **Proposed State Laws Testing through NIC**

Monge reported that she is working with Katrina Albrecht of SMT regarding setting up the state laws testing.

#### **Desaree & Company School of Beauty - New School Application**

The school has not set an opening date as of yet.

### **New Business**

#### **NIC conference – September 24-28**

Dahlquist and Monge were approved to attend the conference.

#### **National Esthetics teacher training conference**

This is a new conference with valuable information. Lois Porch was approved to attend this conference.



**EXECUTIVE DIRECTOR'S REPORT – May 4, 2009**

1. The set-up is still being worked on to accept credit and debit cards.
2. The long-range planning meeting was cancelled due to weather conditions.
3. The audit of our revenues is tentatively scheduled for May 21-22, 2009. This is an audit of FY2008. The audit will be completed by December 1, 2009. Commissioners will receive copies of the audit.
4. Ila Davis, Lois Porch, and Nora Slykhuis have been reappointed to the commission for another three-year term. This is their second term. By a change in the statute, commissioners can only serve three terms.
5. Headlines Academy has applied for and been approved as a continuing education provider for microdermabrasion and electric files. Stewart School has applied for and been approved as a continuing education provider for nails.
6. The Council on Licensure, Enforcement and Regulation (CLEAR) meets in Denver on September 10-12, 2009.
7. NIC has added an attachment to all the candidate brochures. It deals with the cleaning and disinfecting of all circulating and non-circulating tubs and spas (pedicures).
8. We have generated a list of Pierre hotels which will give sleeping room discounts to our candidates. The list will be sent with the Admission Notice.
9. Holly Keszler, director at Black Hills Beauty College in Rapid City, has requested approval of a Pivot Point class that would be used for the 12-hours continuing education to renew their instructor licenses.