

**Meeting Minutes**  
**SOUTH DAKOTA COSMETOLOGY COMMISSION**  
Rapid City and Sturgis, South Dakota  
September 21 & 22, 2017 MDT

**Thursday, September 21, 2017**

President Tammy Ugofsky called the meeting to order at 1:05 pm on Thursday, September 21, 2017 at the Department of Labor & Regulation office located at 2330 N Maple Avenue Suite 1, Rapid City, South Dakota.

Secretary-Treasurer Crystal Carlson read the roll and a quorum was established.

**Members Present:** Laurie Brandner  
Crystal Carlson  
Lori Little  
Tammy Ugofsky

**Members Absent:** Lori Berreth

**Others Present:** Executive Director Kate Boyd  
Graham Oey, Staff Attorney, Department  
of Labor & Regulation, via phone  
Commission staff member Kelsey Skoglund, via phone  
Tom Poloncic, Black Hills Beauty College  
Joy Poloncic, Black Hills Beauty College  
Tami Stokes, Cosmetologist  
Kim Wiseman, Esthetics Student  
Peggy Sproat, Headlines Academy  
Cricket Rick, Headlines Academy  
Angela Taylor, Stewart School, via phone  
Matt Fiegen, Stewart School, via phone

Several new agenda items were presented to be added to the agenda. Tammy Ugofsky made a motion to approve the agenda with the additional items added. Crystal Carlson seconded the motion. **MOTION PASSED.**

Laurie Brandner made a motion to require any agenda items to be submitted at least two weeks prior to each Commission meeting. Lori Little seconded the motion. **MOTION PASSED.**

Tammy Ugofsky made a motion to approve the July 14, 2017 meeting minutes. Lori Little seconded the motion. **MOTION PASSED.**

The Commission asked for a report at the next meeting of the funds that were spent and when they were spent to purchase the new tablets used for testing and the desk scanners/printers. It was agreed that we will invite the Department of Labor and Regulation Finance Officer to attend the November 17 meeting to explain the various details of the monthly financial report.

The treasurer's report showed that as of August 31, 2017 the available budget was \$222,305 and the cash center balance was \$208,817.

The Executive Directors Report had been included as a part of the meeting packets that were mailed. There were no questions or comments.

Case I-2015 - Lori Little made a motion to change the suspension time from November 1-11, 2017 to November 11-17, 2017 and change two employees attending education to all employees of the salon” and to approve the amended Consent Agreement for Case I-2015 with the following terms:

- a. Nails Studio Salon’s license, #LS-04791, will be suspended for a period of 180 days with 173 days being held in abeyance. Nails Studio Salon’s license will actively be suspended for 7 days beginning November 11, 2017 through November 17, 2017;
- b. The remaining 173 days of suspension for the salon’s license will be held in abeyance for a period of 1 year, beginning on the effective date of this agreement, so long as the following conditions are met:
  - 1) Nails Studio Salon will comply with all laws and regulations relating to its profession under SDCL chapter 36-15 and ARSD article 20:42 for a period of 1 year beginning on the effective date of this agreement;
  - 2) Nails Studio Salon will be subject to additional inspections for a period of 1 year from the date of execution of this agreement. Ms. Vuong, as owner of the salon, will make a onetime payment to the Commission for the additional expenses of the inspections in the amount of \$350.00 by August 31, 2017; and
  - 3) Nails Studio Salon will provide the Commission with the names and license numbers of the employees who were photographed using the illegal razor blade pedicure tools on May 22, 2015 and June 18, 2015;
    - a. The names shall be provided to the Commission by September 30, 2017; and
    - b. Ms. Vuong, agrees to testify under oath as needed in disciplinary cases against the individuals named 11(b)(3);
- c. Nails Studio Salon agrees to send all employees of the salon, including Ms. Vuong, to attend and successfully complete the State Laws and Rule Refresher Course and Exam. This course is provided in Pierre, SD, and is provided at a cost of \$50 per person to be paid by Nails Studio Salon. The course and exam must be completed by November 10, 2017; and
- d. Pursuant to SDCL 36-15-58.5 the Commission imposes a onetime payment of \$1,000.00 to be paid prior to November 7, 2017 as a condition for the reinstatement of Nails Studio Salon’s suspended license;
  - 1) If the individuals named under paragraph 11(b)(3) are able to be verified as still licensed by the Commission, allowing the Commission staff to pursue disciplinary action against those individuals, Nails Studio Salon’s reinstatement payment in paragraph 11(d) shall be reduced to \$100.00.

Tammy Ugofsky seconded the motion. **MOTION PASSED** with Crystal Carlson and Violations Committee Laurie Brandner abstaining.

Case U-2016 - Crystal Carlson made a motion to approve the Consent Agreement for Case U-2016 with the following terms:

- a. Ms. Lemke's license, Lic # NT-13022, will be suspended for a period of 45 days with 31 days being held in abeyance; Ms. Lemke's license will actively be suspended for 14 days from October 2, 2017 through October 15, 2017.
- b. The 31 days of suspension for her license will be held in abeyance for a period of 1 year, beginning on the effective date of this agreement, so long as the following conditions are met:
  - 1) Ms. Lemke will comply with all laws and regulations relating to her profession under SDCL chapter 36-15 and ARSD article 20:42 for a period of 1 year beginning on the effective date of this agreement;
  - 2) Ms. Lemke will successfully pay for and successfully complete the online course entitled "Infection Control Online Class", sponsored by Milady, found at [www.miladypro.com](http://www.miladypro.com). Ms. Lemke must submit to the Commission the Certificate of Completion received after successful completion of the course by October 31, 2017.

Tammy Ugofsky seconded the motion. **MOTION PASSED** with Violations Committee Laurie Brandner abstaining.

Lapsed Case 4-2017 - Tammy Ugofsky made a motion to approve Lapsed Case 4-2017 Consent Agreement with the following terms:

- a. Ms. Zimmerman's personal license, Lic. #CO-08164, will be suspended for a period of 5 days with 5 days being held in abeyance; Ms. Zimmerman's license will not actively be suspended.
- b. The 5 days of suspension for her license will be held in abeyance for a period of 1 year, beginning on the effective date of this agreement, so long as the following conditions are met:
  - 1) Ms. Zimmerman will comply with all laws and regulations relating to her profession under SDCL chapter 36-15 and ARSD article 20:42 for a period of 1 year beginning on the effective date of this agreement;
- c. Lindsey Zimmerman's booth license, Lic. # CB-07861, will be suspended for a period of 10 days with 10 days being held in abeyance; Lindsey Zimmerman Booth license will not actively be suspended.
- d. The 10 days of suspension for the Booth license will be held in abeyance for a period of 1 year, beginning on the effective date of this agreement, so long as the following conditions are met:

- 1) Lindsey Zimmerman Booth will comply with all laws and regulations relating to its profession under SDCL chapter 36-15 and ARSD article 20:42 for a period of 1 year beginning on the effective date of this agreement;
- 2) Pursuant to SDCL 36-15-58.5 the Commission imposes a monetary penalty of \$150.00, as a condition for the immediate reinstatement of the booth license, to be paid prior to October 31, 2017.

Crystal Carlson seconded the motion. **MOTION PASSED** with Violations Committee Laurie Brandner abstaining.

Lapsed Case 5-2017 - Crystal Carlson made a motion to approve Lapsed Case 5-2017 Consent Agreement with the following terms:

- a. Ms. Kadinger's personal license, Lic. #CO-02252, will be suspended for a period of 10 days with 10 days being held in abeyance; Ms. Kadinger's license will not actively be suspended.
- b. The 10 days of suspension for her license will be held in abeyance for a period of 1 year, beginning on the effective date of this agreement, so long as the following conditions are met:
  - 1) Ms. Kadinger will comply with all laws and regulations relating to her profession under SDCL chapter 36-15 and ARSD article 20:42 for a period of 1 year beginning on the effective date of this agreement;
  - 2) Pursuant to SDCL 36-15-58.5 the Commission imposes a monetary penalty of \$125.00, as a condition for the immediate reinstatement of her personal license, to be paid prior to October 31, 2017.
- c. Washington Crossings Salon license, Lic. #CP-08577, will be suspended for a period of 10 days with 10 days being held in abeyance; Washington Crossings Salon license will not actively be suspended.
- d. The 10 days of suspension for the salon license will be held in abeyance for a period of 1 year, beginning on the effective date of this agreement, so long as the following conditions are met:
  - 1) Washington Crossings Salon will comply with all laws and regulations relating to its profession under SDCL chapter 36-15 and ARSD article 20:42 for a period of 1 year beginning on the effective date of this agreement;
  - 2) Pursuant to SDCL 36-15-58.5 the Commission imposes a monetary penalty of \$150.00, as a condition for the immediate reinstatement of the salon license, to be paid prior to October 31, 2017.

Tammy Ugofsky seconded the motion. **MOTION PASSED** with Violations Committee Laurie Brandner abstaining.

Lapsed Case 7-2017 - Lori Little made a motion to approve the Consent Agreement for Lapsed Case 7-2017 with the following terms:

- a. Ms. Kapperman's personal license, Lic. #CO-09282, will be suspended for a period of 5 days with 5 days being held in abeyance; Ms. Kapperman's license will not actively be suspended.
- b. The 5 days of suspension for her license will be held in abeyance for a period of 1 year, beginning on the effective date of this agreement, so long as the following conditions are met:
  - 1) Ms. Kapperman will comply with all laws and regulations relating to her profession under SDCL chapter 36-15 and ARSD article 20:42 for a period of 1 year beginning on the effective date of this agreement;
- c. Tessa Kapperman Booth license, Lic. #CB-06080, will be suspended for a period of 5 days with 5 days being held in abeyance; Tessa Kapperman Booth's license will not actively be suspended.
- d. The 5 days of suspension for the booth license will be held in abeyance for a period of 1 year, beginning on the effective date of this agreement, so long as the following conditions are met:
  - 1) Tessa Kapperman Booth will comply with all laws and regulations relating to its profession under SDCL chapter 36-15 and ARSD article 20:42 for a period of 1 year beginning on the effective date of this agreement;
  - 2) Pursuant to SDCL 36-15-58.5 the Commission imposes a monetary penalty of \$100.00, as a condition for the immediate reinstatement of the booth license, to be paid prior to October 31, 2017.

Tammy Ugofsky seconded the motion. **MOTION PASSED** with Violations Committee Laurie Brandner abstaining.

Lapsed Case 9-2017 Crystal Carlson made a motion to approve Lapsed Case 9-2017 Consent Agreement with the following terms:

- a. Ms. Schieffer's personal license, Lic. #CO-11301, will be suspended for a period of 5 days with 5 days being held in abeyance; Ms. Schieffer's license will not actively be suspended.
- b. The 5 days of suspension for her license will be held in abeyance for a period of 1 year, beginning on the effective date of this agreement, so long as the following conditions are met:
  - 1) Ms. Schieffer will comply with all laws and regulations relating to her profession under SDCL chapter 36-15 and ARSD article 20:42 for a period of 1 year beginning on the effective date of this agreement;
  - 2) Pursuant to SDCL 36-15-58.5 the Commission imposes a monetary penalty of \$75.00, as a condition for the immediate reinstatement of her personal license, to be paid prior to October 31, 2017.

- c. Tara Schieffer's Booth license, Lic. #CB-07041, will be suspended for a period of 15 days with 15 days being held in abeyance; Tara Schieffer Booth's license will not actively be suspended.
- d. The 15 days of suspension for the booth license will be held in abeyance for a period of 1 year, beginning on the effective date of this agreement, so long as the following conditions are met:
  - 1) Tara Schieffer Booth will comply with all laws and regulations relating to its profession under SDCL chapter 36-15 and ARSD article 20:42 for a period of 1 year beginning on the effective date of this agreement;
  - 2) Pursuant to SDCL 36-15-58.5 the Commission imposes a monetary penalty of \$225.00, as a condition for the immediate reinstatement of the booth license, to be paid prior to October 31, 2017.

Tammy Ugofsky seconded the motion. **MOTION PASSED** with Violations Committee Laurie Brandner abstaining.

Lapsed Case 10-2017 - Tammy Ugofsky made a motion to approve Lapsed Case 10-2017 Consent Agreement with the following terms:

- a. Ms. McGill's personal license, Lic. #CO-05012, will be suspended for a period of 15 days with 15 days being held in abeyance; Ms. McGill's license will not actively be suspended.
- b. The 15 days of suspension for her license will be held in abeyance for a period of 1 year, beginning on the effective date of this agreement, so long as the following conditions are met:
  - 1) Ms. McGill will comply with all laws and regulations relating to her profession under SDCL chapter 36-15 and ARSD article 20:42 for a period of 1 year beginning on the effective date of this agreement;
  - 2) Pursuant to SDCL 36-15-58.5 the Commission imposes a monetary penalty of \$275.00, as a condition for the immediate reinstatement of her personal license, to be paid prior to December 31, 2017.
- 1) Connies Clip and Curl Salon license, Lic. #CS-01912, will be suspended for a period of 15 days with 15 days being held in abeyance; Connies Clip and Curl Salon license will not actively be suspended.
- 2) The 15 days of suspension for the salon license will be held in abeyance for a period of 1 year, beginning on the effective date of this agreement, so long as the following conditions are met:
  - 1) Connies Clip and Curl Salon will comply with all laws and regulations relating to its profession under SDCL chapter 36-15 and ARSD article 20:42 for a period of 1 year beginning on the effective date of this agreement;
  - 2) Pursuant to SDCL 36-15-58.5 the Commission imposes a monetary penalty of \$275.00, as a condition for the immediate reinstatement of the booth license, to be paid prior to December 31, 2017.

Crystal Carlson seconded the motion. **MOTION PASSED** with Violations Committee Laurie Brandner abstaining.

Lapsed Case 11-2017 - Crystal Carlson made a motion to approve Lapsed Case 11-2017 Consent Agreement with the following terms:

- a. Ms. McCorkell's personal license, Lic. #CO-01724, will be suspended for a period of 7 days with 7 days being held in abeyance; Ms. McCorkell's license will not actively be suspended.
- b. The 7 days of suspension for her license will be held in abeyance for a period of 1 year, beginning on the effective date of this agreement, so long as the following conditions are met:
  - 1) Ms. McCorkell's will comply with all laws and regulations relating to her profession under SDCL chapter 36-15 and ARSD article 20:42 for a period of 1 year beginning on the effective date of this agreement;
  - 2) Ms. McCorkell will pay the \$55.00 renewal and late penalty fees prior to December 31, 2017 for the time she working in the salon from November, 2015 through July, 2016 prior to her retirement.

Tammy Ugofsky seconded the motion. **MOTION PASSED** with Violations Committee Laurie Brandner abstaining.

Lapsed Case 12-2017 - Crystal Carlson made a motion to approve Lapsed Case 12-2017 Consent Agreement with the following terms:

- a. Ms. McCorkell's personal license, Lic. #CO-01725, will be suspended for a period of 15 days with 15 days being held in abeyance; Ms. McCorkell's license will not actively be suspended.
- b. The 15 days of suspension for her license will be held in abeyance for a period of 1 year, beginning on the effective date of this agreement, so long as the following conditions are met:
  - 1) Ms. McCorkell's will comply with all laws and regulations relating to her profession under SDCL chapter 36-15 and ARSD article 20:42 for a period of 1 year beginning on the effective date of this agreement;
  - 2) Pursuant to SDCL 36-15-58.5 the Commission imposes a monetary penalty of \$300.00, as a condition for the immediate reinstatement of her personal license, to be paid prior to December 31, 2017.

Tammy Ugofsky seconded the motion. **MOTION PASSED** with Violations Committee Laurie Brandner abstaining.

Lapsed Case 8-2017 - Lori Little made a motion to approve Lapsed Case 8-2017 Consent Agreement with the following terms:

- a. Ms. Crandall's personal license, Lic. #CO-06682, will be suspended for a period of 5 days with 5 days being held in abeyance; Ms. Crandall's license will not actively be suspended.
- b. The 5 days of suspension for her license will be held in abeyance for a period of 1 year, beginning on the effective date of this agreement, so long as the following conditions are met:
  - 1) Ms. Crandall will comply with all laws and regulations relating to her profession under SDCL chapter 36-15 and ARSD article 20:42 for a period of 1 year beginning on the effective date of this agreement;
- c. Kathryn Crandall Booth license, Lic. #CB-06342, will be suspended for a period of 10 days with 10 days being held in abeyance; Kathryn Crandall Booth's license will not actively be suspended.
- d. The 10 days of suspension for the booth license will be held in abeyance for a period of 1 year, beginning on the effective date of this agreement, so long as the following conditions are met:
  - 1) Kathryn Crandall Booth will comply with all laws and regulations relating to its profession under SDCL chapter 36-15 and ARSD article 20:42 for a period of 1 year beginning on the effective date of this agreement;
  - 2) Pursuant to SDCL 36-15-58.5 the Commission imposes a monetary penalty of \$150.00, as a condition for the immediate reinstatement of the booth license, to be paid prior to October 31, 2017.

Crystal Carlson seconded the motion. **MOTION PASSED** with Violations Committee Laurie Brandner abstaining

The Commission had previously considered the pursuit of legislation to allow for substitute instructors without requiring an instructors license, provided the individual is licensed with the Commission and substitutes fewer than 80 hours per year. Attorney Graham Oey recommended that the Commission not pursue legislation to allow for substitute instructors who do not have an instructor's license.

Tammy Ugofsky made a motion to not pursue legislation to allow substitute instructors who do not have a South Dakota instructor's license. Lori Little seconded the motion. **MOTION PASSED.**

Tammy Ugofsky had interviewed the senior instructor and two proposed apprentices and recommended that the apprenticeships be approved. Crystal Carlson made a motion to approve the two apprenticeships at Leo Thomas Salon. Lori Little seconded the motion. **MOTION PASSED.**

Tami Stokes, owner of Studio 19 Lash Bar & Salon addressed the Commission regarding number of required hours and content that she thought should be required for teaching eyelash



extensions, Commission should consider developing rules to prohibit certain products that can harm the public, and she recommended that liability insurance be required.

Crystal Carlson made a motion to approve the instructor continuing education request from Black Hills Beauty College - Sioux Falls and Rapid City. Tammy Ugofsky seconded the motion. **MOTION PASSED.**

Tammy Ugofsky made a motion to approve the Headlines Academy school license renewal application. Lori Little seconded the motion. **MOTION PASSED** with Laurie Brandner abstaining.

Tammy Ugofsky made a motion to approve the Headlines Academy eyelash extension pre-approved provider application. Crystal Carlson seconded the motion. **MOTION PASSED** with Laurie Brandner abstaining.

Tammy Ugofsky made a motion to approve Studio 19 Lash Bar & Salon/Tami Stokes eyelash extension pre-approved provider application. Laurie Brandner seconded the motion. **MOTION PASSED.**

Crystal Carlson made a motion to approve Adrienne Scheitler's eyelash extension pre-approved provider application. Laurie Brandner seconded the motion. **MOTION PASSED.**

Tammy Ugofsky made a motion to approve Kylie Lemke's eyelash extension pre-approved provider application. Crystal Carlson seconded the motion. **MOTION PASSED.**

Tammy Ugofsky made a motion to approve Stewart School's eyelash extension pre-approved provider application. Crystal Carlson seconded the motion. **MOTION PASSED.**

Crystal Carlson made a motion to approve Stewart School's microdermabrasion pre-approved provider application. Tammy Ugofsky seconded the motion. **MOTION PASSED.**

Tammy Ugofsky made a motion to approve Stewart School's electric file pre-approved provider application. Crystal Carlson seconded the motion. **MOTION PASSED.**

Crystal Carlson made a motion to approve Black Hills Beauty College-Rapid City eyelash extension pre-approved provider application. Tammy Ugofsky seconded the motion. **MOTION PASSED.**

Tammy Ugofsky made a motion to approve Black Hills Beauty College-Rapid City electric nail file provider application. Lori Little seconded the motion. **MOTION PASSED.**

Tammy Ugofsky made a motion to approve the Headlines Academy field trip request to take their students to a program on the U.S. constitution. Lori Little seconded the motion. **MOTION PASSED.**

Crystal Carlson made a motion to approve the student license application of Dwight Johnson. Tammy Ugofsky seconded the motion. **MOTION PASSED.**

President Ugofsky stated that the NIC Conference report would not be given at this time.

Laurie Brandner requested that the November 17, 2017 meeting agenda include a discussion about inspectors duties and responsibilities, territories, and pay and benefits.

It was also suggested that we have the inspectors attend the Commission meeting at least once a year.

It was also recommended that the next agenda include a discussion about special events and how to monitor the safety and infection control for special events for those licensees who have a salon or booth license but are rarely there because they mainly perform services at special events.

Upcoming Meeting Dates for the Remainder of 2017 are

- October 12 & 13, 2017 - State Board Examinations (C & N) - Pierre
- November 3, 2017 - State Board Examinations (E) - Pierre
- November 17, 2017 - Commission Meeting - DLR Office - Pierre
- December 2, 2017 - State Board Examinations (C) - Watertown

Laurie Brandner made a motion to recess to drive to Sturgis for a school visit at Desaree and Company School of Beauty. Crystal Carlson seconded the motion. **MOTION PASSED.**

The meeting was recessed at 3:05 pm MDT.

President Ugofsky called the meeting back to order at 4:06 pm at Desaree & Company School of Beauty located at 1117 Main St Suite B, Sturgis South Dakota.

Secretary-Treasurer Crystal Carlson read the roll and a quorum was established.

**Members Present:** Laurie Brandner  
Crystal Carlson  
Lori Little  
Tammy Ugofsky

**Members Absent:** Lori Berreth

**Others Present:** Desaree Dargatz, Owner, Desaree and Company School of Beauty

The Commission toured the Desaree & Company cosmetology program classrooms and met with Desaree and Company school representative Desaree Dargatz

Laurie Brandner made a motion to recess for the day. Tammy Ugofsky seconded the motion.  
**MOTION PASSED.**

The meeting was recessed for the day at 5:16 pm MDT.

**Friday, September 22, 2017**

President Tammy Ugofsky called the meeting back to order at 9:07 am on Friday, September 22, 2017 MDT at Headlines Academy located at 333 Omaha St Suites 6 & 7, Rapid City, South Dakota.

S. Secretary-Treasurer Crystal Carlson read the roll and a quorum was established.

**Members Present:** Laurie Brandner  
Crystal Carlson  
Lori Little  
Tammy Ugofsky

**Members Absent:** Lori Berreth

**Others Present:** Peggy Sproat, Owner, Headlines Academy  
Cricket Rick, Headlines Academy

The Commission toured Headlines Academy classrooms and met with Headlines Academy representatives Peggy Sproat and Cricket Rick.

Crystal Carlson made a motion to recess. Laurie Brandner seconded the motion. **MOTION PASSED.**

The meeting was recessed at 10:00 am MDT.

President Ugofsky called the meeting back to order at 10:15 am at Black Hills Beauty College located at 623 St. Joseph Street, Rapid City, South Dakota.

Secretary-Treasurer Crystal Carlson called the roll and a quorum was established.

**Members Present:** Laurie Brandner  
Crystal Carlson  
Lori Little  
Tammy Ugofsky

**Members Absent:** Lori Berreth

**Others Present:** Holly Keszler, Director, Black Hills Beauty College

The Commission toured Black Hills Beauty College-Rapid City classrooms & observed students and met with Black Hills School Representative Holly Keszler.

Tammy Ugofsky made a motion to adjourn the meeting at 11:00 am. Lori Little seconded the motion. **MOTION PASSED.**

President Ugofsky adjourned the meeting at 11:00 am MDT.

Respectfully submitted,

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Kate Boyd, Executive Director

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Crystal Carlson, Secretary-Treasurer