

**Meeting Minutes**  
**SOUTH DAKOTA COSMETOLOGY COMMISSION**  
Meeting Held Via Teleconference  
December 20, 2018

President Tammy Ugofsky called the meeting to order at 10:05 am.

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

**Members Present:** Crystal Carlson  
Lori Little  
Debbie Pageler  
Tami Stokes  
Tammy Ugofsky

**Members Absent:** N/A

**Others Present:** Kate Boyd, Executive Director  
Graham Oey, Staff Attorney, Department of Labor & Regulation  
Tom Poloncic, Black Hills Beauty College  
Wendy Beaumont, Black Hills Beauty College

Tammy Ugofsky made a motion to add an agenda item for Public Comment and to approve the agenda as amended. Crystal Carlson seconded the motion A roll call vote was taken. **MOTION PASSED** (Carlson yea; Little yea; Pageler yea; Stokes yea; Ugofsky yea).

There were no public comments.

Lori Little made a motion to approve Consent Agreement K-2018, with the following terms:

1. Headlines License will be suspended for a period of 30 days beginning the day agreement is signed by the Commission.
2. The 30 days of suspension will be held in abeyance until September 20, 2019 and Headlines school license will not be actively suspended, so long as the following conditions are met:
  - a. Headlines agrees to voluntarily close all operations for one day on January 21, 2019;
  - b. Headlines agrees to have all instructors attend a commission seminar put on by commission member Ugofsky outlining commission expectations under the statutes and administrative rules governing cosmetology;
  - c. All instructors employed by Headlines at the time of signing this agreement and that become employed prior to February 1, 2019 shall take the Online Barbicide Certification infection control course prior to February 1, 2019.
  - d. Headlines will be subject to four unannounced inspections between the seminar and expiration of this agreements.

- e. Commissioner Ugofsky will be trained by Department of Labor attorney Graham Oey regarding the content of the administrative rules government cosmetology. This training includes how the inspection form used in the October 11, 2018 inspection does not, in places comport with the requirements of the administrative rules, and where historical interpretation of the inspection form by some inspectors did not comport with the administrative rules.
- f. The commission agrees that the seminar referenced in paragraph 13(b)(2) must be attended by all west river inspectors utilized by the commission. The commission expectations taught at this seminar shall be the administrative rules of cosmetology, and the commission shall not teach any commission expectations that are in addition to or different from the administrative rules governing cosmetology.
- g. The commission agrees to modify the school inspection form to ensure it comports with the administrative rules governing cosmetology.
- h. At its next opportunity to do so, the commission agrees to propose new or revised administrative rules to govern automatic failures in an inspection, how re-inspections are utilized, and the number of violations necessary to fail an inspection.

Debbie Pageler seconded the motion. A roll call vote was taken. **MOTION PASSED** (Little yea; Pageler yea; Ugofsky yea; Carlson abstain; Stokes abstain).

Tammy Ugofsky made a motion to adjourn. Crystal Carlson seconded the motion. A roll call vote was taken. **MOTION PASSED** (Carlson yea; Little yea; Pageler yea; Stokes yea; Ugofsky yea).

The meeting was adjourned at 10:15 am.

Respectfully submitted,

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Kate Boyd, Executive Director

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Crystal Carlson, Secretary-Treasurer