

MINUTES
South Carolina Board of Cosmetology
10:00 A.M., January 9, 2006
Board Meeting
Synergy Business Park
Kingstree Building
110 Centerview Drive, Conference Room 108
Columbia, South Carolina

Melanie Thompson, Vice Chairman, of Myrtle Beach, called the regular meeting of the SC Board of Cosmetology to order at 10:20 am. Other board members present included: Michelle Furtick, of Columbia; Delores Gilmer, of Charleston; Ruth Settles, of Greenville; and Katherine Webb, of Easley.

Rosanne Kinley, Chairman, of Anderson, was granted an excused absence.

Staff members participating in the meeting included: Ronnie Blackmon, Inspector; Sharon Dantzler, Deputy General Counsel; Sandra Dickert, Administrative Assistant; Ed Farnell, Office of Investigations and Enforcement; Eddie Jones, Administrator; Mark Sanders, Inspector; Brett Sims, Investigator; and Shirley Wider; Program Assistant.

Members of the public attending the meeting included: Frances Archer, Pearl Clark, Jay Lacy, Cody Lidge, Barbara McKnight, Ruth Ott, Chesley Phillips, Delores Rush, and Catherine Stabler.

Meeting Called to Order

Ms. Thompson announced that public notice of this meeting was properly posted at the S. C. Board of Cosmetology office, Synergy Business Park, Kingstree Building and provided to all requesting persons, organizations and news media, in compliance with Section 30-4-80 of the South Carolina Freedom of Information Act.

Pledge of Allegiance

All present recited the Pledge of Allegiance.

Rules of the Meeting Read by the Chairman

Ms. Thompson read the rules of the meeting,

Introduction of Board Members and All Other Persons Attending

The Board members, staff, and members of the public introduced themselves for the record.

Approval of the November 14, 2005 Meeting Minutes

Ms. Furtick made one correction to page four of the minutes. She indicated Ms. Settles opposed the motion regarding the continuing education recommendation made by Mr. Ray. Ms. Thompson made one correction to page two contained in Ms. Kinley's report. She noted Ms. Kinley's was discussing the mycobacterium fortuitum.

MOTION

Ms. Settles moved the Board accept the minutes of the November 14, 2005 meeting with the necessary changes. Ms. Gilmer seconded the motion, which carried unanimously.

Approval of the November 28, 2005 Conference Call Minutes

MOTION

Ms. Gilmer made a motion, seconded by Ms. Settles, that the Board approve the November 28, 2005 conference call minutes.

Approval of the Executive Session Minutes

MOTION

Ms. Furtick moved the executive session minutes be approved. The motion was seconded by Ms. Gilmer, and unanimously carried.

Vice Chairman's Remarks – Melanie C. Thompson

Ms. Thompson stated Ms. Kinley is attending the Executive Committee meeting for NICS. She further stated the Region One and Two committees will hold a meeting on April 29 – May 1, 2006 at the Land Fall Park Hampton Inn and Suites in Wilmington, NC.

Ms. Thompson stated Ms. Kinley would have documents, Guidelines for Sanitation in Salons and cosmetology transferred hours for distribution to staff.

Ms. Thompson stated Ms. Kinley would like for the Board members to access a SMT website for a survey of nail technicians. She noted the website is www.smttest.com/nicnt.

Ms. Thompson stated Ms. Kinley would like all board members to attend the PCS examiner training scheduled for June 11-12, 2006.

Administrator's Remarks, For Information – Eddie Jones

Mr. Jones stated the Board had requested during the November 2005 meeting concerning the Board meetings being held out of town. He noted Mr. Bryant has indicated the Board should be able to hold its September 2006 meeting in Greenville and its November 2006 meeting in Charleston. He went on to say PCS would continue to administer the examinations.

Ms. Thompson asked Ms. Dickert to begin negotiations as soon as possible.

Advisory Opinions, If Needed, Office of General Counsel

Legislative Update, If Needed, Legislative Liaison Office

There were no advisory opinions or legislative update given during this meeting.

Inspections Report – Ronnie Blackmon

Mr. Blackmon stated 205 inspections were conducted in December 2005. He noted 781 inspections have been conducted since July 2005.

Complaint Status Report – Brett Sims

Mr. Sims stated 32 complaints have been opened with OIE, most of which are sanitation issues, unlicensed practice and reporting hours from schools. He further stated several cases are pending consent agreements and other forms of litigation.

Ms. Thompson asked Mr. Sims if the Academy of Hair Technology was one of the open on-going cases. Mr. Sims stated that matter is pending DRC action. Ms. Thompson stated she has received one or two complaints regarding this school since the consent order was signed a few years back. Mr. Sims stated those complaints are pending before the DRC.

Action Items

Old Business

1. Administration of Exam by PCS

Ms. Thompson stated Mr. Bryant stated negotiations are continuing regarding the PCS administration of the exam. She indicated he also noted that the process could be lengthy.

New Business

1. DRC Reports for December 5, 2005 and January 3, 2006 – Alan Ray, IRC

Ms. Furtick stated she had questioned Ms. Dantzler regarding a cease and desist case during the last meeting. She further stated there are cases listed concerning unlicensed practice and expired licenses and asked Ms. Dantzler for a clarification on which cases would be issued cease and desist orders. Ms. Dantzler stated a cease and desist order if the Board has never licensed an individual.

MOTION

Ms. Gilmer moved the Board approve the December 5, 2005 and the January 3, 2006 DRC Reports. Ms. Settles seconded the motion, which carried unanimously.

2. School Application for Upstate College of Cosmetology – Sharon H. Watson

In December 2005 the Board received an application for a new school, Upstate College of Cosmetology, to be located in Seneca. The school's owner is Sharon Watson and has employed one full-time instructor, Genia O'Bryant.

MOTION

Ms. Webb moved, seconded by Ms. Gilmer, to approve conducting the preliminary inspection of Upstate College of Cosmetology.

3. Request for Approval as Instructor for Methods of Teaching Class

a. Carol Toney

On January 2, 2006 the Board received a request from Carol Toney for the Board's approval to become a methods of teaching instructor. (Ms. Toney's request, including her résumé and her transcripts from Western Carolina University, are herewith attached and become a permanent part of the record retained at the Board's office.)

b. Nancy Poole

On January 6, 2006 the Board received a request from Nancy Poole, Owner of Strand College of Hair Design, seeking the Board's approval to become a methods of teaching instructor. (Ms. Poole's request and her resume are herewith attached and become a permanent part of the record retained at the Board's office.)

MOTION

Ms. Furtick moved the Board approve Ms. Toney and Ms. Poole as methods of teaching instructors. Ms. Webb seconded the motion, which carried unanimously.

4. Letters Regarding Nails, Skin and Hair of America CE Class

a. Virginia Hunter

b. Sandra Sexton Steele

On December 19, 2005 the Board received a complaint from Sandra Sexton Steel in regard to a complaint against Chesley Phillips. The complaint indicates Ms. Steele has been unable to obtain the necessary documentation needed to renew her North Carolina license. Ms. Thompson stated Ms. Steele's complaint indicates that she is having trouble getting her certification to the North Carolina Board of Cosmetology.

Ms. Phillips stated approximately 15 other individuals from North Carolina were also in that class. She further stated she has closed her spa, has had two operations on her hand and is facing a third operation. She noted her office was packed up by the time she regained consciousness from the wreck. She is attempting to correct the problems with these two individuals.

On December 9, 2005 the Board received a complaint from Virginia Hunter in regard to not receiving a refund for a class she was scheduled to take on November 7, 2005. The class was cancelled on November 4, 2005 and never rescheduled. The complaint further indicates she has asked Ms. Phillips to credit her bank account for the \$45 tuition, but has not yet been done.

Ms. Phillips stated she would refund Ms. Hunter's money via credit card; however, this information is packed in box in her office and not yet located the necessary documentation. She further stated the information is packed up her office and will forward a copy of the documentation to the Board as soon as it is possible.

Ms. Thompson asked Ms. Phillips to contact these two individuals, by mail, to let them know proof of her actions would be forwarded to them within five to seven days.

5. Letters Regarding December 19, 2005 Practical Exam for Esthetics
 - a. Kari Stone
 - b. Jenna Rush
 - c. Anissa Ryder

The Board has received letters from Kari Stone, Jenna Rush, and Anissa Ryder as complaints regarding the esthetics practical exam administered by PCS at the Travel Lodge on December 19, 2005.

Mr. Jones stated these individuals arrived in time and were in place to take the December 19, 2005 exam and were not allowed to take the exam. He further stated one of the individuals has contacted PCS.

Ms. Thompson stated she researched the matter and went on to say this matter should be handled by PCS. Ms. Dantzler stated these letters should be forwarded to PCS with a copy sent to the individuals.

Board Member Reports

Ruth Settles, Michelle Furtick, and Katherine Webb had no reports. Melanie Thompson gave her report under Vice Chairman's Remarks.

Delores Gilmer

Ms. Gilmer monitored a Hair, Skin and Nails continuing education class in Hilton Head on November 19, 2005. On November 23, 2005 she attended the final inspection on Miller Mark Technical College. She attended the final inspection in regard to the Trident Technical College esthetics class on December 15, 2005.

Reciprocity Report

In December 2005 the Board licensed 38 cosmetologists and two estheticians.

In November 2005 25 cosmetologists were licensed.

Discussion Items (No Votes May Be Taken)

There were no discussion items for this meeting.

Public Comments (No Votes May Be Taken)

Ms. Pearl Clark questioned the Board regarding a student's hours. Ms. Thompson advised Ms. Clark to inform the student to speak with the school and if she cannot get any satisfaction, she may submit a letter of complaint to the Board after which time she may appear before the Board.

Mr. Ray suggested the student send a letter to the school with a copy of the letter to Mr. Jones.

Ms. Chesley Phillips stated the continuing education packet she submitted contained five incorrect dates. She asked if they could be corrected. The information was given to Ms. Wider.

Executive Session (To Consider Disciplinary Actions/Seek Legal Advice)

MOTION

Ms. Gilmer moved the Board enter executive session. Ms. Webb seconded the motion, which carried unanimously.

Return to Public Session to Report on Executive Session

MOTION

Ms. Gilmer made a motion, seconded by Ms. Webb and unanimously carried, the Board return to public session.

Ms. Thompson noted for the record that no motions were offered and no votes were taken during executive session.

Adjournment

MOTION

There being no further business to be discussed at this time, Ms. Settles moved the meeting be adjourned. Ms. Gilmer seconded the motion, which carried unanimously.

The meeting adjourned at 11:56 a.m.