

The Oklahoma State Board of Cosmetology and Barbering met at 10:00 a.m. on Monday, January 11, 2016 at 2401 NW 23rd, Suite 84 in the Testing Center, Oklahoma City, OK 73107. The following persons were present:

BOARD MEMBERS

Ken Young, Chair
Anthony Baldini, Vice Chair
LaFaye Austin
Rick Bennett
Tammy Graham
Bill Helton
Christy Mather
Max Thomas

BOARD'S LEGAL ADVISOR

Grant Moak, Assistant Attorney General
Tiffany Wythe, Assistant Attorney General

BOARD STAFF

Sherry Lewelling, Executive Director
Jennifer McRee, Principal Assistant
Donnie Allen, Inspector
Willis Berry, Inspector
Elaine Klemme, Inspector
Krissy Miller, Inspector

VISITORS

Cam H. Ly
Rosemary Greenlee

CALL TO ORDER

Chair Young called the meeting to order.

Chair Young confirmed with Ms. McRee that the Board meeting agenda had been properly posted and agenda-ized.

ROLL CALL

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Quorum was established with roll call. The following persons were present: Young, Baldini (entered prior to Hearing on the agenda), Austin, Bennett, Graham, Helton, Mather, and Thomas. (Fisher, Payne and Webb were not present).

PUBLIC COMMENT – OPPORTUNITY FOR THE BOARD TO RECEIVE PUBLIC COMMENT – EACH SPEAKER IS LIMITED TO THREE MINUTES. COMMENTD MUST BE RELATED TO ITEMS ON THE AGENDA

No formal requests were received to speak.

DISCUSSION AND POSSIBLE ACTION TO PPROVE OR DISAPPROVE BUDGET REPORT (JULY 1, 2015 to DECEMBER 31, 2015) – STEVEN HAWKINS, OMES, AGENCY BUSINESS SERVICES

Mr. Hawkins provided the financial report to the Board.

Mr. Helton made a motion, seconded by Ms. Austin to approve the financial report for July 1, 2115 to December 31, 2015 as presented.

VOTING: Austin, yes; Bennett, yes; Graham, yes; Helton, yes; Mather, yes; Thomas, yes.
Motion carried.

DISCUSSION AND POSSIBLE ACTION TO APPROVE OR DISAPPROVE BOARD MEETING MINUTES FROM NOVEMBER 9, 2015 and DECEMBER 7, 2015 BOARD MEETINGS

A motion was made by Mr. Thomas and seconded by Mr. Helton to approve the Board meeting minutes of November 9, 2015 and December 7, 2015.

VOTING: Austin, yes; Bennett, yes; Graham, yes; Helton, yes; Mather, yes; Thomas, yes.
Motion carried.

DISCUSSION AND POSSIBLE ACTION TO APPROVE OR DISAPPROVE FY 2016 SALARY ADMINISTRATION PLAN

A motion was made by Mr. Helton and seconded by Mr. Thomas to approve the 2016 Salary Administration Plan.

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VOTING: Austin, yes; Bennett, yes; Graham, yes; Helton, yes; Mather, yes; Thomas, yes.
Motion carried.

BUDGET COMMITTEE REPORT – REPORT FROM MEETING OF JANUARY 11, 2016 – MAX THOMAS CHAIR

Mr. Thomas reported that the Committee met the morning of the meeting. He stated that he would like staff to research the cost to update computer software and hardware for testing. He said the Board needs to consider that if the legislature sweeps funds, this should be ready to go to the Cabinet Secretary now and otherwise, wait and study further.

Board discussion determined that it was important that study include information for in-house testing and for outsourcing and bring the information as soon as possible to a committee meeting.

LEGISLATIVE COMMITTEE REPORT – UPDATE ON PROGRESS OF BOARD LEGISLATION – MAX THOMAS, CHAIR

Mr. Thomas stated that there is no progress to report at this time as this is pre-legislative session and he will have more to report at the next meeting.

DIRECTOR'S REPORT – SHERRY LEWELLING, EXECUTIVE DIRECTOR

Ms. Lewelling provided a written report to the Board. She told of the mandatory state travel cuts and reminded members of the Special Board meeting to consider rule proposal on January 25, 2016.

DISCUSSION AND POSSIBLE ACTION TO APPROVE DELEGATES TO ATTEND NIC REGIONAL MEETING APRIL 2nd – 3rd, 2016 in NASHVILLE, TN

A motion was made by Mr. Helton and seconded by Ms. Graham that in light of the state's mandatory travel cuts and Cabinet Secretary approval process, that The Executive Director and the Chair approve those who shall attend the conference. (Ms. Fisher and Ms. Mather have expressed an interest in attending. Mr. Helton is an NIC officer and his travel will be paid for by NIC).

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Mr. Baldini entered the meeting.

HEARING

IN THE CASE LISTED BELOW, THE BOARD MAY VOTE TO ENTER INTO EXECUTIVE SESSION PURSUANT TO 25 O.S. § 307 (B)(8).

CASE NO. 2015-29

IN THE MATTER OF THE COMPLAINT AGENST TINA TRAN #150301

POSSIBLE VOTE TO ENTER OPEN SESSION

DISCUSSION AND POSSIBLE ACTION ON MATTES DISCUSSED IN EXECUTIVE SESSION

Grant Moak, Assistant Attorney General presented the case to the Board. Tiffany Wythe, Assistant Attorney General served as an Advisor to the Board.

A motion awas made by Mr. Helton and seconded by Ms. Austin to adjourn regular session and go into Executive Session to deliberate on Case No. 2015-29.

VOTING: Austin, yes; Baldini, yes; Bennett, yes; Graham, yes; Helton, yes; Mather, yes; Thomas, yes.

Motion carried.

The Board deliberated in Executive Session.

A motion was made by Mr. Helton and seconded by Ms. Austin to adjourn Executive Session and return to regular session.

VOTING: Austin, yes; Baldini, yes; Bennett, yes; Graham, yes; Helton, yes; Mather, yes; Thomas, yes.

Motion carried.

A motion was made by Mr. Helton and seconded by Mr. Baldini to 1) adopt the findings of fact and conclusions of law as stated in the complaint 2) make an additional finding that Respondent knowingly made false material misrepresentation regarding licensure in Puerto Rico with intent to obtain licensure by reciprocity from the Board, and 3) revoke Respondent's license.

VOTING: Austin, yes; Baldini, yes; Bennett, yes; Graham, yes; Helton, yes; Mather, yes; Thomas, yes.

Motion carried.

Pursuant to Executive Order 2015-33, the Board's order will not be effective until it has been reviewed and approved by the Oklahoma Attorney General.

NEW BUSINESS WHICH COULD NOT HAVE BEEN REASONABLY FORESEEN PRIOR TO POSTING OF MEETING AGENDA 25 O.S. § (A)(9)

No new business was heard

BOARD ADJOURNMENT

Chair Young announced the meeting to be adjourned.

Ken Young, Chair

Anthony Baldini, Vice Chair

LaFaye Austin

Rick Bennett

Tammy Graham

Bill Helton

Christy Mather

Max Thomas