
OHIO STATE BOARD OF COSMETOLOGY

1929 Gateway Circle

Grove City, Ohio 43123

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OFFICIAL BOARD MEETING MINUTES OF DECEMBER 12, 2017

REGULAR BUSINESS MEETING

TRANSCRIPTION NOTE (Exhibit A):

Anderson Reporting Service, 3242 West Henderson Road, Suite A, Columbus, OH 43220 was the transcription service for this meeting. Transcript is attached as Exhibit A.

ATTENDANCE (Exhibit B):

Tommy Taneff, Chairperson

Clara Osterhage, Vice-Chairperson

Luke Hanks

Tasha Sheipline

Charles Penzone

Rowena Yeager

Staff in attendance:

Christopher H. Logsdon, Executive Director

Lori Pearson, Deputy Director

Lori Flanery, Program Administrator I

Charley Yaniko, Board in-house counsel

Assistant Attorney General in attendance:

Tyler Herrmann, Assistant Attorney General

Others in Attendance:

Tim Hornsby, Western Hills

Angela Hodges, Western Hills School of Beauty

Jill Vogel, ARS

Elizabeth Murch, Ohio Salon Association

Cindy Bowsher, Apollo Career Center

Bernadine P. Neal, Columbus Downtown H.S.

Melinda Williams, Madison Adult Career Center

Emily Harrison, Kenneth's

Angela Ramsay, WCSCC

Agenda item #1: CALL MEETING TO ORDER

Mr. Taneff called the meeting to order at 1:02 p.m.

Agenda item 1a: Roll Call

Ms. Flanery took roll call and six members were present. Ms. Cumberlander was not in attendance. Having noted a majority of members were present, Mr. Taneff proceeded to have the Board conduct business.

Agenda item 1b: Pledge of Allegiance to the Flag of the United States of America

Following the roll call, Mr. Taneff asked members to stand and recite the Pledge of Allegiance to the Flag of the United States of America. Members and audience rose and recited the Pledge of Allegiance.

Agenda item 1c: Approval of Meeting Agenda (Exhibit C)

Motion #1: Ms. Osterhage moved to approve the meeting agenda for December 12, 2017. Mr. Hanks seconded the motion. Discussion: None. Roll call vote taken – motion carried: 6 – 0.

Agenda item #2: APPROVAL OF PREVIOUS MEETING MINUTES (Exhibit D)

Agenda item 2a: Approval of Previous Meeting Minutes (Exhibit D)

Motion #2: Ms. Osterhage moved to approve the November 14, 2017 meeting minutes. Ms. Shepline seconded the motion. Discussion: None. Roll call vote taken - motion carried: 6– Yes.

Agenda item #3: OFFICER AND STAFF REPORTS

Agenda item 3a: Chairperson's Report (Exhibit E)

Mr. Taneff read a written report. Mr. Taneff congratulated Mr. Hanks, Mr. Penzone, and Ms. Sheipline on their re-appointments to the Board. Mr. Taneff then discussed the merger of the Ohio State Board of Cosmetology and the Ohio State Barber Board. Mr. Taneff welcomed their staff to the facility and thanked the staff from both Board, and other state agencies, for their hard work to bring about the merger of these two Board. Mr. Taneff reported that the Board will have a new name, new faces, and a new mission is a little more than one month and he encouraged attendees to look forward to accomplishments to come and a better future together.

Agenda item 3b: Executive Director's Report (Exhibit F)

Mr. Logsdon filed a written report. Mr. Logsdon provided a brief verbal review of his report, stating the report would be the final Executive Director's report for the Ohio State Board of Cosmetology.

Mr. Logsdon provided the Board with a summary of FY 2018 financial activity since the beginning of the fiscal year. Mr. Logsdon stated that the Board is currently operating within its budget allocations. He stated funds would need to be reallocated to address new personnel transitioning into the new agency from the Barber Board. Mr. Logsdon informed that Board that he is monitoring expenditures relative to the merger. Mr. Logsdon stated there were remaining unplanned expenses related to the merger. Mr. Logsdon stated that the merger will incur additional expenditure, which he summarized in part. Mr. Logsdon informed the Board that he would inform the Board of additional costs that arise in the third and fourth quarter, especially costs that exceed the approval threshold.

Mr. Logsdon provided a legislative update on H.B. 189, S.B. 129, and H.B. 289.

Next, Mr. Logsdon provided a summary of the Elicense 3.0 project progress. Mr. Logsdon noted that several mailers had been sent to licensees to request missing data, including email addresses and personal confidential information. Mr. Logsdon noted that the communications and forms did permit persons and businesses to choose not to provide the data.

Next, Mr. Logsdon discussed that upcoming public rules hearing on January 8, 2018, stating the Board had filed 40 new, amended, or rescinded rules.

Next, Mr. Logsdon provided the Board with an update of the three-year strategic plan. Mr. Logsdon noted that many aspects of the plan had been completed or were in process; however, he stated, some aspects will require modification to determine if the issues are still valid based upon external factors that have changed the foundational assumptions. Mr. Logsdon cited the merger with the Barber Board as a primary variant. Mr. Logsdon stated that the plan would be revised and refiled for the next Board meeting.

Mr. Logsdon revisited his report on filing administrative rules.

Next, Mr. Logsdon provided the Board with an update on the examination RFP, IT security, and records management.

Last, Mr. Logsdon reported that he had updated his orientation packet for new members, but that he felt each member would benefit from the material and training. Mr. Logsdon stated that he would be providing the material to members by email or by DVD, dependent on preference.

Motion #3: Mr. Penzone moved to approve the Chairperson's report and the Executive Director's report. Ms. Osterhage seconded the motion. Discussion: None. Roll call vote taken - motion carried: 6-0.

Agenda item #4: COMMITTEE REPORTS

None.

Agenda item #5: PUBLIC TESTIMONY

None.

Agenda item #6: UNFINISHED BUSINESS

None.

Agenda item #7: OLD BUSINESS

Agenda item 7a: COS/BRB merger update (Exhibit G)

Mr. Logsdon provided the Board with a written update on the status of the COS/BRB merger project. Mr. Logsdon stated that the overall status was good and the merger was on track to be completed by the deadline.

Mr. Penzone inquired about new Board members. Mr. Logsdon stated that he was not aware of any announced appointments to the new Board.

Agenda item #8: NEW BUSINESS

Agenda item 8a: Proposed rules (Exhibit H):

Mr. Logsdon was asked to briefly review the rule being recommended. Mr. Logsdon reviewed and spoke to the following proposed rules:

New

Rules 4713-1-17 (New)

Mr. Logsdon explained the changes in the rule kept fees at the current level, except for paragraph (A) (14), which proposed to reduce the fee to maintain a license in an inactive status, which he stated was being proposed to be reduced to align with the amplified statute.

Motion #4: Ms. Shepline moved to approve proposed rule 4713-1-17 (New) for filing with the Office of Common Sense Initiative after obtaining stakeholder comments, followed by JCARR pending an affirmative CSI recommendation, including final filing or refiling as may be necessary. Ms. Yeager seconded the motion. Discussion: None. Roll call vote taken - motion carried: 6-0.

The following rule will be filed:

New:
Rules 4713-1-17 (New)

Agenda item 8b: Policy Amendment – Policy 3.1 (Exhibit I)

Mr. Logsdon introduced a propose amendment to office policy 3.1 concerning office work hours. Mr. Logsdon explained that the hours were being amended to begin the work day as early as 6:30 a.m. and to end the work day as late as 5:00 p.m. for staff. Mr. Logsdon qualified that an employee could work an eight hour schedule within the established hours as long as office core hours of 8:00 a.m. to 5:00 p.m. were covered.

Mr. Taneff inquired if it extended the work day. Mr. Logsdon responded it did not.

Motion #5: Ms. Osterhage moved to approve amended policy 3.1: Employee Work Schedules, Meal/Break Periods
Ms. Yeager seconded the motion. Discussion: None. Roll call vote taken - motion carried: 6-0.

Agenda item 8c: Reports and Recommendations

Agenda item 8(c)(1) - In the matter of Case 2017-338 – Christina Early, AUTH.011431 (Exhibit J)

Motion #6: Ms. Osterhage moved to approve the hearing examiner’s findings of fact, conclusions of law, and order in the matter of Christina Early, AUTH.011431, Case 2017-338. Ms. Sheipline seconded the motion. Discussion: None. Roll call vote taken - Motion carried: 6 – Yes.

Agenda item 8(c)(2) - In the matter of Case 2017-576 – Stephanie Jerrell, MAN.118580 (Exhibit K)

Motion #7: Ms. Osterhage moved to approve the hearing examiner’s findings of fact, conclusions of law, and order in the matter of Stephanie Jerrell, MAN.118580, Case 2017-576. Ms. Yeager seconded the motion. Discussion: None. Roll call vote taken - Motion carried: 6 – Yes.

Agenda item 8(c)(3) - In the matter of Case 2017-636 – Super Wash & Tan, Inc., TAN.020164. (Exhibit L)

Motion #8: Ms. Osterhage moved to approve the hearing examiner’s findings of fact, conclusions of law, and order in the matter of Super Wash & Tan, Inc., TAN.020164, Case 2017-636. Ms. Sheipline seconded the motion. Discussion: None. Roll call vote taken - Motion carried: 6 – Yes.

Agenda item 8(c)(4) - In the matter of Case 2017-725 – Kathryn Grundey, MANA.904442 (Exhibit M)

Motion #9: Ms. Osterhage moved to approve the hearing examiner’s findings of fact, conclusions of law, and order in the matter of Kathryn Grundey, MANA.904442, Case 2017-725. Ms. Yeager seconded the motion. Discussion: None. Roll call vote taken - Motion carried: 6 – Yes.

Agenda item 8d: Corrections to Previously Approved Orders of the Board

Motion #10: Ms. Osterhage moved to vacate the Order of the Board approved on 11-14-2017 in the matter of Case 2017-445. Ms. Yeager seconded the motion. Discussion: None. Roll call vote taken - Motion carried: 6 – Yes.

Agenda item 8e: Board Orders to Enforce Notices of Opportunity for Hearing (Items #1 - #42) – (Exhibit N collective)

Motion #11: Ms. Yeager moved to approve Orders of the Board as listed as items #1 through item #43 on the Administrative Action Report dated 12-12-2017 and the Orders to be journalized and attached hereto as exhibits. Ms. Osterhage seconded the motion. Discussion: None. Roll call vote taken - Motion carried: 6 - Yes

The Orders of the Board shall become effective upon the date of mailing of the Orders.

SO ORDERED

The language contained therein will be incorporated by reference into the Board's journal in this case and attached as an exhibit to the minutes.

Discussion: Mr. Yanko noted that the case numbering indicated in the prior two motions was not accurate. Following discussion, the following corrections were made to the journal.

Motion #10 Subsidiary motion:

Motion #12: Ms. Osterhage moved to amend motion #10 by striking the phrase, "~~Case 2017-445~~" and inserting the phrase "Case 2017-455." Ms. Yeager seconded the motion. Discussion: None. Roll call vote taken - Motion carried: 6 – Yes.

Motion #11 Subsidiary motion:

Motion #13: Ms. Osterhage moved to amend motion #11 by striking the words "~~item #43~~" and inserting the words, "item #42." Mr. Penzone seconded the motion. Discussion: None. Roll call vote taken - Motion carried: 6 – Yes.

Agenda item 8f: Consent Agreement Approval

Names and identifying information were redacted from the Administrative Action Report. For the purposes of discussion, matters were referred to only by case number and referenced by case number verbally. Identifying information based upon the correlating case number was added during the writing of the minutes where specific reference or motion is entered upon the board's journal.

Agenda item 8(f)(1): Consent Agreement Approval (Items #43 – #92) (Exhibit O collective)

Motion #14: Ms. Shepline moved to approve the Consent Agreements as items #58 through item #121 on the Administrative Action Report dated 12-12-2017 and enter them upon the Board's journal as an Order of the Board and attached hereto as exhibits. Ms. Yeager seconded the motion. Discussion: None. Roll call vote taken - Motion carried: 6 - Yes.

The Orders of the Board shall become effective upon the date of mailing of the Order.

SO ORDERED

The language contained therein will be incorporated by reference into the Board's journal in this case and attached as an exhibit to the minutes.

Agenda item #9 EXECUTIVE SESSION

None.

Prior to adjourning, Mr. Taneff noted that he had attended a performance of Ms. Murch's daughter. Mr. Taneff informed the Board her daughter did a wonderful job.

Agenda item #10

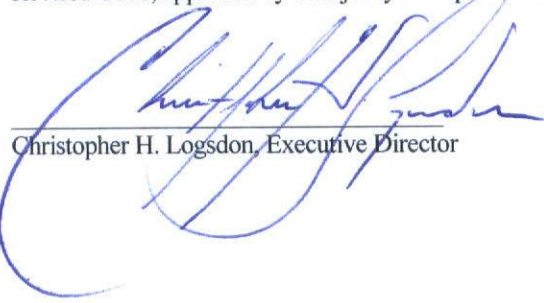
ADJOURNMENT

Mr. Taneff called for a motion to adjourn.

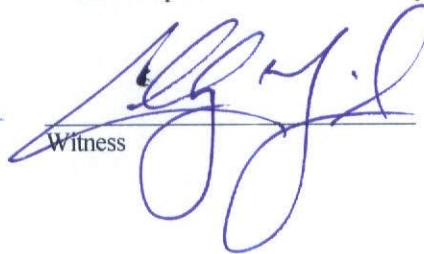
Motion #15: Mr. Penzone moved to adjourn. Ms. Yeager seconded the motion. Discussion: None. Roll call vote taken.
Motion carried: 6- Yes.

The meeting adjourned at 1:30 p.m.

Executive Director's Certification: These are a true account of the proceedings in accordance with Section 121.11 of the Ohio Revised Code, approved by a majority of a quorum of the membership of the Board on January 29, 2018.



Christopher H. Logsdon, Executive Director



Witness