
OHIO STATE BOARD OF COSMETOLOGY

1929 Gateway Circle

Grove City, Ohio 43123

Contents

TRANSCRIPTION NOTE (Exhibit A):	2
MEMBERS IN ATTENDANCE (Exhibit B):	2
Agenda item #1: CALL MEETING TO ORDER (Exhibit C)	3
Agenda item 1a: Roll Call	3
Agenda item 1b: Pledge of Allegiance to the Flag of the United States of America	4
Agenda item 1c: Election of Board Chair (Exhibit B collective)	4
Agenda item 1d: Election of Board Vice-Chair	4
Agenda item 1e: Approval of Meeting Agenda (Exhibit C)	4
Agenda item #2 (a): MINUTES OF THE DECEMBER BOARD MEETING (Exhibit D)....	5
Agenda item #3: REPORTS	5
Agenda item 3a: Executive Director’s Report (Exhibit E)	5
- Resolution to affirm the hiring of Policy Coordinator (Exhibit F)	5
- Resolution to affirm resignations (Exhibit G).....	6
- Resolution to approve 2015 – 2018 Strategic Plan (Exhibit H).....	6
Agenda item 3b: Officer’s Report.....	6
Agenda item 3c: Committee Report	6
Agenda item #4: PUBLIC TESTIMONY	6
- Knox County Career Center: Bob Geiger and John Feltman (Exhibit I)	6
- Umar Kamara	7
- Emily Harrison	7
Agenda item #5: UNFINISHED BUSINESS	8
Agenda item #6: NEW BUSINESS	8
Agenda item 6b: Laura Miles and Kylie Reuterskiold – Veteran’s Testing	8
Agenda item 6c: Jenny Kimbler – Roots Salon and Day Spa – Salon Licensing.....	8
Agenda item 6d: Form Approval (Exhibit J1 – J3 collective)	8
Agenda item 6e: H.B. 131 Tanning Services: Rules and Form Review (Exhibit K collective)	9
Agenda item 6f: Resolution to Final File Rules after JCARR Jurisdiction Ends (Exhibit L collective).....	9
- Resolution to refile 4713-8-09 (Exhibit M)	9

Agenda item 6g: Policy Approval (Exhibit N)	9
Agenda item 6h: Proposed Administrative Action Templates (Exhibit O collective).....	9
Agenda item 6i: Hearing Officer Reports (Exhibit P & Q).....	10
In the Matter of Keisha Hayes, Case #2014-903 (Exhibit P)	10
In the Matter of Tasha Frison, Case #2014-910 (Exhibit Q)	10
Agenda item 6j: Correction to Previously Approved Orders 1 - 6 (Exhibit R collective) ..	11
Agenda item 6k: Board Orders to Approve Settlement Agreements (Items 7 – 80) (Exhibit S collective).....	11
Agenda item 6l: Board Orders to Enforce Notice of Violation (Items 81 – 114) (Exhibit T collective).....	12
Agenda item 6a: Appointment of Executive Director	12
Agenda item #8 ADJOURNMENT.....	12

OFFICIAL BOARD MEETING MINUTES OF February 10, 2015

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**.

MEMBERS IN ATTENDANCE (Exhibit B):

Steve Thompson, Chairman

Thomas Taneff

Valerie Benfer

Luke Hanks

Tasha Sheipline

Charles Penzone

Clara Osterhage

Staff in attendance:

Christopher H. Logsdon, Executive Director

Lori Pearson, Program Administrator 2

Lori Flanery, Administrative Assistant

Assistant Attorney General in Attendance:

Federico G. Barrera, III, Assistant Attorney General

Others in Attendance:

Sue Moore, Salon Schools

Elizabeth Murch, Ohio Salon Association

Debbie Moore, Paramount Beauty

Bobby Lott, Salon Schools

Joe Mako, Akron Beauty School

Rita Mako, Akron Beauty School

Lorie Behrens, Eastland Career Center

Darlene Daugherty, PCTC Shelby

Bob Gieger, Knox County Career Center

John Feltman, Knox County Career Center

Emily Harrison, Kenneth's

Melinda Williams, Madison Adult CC

Agenda item #1: CALL MEETING TO ORDER (Exhibit C)

Mr. Thompson called the meeting order at 1:00 pm.

Agenda item 1a: Roll Call

Ms. Flanery took roll call and seven members were present. Having noted a majority of members were present, Mr. Thompson proceeded to conduct business. Dr. Gupta was not present.

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

Following the roll call, Mr. Thompson 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: Election of Board Chair (Exhibit B collective)

Mr. Thompson inquired about the directive on conducting an election. Mr. Logsdon provided the Board with a written methodology based on Robert's Rules of Order. Mr. Logsdon recommended that the Board adopt a specific method and recommended nominations from the floor. Mr. Logsdon proposed the Board adopt written ballots, which the staff would complete for each member by listing the nominees. Mr. Barrera clarified the procedure by stating the ballots must be read into the record by stating who voted for each member and then the ballots would be collected and become part of the record.

Mr. Thompson called for nominations for Board Chair. Mr. Hanks nominated Mr. Thompson. Mr. Penzone nominated Mr. Taneff. Ms. Osterhage inquired about the process, asking if there was some mention of asking the members if they were willing to accept the nomination. Mr. Logsdon thought it advisable. Mr. Taneff and Mr. Thompson both accepted the nomination. Mr. Barrera stated the Board could also permit a period to allow nominees to discuss their qualifications or vision. Ms. Osterhage thought it would be helpful. Mr. Hanks agreed. Mr. Taneff commented on his neutrality, impartiality, independence from the industry, experience, qualifications, and temperament. Mr. Thompson commented on his desire to work with the new Director for the following year, his record on regularly meeting with the new Director, and communicating with him.

The vote was conducted. Ms. Osterhage inquired if the Board would continue to use the same process. Mr. Logsdon recommended that the Board adopt Bylaws that denote a procedure. Mr. Logsdon stated the Board has approved some parliamentary processes, but election procedures are not among the processes addressed. Ms. Flanery read the votes:

Luke Hanks – Mr. Thompson
Charles Penzone – Mr. Taneff
Steve Thompson – Mr. Thompson
Tasha Sheipline – Mr. Taneff
Tommy Taneff – Mr. Taneff
Valerie Benfer – Mr. Thompson
Clara Osterhage – Mr. Taneff

Mr. Logsdon announced four votes for Mr. Taneff and three votes for Mr. Thompson. The majority goes to Mr. Taneff.

Mr. Thompson congratulated Mr. Taneff. The gavel was transferred to Mr. Taneff, who then chaired the remainder of meeting.

Agenda item 1d: Election of Board Vice-Chair

Mr. Taneff inquired if there were any nominations for Vice-Chair. Mr. Thompson nominated Mr. Hanks. Ms. Osterhage nominated Mr. Thompson. After nominations were closed, Mr. Hanks withdrew himself from the nomination. Mr. Taneff advised the membership of Mr. Hanks withdrawal. Mr. Thompson stated his willingness to be the Vice-Chairperson. A roll call vote was conducted. 7 – Yes. The vote was unanimous. Mr. Thompson was elected Vice-Chairperson.

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

Motion #1: Ms. Osterhage moved to approve the meeting agenda for the February 10, 2015 Board meeting. Mr. Hanks seconded the motion. Discussion: Mr. Thompson asked to move item 6(a) to the end of the agenda. Ms. Osterhage clarified Mr. Thompson's request. Mr. Taneff clarified that Mr. Thompson wanted to move item 6(a) after 6(i). Ms. Osterhage agreed to accept Mr. Thompson's request as a friendly amendment. Roll call vote taken - motion carried: 7 – 0.

Agenda item #2 (a): MINUTES OF THE DECEMBER BOARD MEETING (Exhibit D)

Mr. Taneff stated next item of business is review and approval of the December 9, 2014 meeting minutes.

Motion #2: Ms. Osterhage moved to approve the December 9, 2014 meeting minutes. Mr. Hanks seconded the motion. Discussion Mr. Hanks had a question on the date contained on Agenda item #2 in the minutes. Mr. Logsdon addressed the issue by informing the member that the Board approved the September 2014 minutes at the December 2014 meeting. Roll call vote taken - motion carried: 7 – Yes.

Agenda item #3: REPORTS

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

Mr. Logsdon submitted a written report. He verbally reviewed the following issues:

1. FY 2015 Financial Report – Mr. Logsdon reported that the Board is currently within budget. He briefly reviewed the year-to-date disbursement and balances table provided with his written report.
2. Mr. Logsdon reported that the Human Trafficking continuing education initiative is slightly delayed due to the process of identifying a learning development resource to assist in developing the program.
3. Mr. Logsdon reported the budget recommendations for the board were released. He stated the Board is scheduled to testify on March 18, 2015 before the Ohio House of Representatives, Finance Subcommittee on Transportation, Cheryl Grossman, Chair.
4. Mr. Logsdon reported that he recently accepted two resignations on behalf of the Board, Mr. James Whipple and Ms. Krystal Wiegand. Mr. Logsdon requested approval of a resolution to affirm the resignations.
5. Mr. Logsdon reported that he created a new position for policy coordinator. Ms. Lacey Meeks was chosen to fill the position, effective January 25, 2015. Mr. Logsdon requested approval of a resolution affirming the hire.
6. Mr. Logsdon reviewed the accomplishments of the Board and agency staff in completing the 2016 biennial renewal on January 31, 2015. Mr. Logsdon provided statistics on work accomplished by staff. Mr. Logsdon verbally stated his appreciation for the staff's dedication and hard work.
7. Mr. Logsdon reviewed a proposed three-year strategic plan and sought approval of the plan.
8. Last, Mr. Logsdon provided the Board with a copy of the agency's approved workforce plan.

Ms. Osterhage asked the Executive Director a few questions concerning his report: (1) she confirmed the report stated 13 new schools in 2014, (2) she confirmed the report stated four active licenses for natural hair stylists and 32 managing licenses for natural hair stylists. Ms. Osterhage inquired if the Board was PCI compliant for accepting credit cards. Mr. Logsdon reported the agency recently underwent vulnerability testing, initially failing, but then passing following system updates. Mr. Logsdon stated that the agency should be prepared for Europay, Mastercard, Visa (EMV) compliance.

Motion #3: Ms. Osterhage moved to approve the Executive Director's report. Mr. Thompson seconded the motion. Discussion: None. Roll call vote taken - motion carried: 7 – Yes.

- Resolution to affirm the hiring of Policy Coordinator (Exhibit F)

Motion #4: Ms. Osterhage moved to approve resolution #4, authorizing the hiring of staff in accordance with ORC 4713.06. Ms. Shepline seconded the motion. Discussion: None. Roll call vote taken - motion carried: 7 – Yes.

- Resolution to affirm resignations (Exhibit G)

Motion #5: Ms. Osterhage moved to approve resolution #5, accepting the resignation of Mr. James Whipple and Ms. Krystal Wiegand. Ms. Shepline seconded the motion. Discussion: Mr. Penzone noted Mr. Whipple's long employment history with the agency and inquired if the office would be doing something for him. Mr. Logsdon stated he would inform members of the event. Roll call vote taken - motion carried: 7 – Yes.

- Resolution to approve 2015 – 2018 Strategic Plan (Exhibit H)

Motion #6: Mr. Thompson moved to approve resolution #6, to approve the 2015 – 2018 Strategic Plan. Ms. Shepline seconded the motion. Discussion: None. Roll call vote taken - motion carried: 7 – Yes.

Agenda item 3b: Officer's Report

Mr. Taneff inquired if there were any officer reports. Hearing none, he moved on to Committee Reports.

Agenda item 3c: Committee Report

Mr. Taneff inquired if there were any Committee reports. Hearing none, he moved on to Public Testimony.

No action was taken on Reports.

Agenda item #4: PUBLIC TESTIMONY

- Knox County Career Center: Bob Geiger and John Feltman (Exhibit I)

Mr. Geiger introduced himself to the members. Mr. Geiger informed the Board that he teaches sophomore students in the career-based intervention program. Mr. Geiger stated his sophomores want to be in the cosmetology program, a two-year program. He stated sophomores spend six-eight weeks shadowing and experiencing the program. Mr. Geiger stated the current rules make it difficult for students to experience the cosmetology lab based upon their scheduling.

Discussion: Ms. Osterhage inquired about the rule restricting his students. Mr. Geiger indicated Mr. Feltman would discuss the rule, but he emphasized that the Board's rule limits students to 15 hours in the lab. Mr. Geiger stated the program's schedule would only permit 15 minutes each day and he was told 15 minutes would count as an hour of time. Ms. Pearson interjected and informed Ms. Osterhage that the rule was OAC 4713-5-02. Mr. Thompson inquired about the program. Mr. Geiger informed the Board that he has three sophomore programs from eight feeder schools. Mr. Geiger stated that his students are prevocational and they don't know what field they want to go into, so they shadow. Mr. Geiger stated the instructors have the students for about two periods each day during the lab time. Mr. Geiger stated that the cosmetology instructors want the students to shadow, but need to figure out how to do it without breaking any rules. Ms. Shepline stated the rule limits the students to fifteen days. Ms. Shepline inquired about the amount of lab time. Mr. Geiger responded the school has four periods of lab, but for his program it would be two periods with six to eight week rotations depending upon the time of year. Mr. Geiger stated that he would like to see one rotation of shadowing completed then the student would be accepted into the program. The members then discussed the rule promulgation process.

Ms. Osterhage expressed her personal opinion about removing barriers that would help bring new people into the industry. The members then discussed timelines to review the rule and draft any changes. Mr. Logsdon addressed the rule writing process. Mr. Taneff encouraged Mr. Logsdon to begin looking into amending the rule.

Mr. Feltman then addressed the Board. Mr. Feltman introduced himself as the Administrator at Knox County Career Center. Mr. Feltman stated the first issue is the fifteen day limit established by the board. The other issue, he stated, is the guideline requiring students to participate equally in both theory and practical lessons. Mr. Feltman stated the center's schedule prohibits students from participating equally in both. Mr. Feltman asked the Board to consider the number of hours in the lab, rather than the days. Regarding equal participation in theory and practical lessons, Mr. Feltman suggested allowing his instructors to prepare packets for the student, which would allow both to be taught during the same lab. The last issue, he stated, is the Board's language restricting continued participation after the fifteen day period, unless the student is enrolled. Mr. Feltman stated that his students do enroll, but do not begin until the junior year. Mr. Feltman stated the rule restricts participation during the final five weeks of the school year in which they enrolled.

- Umar Kamara

Mr. Kamara introduced himself to the Board. Mr. Kamara stated that he is appearing on behalf of Fatima African Hair Braiding. Mr. Kamara provided some personal background as to his relationship with Fatima African Hair Braiding (hereafter referred to as "Fatima's"). Mr. Kamara stated that Fatima was inspected and cited for not having a clean bathroom. Mr. Kamara stated there was a repair issue with the landlord. Then, Mr. Kamara stated, he was inspected again and cited again for the same issue. Mr. Kamara stated he inquired of other African hair braiding salons and they reported not having any inspections. Mr. Kamara stated that they are trying to get a license, but the Board's website only addresses natural hair styling. Mr. Kamara stated he read the requirements for the natural hair styling license. Mr. Kamara stated the requirements for safety are the only thing that applies. In Fatima's, he stated, they only braid. He stated that they do not apply any chemicals, only attach, and twist hair. Mr. Kamara stated that he had met a person that attempted the natural hair stylist exam and stated there were no questions on the examination related to braiding. Mr. Kamara encouraged members to design something for hair braiding. Mr. Kamara also informed the Board that he believed the inspections were unfair. Mr. Kamara also encouraged the Board to consider a person's experience and need for translation services when taking an examination.

Discussion: Mr. Penzone inquired if Fatima's was a licensed salon. Mr. Kamara stated it was licensed. Ms. Pearson stated the salon is probably licensed as a natural hair salon, but the people conducting the services were not licensed.

- Emily Harrison

Ms. Harrison introduced herself. Ms. Harrison stated her Salon, Kenneth's, has eleven locations. Ms. Harrison informed the Board that traveling from one location to another presents issues, because the licensee must bring their license along from place to place. Ms. Harrison inquired why the card used for beauty shows and a beauty supply store is valid in these circumstances, but not valid if traveling from one salon to another. Ms. Harrison suggested the Board look into using a driver's license type card. Mr. Taneff inquired if she had any further comments. Ms. Harrison acknowledged licensees could obtain a duplicate license, but requiring it does present undue financial hardship.

Discussion: Ms. Osterhage stated she understands and empathizes with Ms. Harrison. Ms. Osterhage urged the Board to put a group together to look into the issue. Ms. Osterhage agreed the process is cumbersome and the landscape in cosmetology has changed. Ms. Osterhage stated it's the mechanics of proving someone is licensed. Mr. Penzone agreed and stated that he was willing to participate on a committee. Mr. Thompson agreed, as well. Ms. Osterhage suggested a few ideas to change the system into an I.D. based process that is more concurrent.

Mr. Penzone thanked Mr. Kamara for coming down to the meeting and expressed his desire to address the issue, which he stated has been discussed for years.

Motion #7: Mr. Thompson moved to form a committee to look into the I.D. issue and to co-chair the committee with Ms. Osterhage. Ms. Osterhage seconded the motion. Discussion: None. Roll call vote taken - motion carried: 7 – Yes.

Agenda item #5: UNFINISHED BUSINESS

None.

Agenda item #6: NEW BUSINESS

Agenda item 6b: Laura Miles and Kylie Reuterskiold – Veteran's Testing

Mr. Taneff inquired if either was in attendance. Hearing no one, Mr. Taneff moved to agenda item 6(c).

Agenda item 6c: Jenny Kimbler – Roots Salon and Day Spa – Salon Licensing

Mr. Taneff inquired if either was in attendance. Hearing no one, Mr. Taneff moved to agenda item 6(d).

Agenda item 6d: Form Approval (Exhibit J1 – J3 collective)

Mr. Taneff asked the Executive Director to present the issue. Mr. Logsdon reported that the office has recently embarked on updating all of the business forms; identifying the form by number and making sure the forms are up to date with current standards.

Discussion: Mr. Taneff noted the Active Military Out-of-State License Transfer form, #COS022, contained a \$70.00 fee. Mr. Taneff asked if the fee was mandatory. Ms. Pearson stated the fee was for the examination. Mr. Taneff inquired, based upon the undue financial hardship the fee may represent to veterans, whether the fee could be waived. Mr. Logsdon stated the fee was not an actual examination fee, but it was a transfer fee. Mr. Logsdon informed Mr. Taneff he would review the rules to determine if fee waiver was a benefit that could be extended. Mr. Logsdon recommended that the Board table approval of the Active Military Out-of-State License Transfer form, #COS022.

Ms. Osterhage inquired if the forms were new or only amended by adding a form number. Mr. Logsdon stated the Active Military Out-of-State License Transfer form, #COS022, was new, but the other two were only amended by adding the form number with no content change.

Motion #8: Ms. Osterhage moved to approve the following forms:

1. Request for Amnesty Packet, COS017
2. Amnesty Program Application to Restore Lapsed License, COS024

Discussion: Mr. Taneff clarified the documents under consideration.

Mr. Hanks seconded the motion. No further discussion. Roll call vote taken - motion carried: 7 – 0.

Agenda item 6e: H.B. 131 Tanning Services: Rules and Form Review (Exhibit K collective)

Mr. Logsdon addressed the Board. Mr. Logsdon informed the Board that H.B. 131, concerning tanning services, was passed and its provisions will go into effect in June 2015. Mr. Logsdon stated that the staff has been diligently preparing rules and forms to meet the requirements of H.B. 131. Mr. Logsdon briefly reviewed the provisions of H.B. 131. Mr. Logsdon acknowledged that the rule before the Board was not 100% complete, but believed the rule was well along. Mr. Logsdon stated the staff had worked with the Ohio Department of Health on the consent form and rule drafting should soon be complete. Mr. Logsdon stated he was requesting authorization to proceed with rule filing with the Common Sense Initiative office following receiving stakeholder input.

Motion #9: Ms. Osterhage moved to approve the filing of the proposed rules and forms with the Office of Common Sense Initiative following stakeholder's review and input by the Ohio Department of Health. Mr. Hanks seconded the motion. Discussion: None. Roll call vote taken - motion carried: 7 – 0.

Agenda item 6f: Resolution to Final File Rules after JCARR Jurisdiction Ends (Exhibit L collective)

Mr. Taneff introduced agenda item 6(f), a resolution to final file rules. Mr. Taneff inquired if it was the Executive Director's intent to refile rule 4713-8-09. Mr. Logsdon addressed the resolutions presented stating the first resolution would permit the agency to final file rules following the end of the Joint Committee on Agency Rules Review 's (JCARR) jurisdiction over the rules. OAC 4713-8-09, Mr. Logsdon stated, is being recommended for refile based upon amendments that would place permanent makeup training under Chapter 3730 of the Revised Code.

Motion #10: Ms. Osterhage moved to approve resolution #10 authorizing the final filing of proposed rules listed with the Joint Committee on Agency Rules Review (JCARR) after JCARR's jurisdiction end date. Mr. Hanks seconded the motion. Discussion: None. Roll call vote taken - motion carried: 7 – 0

- Resolution to refile 4713-8-09 (Exhibit M)

Motion #11: Ms. Osterhage moved to approve resolution #11, authorizing the refile of proposed amended rule 4713-8-09 as re-worded. Mr. Thompson seconded the motion. Discussion: None. Roll call vote taken - motion carried: 7 – 0

Agenda item 6g: Policy Approval (Exhibit N)

Mr. Taneff asked Mr. Logsdon to address the policy proposal before the Board. Mr. Logsdon stated the policy being presented addressed provisions of section 121.91 of the Revised Code, which requires all agency's to create and publish customer service standards.

Motion #12: Mr. Thompson moved to approve the Board's policy on Customer Service standards. Mr. Hanks seconded the motion. Discussion: None. Roll call vote taken - motion carried: 7 – 0

Agenda item 6h: Proposed Administrative Action Templates (Exhibit O collective)

Mr. Taneff requested that Mr. Logsdon introduce the documents being proposed. Mr. Logsdon stated the templates before the Board are part of the strategic plan, which is intended to clean up a number of administrative action forms and formats to improve clarity of understanding, improve communications, and service under ORC 119.07 of the Revised Code. Additionally, Mr. Logsdon stated the changes being introduced would reduce error rate. Mr. Logsdon then proceeded to review each form for the members.

Ms. Osterhage inquired about the proposed settlement form and the requirement for corporations to have an attorney sign the form. Mr. Barrera, the Board's Assistant Attorney General, stated the issue was a very grey area. Mr. Barrera stated it is possible for a company to enter into an agreement without counsel, but it would be better if they leaned toward counsel for representation. Ms. Osterhage inquired if a Limited Liability Corporation would need an attorney and Mr. Barrera advised the same requirement would apply. Ms. Osterhage inquired if the Revised Code required a corporation to have legal counsel sign a settlement agreement. Mr. Barrera offered to conduct additional research. Ms. Osterhage provided additional comment and Mr. Barrera advised the Board that a corporation is a legal entity outside of the person that organized the entity. Ms. Osterhage inquired if the form could be modified to state, "representative of an attorney." Mr. Taneff suggested, "Authorized Representative." Mr. Logsdon interjected and informed the Board that in his last position the term; "authorized representative" was used. Mr. Logsdon stated, while he cannot speak to the legal aspect of the subject, his practical perspective was it is difficult to determine who was authorized to sign on behalf of a company. Mr. Barrera readdressed the issue concerning settlement agreements and why the matter might be "grey." Following the discussion, Ms. Osterhage stated her appreciation for the explanation and her suggestion that the form remain unchanged as presented.

Mr. Thompson moved and then withdrew a motion to adopt Findings of Facts under agenda item #6(i).

Motion #13: Ms. Osterhage moved to approve the following template notices, attached hereto as Exhibit O collective:

1. Notice of Opportunity for Hearing
2. Board Order
3. Board Order based on Hearing Officer's Report and Recommendation
4. Settlement Agreement

Mr. Hanks seconded the motion. Discussion: None. Roll call vote taken - motion carried: 7 – 0

Agenda item 6i: Hearing Officer Reports (Exhibit P & Q)

In the Matter of Keisha Hayes, Case #2014-903 (Exhibit P)

Motion #14: Mr. Thompson moved to approve the hearing examiner's findings of fact in the matter of Keisha Hayes, Case #2014-903. Mr. Penzone seconded the motion. Discussion: None. Roll call vote taken. Motion carried: 7 – 0.

Motion #15: Mr. Penzone moved to approve the hearing examiner's conclusions of law in the matter of Keisha Hayes, Case #2014-903. Ms. Osterhage seconded the motion. Discussion: None. Roll call vote taken. Motion carried: 7 – 0.

Motion #16: Mr. Thompson moved to approve the hearing examiner's recommended Order of the Board in the matter of Keisha Hayes, Case #2014-903 to impose a \$250.00 fine. Ms. Osterhage seconded the motion. Discussion: None. Roll call vote taken. Motion carried: 7 – 0.

The Order will be entered upon the Board's journal and attached hereto as an exhibit to the proceedings.

In the Matter of Tasha Frison, Case #2014-910 (Exhibit Q)

Motion #17: Mr. Penzone moved to approve the hearing examiner's findings of fact in the matter of Tasha Frison, Case #2014-910. Ms. Shepline seconded the motion. Discussion: Mr. Thompson questioned the findings of fact concerning the respondents activities, which he (Mr. Thompson) characterized assisting with shampoos for the owner. Mr. Thompson read pertinent findings of fact from the Report and Recommendation. Mr. Hanks noted that the respondent was still providing services to the public. Mr. Thompson noted that she was working as an employee of the owner. Ms. Osterhage noted the respondent was receiving a flat fee from the owner, so she was not, Ms. Osterhage argued, working as an independent contractor. Members discussed the issuance of a 1099 form verses a W-9 form. Following discussion, Mr. Penzone withdrew his motion.

Motion withdrawn.

Motion #18: Mr. Thompson moved to not approve the hearing examiner's findings of fact in the matter of Tasha Frison, Case #2014-910. Mr. Hanks seconded the motion. Discussion: None. Roll call vote taken. Motion carried: 7 – 0.

Motion #19: Ms. Osterhage moved to not approve the hearing examiner's conclusions of law in the matter of Tasha Frison, Case #2014-910. Mr. Hanks seconded the motion. Discussion: None. Roll call vote taken. Motion carried: 7 – 0.

Motion #20: Mr. Thompson moved to not approve the hearing examiner's recommended Order of the Board in the matter of Tasha Frison, Case #2014-910 to impose a \$100.00 fine. Ms. Benfer seconded the motion. Discussion: None. Roll call vote taken. Motion carried: 7 – 0.

The Order will be entered upon the Board's journal and attached hereto as an exhibit to the proceedings.

Agenda item 6j: Correction to Previously Approved Orders 1 - 6 (Exhibit R collective)

Mr. Taneff asked the Executive Director to present the issue. Mr. Logsdon introduced item #1 through #6 on the agency's administrative action report. Ms. Osterhage inquired about the reason Board Orders were being returned for reconsideration. Mr. Logsdon responded by indicating each matter for reconsideration is based upon individual circumstances. Mr. Logsdon stated the staff is implementing process changes to try and provide a report to the Board that is 100 percent accurate. Mr. Logsdon did point out; however, that circumstances may dictate reconsideration from time-to-time.

Motion #21: Ms. Osterhage moved to approve the corrections to Board Orders as listed on "Corrections Needed" dated January 23, 2015, specifically items #1, #2, #3, #4, #5, and #6 contained on the administrative action report. Mr. Thompson seconded the motion. Discussion: None. Roll call vote taken. Motion carried: 7 – 0.

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 6k: Board Orders to Approve Settlement Agreements (Items 7 – 80) (Exhibit S collective)

Motion #22: Mr. Hanks moved to approve the Orders of the Board listed as items #7 - #80 on the COS – Issue Report NOV Business + Credential, dated January 23, 2015. The motion was seconded by Ms. Shepline. Discussion: None. Roll call vote taken - motion carried: 6 – yes, 1 – abstained (Penzone).

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 6l: Board Orders to Enforce Notice of Violation (Items 81 – 114) (Exhibit T collective)

Motion #23: Ms. Osterhage moved to approve the Settlement Agreements listed as items #81 - #114 on the COS – Issue Report NOV Business + Credential, dated January 23, 2015 as Orders of the Board. The motion was seconded by Ms. Shepline. Discussion: None. Roll call vote taken - motion carried: 6 – yes, 1 – abstained (Penzone).

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 6a: Appointment of Executive Director

Motion #24: Mr. Thompson moved to go into Executive Session for the purpose of considering the appointment, employment, dismissal, discipline, promotion, demotion, or compensation of a public employee pursuant to ORC 121.22(G)(1). Mr. Hanks seconded the motion. Discussion: None. Roll call vote:

Valerie Benfer – Yes	Thomas Taneff – Yes
Steve Thompson – Yes	Charles Penzone – Yes
Tasha Shepline – Yes	Luke Hanks – Yes
Clara Osterhage – Yes	

Motion carried.

Board recessed from 2:52 P.M. to 3:02 P.M. and then went into executive session at 3:02 P.M. The Board returned to public session at 3:15 P.M.

Motion #25: Mr. Thompson moved to appoint Christopher Logsdon as the Executive Director for 2015. Ms. Osterhage seconded the motion. Discussion: Mr. Hanks and Ms. Shepline expressed their appreciation of some of the plans and changes implemented. Mr. Penzone expressed his hope for more good years ahead. Mr. Thompson expressed his appreciation for the climate he observes with staff. Mr. Taneff supported comments expressed by other members. No further discussion. Roll call vote taken. Motion carried: 7 – 0.

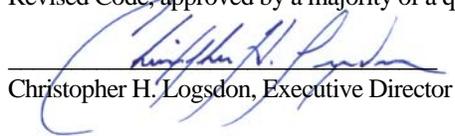
Agenda item #8

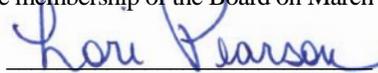
ADJOURNMENT

Motion #26: Ms. Osterhage moved to adjourn. Ms. Benfer seconded the motion. Roll call vote taken - motion carried: 7–0.

The meeting adjourned at 3:18 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 March 10, 2015.


Christopher H. Logsdon, Executive Director


Witness