

MISSISSIPPI STATE BOARD OF COSMETOLOGY

BOARD MEETING September 18, 2017 9:00 PM

**Robert E. Lee Building
239 North Lamar Street, Suite 303
Jackson, MS 39201**

MINUTES

Board Members Present:

Dorothy Ennis, President
Darlene Smith, Secretary
Donald Vaughn, Member
Deborah Coker, Member
Hilda Bills, Member

Others Present:

Sharon Clark, Executive Director
Wm. Jeffrey Jernigan, Special Assistant Attorney General
Leigh Vestal, School Coordinator
Torey Case, Beauty/Barber Inspector

The Board called the meeting to order at 9:04 AM. Board President Ennis called for a roll call. Board members Vaughn, Smith, Coker and Bills were present on the call.

There were members of the public present.

Board President Ennis requested a Legal Council Report from Board Attorney Jeff Jernigan. Board Attorney Jernigan stated that he had no report at this time but advised that the new Board members needed to be sworn in. Board Attorney Jernigan completed the swearing in with the Oath of Office for our new Board members, Donald Vaughn, Deborah Coker and Hilda Bills. Board Attorney Jernigan also went over the general meeting requirements for the MS State Board of Cosmetology regarding public notices, public policy, statute powers and restrictions.

Executive Director Clark gave her executive director report.

Enclosed in each Board Member packet was a copy of a summary of the Board's financial position for the end of August, 2017. Cosmetology has \$751,916 in Appropriations for FY2018. Expenses through August 31, 2017 are \$78,756.53. There are additional expenses from July that are not complete due to purchase orders not closed out or invoices that were processed but not paid. These will be reflected on the September expense report. We are well within budget parameters and should remain under budget.

The following policies have now been put in place and all employees have signed acknowledgement of receipts:

MS State Board Handbook Receipt
Criminal Background
Workplace Violence Policy
Ethics Policy
Dress Code Policy
Operating Hours Policy
Canceled Work Due to Weather Policy
Diligence During Work Period
Switchboard Policy
Emergency Procedures Policy
Technology Use Policy
Sexual Harassment Policy
Taxable Meal Allowance Policy
Revenue Policy – Accountant/Auditor Only
Chain of Command Policy
Leave Policy

Board Secretary Smith questioned Executive Director Clark on her position regarding leave requests. Executive Director Clark explained leave accrual of the state and her policy regarding at least a one week notice prior to approval for vacation time and cross-training of employees so that all duties are covered. Executive Director Clark also explained that all compensatory time must be pre-approved by her.

Board President Ennis questioned Executive Director Clark on her position of cell phone use in the office and social media. Executive Director Clark explained that that was not an issue at this time. That if a problem arises, she will handle it at that time.

Board President Ennis questioned Executive Director Clark on the inspection numbers. Executive Director Clark explained that inspections to be completed daily at a minimum of 5 per day but Inspectors should strive to complete between 8-10 a day.

Executive Director Clark made a recommendation that the Board make a motion that the Executive Director include a copy of the previous month's bank statement in the Executive Director report to verify that funds are deposited and transferred in a timely manner. Motion was made by Board Member Vaughn. Motion was seconded by Hilda Bills. The motion passed unanimously 5-0 to pass the motion.

Board Attorney Jernigan explained to the Board that until Board Minutes are approved by the Board the action of that meeting is not approved. Board Attorney Jernigan also explained that all documentation is public record.

Board President Ennis stated that the Board would now consider Agenda Requests.

Ramona Patterson of The Shades of Beauty Expo had requested to be on the agenda was called but was not in attendance at the time of the call.

Hue Le of Regal Nails requested to be on the agenda to contest 73-7-35(1). This will be scheduled for a hearing.

Hoa Nguyen & Thuy Nguyen of Tips and Toes requested to be on the agenda regarding their previous inspection. This will be scheduled for a hearing.

A motion was made by Board Member Vaughn to change the wallet license section of our license to include the statement, "NOT A LICENSE – For Identification Purposes Only". Seconded by Board Member Coker. The Board voted unanimously 5-0 to pass the motion.

Board President Ennis requested they consider Continuing Education approvals at this time. The following requests were made:

MS SOTA – October 1-2, 2017 - Revised Agenda - Approved

Board President Ennis stated that at this time they will vote to approve the minutes of past meetings.

Board Meeting – August 28, 2017 - Motion made by Board Secretary Smith to approve. Seconded by Board Member Vaughn. The Board voted unanimously 5-0 to pass the motion.

A motion was made by Board President Ennis for a ten minute break at 11:56 AM. The motion was seconded by Board Secretary Smith. The Board voted unanimously 5-0 to pass the motion.

The Board return from the break at 12:05 PM.

Board President Ennis asked there were any complaints to be heard that this time. Executive Director Clark stated the following complaints have been logged and assigned accordingly.

Board Member Vaughn requested the complaints be discussed in Executive Session. Board Secretary Smith seconded the motion. The Board voted unanimously 5-0 to pass the motion.

Board President Ennis stated that she had completed the investigation of FC2017-005 and would present her finding in Executive Session.

Board President Ennis asked if there were public comments or questions. There were no comments from the public.

Board President Ennis asked if there any Board business.

Executive Director Clark advised for Board and Attorney recommendations to answer a request from Meridian Community College regarding clients that self-identify as HIV positive. Board Attorney Jernigan stated that they cannot discriminate. A motion was made by Board Secretary

Smith for Attorney Jernigan to provide the answer to Meridian. The motion was seconded by Board Member Vaughn. The Board voted unanimously 5-0 to pass the motion.

Executive Director Clark requested approval for Beauty/Barber Inspector, Torey Case to attend CLEAR Investigator – Basic Training on October 25-27, 2017 in Minnesota. A motion was made by Board Member Vaughn to approve the request. The motion was seconded by Board Secretary Smith. The Board voted unanimously 5-0 to pass the motion.

Board President Ennis asked if Leigh Vestal could give a school coordination report at that time. Leigh Vestal stated that as of September 1, 2017, 276 students have passed both their boards and 86 students have failed and will be re-tested. The Board requested that Leigh Vestal contact Pearson Vue to find out what schools the failing students are attending.

Board President Ennis requested a Reciprocity update. Executive Director Clark stated that 52 Reciprocity interviews had been completed during August. Of these interviews 49 passed with 3 no shows. These included Cosmetologist – 27, Manicurist – 17, Esthetician – 3, Instructor – 2.

Executive Director Clark explained that the embosser machine was no longer working. Board Secretary Smith made a motion to repair or if necessary replace the embosser. The motion was seconded by Board Member Coker. The Board voted unanimously 5-0 to pass the motion.

A motion was made by Board Secretary Smith for the need to go into Executive Session for discuss Attorney/Client discussions, complaints and personnel issues. The motion was seconded by Board Member Vaughn. The Board voted unanimously 5-0 to pass the motion.

A motion was made by Board Member Vaughn to enter into Executive Session. The motion was seconded by Board Member Coker. The Board voted unanimously 5-0 to pass the motion.

The Board entered Executive Session at 12:25 PM.

New Complaint - FC2017-006 – Received 9/7/2017 - Motion made by Board Member Vaughn to assign to Board Member Coker and Executive Director Clark. Motion seconded by Board Secretary Smith. The Board voted unanimously 5-0 to pass the motion.

New Complaint - FC2017-007 – Received 9/15/2017 – Motion made by Board Member Vaughn to assign to Board Member Bills. Motion seconded by Board Secretary Smith. The Board voted unanimously 5-0 to pass the motion.

Complaint – FC2017-005 – Recommendation by the Board is that after investigation of the complaint, the defendant is in compliance with the Laws, Rules and Regulations of the Board. Board Member Vaughn made a motion that no action be taken at this time. Board Secretary Smith seconded the motion. The Board voted unanimously 5-0 to pass the motion.

Executive Director Clark requested approval by the Board of the selected Administrative Assistant I applicants that were selected.

Board Secretary Smith made a motion to approve the hiring of Judy Gibson into the Administrative Assistant I position with a start date of October 1, 2017. The motion was seconded by Board Member Vaughn. The Board voted unanimously 5-0 to pass the motion.

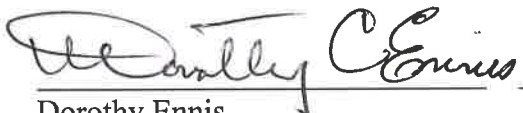
Board Secretary Smith made a motion to approve the hiring of Porscha Welch into the Administrative Assistant I position with a start date of October 1, 2017. The motion was seconded by Board Member Bills. The Board voted unanimously 5-0 to pass the motion.

Board Secretary Smith made a motion that Executive Director Clark will make selections, interview and make recommendations for the Board for employee actions with final approval by Board. The motion was seconded by Board Member Bills. The Board voted unanimously 5-0 to pass the motion.

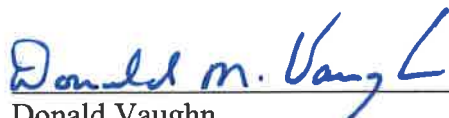
Board Member Vaughn motioned to exit executive session and it was seconded by Board Secretary Smith. The Board voted unanimously 5-0 to exit the executive session.

The Board exited Executive Session at 1:12 PM.

A motion was made by Board Member Vaughn to adjourn the Board Meeting at 1:14 PM. The motion was seconded by Board Member Coker. The Board voted unanimously 5-0 to pass the motion to adjourn.

 10-30-17
Dorothy Ennis Date
Board President

 10-30-17
Darlene Smith Date
Board Secretary

 10-30-17
Donald Vaughn Date
Board Member

 10-30-17
Deborah Coker Date
Board Member

 10/31/17
Hilda Bills Date
Board Member