

## **KENTUCKY STATE BOARD OF HAIRDRESSERS & COSMETOLOGISTS**

**November 5, 2001**

The November 5, 2001 meeting of the Kentucky State Board of Hairdressers and Cosmetologists was called to order by Chairman Bea Collins at 10:25 a.m. The meeting was held at the office of the board, 111 St. James Court, Suite A, Frankfort, Kentucky. Those members present were Bea Collins, Sharon Marks, Beverly McCauley, Martha Preston, Rhonda Hurley Wharton, and Carroll Roberts, Administrator. Also present was Cheryl LaLonde Mooney, Board Counsel, Attorney General's Office.

Cheryl Mooney advised the members of the board that after speaking with Amye Bensenhaver the Vote Changes, Vote Explanations and Additions provided by Ms. Wharton in October 2001 could not be incorporated into the September 2001 minutes as according to Ms. Bensenhaver, minutes cannot be amended, changed or have additions if it did not occur at the meeting.

Rhonda Hurley Wharton moved to approve the October 1, 2001 board meeting minutes. Beverly McCauley seconded and the motion carried by a 5-0 vote.

Sharon Marks moved to approve the minutes from the October 23 and 24, 2001 hearings. Beverly McCauley seconded and the motion carried by a 5-0 vote.

### **COMMUNICATIONS**

LaToshia Horton - Beverly McCauley recused. Ms. Horton submitted a letter requesting an extension of time in order to complete 1,800 hours in a school of cosmetology. Rhonda Hurley Wharton moved to approve the request and Ms. Horton be advised she must complete 1,800 hours by May 2002. Sharon Marks seconded and the motion carried by a 4-0 vote.

Seema Aziz - Ms. Aziz submitted a letter requesting a brushup course in preparation for the Kentucky State Board examination. Ms. Aziz holds a current license from Indiana. Sharon Marks moved Ms. Aziz be advised her request to enroll for a brushup course of 300 hours is approved upon receipt of the certification from Indiana. Martha Preston seconded and the motion carried by a 5-0 vote.

Lisa Ogden - Ms. Ogden submitted a letter requesting a brushup course in preparation for the Kentucky State Board examination. Ms. Ogden holds a current license from Maine. Sharon Marks moved Ms. Ogden be advised her request to enroll for a brushup course of 300 hours is approved upon receipt of the certification of licensure from Maine. Beverly McCauley seconded and the motion carried by a 5-0 vote.

Minutes

November 5, 2001

Page 2

Linda Nichols - Ms. Nichols submitted a letter requesting to restore her cosmetologist license into an inactive status. Due to personal hardships Ms. Nichols was unable to renew her license or obtain the 6 hours continuing education. Sharon Marks moved Ms. Nichols be advised that the request is denied as there are no provisions in the statutes and administrative regulations to allow for a waiver of the six (6) hours continuing education in order to restore. Martha Preston seconded and the motion carried by a 5-0 vote.

Ganna Bradshaw - Ms. Carol Nolley, The Hair Design School, submitted a letter on behalf of Ms. Bradshaw, advising that upon her enrollment in May 2001, the school was unaware that Ms. Bradshaw had completed hours in the Ukraine. Ms. Bradshaw also submitted a letter and documentation requesting credit for the hours. The members of the board reviewed the documentation provided. Martha Preston moved Ms. Bradshaw be advised that before a final decision can be made with regard to receiving credit for any hours received in the Ukraine, additional information must be provided such as a break down of hours and subjects. Sharon Marks seconded and the motion carried by a 5-0 vote.

Galina Zilberman - Ms. Zilberman submitted a letter and documentation concerning her licensure in the Ukraine. The members of the board reviewed the documentation. Beverly McCauley moved Ms. Zilberman since she provided documentation concerning the subjects studied and proof that she worked in a salon from 1993 to 1995, she would be eligible for examination, practical only, in order to obtain a regular cosmetologist license. Sharon Marks seconded and motion carried by a 5-0 vote.

Sharon Hughes - Ms. Hughes submitted an application for an apprentice instructor license to teach cosmetology in Ezells Cosmetology School, Murray. According to records on file in the office of the board, Ms. Hughes' cosmetologist license had been expired for a period exceeding five (5) years and she submitted to examination in order to restore the license in September 2001. Beverly McCauley moved the application for licensure be denied and once Ms. Hughes has held a current license for one (1) year she may reapply for the apprentice instructor license. Sharon Marks seconded and the motion carried by a 4-1 vote. Rhonda Hurley Wharton voted no.

Maxine Beck - Ms. Beck submitted an application for an apprentice instructor license to teach cosmetology in West Kentucky Technical College, Paducah. The application was

Minutes

November 5, 2001

Page 3

returned for proof of education. Ms. Beck submitted a letter from the Andrews Independent School District, Andrews, Texas and a transcript from Tucumcari High School, Tucumcari, New Mexico. The members of the board discussed the educational requirements and the documents provided by Ms. Beck. Rhonda Hurley Wharton moved the application be approved and an apprentice instructor license be issued. Beverly McCauley seconded and the motion carried by a 5-0 vote.

Heather Harmon - Lexington Beauty Academy - Ms. Halloran, Owner, submitted a letter requesting that Ms. Harmon, a former student, be hired by the school for the purpose of working the reception desk. Ms. Harmon is scheduled for the apprentice cosmetologist examination this month. Martha Preston moved Ms. Halloran be advised that once Ms. Harmon obtains her license, she may work at the school as a receptionist only. Sharon Marks seconded and the motion carried by a 5-0 vote.

#### Apprentice Cosmetologist Extensions or Restorations

LaTanya Hawkins - Sharon Marks moved to approve and report for examination in December 2001 as no further extensions or restorations will be granted. Beverly McCauley seconded and the motion carried by a 5-0 vote.

April Mills - Martha Preston moved to approve and report for examination in January 2001 as no further extensions or restorations will be granted. Beverly McCauley seconded and the motion carried by a 5-0 vote.

Sametha Cunningham - Sharon Marks moved to approve and report for examination in December as no further extensions or restorations will be granted. Beverly McCauley seconded and the motion carried by a 5-0 vote.

Aprile Mason - Beverly McCauley moved to approve request to restore and Ms. Mason must complete a new examination application and report for examination in January 2001. Sharon Marks seconded and the motion carried by a 5-0 vote.

Sandy Gutierrez - Beverly McCauley moved the request to restore be denied and she submit her request when she is able to apply for the examination. Martha Preston seconded and the motion carried by a 5-0 vote.

Joy Latrice Jones - Beverly McCauley moved to approve and report for examination in December as no further extensions or restorations will be granted. Martha Preston seconded and the motion carried by a 5-0 vote.

Jeannie Unseld - Sharon Marks moved to approve and report for examination in December as no further extensions or restorations will be granted. Martha Preston seconded and the motion carried by a 5-0 vote.

Minutes

November 5, 2001

Page 4

Sherry Napier - Beverly McCauley moved to approve and report for examination in January as no further extensions or restorations will be granted. Sharon Marks seconded and the motion carried by a 5-0 vote.

Traci Montgomery - Beverly McCauley moved to approve and report for examination in January as no further extensions or restorations will be granted. Martha Preston seconded and the motion carried by a 5-0 vote.

Charlyce Jackson - Sharon Marks moved to approve and Ms. Jackson be advised to resubmit her application for examination and report for examination in January 2002 as no further extensions or restorations will be granted. Beverly McCauley seconded and the motion carried by a 5-0 vote.

Carrie Snell - Beverly McCauley moved to approve request to restore and report for examination in January 2002 as no further extensions or restorations will be granted. Martha Preston seconded and the motion carried by a 5-0 vote.

Tracy Flynn - Beverly McCauley moved to approve and report for examination in December as no further extensions will be granted. Martha Preston seconded and the motion carried by a 5-0 vote.

Carrie Carr-Neltner - Beverly McCauley moved to approve and report for examination in December as no further extensions will be granted. Martha Preston seconded and the motion carried by a 5-0 vote.

## NEW BUSINESS

2002 Board Meeting & Examination Schedule - The 2002 Board Meeting and Examination Schedule was provided to the members of the board. The board meeting date for October 2002 was changed to Tuesday, October 1, 2002 with the beginning examination date remaining as October 14, 2002. Martha Preston moved to approve as corrected. Beverly McCauley seconded and the motion carried by a 5-0 vote.

## Continuing Education

### Previously Approved:

Salon Education Services - program cancellations

Jewish Hospital - Advances in Aesthetics & Plastic Surgery IV - change of speaker for program on October 15, 2001

Harold Osborne - CPR - change of program date

Terry Foody - Healthy Bodies, Heads & Hands - class cancellation

Minutes

November 5, 2001

Page 5

Heidi Bailey - Aromatherapy, Hand & Foot Treatments - additional program dates  
Jeana Fleitz - Managing Change/Improving Service & Productivity - additional program date

Salon Education Services - request for additional instructors - Beverly McCauley moved to approve the request for additional instructors. Martha Preston seconded and the motion carried by a 5-0 vote.

Calobrace Plastic Surgery Center - Ms. Roberts advised the members of the board regarding the sign-in sheets that were returned for correction. Dr. Calobrace submitted a response regarding the return. After discussing this matter, Martha Preston moved to withdrawal approval for one (1) year, from this date, for noncompliance. Beverly McCauley seconded and the motion carried by a 5-0 vote.

New Programs:

Presley Pham - Louisville - Full Body Massage - Martha Preston moved the application be denied as full body massage is beyond the scope of practice for nail technicians or cosmetologists and therefore, does not comply with 201 KAR 12:200. Sharon Marks seconded and the motion carried by a 5-0 vote.

Sue Houchins - Liza Sharber - Louisville - Perfecting Your Nail Application - Tips, Acrylic, Wraps - Nail Art - Trend - Expressing Yourself in Art - Sharon Marks moved to approve. Beverly McCauley seconded and the motion carried by a 5-0 vote.

Morris Brothers Training - Middlesboro (Statewide) - CPR - Emergency First Aid Basics - Sharon Marks moved to approve. Beverly McCauley seconded and the motion carried by a 5-0 vote.

Yellowwood Franchise Services - Louisville - Progressive Hair Cutting - Basic Haircutting - Stress for Success II - Personal Effectiveness - Beverly McCauley moved to approve. Martha Preston seconded and the motion carried by a 5-0 vote.

Salon Education Services - Paintsville - Trends ALIVE! - Sharon Marks moved to approve. Beverly McCauley seconded and the motion carried by a 5-0 vote.

Rose Mitchell - Hopkinsville - Color Theory Workshop - Sharon Marks moved to approve. Beverly McCauley seconded and the motion carried by a 5-0 vote.

Dr. Marc J. Salzman - Louisville - Salons and Spas: Our Partners in Aesthetics II - Beverly McCauley moved the application be denied as it does not meet the requirements of 201 KAR 12:200. Sharon Marks seconded and the motion carried by a 5-0 vote.

Minutes

November 5, 2001

Page 6

Tony Kendall - French Lick, IN - Annual Hair & Trade Show - Request for Additional Program dates of previously approved program - Martha Preston moved Mr. Kendall be requested to provide specific programs and dates for which he is requesting approval. Beverly McCauley seconded and the motion carried by a 5-0 vote.

### OLD BUSINESS

There was no Old Business to be brought before the Board.

### UNFINISHED BUSINESS

Stephen H. Miller - Fritz's Salon - Ms. Mooney advised the members of the board of the settlement offer regarding this matter. Beverly McCauley moved to accept a \$1,000.00 fine for the salon owners. Martha Preston seconded and the motion carried by a 5-0 vote.

Hanh Pham - Cindy Nails - Ms. Pham submitted a letter requesting her husband be allowed to obtain a Kentucky nail technician license. After discussing this matter, Beverly McCauley moved Ms. Pham be advised her husband must complete the remaining 400 hours and report for the nail technician examination in order to obtain a Kentucky license. Sharon Marks seconded and the motion carried by a 5-0 vote.

Huey Chang - Holiday Manor Nails - Mr. Chang submitted a letter advising that he could not close the salon for 30 days and requested the board reconsider the original Agreed Order. Martha Preston moved an Agreed Order be issued for a \$1,000.00 fine. Beverly McCauley seconded and the motion carried by a 4-1 vote. Rhonda Hurley Wharton voted no and indicated she agrees but opposes to the \$1,000.00 fine.

Katie Shell - A letter from Ms. Shell was provided to the members of the board along with the signed Agreed Order and fine. Also provided to the members of the board was an investigation report indicating that Ms. Shell was still providing cosmetological services on September 27, 2001. (See September 2001 Minutes) After discussing this matter and noting that this was a second offense, Beverly McCauley moved the licenses be renewed and an Agreed Order be issued for a \$1,000.00 fine. Martha Preston seconded and the motion carried by a 5-0 vote.

Minutes

November 5, 2001

Page 7

Beverly McCauley moved an Agreed Order be issued to the owner of the salon, Kevin Swayne, Swayne on Main, for allowing Ms. Shell to work without a current license, for a fine in the amount of \$1,000.00. Sharon Marks seconded and the motion carried by a 5-0 vote.

Lisa Wilson - Ms. Wilson submitted a letter concerning the remainder of the fine due from an Agreed Order. After discussing this matter, Sharon Marks moved Ms. Wilson be sent a letter advising that the remaining \$500.00 fine must be paid by November 30, 2001 and she must apply and report for the regular cosmetologist examination in January 2002. Martha Preston seconded and the motion carried by a 5-0 vote.

Kentucky Approving Agency for Veterans Education - Adina O'Hara - Ms. O'Hara submitted the information in response to questions from the September board meeting. Beverly McCauley moved to approve participation in the program. Martha Preston seconded and the motion carried by a 5-0 vote.

Hazel V. Smith - Be Encouraged - See Additional Items

Ruth Gabehart - See Additional Items

Failure to Respond to Agreed Orders

After discussing this matter, it was determined that all those who failed to respond to Agreed Orders be sent to mediation. Following failed to respond:

Felicia Wilson

Marilyn Bernal - Salon 502

Donaldene Sizemore - Hair Creations by Dixie

Martha Moore

Fingertips Salon - Jenny Snead, Michelle Knuckles

LaTonya Powell

Tuan Anh Pham - Hung Anh Pham - Rich Nails

Phuong Van Nguyen - Winchester Nail Salon

Isabel Allen - Hair & Now - Jennifer Weber - Brooke Browning

BOARD INFORMATION

Sharon Marks moved to approve the following items. Beverly McCauley seconded and the motion carried by a 5-0 vote:

August 2001 and September 2001 Financial Statements  
September 2001 Recap of Receipts  
September 2001 Cash Receipts  
Employees Time and Attendance Records

National Interstate Council - A copy of the amended bylaws was provided to the members of the board. No action was necessary.

Diane Schuler Fleming - Ms. Fleming submitted a response to Board's inquiry concerning Malena Hughes. No action was necessary, board information.

Barbara Stumph - Ms. Stumph submitted a letter concerning the examination process she observed while reporting as a model. Beverly McCauley moved a letter be sent to Ms. Stumph advising that the board appreciates her comments. Sharon Marks seconded and the motion carried by a 5-0 vote.

Kaufman Beauty School - A letter was received from Judy Farmer, Owner, concerning holiday closures. No action was necessary, board information.

"A Soon to be Stylist" - An anonymous letter was received concerning CD Perkins Rehab. No action was taken; however, the members of the board discussed anonymous complaints.

Kim Anh Trinh - Ms. Trinh submitted a letter in response to a cease and desist letter that was issued to her. No action was necessary.

Edward M. Bourne - Bob & Mary's Antiques - Mr. Bourne, Attorney, submitted a letter in response to the cease and desist letter that was issued to his clients. No action was necessary.

Nail Graphics - A response was received concerning the dates of employment of Nga T. Tran. No action was necessary at this time.

Minutes

November 5, 2001

Page 9

Myrna Gibbs - Ms. Gibbs submitted a response to the cease and desist letter issued to her. No action was necessary, board information.

J. Stan Lee - Hair & Nails, Inc. - Mr. Lee submitted a letter to the Board advising he appreciated the Board's consideration in allowing him to appear. No action was necessary.

Susan Bridell - Great Clips - Ms. Bridell submitted the revised schedule and course outline for the continuing education programs as requested. No action was necessary.

Dr. Garrett M. Crabtree - Dr. Crabtree submitted a response regarding nail technicians attending their continuing education program as requested. The members of the board discussed this matter; however, no action was necessary at this time.

Avonti Caldwell-Garrett - The Thank you note attached to flowers sent by Ms. Garrett was provided to the members of the board.

#### Applications for Enrollment, Felony Convictions

Janice Winstead - Owensboro Technical College, Owensboro

Jeremy L. Hay - Ashland School of Beauty Culture, Ashland

Sherika Montgomery - Donta School of Beauty Culture, Louisville

#### Apprentice Instructor Licenses Issued

Kimberly Saunders - Lexington Beauty College

Joseph P. Kenton - Paducah Beauty School

#### Agreed Orders to be Signed

Chairman Collins signed the following Agreed Orders:

Marie Stewart

Tracy Collins - Suburban Beauty Salon

Minutes  
November 5, 2001  
Page 10

Agreed Orders Signed and Fines Paid

Beau Monde Beauty Salon & Spa - Brenda Vanhoose, Owner & Manager  
EnVogue Salon - Kim Padgett  
Lazarus Salon  
Angel Hair & Nails - Cuc Thi Nguyen Huynh, Owner & Manager  
The Hair Palace - Deborah Harrod, Owner & Manager  
Regis, Ashland

ADDITIONAL ITEMS

Terri English - Ms. English submitted a letter requesting to enroll for a brushup course in preparation for the Kentucky State Board examination. Ms. English is currently licensed in South Carolina. Sharon Marks moved Ms. English be advised her request is approved and she may enroll for a maximum of 300 hours upon receipt of her certification of licensure. Beverly McCauley seconded and the motion carried by a 5-0 vote.

Amanda Bartley - Ms. Bartley submitted a letter requesting an oral written examination due to her disability of dyslexia. Sharon Marks moved Ms. Bartley be advised she will be given the accommodation of unlimited time on the written examination. Beverly McCauley seconded and the motion carried by a 5-0 vote.

Jane Puckett - Dr. Linda Bailey - Dr. Bailey submitted a letter on behalf of her mother, Jane Puckett, requesting to restore her license into an inactive status. Due to illness, she was unable to renew her license in July. Rhonda Hurley Wharton moved the request be approved and Ms. Puckett's license be restored to her. Beverly McCauley seconded and the motion carried by a 5-0 vote.

Lesley Coleman - This matter was placed on the agenda as Ms. Coleman was to submit her application for the regular cosmetologist examination by October 23, 2001; however, the application was not received until October 29, 2001. (See September 2001 minutes) Beverly McCauley moved Ms. Coleman be scheduled for December 2001 and she be advised she must report for examination or her apprentice cosmetologist license will be voided. Sharon Marks seconded and the motion carried by a 5-0 vote.

Minutes

November 5, 2001

Page 11

Tara Muhlenkamp - Ms. Muhlenkamp submitted a request to restore her apprentice cosmetologist license. Beverly McCauley moved to table to obtain more information. The motion died for lack of a second. Martha Preston moved the request to restore be denied for failure to comply with 201 KAR 12:045. Section 2. Sharon Marks seconded and the motion carried by a 4-1 vote. Rhonda Hurley Wharton voted no.

Marta Goodloe - Ms. Goodloe submitted a request to restore her apprentice cosmetologist license. Beverly McCauley moved to approve the request and Ms. Goodloe be notified she must report for examination in January 2002. Martha Preston seconded and the motion carried by a 5-0 vote.

Elisha L. McGowan - Ms. McGowan submitted a request to restore her apprentice cosmetologist license. Sharon Marks moved to approve the request and Ms. McGowan be notified she must report for examination in January 2002. Martha Preston seconded and the motion carried by a 5-0 vote.

Deanna Duke - Ms. Duke submitted a request to restore her apprentice cosmetologist license. Sharon Marks moved to approve the request and Ms. Duke be advised she must report for examination in January 2002. Martha Preston seconded and the motion carried by a 5-0 vote.

Mindy R. Hardman - Ms. Hardman submitted a request to restore her apprentice cosmetologist license. The members of the board also reviewed the Inspector's Investigation Report indicating that Ms. Hardman was working on an expired license at The Head Shop, Florence, Kentucky, on October 25, 2001. After discussing this matter, Sharon Marks moved Ms. Hardman be issued an Agreed Order for a \$500.00 fine and upon payment of the fine, she may restore her apprentice cosmetologist license. Beverly McCauley seconded and the motion carried by a 5-0 vote.

Martha Preston moved an Agreed Order be issued to L. Michael Moore, Owner and Manager, of The Head Shop, Florence, Kentucky, for a \$500.00 fine as owner and a \$500.00 fine as manager. Sharon Marks seconded and the motion carried by a 5-0 vote.

Tara Kramer - Ms. Kramer submitted a request to restore her apprentice cosmetologist license. The members of the board also reviewed the Inspectors' Investigation report indicating that Ms. Kramer's expired license was posted at The Head Shop, Florence, Kentucky, on October 25, 2001; however, Ms. Kramer was not present. According to

Minutes

November 5, 2001

Page 12

records on file in the office of the board, Ms. Kramer has held her apprentice cosmetologist license since 1997 and was previously advised in November 2000 that she had received a final extension and she must report for the regular examination no later than June 2001. Ms. Kramer failed to file an application for examination. Sharon Marks moved Ms. Kramer be advised the request to restore is denied. Martha Preston seconded and the motion carried by a 4-1 vote. Rhonda Hurley Wharton voted no. Since Ms. Kramer was not present at the salon, no action was taken against the owner or manager of the salon.

Jennifer Loos - Ms. Loos submitted a request to restore her apprentice cosmetologist license. The members of the board also reviewed the Inspector's Investigation Report dated October 18, 2001 and November 1, 2001. Both reports indicated Ms. Loos was working on an expired license at Boric's Haircare for Everyone, Newport, Kentucky. Martha Preston moved an Agreed Order be issued for a \$500.00 fine for working on an expired license and upon payment of the fine, the license may be restored and she must report for the regular cosmetologist examination in January 2002. Sharon Marks seconded and the motion carried by a 5-0 vote.

Hazel Smith - Be Encouraged Ministries - See Unfinished Business - This matter was placed on the agenda as the site inspection of the proposed school was conducted on November 21, 2000; however, a final inspection has not been requested. On October 30, 2001, Ms. Smith submitted a letter requesting an extension of time in order to complete the school due to the construction company. The matter was discussed. Rhonda Hurley Wharton moved Ms. Smith be granted an extension until November 2002. Sharon Marks seconded and the motion carried by a 5-0 vote.

Martha Rivers - Mia Adkins - Mirage - Cheryl Mooney and Bea Collins, Chairman, reported to the members of the board the results of the mediation in this matter held on October 30, 2001. Through mediation, it was agreed that Ms. Rivers, Owner, would pay a fine of \$1000.00 and Ms. Adkins would pay a fine of \$500.00. Beverly McCauley moved to approve the agreement and Agreed Orders be issued. Sharon Marks seconded and the motion carried by a 5-0 vote.

The members of the board discussed the mediation process and Martha Preston moved that any backlog of cases to be set for hearing be first scheduled for mediation. Beverly McCauley seconded and the motion carried by a 5-0 vote.

Minutes

November 5, 2001

Page 13

Ruth Gabehart - See Unfinished Business. This matter is scheduled for hearing on November 27, 2001. However, after discussing the mediation process, Martha Preston moved Mr. Elmer George, Attorney, be contacted to consider mediation. Sharon Marks seconded and the motion carried by a 5-0 vote.

Avonti Caldwell-Garrett - Rhonda Hurley Wharton was not present at the hearing and therefore, did not participate. The Findings of Fact, Conclusions of Law and Order in the matter of hearing held on October 24, 2001 was provided to the members of the board from Thomas Hellman, Hearing Officer. Beverly McCauley moved to approve the Findings of Fact, Conclusions of Law and Order. Sharon Marks seconded and the motion carried by a 4-0 vote.

Agreed Orders to be signed by Chairman

Chairman Collins signed the following Agreed Orders:

Athena Schrader - See Failure to Respond - Unfinished Business

Joanne Herzog - See Failure to Respond - Unfinished Business

Sandra Stephens - Ms. Stephens submitted a letter advising that she was unable to pay the \$500.00 fine and requested a longer suspension period. (See Failure to Respond - Unfinished Business) Beverly McCauley moved to issue a new Agreed Order for a 7 month suspension of her license. Sharon Marks seconded and the motion carried by a 5-0 vote.

Sharon Cantrell - Ms. Cantrell submitted a letter requesting a counter offer of a suspension period of 7 days. Ms. Cantrell submitted the fine of \$500.00. Beverly McCauley moved to accept the counter offer. Sharon Marks seconded and the motion carried by a 4-1 vote. Rhonda Hurley Wharton voted no and indicated that she did not think that she should get any days closure.

Gloria Jean Lake - Ms. Lake submitted a letter in response to the Agreed Order issued to her requesting the board reconsider as she was on vacation during the violation and she further was listed as the manager only because the owner was a nail technician and she did not have any authority to make operational decisions regarding the salon. Rhonda Hurley Wharton moved the charges be dismissed. Beverly McCauley seconded and the motion carried by a 5-0 vote.

Minutes

November 5, 2001

Page 14

Hong Thi Ngoc - Super Nails, London - The manager, Hong Thi Ngoc, submitted Affidavits advising that she was on maternity leave during the violation that occurred at Super Nails. An affidavit was also received from the owner, Phong T. Nguyen, certifying that Ms. Ngoc was not responsible for the employment of Ha Yuan Tran. Rhonda Hurley Wharton moved the charges against Hong Thi Ngoc be dismissed. Martha Preston seconded and the motion carried by a 5-0 vote.

Stan Lee, Attorney - Hair & Nails, Inc. - The letter from Cheryl Lalonde-Mooney concerning board decision (See Board Information) was provided to the members of the board. No action was necessary.

Walter and Mary Hall, Hairco dba CostCutters - Mr. & Mrs. Hall submitted a copy of a letter concerning loss of revenue due to failure of hairdressers/salons to pay taxes that was forwarded to the Revenue Cabinet was provided to the members of the board. No action was necessary, board information.

2002-2004 Budget - The members of the board were advised of the work in progress concerning the budget. No action was necessary at this time.

State Beauty College, Campbellsville - Martha Preston moved to approve the final inspection conducted on October 29, 2001. Sharon Marks seconded and the motion carried by a 5-0 vote. A copy of the inspection report was provided to the members of the board indicating that the school was not approved for licensure. The inspector will be contacted to conduct the final inspection once the deficiencies have been corrected.

Nu-Tek Academy of Beauty, Mt. Sterling - Sharon Marks moved to approve the final inspection conducted on October 30, 2001. Beverly McCauley seconded and the motion carried by a 5-0 vote.

Janie Caudill - The members of the board previously determine to cite Ms. Caudill. Ms. Roberts requested the members of the board indicate what violations should be listed in the citation. After discussing this matter, Martha Preston moved to write a letter to Ms. Caudill, with copy to her attorney, and request a response to the complaint, and the citation not be issued at this time. Sharon Marks seconded and the motion carried by a 5-0 vote.

Minutes  
November 5, 2001  
Page 15

### Apprentice Instructor Licenses Issued

Kristin L. Rock - The Hair Design School, Chenoweth Ln, Louisville  
Kari Casper - Trend Setters Academy, Louisville

### Applications for Enrollment, Felony Convictions

Candice Cromer - The Hair Design School, Florence  
Wendy Hall - The Hair Design School, Florence

### Continuing Education

### Previously Approved Programs

Kentucky Educational Committee Workshop (NCA) - change of program date  
Sandra Wilson - Advanced Braiding/Hands on Class - change of location  
Joyce Stollings - Acrylic Nails - change of location  
Salon Education Services - Internet for Salon Professionals - class cancellations

L. Michael Moore - Michael's College of Hair Design - By advise of board counsel, the application for a change of location of Michael's College of Hair Design was provided to the members of the board. The application was not on the agenda as it was to be returned as Mr. Moore indicated "on file" for ownership, but checked "Corporation." The application on file indicated a "partnership." Mr. Moore was present and addressed the members of the board regarding the ownership of the school. Mr. Moore changed the application to reflect the ownership listed on the previous application on file in the office of the board. Beverly McCauley moved to approve the application for a change of location. Sharon Marks seconded and the motion carried by a 5-0 vote. The members of the board determined that a site inspection of the proposed location would be conducted on Monday, November 26, 2001 at approximately 10:00 a.m.

### ADJOURNMENT

Sharon Marks moved the November 5, 2001 board meeting adjourn. Martha Preston seconded and the motion carried by a 5-0 vote.

The meeting adjourned at 3:30 p.m.

