

**COSMETOLOGY EXAMINING BOARD
MEETING MINUTES
DECEMBER 3, 2012**

PRESENT: Rod Gottfredsen, Susan Kolve-Feehan, Jeffrey Patterson, Cheryl Pearse (by phone), Gerri Reuter and Howard Twait

STAFF: Mojgan Hall, Executive Director; Yolanda McGowan, Legal Counsel; David Carlson, Communications Specialist; and other Department staff

CALL TO ORDER

Jeffrey Patterson, Board Chair, called the meeting to order at 9:34 a.m. A quorum of six (6) members was confirmed.

ADOPTION OF AGENDA

MOTION: Susan Kolve-Feehan moved, seconded by Rod Gottfredsen, to adopt the agenda as amended, adding Item F5b, "Discussion Related to the Definition of Minimal Work in 454.06 (8m) (d)." and correcting item L.b.a. to read 12BAC 024 x1." Motion carried unanimously.

APPROVAL OF MINUTES

MOTION: Rod Gottfredsen moved, seconded by Gerri Reuter, to approve the minutes of September 10, 2012 as published. Motion carried unanimously.

EDUCATION AND EXAMINATION MATTERS

MOTION: Gerri Reuter moved, seconded by Susan Kolve-Feehan, to delegate authority to the Board Liaison, on behalf of the Cosmetology Examining Board, to work with Department staff to finalize CE course approval policies and documents consistent with the Statute and code chapters, including, but not limited to the course approval process, course approval application forms and DSPS website language relating to CE. Motion carried unanimously.

MOTION: Rod Gottfredsen moved, seconded by Susan Kolve-Feehan, to designate Jeffrey Patterson as the Board Liaison to work with Department staff on issues relating to the CE approval process and approval of CE programs. Motion carried unanimously.

LEGISLATION/ADMINISTRATIVE RULES

MOTION: Rod Gottfredsen moved, seconded by Howard Twait, to appoint Susan Kolve-Feehan and Gerri Reuter as Board Liaisons to work with Department staff to draft a scope statement relating to BC rules. Motion carried unanimously.

CLOSED SESSION

MOTION: Rod Gottfredsen moved, seconded by Howard Twait, to convene to closed session to deliberate on cases following hearing (s. 19.85(1) (a), Stats.; consider closing disciplinary investigation with administrative warning (s. 19.85(1)(b), Stats. and 440.205, Stats., to consider individual histories or disciplinary data (s. 19.85 (1)(f), Stats.; and, to confer with legal counsel (s. 19.85(1)(g), Stats.). Roll Call Vote: Rod Gottfredsen - yes; Susan Kolve-Feehan - yes; Jeffrey Patterson - yes; Cheryl Pearse - yes; Gerri Reuter - yes; and Howard Twait – yes. Motion carried unanimously. Open session recessed at 12:43 p.m.

RECONVENE TO OPEN SESSION

MOTION: Rod Gottfredsen moved, seconded by Howard Twait, to reconvene in open session at 1:35 p.m. Motion carried unanimously.

VOTING ON ITEMS CONSIDERED/DELIBERATED IN CLOSED SESSION

PROPOSED STIPULATIONS, FINAL DECISIONS AND ORDERS

MOTION: Susan Kolve-Feehan moved, seconded by Rod Gottfredsen, to adopt the Findings of Fact, Conclusions of Law, Stipulation and Order, in the matter of 12 BAC 005 - Diem T. Le and 07 Nails. Motion carried unanimously.

MOTION: Susan Kolve-Feehan moved, seconded by Rod Gottfredsen, to adopt the Findings of Fact, Conclusions of Law, Stipulation and Order, in the matter of 12 BAC 034 - Marilyn M. Brooks and Changing Faces Beauty Salon. Motion carried unanimously.

MOTION: Susan Kolve-Feehan moved, seconded by Rod Gottfredsen, to adopt the Findings of Fact, Conclusions of Law, Stipulation and Order, in the matter of 12 BAC 034 - Samuel M. Tatum. Motion carried unanimously.

MOTION: Susan Kolve-Feehan moved, seconded by Rod Gottfredsen, to adopt the Findings of Fact, Conclusions of Law, Stipulation and Order, in the matter 12 BAC 034 - Robin R. Easter. Motion carried unanimously.

MOTION: Susan Kolve-Feehan moved, seconded by Rod Gottfredsen, to adopt the Findings of Fact, Conclusions of Law, Stipulation and Order, in the matter 12 BAC 040 - Brooke E. Fleetwood. Motion carried unanimously.

PROPOSED FINAL DECISION AND ORDER

MOTION: Gerri Reuter moved, seconded by Cheryl Pearse, to adopt the Findings of Fact, Conclusions of Law and Order, in the matter 10 BAC 080 – Michael Shaffer. Motion carried unanimously.

CASE CLOSINGS

MOTION: Rod Gottfredsen moved, seconded by Howard Twait to close the following cases according to the recommendations by the Division of Legal Services and Compliance:

- a. 12 BAC 031
- b. 12 BAC 034
- c. 12 BAC 059
- d. 12 BAC 071
- e. 12 BAC 088

Motion carried unanimously.

CITATIONS

- MOTION:** Susan Kolve-Feehan moved, seconded by Howard Twait, to close the following cases according to the citations by the Division of Legal Services and Compliance:
- a. 12 BAC 024 x1
 - b. 12 BAC 047 x4
 - c. 12 BAC 055 x1
 - d. 12 BAC 065 x3
 - e. 12 BAC 069 x2
 - f. 12 BAC 070 x3
 - g. 12 BAC 081 x2
 - h. 12 BAC 082 x1
 - i. 12 BAC 086 x2
- Motion carried unanimously.

ADMINISTRATIVE WARNING

- MOTION:** Howard Twait moved, seconded by Rod Gottfredsen, to issue an Administrative Warning in case 12 BAC 067 as recommended by the Division of Legal Services and Compliance. Motion carried unanimously.

MONITORING

- MOTION:** Gerri Reuter moved, seconded by Susan Kolve-Feehan, to grant Michael Key and Finest Cuts, Inc's request for a payment plan. Minimum payments of \$200/month, commencing January 2013, shall be required. Failure to make any required payment shall be presumptive evidence of a violation of the Board's Order, which may result in further disciplinary action. Motion carried unanimously.

ADJOURNMENT

- MOTION:** Rod Gottfredsen moved, seconded by Susan Kolve-Feehan, to adjourn the meeting at 2:00 p.m. Motion carried unanimously.