

SOUTH CAROLINA DEPARTMENT OF LABOR, LICENSING
AND REGULATION
BEFORE THE SOUTH CAROLINA BOARD OF COSMETOLOGY
FEBRUARY 1, 2012

BOARD MEMBERS - BY CONFERENCE CALL:

ROSANNE KINLEY, CHAIR
MELANIE THOMPSON, VICE CHAIR
KATHLEEN WEBB
DELORES GILMER
CINDY RODGERS

STAFF:

BYRON RAY, ADMINISTRATOR
ROZ BAILEY-GLOVER - STAFF
DEAN GRIGG, ESQUIRE - ADVICE COUNSEL
MALINDA PRESSLEY - STAFF

ALSO PRESENT:

JANICE CURTIS
GEORGE CURTIS
COLLEEN LARGE
TERRI WILLIAMS

1 Public notice of this meeting was properly posted at
2 the South Carolina Board of Cosmetology office, Synergy,
3 Business Park, Kingstree Building and provided to all
4 requesting persons, organizations, and news media in
5 compliance with Section 30-4-80 of the South Carolina
6 Freedom of Information Act.

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EXHIBITS

10 (There were no exhibits marked)

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1 MS. KINLEY: Meeting called to Order.
2 Public Notice of this meeting was properly posted in
3 the South Carolina Board of Cosmetology Office,
4 Synergy Business Park, Kingstree Building and provided
5 to all requesting persons, organizations and news
6 media in compliance with Section 30-4-8 of the South
7 Carolina Freedom of Information Act. Rules of the
8 meeting read by the Chairman. I apologize, I don't
9 have them in front in of me, but basically it's just
10 everybody -- nobody misbehave and speak out of turn.
11 Introduction of Board Members and All Other Persons
12 Attending. For the record, on conference call we have
13 myself, Rosanne Kinley; Vice Chair, Melonie Thompson;
14 Kathy Webb; and Delores Gilmer. Cindy, have you
15 checked in?

16 (No response.)

17 MS. KINLEY: Not hearing from Cindy. I
18 believe she will be signing in though. Approval of
19 Excused Absences. Selena Brown notified me
20 approximately two weeks ago that her daughter had some
21 very serious severe medical issues and she was leaving
22 to go up north to be with her, so I have a feeling she
23 has not even checked back in with her computer, so if
24 everyone would remember Selena in their thoughts and
25 prayers. At this time, we'd have everyone else in the

1 room announce themselves for the record.

2 MR. RAY: Byron Ray, LLR Staff.

3 MR. GRIGG: Dean Grigg, Board Attorney.

4 MS. WILLIAMS: Terri Williams,
5 Cosmetologist.

6 MS. CURTIS: Janice Curtis.

7 MR. CURTIS: George Curtis.

8 MS. BAILEY-GLOVER: Roz Bailey-Glover,
9 Staff.

10 MS. LARGE: Colleen Large, SC Esthetics
11 Association.

12 MS. GRICE: Sonya Grice, Court Reporter.

13 MR. GRIGG: And I think that's everybody,
14 Rosanne.

15 MS. KINLEY: Okay. Thank you. I will
16 entertain a Motion to approve the Agenda.

17 MS. THOMPSON: Melonie Thompson, so moved.

18 MS. GILMER: Second.

19 MS. KINLEY: Was that you, Deloris?

20 MS. GILMER: Deloris Gilmer, second.

21 MS. KINLEY: Okay. I have a Motion by
22 Melonie Thompson; a second by Deloris Gilmer. Any
23 further discussion?

24 (No response.)

25 MS. KINLEY: Hearing none; all in favor

1 signify by saying aye.

2 (Board members comply by saying aye.)

3 MS. KINLEY: Opposed?

4 (No response.)

5 MS. KINLEY: Motion carries. Chairman's
6 Remarks. I have no Chairman's Remarks today. We're
7 going to skip Board Members Reports. Administrator's
8 Reports. Byron, do you have something you want to --

9 MR. RAY: I don't have anything.

10 MS. KINLEY: Okay. By passing, I'm assuming
11 there's nothing under Old Business. Heading right on
12 into New Business. Approval of Reinstatement: Terri
13 Williams. I understand we do have Ms. Williams in the
14 office. Has she been identified and sworn in?

15 MR. GRIGG: She has not been sworn in yet.

16 (The witness is sworn in.)

17 MR. GRIGG: Okay, Rosanne.

18 MS. KINLEY: Okay. Ms. Williams, thank you
19 for attending today. Briefly, it's my understanding,
20 and please correct me if I'm wrong.

21 MR. GRIGG: Rosanne.

22 MS. KINLEY: Yes?

23 MR. GRIGG: I'm going to have her move so
24 she's seated a little closer and can hear you a little
25 better. Okay?

1 MS. KINLEY: Sure.

2 MR. GRIGG: So just give me just a second.

3 MS. KINLEY: Sure.

4 MR. GRIGG: All right. I think -- I think
5 maybe she's close enough she can hear you without
6 straining.

7 MS. KINLEY: Okay. Again, Ms. Williams, my
8 name is Rosanne Kinley. I'm the Chairman of the Board
9 of Cosmetology. It is my understanding that last
10 summer -- I'm trying to find the exact date.

11 UNIDENTIFIED VOICE: [inaudible.]

12 MS. KINLEY: June 21st. I see that now.
13 One of the inspectors inspected your salon and found
14 that your cosmetology license was expired less than a
15 year; is that correct?

16 MS. WILLIAMS: Yes, ma'am.

17 MS. KINLEY: Okay. Did Cindy just sign in?

18 MS. RODGERS: Yes. I'm sorry. I've been
19 trying to get through but I couldn't get through.

20 MS. KINLEY: That's okay. We're just now
21 starting on Terri Williams' case, Cindy; if you just
22 want to pull that up.

23 MS. RODGERS: Okay.

24 MS. KINLEY: Okay. For the record, let it
25 show that Cindy Rodgers is now on line too. So you

1 were issued a citation June 21st. It's my
2 understanding you mailed in a fee that was returned to
3 you; is that correct?

4 MS. WILLIAMS: Yes, ma'am.

5 MS. KINLEY: The citation fee was returned
6 to you because at that time -- well, they just
7 returned it. And they were handling things in a
8 different manner. And then a Cease and Desist was
9 issued on August the 11th. And then you were --
10 apparently you were supposed to appear before the
11 Cosmetology Board August 1st, 2011; is that correct?

12 MS. WILLIAMS: Yes, ma'am. When I was
13 fined, I came up and paid my fees and got a brochure
14 of all the classes that I could attend to attain my
15 classes.

16 MS. KINLEY: Your continuing education
17 classes?

18 MS. WILLIAMS: Yes, ma'am.

19 MS. KINLEY: Okay.

20 MS. WILLIAMS: And I filled out all the
21 paperwork then and paid my money and started looking
22 for classes. In the meantime -- well, this is going
23 to get really personal. I apologize, but this is
24 what's happened. In the meantime, I had not heard
25 anything back from State Board. And my youngest

1 brother was diagnosed with two different types of
2 cancer. One -- both stage four. One curable and one
3 is not curable. The week later my mother was
4 diagnosed with breast cancer after being a survivor of
5 ten years and underwent another mastectomy. Four days
6 after her surgery I had her in my car going to
7 Charlotte to help take care of my youngest brother and
8 his children of the ages of one and two, at the time.
9 So I received a letter -- I received a letter on --
10 where's the date? August 25th, with my returned check
11 of \$100. And the letter states my check number, the
12 amount, and the department it came from. I was given
13 a ci- -- a citation for expired cosmetology license
14 and that the department presented findings of the
15 inspection report to the State Board of Cosmetology.
16 The Board will decide what action, if any, will be
17 taken against you. You will be notified of the
18 Board's decision. That was August 25th, the 11th.

19 MS. KINLEY: Oh, I see that. I see that.

20 MS. WILLIAMS: I'm sorry?

21 MS. KINLEY: I see that. Yes, ma'am.

22 MS. WILLIAMS: And --

23 MS. KINLEY: I have a copy of that letter,
24 is what I'm saying; I have a copy of it.

25 MS. WILLIAMS: Okay.

1 MS. THOMPSON: If I could, Madam Chair, this
2 is Melonie Thompson. If I could just interject here
3 one moment. I think, if I'm not mistaken, and maybe
4 staff could tell us this, but August 1st hearing date,
5 would that not have been at that particular time a DRC
6 and not necessarily in front of the Board? Because
7 we've never, to my knowledge, had anything scheduled
8 for August the 1st.

9 MS. BAILEY-GLOVER: (Nods head
10 affirmatively.)

11 MR. RAY: Roz is nodding her head
12 affirmative. That's -- probably was a DRC meeting.
13 DRC --

14 MS. THOMPSON: Okay. So just for
15 clarification, it wasn't -- on August the 1st, Ms.
16 Williams was not scheduled to appear before the Board,
17 but -- and Ms. Williams, I know that that wasn't your
18 mistake. I just want a clarification from staff to
19 make sure that were all on the same page and that I
20 had not missed notification of some Board meeting.

21 MR. GRIGG: And Melonie, just -- and I'm
22 speculating because I didn't look back at the exact
23 dates, but as Rosanne's already alluded to, probably
24 why that was canceled was remember we changed the
25 whole process of the Citations --

1 MS. THOMPSON: Yeah.

2 MR. GRIGG: -- and DRC back in the Fall to
3 late Summer and Fall times.

4 MS. THOMPSON: Yeah.

5 MR. GRIGG: So that's probably --

6 MS. THOMPSON: I figured that that's what
7 had happened but I just wanted to be certain that that
8 -- that August 1st date was essentially what would
9 have been a DRC hearing and not a Board Meeting.

10 MR. GRIGG: You're probably -- that's --
11 that sounds like what it is.

12 MS. THOMPSON: Okay.

13 MR. GRIGG: And like Byron just said, Roz is
14 shaking her head so.

15 MS. THOMPSON: Okay.

16 MR. GRIGG: Nodding her head, I should say.

17 MS. THOMPSON: I apologize for interrupting.
18 I just wanted to make sure that that was clear, so
19 please go on.

20 MS. KINLEY: Ms. Williams, you can continue.

21 MS. WILLIAMS: Thank you. So with this
22 going on in my personal life, I was living part the
23 time here and most of the time in Charlotte taking
24 care of my mom and my brother. So my CEU's -- or
25 CEO's -- sorry, was not really in the front part of my

1 brain at the time. And so I came to State Board and -
2 - I mean, I did my CEO's; they're current. And I came
3 up to State Board. I'm having to sell my salon
4 because it has been in the red for the past two years.
5 So I've been struggling to keep that open and take
6 care of my family. But I have found a place that will
7 welcome me to work in their salon. And I came up to
8 renew my license and get a permit for a booth renter's
9 license. At the time I found out that I could not
10 attain those licenses unless I went before the Board,
11 which now I'm being told it wasn't supposed to be a
12 Board Meeting, on March the 12th. That's six, seven
13 weeks from now and I cannot survive on not working. I
14 do have --

15 MS. KINLEY: Which is why we're here today.

16 MS. WILLIAMS: Yes, ma'am.

17 MS. KINLEY: So, to surmise, you have an
18 expired license from March of 2011, I'm assuming; is
19 that correct?

20 MS. WILLIAMS: Yes.

21 MS. KINLEY: Is that when it expired?

22 MS. WILLIAMS: Yes, ma'am. It's also -- I
23 thought I -- back in Janu- -- before I found out about
24 my brother and mother, I thought it was the year that
25 I had taken two the year before.

1 MS. KINLEY: Uh-huh (affirmative response).

2 MS. WILLIAMS: And that was another reason,
3 that was my mistake; I had not taken two the year
4 before. It was the year for me to either take one or
5 two at, you know, ever which one I wanted to do.

6 MS. KINLEY: So, to surmise, your license
7 expired on March of 2011 and you -- did you have any
8 CEU's or did you have to attain what your full 12-
9 hours before you would be allowed to renew that
10 license?

11 MS. WILLIAMS: Yes, ma'am. I had to attain
12 those classes, which I --

13 MS. KINLEY: You had --

14 MS. WILLIAMS: Which I did.

15 MS. KINLEY: Which you did.

16 MS. WILLIAMS: And, you know, I got my
17 certificates from USC. So then I thought in return I
18 would either be in -- be notified as the Board stated
19 or sent --

20 MS. KINLEY: Do you have those with you
21 today, Ms. Williams?

22 MS. WILLIAMS: Yes, ma'am.

23 MS. KINLEY: And when -- when did you
24 complete the final class?

25 MS. WILLIAMS: I'm looking. I'm sorry.

1 MS. KINLEY: That's okay.

2 MS. WILLIAMS: One class was taken on
3 September the 18th, 2011; the other was taken on
4 December the 5th, 2010.

5 MS. KINLEY: 2010?

6 MS. WILLIAMS: Yes, ma'am.

7 MS. KINLEY: Okay. So you simply became
8 eligible to renew -- reinstate that license in
9 September of this past year?

10 MS. WILLIAMS: Yes, ma'am.

11 MS. KINLEY: Okay.

12 MS. WILLIAMS: Like I was saying, I got my
13 certificates from USC and so, you know, to my
14 knowledge it's reported to the Board that I have done
15 my classes. And I thought by the letter they had sent
16 me that they would be contacting me -- that they would
17 contact me. And from my understanding also, there was
18 a lot of changes throughout the Summer and Fall and --
19 it is part my fault; it is part the Board's fault. I
20 just -- I got lost in the transition. Even Mr. Ray
21 couldn't really find anything about it so --

22 MS. KINLEY: Uh-huh (affirmative response).

23 MS. WILLIAMS: -- I kind of helped him, you
24 know, bring him up-to-date where I was and where I
25 needed to go with this.

1 MS. KINLEY: Okay. I understand. And I --
2 I'm -- I just want you to know, number one: I'm sorry
3 about the family issues you've had. My heart goes out
4 to you for that.

5 MS. WILLIAMS: It's still happening. But
6 thank you.

7 MS. KINLEY: And number two: yes, it was
8 partial- -- it was obviously it was totally your
9 responsibility to have it renewed March of 2011.

10 MS. WILLIAMS: Correct.

11 MS. KINLEY: That is, you know, every two
12 years -- the odd year in March it has to be renewed.
13 You have to have those hours in in order to renew. As
14 far as the office sending you a letter stating you
15 would be notified and then it dropping off, that is --
16 and I'm going to -- and I don't mean to step on any
17 toes in the office, that is not the Board of
18 Cosmetology's mistake; it is within LLR. That is
19 where the paperwork is kept, and on behalf of the
20 staff at LLR, I apologize for this dropping and not
21 surfacing earlier. With that being said, when I was
22 notified of the problem last week, I was not going to
23 require someone to wait yet an additional six or seven
24 weeks before this case was heard, considering the part
25 on LLR -- that LLR played in -- in this. That is why

1 we're here today. And just so you recognize that
2 everyone on this telephone call is taking away from
3 their business in order to expedite this matter to
4 help you out today.

5 MS. WILLIAMS: I appreciate that. And I
6 know what taking time out of your business does to
7 your business. And thank you.

8 MS. KINLEY: We -- we all do see clients and
9 have -- have jobs. So, it's my understanding, I don't
10 have anything that I'm seeing in the office as far as
11 her continuing education certifications. But I'm
12 assuming, Byron, you can tell me that those are in her
13 file?

14 MR. RAY: They are. They are.

15 MS. KINLEY: Yes, sir.

16 MR. RAY: And she did get them to me. I
17 just didn't get them scanned in prior to your package
18 being created.

19 MS. KINLEY: Okay.

20 MR. RAY: So I have seen them and verified
21 them.

22 MS. KINLEY: And does anyone else on the
23 Board have questions for Ms. Williams?

24 MS. WEBB: Kathy Webb. I had -- did have to
25 -- excuse me. I did have to go back in the salon. I

1 had been on here listening. I'm sitting out in the
2 car so it's peaceful for me. Now, you said that the
3 last letter you received from LLR was when? And I may
4 have it in my packet right here but --

5 MS. WILLIAMS: Um --

6 MS. WEBB: I saw one in here from August of
7 2011. It was.

8 MS. WILLIAMS: Yes. Now I --

9 MS. WEBB: You received a letter from Eddie
10 Jones stating that the hearing she was supposed to
11 have on August 2000- -- August 2011, which we're
12 surmising was actually a DRC hearing, not a
13 Cosmetology Board hearing. She had that and then she
14 was issued a CMV, a Cease and Desist, on August the
15 11th, 2011, until her license was current. Okay.

16 MR. GRIGG: Rosanne, just to make all of
17 that clear, the letter you referenced from Eddie Jones
18 cancelling the August DRC was dated July 28th, 2011.

19 MS. WILLIAMS: I've got the --

20 MR. GRIGG: There's also an August 25th,
21 2011 that Ms. Williams was testifying about where the
22 check was returned to her --

23 MS. WEBB: Yes, I can see that also.

24 MR. GRIGG: -- and it's basically saying
25 you'd be notified by the Board in the future of

1 further action. So you should have -- y'all should
2 have two letters. A July 28th letter and an August 25
3 letter, as well as what Rosanne just mentioned, the
4 Cease and Desist.

5 MS. KINLEY: And we do. You're right, Dean.

6 MR. GRIGG: Okay.

7 MS. KINLEY: We do.

8 MR. GRIGG: Okay.

9 MS. WILLIAMS: And I do not have a letter of
10 Cease and Desist. But with me taking care of my
11 family, I haven't barely worked anyway.

12 MS. KINLEY: Okay. Again, does the Board --
13 Board Members have any other questions for Ms.
14 Williams?

15 (No response.)

16 MS. KINLEY: Is anybody at this time
17 prepared for a Motion?

18 MS. THOMPSON: Melonie Thompson. I make a
19 Motion that we approve.

20 MS. GILMER: Deloris Gilmer, second.

21 MS. KINLEY: I have a Motion from Ms.
22 Thompson; a second from Ms. Gilmer for approval for
23 Ms. Williams to be allowed to reinstate her license.
24 Is there any further discussion?

25 (No response.)

1 MS. KINLEY: Hearing none; all in favor
2 signify by saying aye.

3 (Board members comply by saying aye.)

4 MS. KINLEY: Opposed?

5 (No response.)

6 MS. KINLEY: Motion carries. Ms. Williams,
7 at this time you are able to pay the fees that are
8 necessary and have your license issued.

9 MS. WILLIAMS: Thank you very much.

10 MS. KINLEY: You're very welcome, Ms.
11 Williams. And again, we apologize for the delay in
12 this.

13 MS. WILLIAMS: Thank you for your time.

14 MR. GRIGG: Rosanne, can I ask that we go
15 into Executive Session before -- would you entertain a
16 Motion to do that before Ms. Williams leaves, just for
17 point of clarification?

18 MS. KINLEY: Certainly. I need a Motion.

19 MS. THOMPSON: Melonie Thompson. So moved.

20 MS. KINLEY: I have a --

21 MS. GILMER: I make a --

22 MS. KINLEY: I'm sorry. Who was the second?

23 MS. GILMER: Deloris.

24 MS. KINLEY: I have a Motion and a second to
25 go into Executive Session. All in favor?

1 (Board members comply by saying aye.)

2 MS. KINLEY: Opposed?

3 (No response.)

4 MS. KINLEY: Motion carries. If you will
5 clear the room, Dean, and let me know when it's
6 cleared.

7 (Executive Session 2:25 p.m. until 2:31 p.m.)

8 MS. KINLEY: For the record, there were no
9 Motions made or votes taken during Executive Session.
10 I call this meeting back to Public Session. I should
11 have probably done that before I made that other
12 statement but -- oh well.

13 MR. GRIGG: And -- and Rosanne, I'll just
14 explain. Ms. Williams, I'd asked them to speak with
15 me privately just to make sure I understood what their
16 Motion was. So Rosanne, I don't think I'm speaking
17 out of turn by saying the Motion to Approve is the
18 same; it hasn't changed --

19 MS. KINLEY: Exactly.

20 MR. GRIGG: But I think there's a few points
21 of clarification that they wanted to make just so you
22 understood exactly what -- what was going on and what
23 was -- what you're being asked to do when you leave
24 here today so, Rosanne, do you want to explain that
25 or?

1 MS. KINLEY: You know, Dean, you're right
2 there in front of her, it would be easier for you to
3 explain it.

4 MR. GRIGG: Okay. My understanding, and --
5 and any of the Board members, if I'm mistaken, y'all
6 correct me. But the Motion and the vote approved you
7 for reinstatement with the understanding -- and what I
8 wanted clarification on was the understanding that you
9 would be responsible for the fees as you heard the
10 Chair say previously. The reinstatement fee, of
11 course, and then the late fee for the -- for it being
12 expired. So that is my understanding as to what the
13 vote was and I just wanted to make sure that was --
14 that we were all on the same page on that.

15 MS. WILLIAMS: And what are the amounts of
16 the fees?

17 MR. GRIGG: Do we have that off --

18 MR. RAY: The standard --

19 MS. KINLEY: If I'm not mistaken, off the
20 top of my head -- and I'm scared to even quote.

21 MR. RAY: It's 130.

22 MS. KINLEY: It's 130? Okay. That's what -
23 - I was going to say 135. So I --

24 MR. GRIGG: Now is that the total?

25 MR. RAY: That's standard reinstatement fee,

1 yes. That's --

2 MS. KINLEY: Yeah. You know, Ms. Williams --

3 MR. RAY: -- with the late --

4 MR. GRIGG: That's with the late -- that's
5 what I'm asking. So that's -- 130 is with the late
6 fee?

7 MS. KINLEY: That is with the late fee.

8 MR. GRIGG: Okay.

9 MS. KINLEY: And what we did not do is there
10 is no fine.

11 MS. WILLIAMS: Thank you.

12 MS. KINLEY: There is no civil penalty
13 involved. This is the exact same fee that you would
14 have paid regardless of anything because of the fact
15 that you did not have the CE's in place at time of
16 renewal.

17 MS. WILLIAMS: Yes, ma'am.

18 MS. KINLEY: So there is no difference
19 whether you had done it in July or now, it's still the
20 130, but we're not imposing any civil penalty at this
21 time, or any time on it.

22 MS. WILLIAMS: Thank you, ma'am.

23 MS. KINLEY: You're so very welcome.

24 MS. WILLIAMS: Now, will I be allowed -- I'm
25 going to -- I'm having to sell my salon; I'm going to

1 be a booth renter.

2 MS. KINLEY: Uh-huh (affirmative response).

3 MS. WILLIAMS: If I bring that --

4 MS. KINLEY: You can pay --

5 MS. WILLIAMS: -- back up here tomorrow, I
6 shouldn't have --

7 MS. KINLEY: You can reinstate your license
8 today. You can file -- apply for your booth renter's
9 license today. You know, once you pay the fee to
10 reinstate your license before you leave the office
11 today, you're back on clean solid ground.

12 MS. WILLIAMS: Thank you.

13 MS. KINLEY: Uh-huh (affirmative response).
14 Mr. Ray will be happy to help you with anything else
15 that you need.

16 MR. RAY: Okay.

17 MS. KINLEY: But you're clear with us.

18 MR. RAY: I'm good. Just --

19 MS. WILLIAMS: Thank you again for your
20 time.

21 MR. RAY: -- find out what you're going to
22 do on fish pedicures and I'll be good to go.

23 MS. KINLEY: Yeah. Yeah. Yeah. Yeah.

24 MS. WILLIAMS: What is a fish pedicure?

25 MS. BAILEY-GLOVER: Nothing to worry about.

1 MR. RAY: Just a totally different issue.

2 MR. GRIGG: Do you --

3 MR. RAY: She doesn't have any checks today.

4 MR. GRIGG: -- want her just to wait for a
5 minutes or?

6 MR. RAY: No, she doesn't have any checks.

7 MS. WILLIAMS: I just opened --

8 MR. GRIGG: So you want her to come back?

9 Okay.

10 MS. WILLIAMS: -- my checkbook --

11 MR. GRIGG: Okay.

12 MS. WILLIAMS: -- and I have no checks.

13 MR. GRIGG: And he said there's only certain
14 times of the year that you take credit cards or debit
15 cards?

16 MR. RAY: No, you have to just go on line.

17 MR. GRIGG: Okay. All right. Well, you two
18 can work that out. But I think -- Rosanne, if I'm
19 correct, I think this concludes Ms. Williams case?

20 MS. KINLEY: It does conclude Ms. Williams.

21 MR. GRIGG: And they're going to take up
22 some other Board matters. You're more than welcome to
23 sit here but I know you've got more important things
24 to do, so if you want to go and then you and Byron
25 just work out the details.

1 MS. WILLIAMS: Okay.

2 MR. GRIGG: And good luck to you.

3 MS. WILLIAMS: Thank you. Thank you for all
4 your time.

5 MS. KINLEY: Thank you for coming today.
6 Tell me when we're ready.

7 MS. WILLIAMS: Are you and I -- I mean, I
8 can either go get -- to a bank and get a cashier's
9 check or --

10 MR. RAY: As long as you do it before --
11 before five.

12 MS. WILLIAMS: Okay. And then I'm going to
13 have to take the other piece of paper to that salon
14 and let him fill it out?

15 MR. RAY: That's correct.

16 MS. WILLIAMS: And I won't be able to come
17 back until in the morning with that.

18 MR. RAY: That'd be fine. If you want, just
19 do all of it in the morning. That would be easier on
20 you; won't it?

21 MS. WILLIAMS: It would be a lot easier.

22 MR. RAY: Okay. We'll see you in the
23 morning.

24 MS. KINLEY: What -- what does she have to
25 have a salon owner fill out?

1 MS. WILLIAMS: Thank you very much.

2 MR. RAY: Okay.

3 MR. GRIGG: All right. Rosanne, I think
4 you're ready to continue. Hello?

5 MS. THOMPSON: Hello?

6 MR. GRIGG: Rosanne?

7 MS. THOMPSON: I heard a beep beep. We may
8 have --

9 MR. GRIGG: I think we lost her, didn't we?

10 MS. THOMPSON: We might have.

11 MR. GRIGG: Well let's give her a second to
12 see if she'll pop back up.

13 MS. THOMPSON: I'm just curious as to why
14 we've got fish pedicures back on here.

15 MR. RAY: Well, it's -- it's coming back up
16 again. And I was told we have to get an official
17 stance from the Board.

18 MR. GRIGG: Here's --

19 MS. THOMPSON: We've already given --

20 MR. RAY: I'll let -- I'll let Dean --

21 MR. GRIGG: Well here's -- here's the
22 reason, if I can just explain and we can just do it
23 and it can be done. We have already -- we have
24 already --

25 MS. THOMPSON: So you're telling me to hush

1 up and just go with the system. Is that what you're
2 saying?

3 MR. GRIGG: I didn't -- I said no such
4 thing.

5 COURT REPORTER: Is this off the record?

6 MR. GRIGG: No. This can be part of the
7 record. This can be part of the record.

8 COURT REPORTER: Okay.

9 MR. GRIGG: Basically, the reason why it's
10 back up is if you'll recall back when we were doing
11 the proposed -- Rosanne?

12 MS. KINLEY: I'm sorry.

13 MR. GRIGG: That's all right. Are you back
14 with us?

15 MS. KINLEY: I'm back. It just suddenly
16 dropped.

17 MR. GRIGG: That's --

18 MS. KINLEY: Like they were doing the other
19 day.

20 MR. GRIGG: That's all right. I was just
21 explaining because Melonie asked why fish pedicures
22 was back on the Agenda. And basically -- and I had to
23 get brought up to speed Monday when I got back because
24 I was out a couple days last week and this apparently
25 came up while I was out. But y'all recall we put some

1 proposed language in the regulations that will
2 hopefully make this clear and address this issue and
3 it won't be an issue in the future. But in the
4 meantime apparently there has been some questions from
5 the inspectors and the investigators and whatnot with
6 the agency. You know, they're starting to see some of
7 this and seeing what they need to do about it. And
8 obviously when we're talking about it several months
9 back it was clear what y'all's position was and what
10 y'all think's right and wrong regarding it. But I
11 believe in some communication back and forth, there
12 was a question as to whether that had ever been
13 officially adopted by the Board. And so I think Byron
14 was speaking with Holly Gilesby and she suggested the
15 best thing to do was let's just have an official vote
16 and official stance on the record from you guys. You
17 know, that basically will be a moot issue once we have
18 the law passed, assuming it's passed -- those
19 regulations passed. But in the interim just to have
20 something official from you guys on the record that
21 basically states whatever the Board's stance on -- on
22 the fish pedicure is going to be.

23 MS. KINLEY: And I honestly thought that we
24 had -- that we had done that. I mean, I remember the
25 conversation happening during a Board Meeting. I

1 can't swear to you whether or not an official vote --

2 MR. GRIGG: Well, and I think that's the
3 problem. None of us could remember and I think even
4 Rosanne said she wasn't sure. And I -- I remember us
5 talking about it. You're absolutely right.

6 MS. KINLEY: Okay.

7 MR. GRIGG: But I can't remember whether you
8 actually took a vote on it or not so --

9 MS. KINLEY: I was --

10 MS. RODGERS: This is Cindy. I'm sorry. I
11 was thinking we did talk about that but it was on a
12 CEU class --

13 MR. RAY: Correct. On that weekend. I was
14 here.

15 MS. RODGERS: -- that somebody was putting
16 before us to approve.

17 MR. GRIGG: So I --

18 MS. KINLEY: And Cindy, we did then but we
19 did this long before Byron and long before Dean and
20 long before Delores.

21 MS. THOMPSON: Right.

22 MS. KINLEY: I mean, when these came up,
23 we're talking back --

24 MS. THOMPSON: Years ago.

25 MS. KINLEY: -- years ago this came up. But

1 as far as -- I'm assuming -- Byron said he couldn't
2 find anything in the Minutes. But, you know -- and
3 I'm assuming that you have that word look up that you
4 just put in fish or something to --

5 MR. RAY: Right.

6 MS. KINLEY: -- see if you found that? It's
7 been discussed so much; I don't know that we actually
8 had a policy because our stand has always been
9 anything that's used in a salon must either be going
10 through the wet disinfectant process, which we know
11 fish can't be washed and rinsed and immersed in an EPA
12 solution for a minimum of ten minutes; or is
13 considered single use, and we know that they're not
14 throwing the fish out. And we always felt like we
15 didn't have to address it specifically since it did
16 not fall into the criteria. But now apparently -- and
17 I see why they want it in writing but I think it's
18 unnecessary, but I think that's the lawyer in Dean and
19 Holly and everybody else. They want it in writing.
20 So --

21 MS. THOMPSON: Which is fine. Do I just
22 need to go on record with an official vote saying that
23 I make a Motion that we con- -- we deny or --

24 MS. KINLEY: Our policy is we do not allow --

25 MS. THOMPSON: -- our policy is we do not

1 allow fish pedicures.

2 MR. GRIGG: That's all you need to do, if
3 that's your pleasure.

4 MS. THOMPSON: At all. Period. Okay.

5 MS. RODGERS: I second the Motion; Cindy
6 Rodgers.

7 MS. KINLEY: I have a Motion and a second on
8 the table to deny fish pedicures. To implement a
9 policy that the Board does not allow fish pedicures.
10 Is there any further discussion?

11 (No response.)

12 MS. KINLEY: Hearing none; all in favor
13 signify by saying aye.

14 (Board members comply by saying aye.)

15 MS. KINLEY: Opposed?

16 (No response.)

17 MS. KINLEY: Motion carries.

18 MR. GRIGG: Thank you, ladies.

19 MS. KINLEY: Does that make you happy, Mr.
20 Dean? Mr. Byron?

21 MR. GRIGG: Hey, I didn't stir this pot.
22 I'm just trying to help get it resolved.

23 MR. RAY: I'm happy.

24 MS. KINLEY: If this comes up again, I'm
25 going to jump --

1 MR. RAY: No. No, it's safe. I've got the
2 ammunition I need now.

3 MR. GRIGG: We're all very happy. Thank
4 you.

5 MS. THOMPSON: Dean, I have a question for
6 you. And if you want I can call you on your office
7 line when we finish with this?

8 MR. GRIGG: If you would prefer. Or if you
9 want to discuss it now, that's fine.

10 MS. THOMPSON: Well, it's probably something
11 the entire Board needs to know, but if anybody needs
12 to go on, they can. It doesn't necessarily need to be
13 part of the record, I don't think. I just need some
14 clarification on something.

15 MR. GRIGG: Well, why don't you just call me
16 here in about 15 minutes.

17 MS. THOMPSON: Okay. I can do that.

18 MS. WEBB: Great. Kathy Webb. Great.
19 That's just great. You leave us hanging.

20 MS. THOMPSON: To be continued. It will
21 give you something to look forward to.

22 MR. GRIGG: Exactly.

23 MS. KINLEY: All right. Is there anything
24 else? We're done with everything now? Is there any
25 other Board business? If not, I'll entertain a motion

1 to adjourn.

2 MS. THOMPSON: I make a motion to adjourn.

3 MS. GILMER: Second.

4 MS. KINLEY: We have a Motion and multiple
5 seconds for adjournment. Any further discussion?

6 (No response.)

7 MS. KINLEY: Hearing none; all in favor
8 signify by saying aye.

9 (Board members comply by saying aye.)

10 MR. RAY: Thank you, ladies, again.

11 *****

12 (Whereupon, the hearing was adjourned at
13 2:43 p.m.)

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CERTIFICATE OF REPORTER

I, SONYA K. GRICE, COURT REPORTER AND NOTARY PUBLIC IN AND FOR THE STATE OF SOUTH CAROLINA AT LARGE, HEREBY CERTIFY THAT I RECORDED AND TRANSCRIBED THE SOUTH CAROLINA DEPARTMENT OF LABOR, LICENSING AND REGULATION, BOARD OF COSMETOLOGY TELEPHONE CONFERENCE MEETING ON THE 1ST DAY OF FEBRUARY, 2012, AND THAT THE FOREGOING 32 PAGES CONSTITUTE A TRUE AND CORRECT TRANSCRIPTION OF THE SAID MEETING.

I FURTHER CERTIFY THAT I AM NEITHER ATTORNEY NOR COUNSEL FOR, NOR RELATED TO OR EMPLOYED BY ANY OF THE PARTIES CONNECTED WITH THIS ACTION, NOR AM I FINANCIALLY INTERESTED IN SAID CAUSE.

I FURTHER CERTIFY THAT THE ORIGINAL OF SAID TRANSCRIPT WAS THEREAFTER SEALED BY ME AND DELIVERED TO SOUTH CAROLINA BOARD OF COSMETOLOGY, KINGSTREE BUILDING, 110 CENTERVIEW DRIVE, COLUMBIA, SOUTH CAROLINA, WHO WILL RETAIN THIS SEALED ORIGINAL TRANSCRIPT.

IN WITNESS WHEREOF, I HAVE SET MY HAND AND SEAL THIS 15TH DAY OF FEBRUARY, 2012.

SONYA K. GRICE, COURT REPORTER
MY COMMISSION EXPIRES JUNE 15, 2015