



Andy Beshear  
Governor  
Joni Upchurch  
Executive Director

## BOARD MEETING MINUTES

December 9, 2024

1:30 p.m.

### Call to Order:

The Kentucky Board of Cosmetology (KBC) convened virtually and in person at 1:32 pm on December 9, 2024, at 500 Mero Street, Room 133 CE, Frankfort, KY 40601.

### Roll Call/Declaration of Quorum:

Kerry Harvey, Lianna Nguyen, Michael Carter, Mickey Hobbs, and Lindsey Morgan.

### Staff Present:

Joni Upchurch, Jacob Walbourn, Kevin Fox, Maxine McDonald, and Haley Wible.

### In Person Guests Present:

Di Tran and Rick Dye.

### Speakers:

None registered to speak, nor spoke.

### Approval of minutes: November 4, 2024.

Lindsey Morgan moved to approve November minutes as presented. Michael Carter seconded the motion and it carried unanimously.

### Review of November 2024 Expenditures and Revenues:

Kerry Harvey expressed his desire to understand and dissect KBC's budget. Chairman Harvey suggested the possibility and want to adjust the agency's financials, as well as analyze system development. Joni Upchurch informed the Board that Fiscal Manager will prepare further financial reports and projections for their review at the January 2025 meeting.

### Executive Session – KRS 61.810 (1)(c)(G)(J)(f):

Chairman Harvey prompted a motion to enter closed session pursuant to KRS 61.810 (1) (c)(G)(J)(f) – including Board members, Legal Counsel, and the Executive Director. Lianna Nguyen moved to enter executive session at 1:39. Mickey Hobbs seconded the motion. Motion carried; unanimously.

Upon returning, Lindsey Morgan motioned to exit closed session around 3:48 pm; Michael Carter seconded the motion and motion carried; unanimously.



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### **Executive Director Updates:**

Joni Upchurch gave the following updates:

- LOIC investigation update: We are working on written policies and procedures and will start finalizing those after general counsel is in position.
- PSI School training November 12<sup>th</sup>. We had 59 in person and online.
- PSI has officially taken over proctoring the practical exams; all exams for the 2024 year are full. We have submitted the schedule to PSI, and they intend to begin scheduling for the 2025 year. Please be patient, as they are taking over the practical exams.
- Worked with SA on our military application and transfers, which have been a more seamless process this past month.
- Per last meeting, the board asked the Executive Director to update on languages being utilized for theory. As of the end of November, 105 examinees have taken advantage of the multiple language offerings.
  - o Korean: 15, Simplified Chinese: 14, Spanish: 14, Portuguese: 11, Vietnamese: 51.
- We are still working on relocating KBC to a more public and safety friendly space. We are waiting on the proper signatures to get started.
- We are still interviewing general counsel candidates. It is anticipated that the position will be filled in the next week or so.
- Joni and the staff are continuing to work with SA to focus on areas of the licensure system that need improvement.
- Mrs. Childers has provided thorough budget reports and will have more specific analysis on the projected budget for specific board requests for the January meeting.
- We are continuing to improve the website. However, a lot of website updates must come through COT. KBC will complete what we can, as we can.
- The language listed at the bottom of the school reports emailed to candidates reflects the current law for nail tech retesting abilities.

### **Legal Counsel Updates:**

Jacob Walbourn announced the regulation amendment process continues to be underway. Legal staff hope to have a complete draft prepared for Board review at January 2025 meeting.

### **New Business:**

Updates on LOIC report.

- Chairman announced that KBC is working to implement LRC's recommendations.

Approval for proposed 2025 Board meeting dates.

- Michael Carter motioned to approve the proposed dates for 2025 Board meetings as is. Lindsey Morgan seconded the motion. Motion carried unanimously.

### **Old Business:**



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## **APPLICATIONS, RECONSIDERATIONS, COMPLAINTS & INVESTIGATIONS COMMITTEE REPORT:**

Kerry Harvey, Chairman, entertained a motion to accept the Complaints Committee recommendations. Michael Carter motioned to accept Complaints Committee recommendations with the below adjustments on items 1.A and 6.A. Mickey Hobbs seconded the motion. Motion to approve with adjustments carried unanimously.

**December 2, 2024**

### **Applications and Reconsiderations (6)**

1.A CTE Winchester – 120700028 - Lash Course – **Adjustment:** *Lindsey Morgan motioned to accept 1.A application. Mickey Hobbs seconded; motion carried unanimously. The Board requested Director Joni Upchurch to further review.*

2.A Kyrah Jackson – 1223277 – OOS – Refund Request

3.A Krista Johnson – 1223296 – OOS – Refund Request

4.A Nicole Sheaffer – 1223314 – OOS – Refund Request

5.A Melanie Parks – 700017707 – OOS – Refund Request

6.A Aubrey Elkins – ES-000004023 – Retest Request – **Adjustment:** *Lindsey Morgan moved to accept 6.A request; Mickey Hobbs seconded the motion. Motion carried unanimously. The Board requested Director Upchurch and Legal Counsel work with applicant.*

### **Felonies (0)**

### **Case List (17)**

1.C – NS – Pulaski Co – 800003849 – Shelbys Nails

2.C – Investigation – Marshall Co – 800002190 – Studio 21 Salon

3.C – Investigation – Fayette Co – 702608 – VIP NAILS

4.C – Investigation – Hopkins Co – S-000005395 – Top Nails

5.C – NS – Hardin Co – Passed Inspection – 702518 – Classy Nails

6.C – BS – Jefferson Co – Passed Inspection – 605840 – Hair City LLC

7.C – BS – Fayette Co – 605079 – Kathy Nail and Spa

8.SC – Fayette Co – 700015 – Paul Mitchell the School Lexington

9.SC – Johnson Co – ES-000005186 – South Eastern Beauty Academy



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10.C – UNLIC – Hardin Co – Danielle Peel

11.C – UNLIC – Whitley Co – Sara Hibbitts

12.C – UNLIC – Christian Co – Sarah Mason

13.C – UNLIC – Knox Co – Crystal Mills

14.C – UNLIC – Jessamine Co – Mason McNulty

15.C – UNLIC – Scott Co – Kennedy Fredericks

16.C – UNLIC – Jefferson Co – Arrington Smith

17.C – UNLIC – Taylor Co – MaKayla Fair

**Pending from Nov. (10.C – 18.C)**

10.C – UNLIC – BS – Knox Co – Nov. Dismiss

11.C – UNLIC – BS – Campbell Co – Nov. Dismiss

12.C – UNLIC LOC – BS – Jefferson Co – Nov. Dismiss

13.C – UNLIC – BS – Barren Co – Nov. Dismiss

14.C – UNLIC LOC – BS – Greenup Co – Nov. Dismiss

15.C – UNLIC LOC – BS or NS – Boyle Co – Nov. Dismiss

16.C – UNLIC LOC – NS – Jefferson Co – Nov. Dismiss

17.C – UNLIC LOC – NS – Jefferson Co – Nov. Dismiss

18.C UNLIC – Daviess Co – PK – Nov. Dismiss

**Executive Director Request (2)**

1.EDR – Warning form for inspector documentation, including signatures.

2.EDR – Policy/procedure for dermaplaning certifications and instructors – **Adjustment:** *Lindsey Morgan motioned to adopt recommendation from Director Joni Upchurch for dermaplaning. Lianna Nguyen seconded, and the motion carried unanimously.*

**Approval of Travel and Per Diem:**

Lindsey Morgan motioned to approve; Michael Carter seconded. Motion carried unanimously.

**Next Meeting:**



January 13, 2025.



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**Additional Items:**

Procedure for the donation of charitable gifts.

- Joni Upchurch asked the Board where KBC should donate unsolicited gifts offered to employees and if this should be a Board decision or up to her discretion. Jacob Walbourn suggested any gifts be donated to the Kentucky Employees Charity Campaign. Chairman Kerry Harvey accepted the proposed charity and requested donations always be sent to that same organization. The Board discussed the above amendment on item 2.EDR.

**ADJOURNMENT:**

Lindsey Morgan motioned to adjourn the meeting at 4:02 pm. Michael Carter seconded the motion. Motion carried unanimously.

**APPROVED:**

PRESIDING OFFICER:

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Kerry Harvey, Chairman

Minutes prepared by Haley Wible, Executive Administrative Secretary.