

MINUTES
South Carolina Board of Barber Examiners
Board Meeting
9:00 A.M., April 12, 2010
Synergy Business Park, Kingstree Building
110 Centerview Drive, Conference Room 108
Columbia, South Carolina

1. Meeting Called to Order

Edwin Barnes, chairman, of Lexington, called the regular meeting of the SC Board of Barber Examiners to order at 9:02 a.m. Other members participating in the meeting included: Paul Robinson, vice chairman, of Orangeburg; Dr. Fred Evans, of Columbia; and Renee Patton, of Inman.

Staff members participating in the meeting included: Deleon Andrews, Investigator; George Barr, Inspector; Ronnie Blackmon, Inspector; Randy Bryant, Assistant Deputy Director; Beth Cumalander, Administrative Specialist; Sharon Dantzler, Deputy General Counsel; Sandra Dickert, Administrative Assistant; Glinda Legette, Administrative Specialist; Lisa Hawsey, Program Assistant; Tracey McCarley, Education Coordinator; Bobby Taylor, Investigator; and Shirley Wider, Program Assistant.

A video of this meeting can be viewed at www.llr.state.sc.us/POL/Barber . On the Board's home page, click 'Board Information' and follow the link to the video.

a. Public Notice

Mr. Barnes announced that public notice of this meeting was properly posted at the SC Board of Barber Examiners office, Synergy Business Park, Kingstree Building and provided to all requesting persons, organizations, and news media in compliance with Section 30-4-80 of the South Carolina Freedom of Information Act.

b. Pledge of Allegiance

All present recited the Pledge of Allegiance.

2. Approval of Excused Absences

All members were present.

3. Approval of the February 8, 2010 Meeting Minutes

MOTION

Ms. Patton made a motion the Board approve the February 8, 2010 meeting minutes. Dr. Evans seconded the motion, which carried unanimously.

4. Chairman's Remarks - Edwin Barnes

Mr. Barnes welcomed everyone to the meeting.

5. Administrator's Remarks, For Information – Eddie Jones

a. Advisory Opinions, If Needed, Office of General Counsel

No advisory opinions were given during this meeting.

b. Legislative Update, If Needed, Legislative Liaison Office

Mr. Bryant stated the legislature is continuing its debate on H.4546.

c. OIE Report – Office of Investigations and Enforcement

No representative from OIE made a presentation to the Board.

d. OGC – Office of General Counsel

Ms. Gigi Lewis, litigating attorney, briefed the Board regarding two cases which are in the Office of General Counsel.

e. OLC – Office of Licensure and Compliance

No representative from OLC was present to make a presentation.

f. Inspection Report

Mr. Blackmon briefed the Board regarding the inspections conducted since July 2009.

6. Unfinished Business

Mr. Barnes stated he collects money from various organizations for the national convention and asked if it is appropriate for him to do so. Ms. Dantzler stated she would provide Mr. Barnes with copies of ethics documentation in order to provide safeguards regarding this matter.

Mr. Robinson stated he has spoken with two individuals who transferred from Profile Barber College to another barber school. He further stated the individuals would be completing the program within the next sixty days and the administrator needs to complete an official transcript. He noted he informed the administrator he would assist her in completing the transcripts. Ms. Dantzler stated Mr. Robinson could assist the administrator in that matter; however, if either individual appears before the Board he is to promptly recuse himself from participating in the consideration of the matter.

7. New Business

a. Approval of the February 8, 2010 DRC Report

Mr. Blackmon briefed the Board regarding the two cases listed on the February 8, 2010 DRC report.

MOTION

Dr. Evans made a motion the Board approve the February 8, 2010 DRC report. Mr. Robinson seconded the motion, which carried unanimously.

b. Professional Credential Service's Proposed New ID Requirements

Professional Credential Service is (PCS) seeking the Board's approval to require candidates use their legal name as it appears on government issued identification. PCS is also asking for the Board's approval to use two forms of identification. PCS notes that the two forms of identification would be an enhancement to mitigate any attempt to falsify identification.

Discussion on this matter ensued and included topics such as the use of government issued identification documents, the fallout from the Immigration Reform Act, and the use of credit cards and social security cards.

MOTION

Ms. Patton made a motion the Board approve PCS's request. Mr. Robinson seconded the motion, which carried unanimously.

c. Approval of New Barber School – Douglas McGirt

On February 4, 2010 the Board received a new barber school application from Pee Dee Area Barber College. The application reflects Douglas McGirt as the owner and instructor. The school is located in Bennettsville. Staff notified Mr. McGirt by letter dated March 16, 2010 that the Board would review his application during this meeting and asked that he be present to answer questions from the members.

Douglas McGirt appeared before the Board. He had previously opened a school; however, he had to move the location due to issues with the landlord at the previous location. Mr. McGirt currently holds an instructor's license as well as a master haircare license. He noted he is also a cosmetologist. He went on to say his wife, Loretta McGirt, would assist in instructing when necessary.

Staff brought to the Board's attention that Mrs. McGirt's instructor's license lapsed on June 30, 2007.

Discussion ensued regarding the school's floor plan and the wall separating the classroom from the area where practical training would be held.

Mr. Robinson informed Mr. McGirt that he would inspect the school on Monday, April 19, 2010.

d. Approval of Apprentice Registered/Master Haircare Application

i. *Edward Barrett*

On January 26, 2010 the Board received a registered barber application from Edward Barrett. Mr. Barrett's application contained a criminal history report which included arrests for illegal drugs and probation violation. Since Mr. Barrett's application could not be approved at staff level, he was notified by letter dated March 8, 2010 that the Board would review his application during this meeting and asked that he be present to answer questions from the members.

Edward Barrett appeared before the Board. He is currently on probation until he pays the court cost is \$230.00. He has passed the theory and practical exams.

MOTION

Mr. Robinson made a motion the Board grant Edward Barrett for licensure with two year probation during which time he provide the Board with a SLED report at his own expense each year during the probation. Dr. Evans seconded the motion, which carried unanimously.

ii. *Emanuel E. Porterfield*

On January 13, 2010 the Board received a registered barber application from Emanuel Porterfield. Mr. Porterfield answered yes to the question asking, 'Have you ever been found guilty or entered a plea of nolo contendere for any crime in this or any other state?' Mr. Porterfield's criminal history report reflects arrests/convictions for possession of alcohol by a minor and criminal domestic violence. He included a letter from the Dentsville Magistrate to Solicitor Barney Giese stating that Mr. Porterfield had paid the court ordered fine. Since Mr. Porterfield's application could not be approved at staff level, he was notified by letter dated March 8, 2010 that the Board would review his application and asked that he be present to answer questions from the members.

Emanuel Porterfield appeared before the Board. Mr. Porterfield has passed the theory and practical exams. He was arrested in 1999 for criminal domestic violence.

MOTION

Ms. Patton made a motion the Board reinstate Mr. Porterfield's registered barber's license. Mr. Robinson seconded the motion, which carried unanimously.

iii. Tamika S. Morris

On February 16, 2010 the Board received a registered barber apprentice application from Tamika S. Morris. Ms. Morris answered yes to the question asking, 'Have you ever been found guilty or entered a plea of nolo contendere for any crime in this or any other state?' Ms. Morris's criminal history report reflects arrests/convictions for illegal drugs. Since Ms. Morris's application could not be approved at staff level, she was notified by letter dated March 26, 2010 that the Board would review her application and asked that she be present to answer questions from the members.

Tamika Morris appeared before the Board. Ms. Morris has passed the theory and practical exams. She was arrested for attempting to do something illegal. She is on probation through September 2010.

MOTION

Mr. Robinson made a motion Tamika S. Morris be granted licensure with a one year probation during which time she provide the Board with a SLED report with a SLED report at her own expense. Dr. Evans seconded the motion, which carried unanimously.

iii. Milton J. Johnson, Jr.

On March 2, 2010 the Board received a registered barber apprentice application from Milton Johnson, Jr. Mr. Johnson answered yes to the question asking, 'Have you ever been found guilty or entered a plea of nolo contendere for any crime in this or any other state?' Mr. Johnson's arrest record indicates arrests/convictions for disorderly conduct, driving under the influence, and possession of illegal drugs. Since Mr. Johnson's application could not be approved at staff level, he was notified by letter dated March 26, 2010 that the Board would review his application and asked that he be present to answer questions from the members.

Mr. Johnson appeared before the Board. He is not currently serving probation and has been sober for approximately ten years. He attended barber school following high school; however, he did not enter the profession until recently. He has at least two options of places of employment if approved for licensure.

MOTION

Ms. Patton made a motion the Board approve Milton J. Johnson, Jr. for an apprentice registered barber apprentice license. Mr. Robinson seconded the motion, which carried unanimously.

iv. Joseph Byrd, Jr.

On February 16, 2009 the Board received a registered barber apprentice application from Joseph Byrd, Jr. Mr. Byrd answered yes to the question asking, 'Have you ever been found guilty or entered a plea of nolo contendere for any crime in this or any other state?' Mr. Byrd's arrest record indicates arrests/convictions for hindering an officer making an arrest, assault and battery, and malicious damage. Since Mr. Byrd's application could not be approved at staff level, he was notified by letter dated March 26, 2010 that the Board would review his application and asked that he be present to answer questions from the members.

Mr. Byrd appeared before the Board. Mr. Byrd was incarcerated in the federal system in November 1999 for drug conspiracy and was released on December 16, 2008. He is currently serving three years of probation. He rehabilitated himself while in prison. He ran the barber

shop during the time he was incarcerated. None of the violations occurred in or near a barber shop.

MOTION

Mr. Robinson made a motion Joseph Byrd, Jr. receive his license, that the license be placed on probation for three years during which time he is to provide the Board with a SLED report annually at his own expense. Ms. Patton seconded the motion, which carried unanimously.

vi. *Michael C. Hagan*

On February 22, 2010 the Board received a registered barber apprentice application from Michael Hagan. Mr. Hagan answered yes to the question asking, 'Have you ever been found guilty or entered a plea of nolo contendere for any crime in this or any other state?' Mr. Hagan's arrest record indicates arrests/convictions for driving under the influence and a fraudulent check. Since Mr. Hagan's application could not be approved at staff level, he was notified by letter dated March 29, 2010 that the Board would review his application and asked that he be present to answer questions from the members.

Michael Hagan appeared before the Board. Mr. Hagan was arrested for simple possession of marijuana in 1994 and a DUI in 2001. He is currently working at a shop in Aiken under his temporary license, which expires in five days.

MOTION

Ms. Patton made a motion the Board approve Mr. Hagan for licensure. Mr. Robinson seconded the motion, which carried unanimously.

vii. *Edward J. Middleton*

On February 16, 2010 the Board received a master haircare apprentice application from Edward Middleton. Mr. Middleton answered yes to the question asking, 'Have you ever been found guilty or entered a plea of nolo contendere for any crime in this or any other state?' Mr. Middleton's arrest record indicates arrests/convictions for criminal domestic violence and illegal drug charges. Since Mr. Middleton's application could not be approved at staff level, he was notified by letter dated March 31, 2010 that the Board would review his application and asked that he be present to answer questions from the members.

Edward Middleton appeared before the Board. Mr. Middleton began cutting hair in 2005 which is also the year he was incarcerated and is currently on parole until June 2010. He began attending barber school following his release from prison.

MOTION

Mr. Robinson made a motion Edward J. Middleton receive his license, which is to be placed under probation for next three years during which time he submit a SLED report to the Board, at his own expense annually. Ms. Patton seconded the motion, which carried unanimously.

e. Approval of Third Student Permit

i. *Miguel A. Williams*

On March 1, 2010 the Board received a letter from Miguel Williams seeking approval of a third student permit. Mr. Williams had been attending barber school; however, he had to quit due to personal reasons. Staff notified Mr. Williams by letter dated March 8, 2010 that the Board would consider his request during this meeting and asked that he be present to answer questions from the members.

Miguel Williams appeared before the Board. He is unaware of how many hours of training he has completed. He is attending a barber college in Rock Hill.

MOTION

Dr. Evans made a motion Mr. Williams be granted a third student permit. Ms. Patton seconded the motion, which carried unanimously.

ii. Jonathan B. Grant

On March 8, 2010 the Board received a request from Jonathan Grant seeking approval of a third student permit. Staff notified Mr. Grant by letter dated March 9, 2010 that the Board would consider his request during this meeting and asked that he be present to answer questions from the members.

Jonathan Grant appeared before the Board. He is in the OJT program and is now working at Touch from Above. He believes he has completed 1,100 hours of training. While working at Craig's Golden Shears he had been writing his hours down in a scheduling book every day and his instructor submitted the quarterly hours.

MOTION

Ms. Patton made a motion the Board grant a third student permit to Mr. Grant. Mr. Robinson seconded the motion, which carried unanimously.

iii. Myron Henderson

On March 26, 2010 the Board received a letter from Myron Henderson. Mr. Henderson is a potential instructor for Sagittarius McDowell, who is seeking a third student permit. Ms. McDowell had to withdraw from two previous OJT programs due to unforeseen circumstances. Staff notified Mr. Henderson by letter dated March 26, 2010 that the Board would consider Ms. McDowell's request during this meeting and asked she attend to answer questions from the members.

Myron Henderson appeared with Sagittarius McDowell, who is requesting a third student permit. Ms. McDowell worked at B'Unique for six months. She contacted B'Unique; however, the owner did not want to give her the number of hours she had earned. She believes she has approximately 600 hours. She had been attending B'Unique on a full time basis for approximately six months.

The Board asked Ms. McDowell to submit a request in writing via certified mail to B'Unique for a copy of her hours of training. Mr. Barnes stated the Board can grant her the hours she has earned and noted if the school does not send her the information she is to notify the Board.

MOTION

Mr. Robinson made a motion Sagittarius McDowell be granted a third student permit. Ms. Patton seconded the motion, which carried unanimously.

iv. Rodney C. Brown

In a letter dated March 29, 2010 Rodney Brown is seeking the Board's approval for a third student permit. Staff notified Mr. Brown that his request would be considered by the Board during this meeting and asked that he be present to answer questions from the members.

Rodney C. Brown appeared before the Board. Mr. Brown has over 700 hours of training and attends school on a full time basis. He is to receive a transcript of his hours today.

MOTION

Ms. Patton made a motion the Board grant Rodney Brown a third student permit. Mr. Robinson seconded the motion, which carried unanimously.

v. *Rashaad Murphy*

On April 5, 2010 the Board received a letter from Rashaad Murphy seeking the Board's approval for a third student permit. Mr. Murphy is currently on active duty with the US military and has been unable to complete his training.

MOTION

Mr. Robinson made a motion that Rashaad Murphy be granted a third student permit. Ms. Patton seconded the motion, which carried unanimously.

8. Public Comments

No public comments were made during this meeting.

9. Executive Session

The Board did not enter executive session.

11. Adjournment

MOTION

There being no further business to be discussed at this time, Dr. Evans made a motion the meeting be adjourned. Ms. Patton seconded the motion, which carried unanimously.

The April 12, 2010 meeting of the SC Board of Barber Examiners adjourned at 11:03 a.m.