

MINUTES

South Carolina Board of Barber Examiners

Board Meeting

1:30 PM, April 14, 2003

Synergy Business Park

110 Centerview Drive, Conference Room 108

Columbia, South Carolina

Ed Barnes, Chairman, of Lexington, called the regular meeting of the S.C. Board of Barber Examiners to order at 1:30 p.m. Other members present for the meeting included: Don Norris, Vice-Chairman, of West Columbia; Paul Robinson, Jr., of Orangeburg; and Fred Evans, of Columbia.

Staff members participating during the meeting included: Sharon Dantzler, Deputy General Counsel, LLR-Office of General Counsel; Sandra Dickert, Administrative Assistant; Lisa Hawsey, Assistant Administrator; Eddie Jones, Administrator and Raymond Lee, Inspector.

Members of the public attending the meeting included: Greg Adams, Bryant Cheeks, William Peterson, Cedric Pough, John Pough, Jr., Michael Spann, and Noland White, Jr.

Mr. Barnes announced that public notice of this meeting was properly posted at the S. C. Board of Barber Examiners office, Synergy Business Park, Kingstree Building, Room 108 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. He also noted that a quorum was present.

Pledge of Allegiance

All present recited the Pledge of Allegiance.

Approval of the February 10, 2003 Board Meeting Minutes and the March 10, 2003 Conference Call Minutes

Mr. Norris noted one correction on page seven. Mr. Norris seconded the motion instead of Mr. Evans.

MOTION

Mr. Evans moved the Board approve the minutes as amended. Mr. Norris seconded the motion, carried unanimously.

Chairman's Remarks - Edwin Barnes

Mr. Barnes made no remarks at this time.

Assistant Deputy Director's Remarks - Randall Bryant

Biennial Licensure

Mr. Barnes stated Mr. Bryant was unable to attend the meeting today and questioned Mr.

Jones regarding biennial licensure.

Rewriting of Barber Regulations

Mr. Barnes questioned Mr. Jones regarding the rewriting of the regulations. Mr. Jones replied rewriting the regulations would probably entail a session to include the Board, staff, the association and anyone in the industry to review the regulations. He understands the session would probably be held in early summer. Mr. Barnes asked why the session would be held in early summer. Ms. Dantzler stated that the Administrative Procedures Act states that a Notice of Drafting should be posted between May and September regarding regulations, otherwise it would not get done.

Administrator's Remarks, For Information - Eddie Jones

Exam Results for February 2003 and March 2003

The members were presented with the exam results for the months of February 2003 and March 2003. (These exam results are herewith attached and hereby become a permanent part of this record.)

Advisory Opinions, If Needed, Office of General Counsel

There were no advisory opinions given during the April 14, 2003 meeting.

Legislative Update, If Needed, Legislative Liaison Office

Mr. Jones stated there are two pieces of legislation pending: one is a proviso attached to the budget bill, located in 1B, paragraph 50.11, that would allow cosmetologists, nail technicians and estheticians to work in barbershop and the other is a bill, #3725, that relates to biennial licensure.

Mr. Barnes stated the legislature had indicated they would not attach anything in detail to the budget bill; however, they have obviously lied and done so.

Ratification of Mail Ballot

Approval of Third Student Permit for Alford Stone (Approved)

On February 5, 2003 the Board received a request from Mr. Alford Stone requesting the Board approve a third student permit. Mr. Stone's request for a third student permit is a result of the initial barbershop relocating and Mr. Stone having to obtain a second student permit to continue OJT. The second permit expired February 28, 2003. Mr. Stone's request was received too late to be included on the agenda for the February 10, 2003 meeting agenda and since the Board would not meet again until April 14, 2003 the members were mailed the pertinent information, along with a mail ballot and asked to cast their vote of approval or disapproval in this matter. The Board was notified that the ballot would be ratified at the April 14, 2003 meeting. The Board voted to approve the third student permit by a majority vote. Mr. Barnes disapproved the request.

MOTION

Mr. Norris moved to approve the mail ballot. The motion was seconded by Mr. Robinson and unanimously carried.

Unfinished Business

There was no unfinished business to be discussed during the April 14, 2003 meeting.

New Business

1. Approval of Third Student Permit

a. Cedric Pough

During the October 14, 2002 meeting the Board approved granting Mr. Pough 1,203 hours he acquired at Tolliver's Barber College. During that meeting Mr. Pough indicated he would be completing the OJT program under Katherine Kelly. He has now determined he would learn better in a school atmosphere and would like to attend Wood's Barber College.

Mr. Cedric Pough appeared before the Board at this time. He stated the rate in which he had to learn during OJT was not suitable to him and feels he would learn better in a barber school.

MOTION

Mr. Robinson made a motion, seconded by Mr. Norris and unanimously carried, that the Board approve Mr. Pough's request for a third student permit to attend Wood's Barber College.

A brief discussion ensued regarding a student attending a barber college, then studying in OJT and back to attending a barber college.

b. Noland White, Jr.

Mr. White would like to request the Board approve a third student permit to complete his barber training.

Noland White, Jr. appeared before the Board at this time. He stated he began OJT at Style Trends in 1997 and had to quit due to going through a divorce. He believes he accumulated over 600 hours. He began a new job, had to change shifts and had to quit OJT. He indicated he obtained a second permit to train in OJT in Mr. Belk's shop. He said he was cutting hair in Mr. Belk's shop in January 2001; however, he did not attend an OJT meeting until February 2001.

Mr. White presented the Board with his copies of his monthly reports while he was in OJT training with Mr. Melvin Belk. Mr. Lee reviewed these reports and stated the records are for February 2001 through May 2001 and total 590 hours.

c. Gregory Adams

Gregory Adams appeared before the Board at this time. He stated he has been working in a barbershop one day a week under his father, a licensed OJT instructor and has acquired approximately 680 hours. He further stated should he be granted a third student permit he would be working more hours to ensure he would complete the hours needed prior to the expiration of this permit.

A discussion ensued regarding whether a student in OJT was attending a barber school. Ms. Dantzler stated the regulations indicate a student in a barber school may attend on a part time basis of twenty hours per week.

MOTION

Mr. Robinson moved the Board grant Mr. Adams' request for a third student permit. The motion was seconded by Mr. Norris and unanimously carried.

Noland White, Jr. (continued)

Ms. Hawsey checked staff's records and stated Mr. Belk did not disseminate transcripts to staff regarding Mr. White. She indicated staff's records indicate Mr. White has 590 hours from Style Trends Barber College.

During Mr. White's testimony it was discovered he may have a valid complaint regarding Mr. Belk. The Board directed staff to obtain a written complaint from Mr. White and to begin an investigation in this matter.

MOTION

Mr. Evans moved to grant Mr. White 1,180 hours and a third student permit to obtain the remaining 320 hours. Mr. Robinson seconded the motion, which carried unanimously.

2. Request to Take Written Exam

a. Michael A. Spann

Mr. Spann attended Tolliver's Barber College during 1997 and 1998. In August 1998 he had acquired 160 hours, which brought him to a total of 1,514 hours. He is requesting the Board grant him the opportunity to take the exam.

Michael Spann appeared before the Board at this time.

MOTION

Mr. Robinson made a motion, seconded by Mr. Evans and unanimously carried, that the Board allow Mr. Spann take the exam.

3. Approval of Application to Take Apprentice Registered Barber Exam

a. Bryant Fitzgerald Cheeks

Mr. Cheeks has submitted an application and fee to take the apprentice registered barber exam. He answered yes to the question pertaining to being arrested and/or convicted of a crime involving federal, state or local law. Mr. Cheeks has been arrested and convicted for domestic violence and failure to return rented object. He has also been convicted of possession of, manufacturing, selling and distribution of crack cocaine, and distribution of crack within the proximity of a school.

Bryant Cheeks appeared before the Board at this time. Mr. Cheeks stated he pled guilty to possession of and distributing of drugs in the close proximity of a school and served his time in a work release prison. He further stated he completed his probation in March

2003.

The Board determined it would discuss this matter in executive session.

4. Review/Approval of Request to Accept Statement of Verification

a. William L. Peterson

Mr. William L. Peterson is requesting the Board approve a statement from Thomas Smith, a barber, verifying he worked under George J. Peterson, in a shop owned by Mr. Thomas Smith from January 1982 through June 1983. Mr. William Peterson did not obtain licensure following his OJT training and would now like to obtain that licensure.

Mr. William Peterson appeared before the Board at this time.

The Board determined it would discuss this matter in executive session.

5. Request to Take 400-Hour Refresher Course

a. Dana Lee Bethel

Ms. Hawsey stated Mr. Dana Lee Bethel has indicated he held a barber license from 1968 through 1974. She further stated he is requesting the Board send a letter to the Nevada Barber Board indicating he was licensed during that period and to verify he had completed 1,200 hours of training in barber college in 1968. She noted that 1,200 hours of training was required in 1968. (She has a copy of Mr. Bethel's diploma, however, it does not the hours of training.) She went on to say staff's records do not go back to that time frame.

The Board determined it would discuss this matter in executive session.

Discussion Items

Discussion of Nail Technicians Working in Barbershops

Ms. Tiffany Moseley appeared before the Board at this time to discuss nail technicians working in barbershops. Ms. Moseley owns a barbershop and is a licensed master hair care specialist. She indicated she had previously had manicurists doing acrylic nails.

Public Comments

Mr. Evans stated the Board directed him to contact Woods Barber College regarding their move to a new location. He further stated he contacted the school in the months of December 2002, January 2003 and February 2003 has not yet moved and probably will not move now.

Mr. Jones stated Mr. Bryant indicated the Board may pursue having the national convention in South Carolina in 2006.

Executive Session

The Board entered executive session to seek legal advice.

Return to Public Session to Report on Executive Session

Mr. Barnes noted for the record that no motions were made and no votes were taken during executive session.

Bryant Fitzgerald Cheeks

MOTION

Mr. Robinson moved the Board approve Mr. Cheeks to examine for his apprentice resident barber's license with a one-year probation and with the stipulation he submit a SLED Report, at his own expense, on any activities the Board needs to know about. Mr. Evans seconded the motion, which carried unanimously.

William L. Peterson

MOTION

Mr. Evans stated that the Board has authenticated and verified that Mr. Smith was a registered barber in South Carolina and moved that Mr. Peterson contact Mr. Smith and have him provide the Board with a notarized affidavit stating that he worked in the said shop from January 1982 to June of 1983. The motion was seconded by Mr. Robinson and unanimously carried.

Mr. Barnes stated Mr. Peterson must retake the exam.

Dana Lee Bethel

MOTION

Mr. Evans made a motion, seconded by Mr. Robinson and unanimously carried, that based on an affidavit regarding Dana Lee Bethel's employment history in South Carolina, that the South Carolina Board of Barber Examiners is in a position to permit Mr. Bethel to take the barber's examination and that a letter be forwarded to the State of Nevada

Ms. Dantzler stated Ms. Hawsey would write a letter indicating the Board has no records indicating licensure, however, Mr. Bethel has provided sufficient documentation indicating his eligibility for examination in South Carolina.

Adjournment

There being no further business to be discussed at this time, Mr. Evans moved the meeting be adjourned. Mr. Robinson seconded the motion, which carried unanimously. The meeting adjourned at 3:50 p.m.