

MINUTES
South Carolina Board of Barber Examiners
Board Meeting
9:00 A.M., August 13, 2007
Synergy Business Park, Kingstree Building
110 Centerview Drive, Conference Room 108
Columbia, South Carolina

Edwin Barnes, chairman, of Lexington, called the regularly scheduled meeting to order at 9:16 a.m. Other members present for the meeting included: Paul Robinson, vice chairman; Frederick Evans, of Columbia; Renee Patton of Inman; and Marion Tew, of Taylors.

Staff members participating in the meeting included: Sharon Dantzler, Deputy General Counsel, Office of General Counsel; Sandra Dickert, Administrative Assistant; Lisa Hawsey, Assistant Administrator; Eddie Jones, Administrator; Glinda Legette, Administrative Specialist; and Mark Sanders, Inspector.

Members of the public attending the meeting included: Karen Bonner, Kevin Charles, Leon Davis, Jessica Fore, Darrell Goodwin, Vadis Greene, Russell Leonard, Todd Nesbitt, and Virginia Spigner.

Meeting Called to Order

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, Conference 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.

Pledge of Allegiance

All present recited the Pledge of Allegiance.

Approval of Excused Absences

All Board members were present.

Approval of the June 11, 2007 Meeting Minutes

MOTION

Mr. Robinson moved to approve the minutes of the August 13, 2007 meeting. Mrs. Tew seconded the motion, which carried unanimously.

Chairman's Remarks - Edwin Barnes

Mr. Barnes stated he attended a meeting of Barbers International in Chicago, Illinois. He has been elected as the head judge of the barber competition. He went on to say next year's meeting would be held in Memphis, Tennessee.

Mr. Barnes stated the National Barber Board conference would be held September 15-20, 2007 in Orlando, Florida.

Administrator's Remarks, For Information – Eddie Jones

Advisory Opinions, If Needed, Office of General Counsel

Legislative Update, If Needed, Legislative Liaison Office

There were no advisory opinions or legislative update given.

Mr. Jones stated he addressed the barber shop inspections with the appropriate personnel as requested by the Board.

Mr. Jones stated he has not received information on who has been approved to attend the national conference; however, the agency's policy is to allow two Board members and one staff member to attend a national conference.

Inspection Report

Mr. Mark Sanders briefed the Board on the inspection report.

Approval of DRC Report – June 11, 2007

Mr. Sanders briefed the Board on the June 11, 2007 DRC report.

MOTION

Mr. Robinson made a motion, seconded by Mrs. Patton and unanimously carried, that the Board approve the DRC report of June 11, 2007.

Unfinished Business

1. Approval of Fifth Student Permit

a. *Leon L. Davis*

Leon Davis appeared before the Board during the June 11, 2007 seeking approval for an additional student permit. Staff's records reflected Mr. Davis was seeking approval of a fifth student permit; however, at that time Mr. Davis testified that he was applying for a second student permit. The Board determined further research on this matter was needed and informed Mr. Davis he must appear at the August 13, 2007 meeting.

Mr. Jones stated the Board had requested Mr. Darrell Goodwin submit documentation in regard to this matter; however, Mr. Goodwin had requested that he be allowed to speak to the Board regarding this matter. He further stated Mr. Goodwin is present and willing to testify in this matter. He noted Mr. Goodwin is refuting one of the four permits as Mr. Davis never trained under that permit.

Leon Davis appeared before the Board at this time and offered the following testimony.

Mr. Davis's first permit was with Kat's Barber Shop for six months. He was not allowed to train during that time, although he was in the barbershop for five to seven hours a day, six days a week. Under his second permit he was at Kenny G's; however, he does not know of the number of hours he accumulated as he did not keep the documentation.

Darryl Goodwin appeared before the Board at this time. He did not did not complete documentation nor did he sign for a permit to train Mr. Davis.

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

New Business

1. Approval of Third Student Permit
 - a. *Kevin Charles*

On July 19, 2007 the Board received a request from Kevin Charles seeking the Board's approval of a third student permit.

Kevin Charles appeared before the Board at this time and offered the following testimony.

Mr. Charles worked at Diane's Total Eclipse for one and one-half months; however, no hours were turned in. During his second permit he worked for two months at Mac's Family Salon in Sumter; however, no hours were turned in at that shop as well. The third permit would be with New Process and Design in Sumter. His instructor would be Derek Ford.

MOTION

Mr. Robinson moved the Board allow Mr. Charles to receive his third permit to work under Mr. Derek Ford. Mrs. Tew seconded the motion, which carried unanimously.

2. Approval of Application for Examination and Licensure
 - a. *Karen Bonner*

On July 13, 2007 the Board received a registered barber application for examination and licensure from PCS on behalf of Karen Bonner. Ms. Bonner's application and SLED criminal history report reflects arrests and convictions of simple assault, driving under suspension, possession and distribution of crack cocaine, distribution of crack cocaine within the close proximity of a school, and possession of a controlled substance. Since the application could not be processed in a routine manner, Ms. Bonner was notified by letter dated July 18, 2007 that she must appear before the Board during this meeting to answer any questions the Board members may have.

Karen Bonner appeared before the Board at this time and offered the following testimony.

Ms. Bonner was arrested and convicted for simple assault, distribution of crack cocaine within one-half mile of a school, and trespassing. She was released from prison on December 31, 2005. She is on probation until 2009 and has worked through all restrictions of the probation. Her supervision fees are paid to date. She would be training as an OJT student.

MOTION

Mr. Robinson made a motion, seconded by Mrs. Tew and unanimously carried, that the Board allow Ms. Bonner to take the examination and upon successful completion, be issued a license, that the license be placed in a probationary status to run concurrent with her probation, and that she provide an annual SLED report at her own expense.

- b. *Vadis V. Greene*

Vadis Greene has submitted an application for examination and licensure as a registered barber. The application, dated July 25, 2007, and criminal history report reflects arrests and convictions involving disorderly conduct, assault and battery, assault and battery of a high and

aggravated nature, voluntary manslaughter, lynching, driving under suspension, and criminal conspiracy. Since the application could not be processed in a routine manner Mr. Greene was notified by letter dated July 25, 2007 that he must appear before the Board during this meeting to answer any questions the Board members may have.

Vadis Greene appeared before the Board at this time and offered the following testimony.

Vadis Greene was arrested and convicted for assault and battery of a high and aggravated nature, disorderly conduct, voluntary manslaughter, lynching, and criminal conspiracy. He was in prison for approximately one decade and was released from prison in September 2005. He is not serving time on probation or parole. He has been an OJT student since he was released from prison. If granted licensure he would be working at Makins New Creations.

MOTION

Mr. Robinson moved the Board defer this matter to executive session. Mrs. Tew seconded the motion, which carried unanimously.

c. Russell Leonard

On July 12, 2007 the Board received a registered barber renewal application from Russell Leonard. Mr. Leonard answered 'yes' to the question asking, "Since the date of your last renewal application, have you been charged, arrested, indicted, or convicted, pled guilty of, or pled nolo contendere for violation of any federal, state, or local law (other than minor traffic violation)?" Mr. Leonard's criminal history report reflects he was arrested for several traffic violations, criminal domestic violence, misdemeanor possession of marijuana, and possession of controlled substances. Since Mr. Leonard's renewal application could not be processed as a routine renewal he was notified by letter dated July 13, 2007 that he must appear before the Board during this meeting to answer any questions the Board members may have.

Russell Leonard appeared before the Board at this time and offered the following testimony.

Russell Leonard has been arrested and convicted on several vehicle violations. In March 2007 he was ordered to serve probation for two years. He attended barber college in 1999 through 2000 and has been licensed as a barber. He would be working at Kitt's Barber Shop in Darlington.

MOTION

Mr. Robinson moved the Board allow Mr. Leonard to renew his license, that his license be placed in a probationary period to run concurrent with his probation through 2009, and that he provide, at his own expense, an annual SLED Report. Dr. Evans seconded the motion, which carried unanimously.

d. Dudley Mack

On July 12, 2007 the Board received a master hair care renewal application from Dudley Mack. Mr. Mack answered 'yes' to the question asking, "Since the date of your last renewal application, have you been charged, arrested, indicted, or convicted, pled guilty of, or pled nolo contendere for violation of any federal, state, or local law (other than minor traffic violation)?" Mr. Leonard's criminal history report reflects he was arrested and convicted of assault and battery with intent to kill. Since Mr. Mack's renewal application could not be processed as a

routine renewal he was notified by letter dated July 13, 2007 that he must appear before the Board during this meeting to answer any questions the Board members may have.

Mr. Mack did not appear at this meeting and the Board took no action on his application.

e. Todd Nesbitt

On August 6, 2007 the Board received a registered barber examination and licensure application from PCS on behalf of Todd Nesbitt. Mr. Nesbitt's application and criminal history report reflects he was arrested and convicted of armed robbery. Since Mr. Nesbitt's application could not be handled in a routine manner he was notified by letter dated August 7, 2007 that he must appear before the Board during this meeting to answer any questions the Board members may have.

Todd Nesbitt appeared before the Board at this time and offered the following testimony.

Mr. Nesbitt completed OJT in 1998 and has been living and working in New York under a permit. He recently returned to South Carolina. He was arrested for armed robbery and conspiracy to commit armed robbery in 1996 and 1997 and served seven months in prison. He is not currently serving time on probation or parole.

MOTION

Mr. Robinson made a motion, seconded by Mrs. Tew and unanimously carried, the Board allow Mr. Gerald Nesbitt to take the exam, upon successful completion that he be granted a license, that the license be placed on probation for one year and that he provide the Board with a SLED report at his own expense.

f. Rion Spangler

On July 2, 2007 the Board received a barber shop renewal application from Rion Spangler. Mr. Spangler answered 'yes' to the question asking, "Since the date of your last renewal application, have you been charged, arrested, indicted, or convicted, pled guilty of, or pled nolo contendere for violation of any federal, state, or local law (other than minor traffic violation)?" Mr. Spangler's criminal history report reflects he was arrested and convicted of disorderly conduct, assault and battery, providing false information, resisting arrest, and criminal domestic violence. Since Mr. Spangler's renewal application could not be processed in a routine manner, he was notified by letter dated July 12, 2007 that he must appear before the Board during this meeting to answer any questions the Board members may have.

Mr. Spangler did not appear at this meeting and the Board did not take any action on the renewal application.

3. Approval of Renewal Application

a. Jessica Fore

On July 2, 2007 the Board received a master hair care renewal application from Jessica Fore. Ms. Fore answered 'yes' to the question asking, "Since the date of your last renewal application, have you been charged, arrested, indicted, or convicted, pled guilty of, or pled nolo contendere for violation of any federal, state, or local law (other than minor traffic violation)?" Ms. Fore's criminal history report from the State of North Carolina reflects she was arrested and convicted of one count of selling marijuana in September 2005 and was charged with misdemeanor

larceny in 1998. Since Ms. Fore's renewal application could not be processed in a routine manner, she was notified by letter dated July 23, 2007 that she must appear before the Board during this meeting to answer any questions the Board members may have.

Jessica Fore appeared before the Board at this time offered the following testimony.

Jessica Fore is co-owner of the Cutting Edge Beauty and Barber in Clover, South Carolina. She was charged and convicted of selling marijuana in North Carolina and charged with misdemeanor larceny. She has been sober since July 2005. Her probation stipulates that any further violations would cause North Carolina to strip her of all licenses (including her driver's license). Neither of the violations occurred in or near a barber shop.

MOTION

Mr. Robinson moved the Board allow Ms. Fore to renew her license, that her license be placed in probationary status until the end of 2008, and that she provide a SLED Report on an annual basis at her own expense. Mrs. Tew seconded the motion, which carried unanimously.

4. Approval of Hair Braiding Course a. *Angela Nash*

During the June 11, 2007 Board meeting Angela Nash submitted documentation to teach the six hour braiding course for the Board's review and approval. At that time the Board could not approve Ms. Nash to teach the braiding course as her documentation did not include discussion on some of the required material. She was informed she must revise the course outline and that she must resubmit the documentation to the Board for its approval.

Angela Nash did not appear before the Board at this meeting; however, the Board did review the revised course outline.

MOTION

Mr. Robinson made a motion, seconded by Dr. Evans and unanimously carried, the Board allow Angela Nash to teach the six hour braiding course.

Discussion Items

1. *Clarification on Offenses to be Brought Before the Board*

Mrs. Dantzler stated the Board has options in handling applications that come before the Board. She further stated some Boards allow staff to handle applicants who have been clean five or ten years and some Boards allow staff to handle applications with misdemeanors with no charges or convictions for the previous two years. She went on to say there are options for the Board to consider; however, the board must exercise discretion. She noted the Board does not have to vote on this matter during this meeting and asked that the members discuss this matter among themselves prior to making a decision.

Dr. Evans expressed his concerns about not bringing the applications before the Board. He asked that he be left in the loop in reviewing these applications.

2. *Barber Kiosks*

Mr. Robert Mims of Grand Forks, North Dakota contacted Ms. Lisa Hawsey via e-mail and asked that she place the Barber Zone barber kiosks on the agenda for this meeting. Ms.

Hawsey downloaded the information from the Barber Zone web site and presented the information to the Board members for their review.

Mrs. Dantzler stated the kiosk must meet the criteria according to regulation 17-20 and noted the Board does not and will not endorse products. She further stated Mr. Jones could draft a letter informing Mr. Mims of the Board's laws and criteria relating to barber shops.

3. *Unlicensed Practice – USC*

The Board briefly discussed this matter.

Public Comments

There were no public comments made during this meeting.

Executive Session

MOTION

Mr. Robinson moved the Board enter executive session to seek legal advice. Dr. Evans seconded the motion, which carried unanimously.

Return to Public Session

MOTION

Dr. Evans moved the Board return to public session. Mr. Robinson seconded the motion, which carried unanimously.

Mr. Barnes noted for the record that no motions were offered or made during executive session.

Leon Davis

MOTION

Mr. Robinson made a motion, seconded by Mrs. Patton and unanimously carried, the Board allow Mr. Davis the opportunity to receive a third student permit.

Vadis V. Greene

Dr. Evans stated Mr. Greene signed an affidavit stating he earned 1,490 hours at Makins New Creations. He asked Mr. Greene if Makins is a barber shop or a barber school. Mr. Greene stated it is a barber shop. Mr. Greene stated he has records reflecting he has earned 1,920 hours of OJT instruction. Dr. Evans stated the instructor at Makins New Creations already has two students and would not be able to take him as a student at this time.

Mr. Robinson stated he believes Mr. Greene and the instructor should appear before the Board or that the instructor and Mr. Greene submit documentation of the hours.

MOTION

Mrs. Patton made a motion, seconded by Mrs. Tew, the Board investigate Makins New Creations, the instructor and the activities following the guidelines. The motion carried with a majority vote. Mr. Robinson voted nay.

Mrs. Patton stated a student has told her of problems with the practical exam and asked how she could make her shop available for the exam.

Mr. Barnes asked Mr. Jones to contact Francine Tilley of PCS in regard to the complaints. Mr. Jones stated the process is to file a complaint with PCS first and suggested that the student file the complaint.

Dr. Evans stated, as a public member, that if this practice in the practical exam is endangering the public, that the Board needs to take immediate corrective action.

Adjournment

MOTION

There being no further business to be discussed by the Board at this time, Dr. Evans moved the meeting be adjourned. Mr. Robinson seconded the motion, which carried unanimously.

The August 13, 2007 meeting of the Board of Barber Service adjourned at 12:35 p.m.