

MINUTES
South Carolina Board of Barber Examiners
Board Meeting
9:00 AM, October 13, 2008
Synergy Business Park, Kingstree Building
110 Centerview Drive, Conference Room 108
Columbia, South Carolina

Meeting Called to Order

Edwin Barnes, chairman, of Lexington, called the regularly scheduled meeting to order at 9:06 a.m. Other members present for the meeting included: Paul Robinson, vice chairman; of Orangeburg; Frederick Evans, of Columbia; and Renee Patton of Inman.

Staff members participating in the meeting included: Sharon Dantzler, Deputy General Counsel; Sandra Dickert, Administrative Assistant; Larry Hall, Inspector; Lisa Hawsey, Assistant Administrator; and Eddie Jones, Administrator.

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 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

MOTION

Mr. Robinson made a motion the Board excuse Marion Tew's absence from the meeting. Dr. Evans seconded the motion, which carried unanimously.

Approval of the August 11, 2008 Meeting Minutes

MOTION

Mr. Robinson made a motion the Board accept the minutes from the August 11, 2008 meeting. Mrs. Patton seconded the motion, which carried unanimously.

Chairman's Remarks - Edwin Barnes

Mr. Barnes stated the national conference held in Washington, D.C. in September was very successful. He further stated the national conference is attempting to have a postage stamp honoring barbers approved by Congress. He went on to say the 2009 national conference meeting will be held in Las Vegas, Nevada.

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 during the October 13, 2008 meeting.

Mr. Jones had no remarks at this time.

Inspection Report

Mr. Hall briefed the Board on the inspections conducted since July 2008.

Unfinished Business

There was no unfinished business for discussion during the October 13, 2008 meeting.

New Business

1. Approval of August 11, 2008 DRC Report

MOTION

Mr. Robinson made a motion, seconded by Dr. Evans and unanimously carried, the Board approve the August 11, 2008 DRC report.

Dr. Evans recommended the Board discuss future guidelines in executive session.

2. Approval of September 24, 2008 IRC Report

MOTION

Mr. Robinson made a motion, seconded by Dr. Evans and unanimously carried, the Board approve the September 24, 2008 IRC report.

3. Approval of Licensure Applications

a. James H. Dowd, II

On May 20, 2008 the Board received a registered barber application for examination and licensure from James H. Dowd, II. Mr. Dowd answered yes to the question that asks if the applicant has ever been arrested or convicted for a crime other than a minor traffic accident. Mr. Dowd's criminal history report from New Jersey, dated August 2, 2008, reflects he was arrested and convicted of felony official misconduct in April 2004. Staff notified Mr. Dowd by letter dated September 30, 2008 that the Board would review his application during this meeting and requested he appear to answer questions from the members.

James H. Dowd, II appeared before the Board at this time and gave the following testimony.

Mr. Dowd did not have a barber's license when he was arrested. He attended Harley's Barber School and now has a job lined up with a shop on Clemson Road in Columbia. His SLED report shows two indictments, two dismissals and one conviction.

MOTION

Mr. Robinson made a motion, seconded by Mrs. Patton and unanimously carried, the Board allow Mr. Dowd take the exam for licensure.

b. Anthony Ellis

On September 4, 2008 the Board received an application for examination and licensure as a registered barber from Anthony Ellis. Mr. Ellis answered yes to the question that asks if the applicant has ever been arrested or convicted for a crime other than a minor traffic accident. Mr. Ellis' criminal history report from SLED reflects he was arrested and convicted with felony ill treatment of a child. The SLED report reflects he was sentenced to three years in prison suspend to eighteen months of probation. Staff notified Mr. Ellis by letter dated October 2, 2008 that the Board would review his application during this meeting and requested he appear to answer questions from the members.

Anthony Ellis appeared before the Board at this time and gave the following testimony.

Mr. Ellis does not know why he was charged with ill treatment of a child. The charge was dropped, although he was sentenced to probation. The child's mother was actually charged with ill treatment of the child. He now lives in Georgia and plans to work with Mr. Verne Wright in Aiken, South Carolina.

MOTION

Mrs. Patton made a motion the Board grant Mr. Ellis the right to take the exam for licensure. Mr. Robinson seconded the motion, which carried unanimously.

c. Leroy Jackson

On January 24, 2006 LeRoy Jackson submitted an application to sit for the registered barber apprentice license. His application reflected he had been arrested on multiple occasions for various unlawful acts between August 15, 1991 and January 23, 2005. He appeared before the Board on February 16, 2006 during which time the Board voted to allow Mr. Jackson to sit for the examination and upon successful completion, grant him a license which was to be placed in probationary status. He was also required to submit a SLED report to the Board at his own expense.

On May 7, 2008 Mr. Jackson submitted the required SLED report which reflected he was arrested for a felony fraudulent credit card charge. Staff notified Mr. Jackson he needed to appear before the Board during the June 9, 2008 meeting. During the June 9, 2008 meeting the Board determined it could not make a decision regarding Mr. Jackson's license since the fraudulent credit card charge had not been resolved by the court. At that time the Board also requested a legal opinion as to whether or not Mr. Jackson could be granted a license to practice in the barber industry until such time that the matter is resolved by the court.

On July 31, 2008 the Board received an updated SLED report which reflected Mr. Jackson was convicted in the fraudulent credit card charge and was sentenced to six months in prison suspended to nine months probation.

Mr. Jackson appeared during the August 11, 2008 meeting during which time the Board determined it could not make a decision at that time and voted that he should appear during this meeting to discuss his license status.

Mr. Jackson appeared before the Board and offered the following testimony.

Most of the charges brought before him were dropped. He used a credit card to purchase supplies to work in a barbershop. He paid restitution and was sentenced to nine months of probation. The crimes did not take place in or near a barbershop.

MOTION

Dr. Evans made a motion the Board grant initial licensure to Leroy Jackson as a registered barber. Mr. Robinson seconded the motion, which carried unanimously.

d. Danny Smith

On August 27, 2008 the Board received an application for examination and licensure from Danny Smith. Mr. Smith answered yes to the question that asks if the applicant has ever been arrested or convicted for a crime other than a minor traffic accident. Mr. Smith's criminal history report from SLED reflects he was arrested and convicted of involuntary manslaughter in 1988, driving under suspension in 1989, and possession of marijuana in 1990. The SLED report reflects he was sentenced to three years in prison suspend to eighteen months of probation.

Staff notified Mr. Smith by letter dated October 2, 2008 that the Board would review his application during this meeting and requested he appear to answer questions from the members.

Danny Smith appeared before the Board and gave the following testimony.

Mr. Smith is not currently on probation or parole. He served 15 years and seven months in prison and completed his parole in October 2007. While in prison he knew he had to make a change in his life and 'grew up'. He has been good at barbering, although he has not been licensed. He began OJT training in one barbershop then moved to another shop to complete his training. The change in barbershops was a result of the distance and because he had no vehicle. None of the incidents took place in or near a barbershop. He does not anger easily; however, he did take anger management classes while in prison. All charges, with the exception of manslaughter were dismissed. His OJT instructor is Reggie Rice in Spartanburg, South Carolina.

Mr. Reginald A. Rice, OJT instructor, spoke on behalf of Mr. Smith.

MOTION

Mr. Robinson made a motion, seconded by Mrs. Patton and unanimously carried, the Board grant Mr. Smith the privilege of taking the exam/

4. **Approval of Third Student Permit**
a. Jaquan Devore

On October 3, 2008 the Board received a request from Jaquan Devore seeking the Board's approval of a third student permit. Mr. Devore has accumulated 1,071 of his OJT hours and lacks 429 hours. Staff notified Mr. Devore by letter dated October 6, 2008 that the Board would review his request during this meeting and asked that he appear before the Board to answer questions from the members.

Jaquan Devore appeared before the Board at this time and gave the following testimony.

Mr. Devore attends Denmark Technical College and believes he has approximately 429 hours to complete his training. He was charged with possession of marijuana and one other charge and has gone through pre-trial intervention.

MOTION

Mr. Robinson made a motion the Board grant Mr. Devore a third student permit and asked that staff contact Denmark Tech to treat him as a barber college student. Mrs. Patton seconded the motion, which carried unanimously.

Ms. Hawsey asked the Board if they wanted the technical colleges to treat OJT students as technical college students and if they wanted these students to appear before the Board for third permits. Dr. Evans asked that the Board discuss the OJT students versus the technical college students and high school students at a later time.

b. Marcus Hammond

On October 3, 2008 the Board received a request from Marcus Hammond seeking the Board's approval of a third student permit. Staff notified Mr. Hammond by letter dated October 6, 2008 that the Board would review his request during this meeting and asked that he appear before the Board to answer questions from the members.

Marcus Hammond appeared before the Board and gave the following testimony/

Mr. Hammond stated his OJT instructor, Sammy Odom in Barnwell, South Carolina, was seriously ill; however, he has another instructor lined up. He lacks approximately 600 hours to complete his training. He is a full time OJT student.

MOTION

Mr. Robinson made a motion, seconded by Mrs. Patton and unanimously carried, the Board extend a third permit to Marcus Hammond.

c. Heather Hand

On October 3, 2008 the Board received a request from Heather Hand seeking the Board's approval of a third student permit. The request states she lacks approximately 200 hours to complete her training. Staff notified Ms. Hand by letter dated October 6, 2008 that the Board would review her request during this meeting and asked that she appear before the Board to answer questions from the members.

Heather Hand appeared before the Board and gave the following testimony/

Ms. Hand has been training under OJT on a part time basis and missed some training due to surgery. She lacks approximately 200 hours to complete her training. She will remain under the same instructor; however, will look for another shop to work in after she completes her training.

MOTION

Dr. Evans made a motion the Board grant Mrs. Hand a third student permit. Mrs. Patton seconded the motion, which carried unanimously.

d. Mark A. Ross

On September 8, 2008 the Board received a request from Mark A. Ross seeking the Board's approval of a third student permit. Staff notified Mr. Ross by letter dated September 10, 2008 that the Board would review his request during this meeting and asked that he appear before the Board to answer questions from the members.

Mr. Ross did not appear at this meeting.

Public Comments

Marwin McKnight stated he would be meeting with the SC Department of Education regarding guidelines for a high school barber competition.

Reginald Rice stated two of his students came to take the exam but were informed they were not prepared to take the exam.

Mr. Jones stated students receive a bulletin from PCS informing them of what the exam would entail.

Discussion on this matter ensued.

The Board discussed disciplinary matters pertaining to having licenses on the wall when an individual is not present at the barbershop during an inspection. Mr. Robinson stated he feels the Board should inform the DRC chairman to be more strict with these cases.

Executive Session

MOTION

Mr. Robinson made a motion, seconded by Dr. Evans and unanimously carried, the Board enter executive session.

Public Session

MOTION

Mr. Robinson made a motion, seconded by Mrs. Patton and unanimously carried, the Board return to public session.

Mr. Barnes noted for the record that no official action was taken during executive session.

Adjournment

MOTION

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

The October 13, 2008 meeting of the Board of Barber Service adjourned at 11:13 a.m.