

MINUTES
South Carolina Board of Barber Examiners
Board Meeting
9:00 A.M., February 9, 2009
Synergy Business Park, Kingstree Building
110 Centerview Drive, Conference Room 108
Columbia, South Carolina

Meeting Called to Order

Paul Robinson, vice chairman; of Orangeburg, called the regularly scheduled meeting to order at 9:05 a.m. Other members present for the meeting included: Frederick Evans, Ph.D., of Columbia; and Renee Patton of Inman.

Staff members participating in the meeting included: George Barr, Inspector; Kristy Bell, Administrative Assistant; Ronnie Blackmon, Inspector; Wayne Brown, Inspector; Sharon Dantzler, Deputy General Counsel, Office of General Counsel; Sandra Dickert, Administrative Assistant; Larry Hall, Inspector; Lisa Hawsey, Assistant Administrator; Eddie Jones, Administrator; Raymond Lee, Inspector; and Glinda Legette, Administrative Specialist.

Mr. Robinson stated 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

Dr. Evans made a motion the Board excuse Edwin Barnes' absence from this meeting as he was attending the mid winter conference in Arizona. Mrs. Patton seconded the motion, which carried unanimously.

MOTION

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

Approval of the December 8, 2008 Meeting Minutes

MOTION

Dr. Evans made a motion the Board approve the minutes of the December 8, 2008 meeting. Ms. Patton seconded the motion, which carried unanimously.

Chairman's Remarks - Edwin Barnes

MOTION

Dr. Evans made a motion the chairman's remarks be stricken as Mr. Barnes was not present for the meeting. Ms. Patton seconded the motion, which carried unanimously.

Administrator's Remarks, For Information – Eddie Jones

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

b. Legislative Update, If Needed, Legislative Liaison Office

Mr. Jones stated no advisory opinions had been requested and he is not aware of any legislative update.

Mr. Robinson asked Mr. Jones the status of the proviso allowing barbers and cosmetologists to work together. Mr. Jones stated the proviso became law in 2007.

c. Inspection Report

Mr. Blackmon stated 72 inspections were conducted during December 2008 and 91 inspections were conducted during January 2009.

David Christian, III, Assistant Deputy Director – OLC

Mr. Christian briefed the Board members regarding the Office of Licensure and Compliance. Laura McDaniel, Dwight Hayes, Annette Disher, Robbie Boland and Sherry Wilson introduced themselves and briefed the Board on their duties.

Unfinished Business

There was no unfinished business for discussion during the February 9, 2009 meeting.

New Business

Approval of the December 8, 2008 DRC Report

MOTION

Ms. Patton made a motion the Board approve the December 8, 2008 DRC report. Dr. Evans seconded the motion, which carried unanimously.

Approval of Hair Braider Provider

Kim Burgess

On January 22, 2009 the Board received a letter from Kim Burgess seeking the Board's approval to become a hair braider provider. Ms. Burgess included with her letter documentation outlining the hair braider's class. Staff notified Ms. Burgess by letter dated January 22, 2009 that the Board would be discussing her request during the February 9, 2009 meeting and asked that she be present to answer questions from the Board.

Kim Burgess appeared at this time.

Mr. Robinson stated he has reviewed the hair braider package and asked Ms. Burgess a question regarding the test included in the outline. Ms. Burgess is aware that the hair braider exam will be administered at the Board's office.

Mr. Robinson asked Ms. Burgess to ensure she informs the participants that they are not allowed to work outside the scope of the hair braider registration.

MOTION

Dr. Evans made a motion the Board approve Kim Burgess as a hair braider provider as submitted. Ms. Patton seconded the motion, which carried unanimously.

Mr. Robinson informed Ms. Burgess she must submit a schedule of classes to staff.

Ms. Burgess wondered as a cosmetologist instructor would she be exempt from portions of the barber instructor's exam. Mr. Robinson stated she would be required to take the written exam for the barber instructor's exam.

Review Request to Use Cosmetology Instructor's Exam in Lieu of Barber Instructor Exam

Melissa Horton

On January 26, 2009 the Board received a letter from Melissa Horton seeking the Board's approval to use the cosmetology instructor's exam in lieu of the barber's instructor exam. Staff notified Ms. Horton by letter dated January 27, 2009 that the Board would review her request during the February 9, 2009 meeting and asked that she be present to answer questions from the Board.

Melissa Horton appeared before the Board at this time. She stated she has passed the cosmetology instructor's exam and is asking the Board's approval to waive the barber instructor's exam and obtain the barber instructor's license. She has been licensed as a master hair specialist for several years.

The Board informed Ms. Horton they would not be able to grant her request as it is in the statute that she must take the practical exam to become licensed as a barber instructor.

Approval of Third Student Permit – NaTasha Renee Phillips

On November 18, 2008 the Board received a request from NaTasha Renee Phillips seeking the Board's approval of a third student permit. She has approximately 68 hours to complete her 1,500 hours of training. Staff notified Ms. Phillips by letter dated November 24, 2008 that she was scheduled to meet with the Board on December 8, 2008 to discuss her request; however, Ms. Phillips did not appear during that meeting. Staff notified Ms. Phillips by letter dated January 20, 2009 that the Board would discuss her request during the February 9, 2009 meeting and again asked that she be present to answer questions from the Board.

Ms. Phillips appeared before the Board at this time. She stated she had been attending B Unique with her first permit and then transferred to NABS Barber College to complete her training. However, she was unable to complete her training as a barber due to her mother's illness.

MOTION

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

Review of Citation – Roderick Davenport

Roderick Davenport submitted a request to the Board to review a citation issued by Mr. Wayne Brown, staff inspector.

Mr. Wayne Brown, staff inspector, appeared before the Board and offered the following testimony. Mr. Brown stated he has visited Mr. Davenport's barber shop on numerous occasions. Mr. Brown conducted an inspection on this barber shop on October 11, 2005 and found several violations, including but not limited to an individual working with an expired permit. He gave the shop thirty days to resolve the violations. He returned to inspect the shop on November 8, 2005 and found that none of the violations had been resolved. He noted other violations, such as a leaking roof, peeling paint, and bad sanitation, during that inspection. Mr. Davenport was not present at the time the inspections were conducted; however the shop manager, Mr. Thompson, was present during the inspections. He returned to the shop on March 5, 2008 because he was unsure if Mr. Thompson had relayed the information to Mr. Davenport. He returned to the shop on October 31, 2008 and found the violations still had not been resolved. He issued another citation and fined Mr. Davenport \$600.00 and scheduled him

to appear during the December 8, 2008 DRC meeting. Mr. Davenport failed to appear during the DRC meeting and the DRC chairman directed staff to send a letter to Mr. Davenport informing him he must appear before the Board during this meeting. Mr. Brown personally delivered letter to Mr. Davenport. Mr. Davenport was not at the shop at the time the letter was delivered. Mr. Brown spoke to Mr. Davenport who stated Mr. Thompson could sign the Affidavit of Service.

Roderick Davenport appeared at this time.

Mr. Davenport stated he has been having problems with his landlord in attempting to get repairs made to the building. He tries to visit the shop twice a week or every other week, however, he now sees he must visit the shop more often. He does not disagree with any of the citations and has paid the fines. He was in Chicago, Illinois on December 8, 2008. He stated he is a minister in Orangeburg as well as a barber shop owner.

Approval Examination/Licensure Applications

a. Quincy T. Benjamin

On January 16, 2009 the Board received a registered barber application for examination and licensure from Quincy T. Benjamin. Mr. Benjamin answered yes to the question asking, "Have you been found guilty or entered a plea of nolo contendere for any crime in this or any other state?" Mr. Benjamin's criminal history report reflects an arrest charge of possession with intent to distribute crack cocaine and was convicted of conspiracy to distribute crack cocaine.

Quincy Benjamin appeared before the Board and offered the following testimony.

Mr. Benjamin completed his barber training under OJT prior to being incarcerated. He was incarcerated for seven years and was released on December 15, 2008. He has spoken with his OJT instructor since being released from prison in an attempt to apply for a temporary permit until such time he can take the exam. He is currently serving federal probation for five years and he is currently residing in the Austin Wilkes Halfway House. None of the crimes occurred in or near a barber shop. He has an employment opportunity Cut-N-Up Barber Shop located on Decker Boulevard in Columbia. He was convicted in federal court of conspiracy to distributing crack cocaine. He has not yet met with his parole offer since he is living in a halfway house, which is where he is scheduled to live for six months (June 2009). He currently has a 90 day work permit which was received January 23, 2009.

MOTION

Dr. Evans made a motion the Board grant Mr. Benjamin the opportunity to take the exam and upon successful completion, be granted a license which is to be placed on five years of probation during which time he must provide the Board with a SLED report on an annual basis at his own expense. Ms. Patton seconded the motion, which carried unanimously.

b. Bryan J. Brown

On January 22, 2009 the Board received a registered barber application for examination and licensure from Bryan J. Brown. Mr. Brown answered yes to the question asking, "Have you been found guilty or entered a plea of nolo contendere for any crime in this or any other state?" Mr. Brown was arrested and convicted of felony criminal conspiracy. Staff notified Mr. Brown by letter dated January 23, 2009 that the Board would review his application during this meeting and asked that he appear to answer questions from the members.

Bryan Brown appeared before the Board at this time and offered the following testimony. Mr. Brown completed his training during 2007 and 2008, which was completed as an OJT student at Creative Image Barber Shop. He was convicted of criminal conspiracy to traffic marijuana, which did not occur in or near a barbershop or near a school. He is currently on parole until April 2009.

MOTION

Ms. Patton made a motion the Board allow Mr. Brown to take the exam and upon successful completion be granted licensure. Dr. Evans seconded the motion, which carried unanimously.

c. Michael Gantt

On January 28, 2009 the Board received a master hair care specialist application for examination and licensure from Michael Gantt. Mr. Gantt answered yes to the question asking, "Have you been found guilty or entered a plea of nolo contendere for any crime in this or any other state?" Mr. Gantt's criminal history report reflects arrests and convictions of receiving stolen goods, purse snatching, and petty larceny. Staff notified Mr. Gantt by letter dated January 30, 2009 that the Board would review his application during this meeting and asked that he be present to answer questions from the Board.

Mr. Gantt appeared before the Board at this time and offered the following testimony. Mr. Gantt completed his barber training as an OJT student at Transitions Beauty and Barber in November 2008. He is currently serving probation for another four months (until June 29, 2009). None of the crimes occurred in or near a barbershop. The strong armed robbery in Florida was reduced to purse snatching. He had a drug problem at one time; however, he went through a drug rehabilitation program and no longer has that problem. The shoplifting charge occurred three to four months ago when he was not working. He will work at Top Notch Beauty and Barber on Broad River Road in Columbia.

MOTION

Dr. Evans made a motion the Board grant Mr. Gantt's request to take the exam, and upon successful completion, be granted a license which is to be placed on probation for three years during which time he must submit a SLED report at his own expense on an annual basis. Ms. Patton seconded the motion, which carried unanimously.

d. DeRon D. Green

On January 14, 2009 the Board received a master hair care specialist application for examination and licensure from DeRon D. Green. Mr. Green answered yes to the question asking, "Have you been found guilty or entered a plea of nolo contendere for any crime in this or any other state?" Mr. Green's criminal history report reflects arrests and convictions for possession of crack cocaine and unlawful possession of a firearm.

Mr. Green appeared before the Board at this time and offered the following testimony. Mr. Green completed his barber training as an OJT student in December 2008. He has been offered employment with Diamond Cuts Barber Shop in North Charleston. He was released from prison in 2006 and is not currently on probation or parole and none of the violations occurred in or near barbershop. He has changed his attitude because he now has a family.

MOTION

Ms. Patton made a motion the Board allow Mr. Green take the barber exam. Dr. Evans seconded the motion, which carried unanimously.

Stacy B. Hartzog

On October 15, 2008 the Board received a master hair care application for examination and licensure from Stacy Hartzog. Ms. Hartzog answered yes to the question asking, "Have you been found guilty or entered a plea of nolo contendere for any crime in this or any other state?" Mr. Hartzog's criminal history report shows an arrest and conviction involving an unlawful possession of a pistol. Staff notified Mr. Hartzog by letter dated October 29, 2008 that the Board would review his application during this meeting and stated he was required to appear at this meeting to answer questions from the Board. Stacy Hartzog did not appear during the December 8, 2008 meeting. Staff notified him by letter dated January 27, 2008 that the Board would review his application during the February 9, 2009 meeting and asked that he be present to answer questions from the Board.

Stacy Hartzog appeared before the Board at this time and offered the following testimony. Mr. Hartzog completed barber training at Denmark Technical College in 2007. He worked under his temporary work permit from October 2008 until it expired in January 2009. He is not currently on probation or parole as he completed his time in prison close to four years ago. He has also changed his attitude.

MOTION

Ms. Patton made a motion the Board allow Mr. Hartzog the privilege of taking the barber exam. Dr. Evans seconded the motion, which carried unanimously.

Ekita Johnson

On December 4, 2008 the Board received a master hair care specialist application for examination and licensure from Ekita Johnson. Ms. Johnson answered yes to the question asking, "Have you been found guilty or entered a plea of nolo contendere for any crime in this or any other state?" Ms. Johnson's criminal history report shows an arrest and conviction involving simple assault and battery. Staff notified Ms. Johnson by letter dated January 8, 2009 that the Board would review her application during the February 9, 2009 meeting and asked that she appear at this meeting to answer questions from the Board.

Ekita Johnson appeared before the Board at this time and offered the following testimony. Ms. Johnson completed her barber training as an OJT student at Style Trends in June 2008. Her violation did not occur in or near a barber shop and she is not currently serving probation or parole. She has not been cutting hair since June 2008. She received a temporary work permit in December 2008.

MOTION

Ms. Patton made a motion the Board allow Ms. Johnson take the barber exam. Dr. Evans seconded the motion, which carried unanimously.

Anthony J. Mazzochi

The Board received a barber license form dated January 13, 2009 from Anthony J. Mazzochi. Mr. Mazzochi is requesting approval from the Board to upgrade his registered barber apprentice license to a registered barber license. He answered yes to the question asking, "Have you been found guilty or entered a plea of nolo contendere for any crime in this or any other state?" Mr. Mazzochi's criminal history report reflects an arrest and conviction involving unlawful carrying of a weapon, possession of marijuana, and unlawful possession of Schedule IV drugs. Staff notified Mr. Mazzochi that the Board would be reviewing his application during the February 9, 2009 meeting and asked that he be present to answer questions from the members.

Anthony Mazzochi appeared before the Board and offered the following testimony. Mr. Mazzochi completed his barber training in a barber school Cleveland, Ohio in 2004 and 2005 after which he obtained an apprentice license in Ohio. He is seeking to upgrade the apprentice license to a registered barber license. He is now living in Hilton Head and currently has a temporary work permit to work in a barber shop in Hilton. He obtained his hours in a school in Ohio and tested in South Carolina. He is scheduled to appear in court on February 11, 2009.

MOTION

Ms. Patton made a motion the Board allow Mr. Mazzochi to upgrade from apprentice to registered barber with the stipulation that he be placed on probation to run concurrent if and when he has court probation, during which time he submit a SLED report at his own expense on an annual basis. Dr. Evans seconded the motion, which carried unanimously.

Kevin L. Pearson

On November 3, 2008 the Board received a registered barber application for examination and licensure from Kevin Pearson. Mr. Pearson answered yes to the question asking, "Have you been found guilty or entered a plea of nolo contendere for any crime in this or any other state?" Mr. Pearson's criminal history report shows felony arrests and convictions. Staff notified Mr. Pearson by letter dated November 7, 2008 that the Board would review his application during the December 8, 2008 meeting and stated he was required to appear at this meeting to answer questions from the Board. Mr. Pearson did not appear during the December 8, 2008 meeting. Staff notified Mr. Pearson that the Board would be reviewing his application during the February 9, 2009 meeting and asked that he be present to answer questions from the members.

Kevin Pearson appeared before the Board at this time and offered the following testimony. Mr. Pearson did two months of his barber training at Harley's Barber College and then completed OJT at Duke's Barbershop on North Main Street in Columbia. He was incarcerated for nine years and served two years on probation, which he completed six months ago. The armed robbery took place at a restaurant and did not take place near a barber shop or near a school. He is no longer allowed to own a firearm. He has worked jobs such as installing air conditioning units.

MOTION

Dr. Evans made a motion the Board allow Mr. Pearson take the barber exam. Ms. Patton seconded the motion, which carried unanimously.

j. Concerns with Barber Shop – Bruce Bouldin

On January 7, 2009 the Board received a letter from Bruce Bouldin asking to appear before the Board to address concerns he had with a barber shop.

Bruce Bouldin appeared before the Board at this time and made remarks regarding a shop in which he once worked.

Dr. Evans stated he visited Heyward Career Center last week as a follow up visit.

MOTION

Dr. Evans made a motion the Heyward Career Center be granted licensure. Ms. Patton seconded the motion, which carried unanimously.

9. Public Comments

Mr. Jones stated he has been directed to place the braider class and the braiders, manicure and the shampoo/barber assistant examinations on the Board's web page. He went on to state the class and the examinations would now be administered on the Internet. Staff has informed those individuals who have applied to take the class and the examinations about the change.

10. Executive Session

MOTION

Dr. Evans made a motion the Board enter executive session. Ms. Patton seconded the motion, which carried unanimously.

11. Return to Public Session

MOTION

Dr. Evans made a motion the Board return to public session. Ms. Patton seconded the motion, which carried unanimously.

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

11. Election of Officers

MOTION

Dr. Evans made a motion the Board table the election of officers to the April 13, 2009 meeting. Ms. Patton seconded the motion, which carried unanimously.

12. 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 February 9, 2009 meeting of the SC Board of Barber Examiners adjourned at 10:55 a.m.