

MINUTES
South Carolina Board of Barber Examiners
Board Meeting
9:00 A.M., August 9, 2010
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 regular meeting of the SC Board of Barber Examiners to order at 9:05 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: George Barr, Inspector; Ronnie Blackmon, Inspector; Sharon Dantzler, Deputy General Counsel; Sandra Dickert, Administrative Assistant; Glinda Legette, Administrative Specialist; Lisa Hawsey, Program Assistant; Tracey McCarley, Education Coordinator; and Bobby Taylor, Investigator.

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

Public Notice

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

All members were present.

Approval of the June 14, 2010 Minutes

MOTION

Mr. Robinson made a motion the Board approve the June 14, 2010 meeting minutes. Ms. Patton seconded the motion, which carried unanimously.

Chairman's Remarks - Edwin Barnes

Mr. Barnes stated the 2010 national convention will be held in St. Paul, Minnesota in September. He is working to get speakers for the 2011 national conference which will be held in Myrtle Beach. He noted all members have been approved to attend the conference.

Administrator's Remarks, For Information – Eddie Jones

Advisory Opinions, If Needed, Office of General Counsel

Legislative Update, If Needed, Legislative Liaison Office

No advisory opinions or legislative update were given during this meeting.

OIE Report-Office of Investigations and Enforcement
Mr. Taylor stated there are currently six active cases in OIE. He further stated OIE has closed two cases.

OGC – Office of General Counsel
Ms. Georgia Lewis, litigating attorney, stated currently there are no cases in the Office of General Counsel regarding the barber profession.

Inspection Report
Mr. Blackmon briefed the Board regarding the inspection report. He noted 1,200 inspections have been conducted since July 1, 2010.

Unfinished Business

There was no unfinished business for discussion during this meeting.

New Business

Approval of the June 14, 2010 DRC Report
Mr. Blackmon reviewed the June 14, 2010 DRC report with the members.

MOTION

Ms. Patton made a motion the Board approve the June 14, 2010 DRC report. Mr. Robinson seconded the motion, which carried unanimously.

Financial Report, Tracey McCarley, LLR-OBS
Ms. McCarley addressed the Board in regard to staff providing financial reports. She asked the Board members what they would like to see in a financial report and how often they would like to receive such reports.

The Board asked that they receive a report with the revenue and expenses. Ms. McCarley will present the Board with information which can be adjusted at a later time.

Approval of Third Student Permit
Dewayne Caple
On July 12, 2010 the Board received a request from Dewayne Caple seeking the Board's approval of a third student permit. Staff notified Mr. Caple by letter dated July 13, 2010 that the Board would review his request during this meeting and asked that he be present to answer questions from the members.

Dewayne Caple appeared before the Board. Mr. Caple had surgery which delayed completion of his training under his second permit. He has been out of the profession approximately one and one-half years and has approximately 153 hours of training left. He will be completing his training at Thompson Barber College. He obtained his last training in 2002 and into 2003. He has also been training at Regency Barber College in North Carolina as well.

MOTION

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

Gianni Nelson
On July 19, 2010 the Board received a request from Gianni Nelson seeking the Board's approval of a third student permit. Staff notified Mr. Nelson by letter dated July 19, 2010 that

the Board would review his request during this meeting and asked that he be present to answer questions from the members.

Gianni Nelson appeared before the Board. Ms. Nelson is a senior in high school where he is involved in numerous school activities. He is requesting a third permit due to his school activities. He lacks approximately 400 hours of training.

MOTION

Mr. Robinson made a motion the Board approve Gianni Nelson for a third student permit. Ms. Patton seconded the motion, which carried unanimously.

Approval of Apprentice Registered/Master Hair care Application

Darrell D. Truesdale

On May 26, 2010 the Board received master hair care specialist application from Darrell Truesdale. Mr. Truesdale's application included a criminal history report dated February 3, 2010, which showed several arrests and convictions. Since Mr. Truesdale's application could not be approved at staff level he was notified by letter dated July 13, 2010 that the Board would review his application during this meeting and that he must appear before the Board to answer questions from the members.

Mr. Truesdale briefed the Board regarding his criminal history. He was released from prison in December 2007 and he is not currently on probation or parole. He completed his training at Harley's Barber College. He took the practical exam on May 10, 2010 and retook the practical exam on June 20, 2010.

During the discussion regarding Mr. Truesdale's application the Board questioned the time frame from the receipt of the application to his appearance before the Board.

Executive Session

MOTION

Mr. Robinson made a motion the Board enter executive session to discuss the PCS contract. Dr. Evans seconded the motion, which carried unanimously.

Return to Public Session

A motion was made and seconded the Board return to public session.

MOTION

Mr. Robinson made a motion when an application is on file for a barber candidate with a SLED report more than ninety days old that the Board receive an updated SLED report prior to the applicant appearing before the Board. Ms. Patton seconded the motion, which carried unanimously.

MOTION

Mr. Robinson made a motion that if a candidate has a misdemeanor arrest or incarceration that is five years old or older for a non-violent or non-drug offense the candidate is not required to appear before the Board for review prior to becoming licensed. Ms. Patton seconded the motion, which carried unanimously.

MOTION

Mr. Robinson made a motion that candidates who have been involved in the criminal justice system more than five years old will be reviewed by administrative staff and will not be required

to appear before the Board; however, candidates who have been involved in the criminal justice system with an arrest/conviction, incarceration, or parole for felonies within five years of application must appear before the Board. Ms. Patton seconded the motion, which carried unanimously.

Mr. Robinson noted the Board will be closely reviewing those candidates with violent and drug arrests. He went on to say the Board will be asking what the candidates have been doing to positively change their behavior.

Darrell D. Truesdale

MOTION

Mr. Robinson made a motion the Board require Mr. Truesdale to obtain an updated SLED report that covers the period of his most recent application and if there are no arrests for misdemeanors or pending probation that he be granted a license with a probation period of three years during which time he be required to submit a SLED report, at his own expense, to the Board on an annual basis. Ms. Patton seconded the motion, which carried unanimously.

Adonis Riley

On July 12, 2010 the Board received a master hair care specialist application from Adonis Riley. Mr. Riley's application included a criminal history report which reflects several arrests and convictions. Since Mr. Riley's application could not be approved at staff level he was notified by letter dated July 13, 2010 that the Board would review his application during this meeting and that he must appear before the Board to answer questions from the members.

Adonis Riley appeared before the Board. None of the incidents occurred in or near a barber shop or school. He has completed his parole and probation.

MOTION

Mr. Robinson made a motion the Board approve Mr. Riley for licensure and that his license be placed on probation for three years during which time he be required to submit a SLED report, at his own expense, to the Board on an annual report. Ms. Patton seconded the motion, which carried with a majority vote. Dr. Evans voted nay.

Mr. Riley asked if he could object to the Board's decision. He was informed he could appeal the decision to the Administrative Law Court or the Board could suspend the decision and he could appear with an attorney during the next meeting.

Mr. Riley determined he would accept the probation.

Larry Wilson

On March 2, 2010 the Board received a master hair care specialist reinstatement application from Larry Wilson. Mr. Wilson's application included a criminal history report which shows arrests and convictions. Since Mr. Wilson's application could not be approved at staff level he was notified by letter dated July 15, 2010 that the Board would review his application during this meeting and that he must appear before the Board to answer questions from the members.

Larry Wilson appeared before the Board.

MOTION

Mr. Robinson made a motion the Board approve Larry Wilson for licensure and that the license be placed on probation for three years during which time he submit a SLED report, at his own

expense, to the Board on an annual basis. Ms. Patton seconded the motion, which carried unanimously.

Jireh N. Daise

On October 23, 2009 the Board received a master hair care specialist application. His master hair care apprentice license lapsed on June 30, 2008. On June 11, 2010 the Board received criminal history report reflecting arrests/convictions in 2009 and 2010. Since Mr. Daise's application could not be approved at staff level he was notified by letter dated July 22, 2010 that the Board would review his application during this meeting and that he must appear before the Board to answer questions from the members.

Jireh Daise appeared before the Board. Mr. Daise did not use his license and allowed the license to lapse. During the time the license lapsed he was arrested and convicted. He is now appearing before the Board seeking approval to reinstate his license.

MOTION

Mr. Robinson made a motion the Board approve Mr. Daise for licensure and that the license be placed on probation for one year. Dr. Evans seconded the motion, which carried unanimously.

Aaron Richardson

On May 26, 2010 the Board received a registered barber application from Aaron Richardson. Mr. Richardson's application included a criminal history report reflecting arrests and convictions. Since Mr. Richardson's application could not be approved at staff level he was notified by letter dated July 22, 2010 that the Board would review his application during this meeting and that he must appear before the Board to answer questions from the members.

Aaron Richardson appeared before the Board. Mr. Richardson has passed the theory and practical exams. He is on probation until February 2011 and works at Thompson's Barber Shop. He has taken a drug awareness program as part of his probation.

MOTION

Mr. Robinson made a motion the Board approve Aaron Richardson for licensure and that the license be placed on probation for two years during which time he submit a SLED report, at his own expense, to the Board on an annual basis. Ms. Patton seconded the motion, which carried unanimously.

Deryl N. Frasier

On June 29, 2010 the Board received a master hair care specialist application from Deryl Frasier. Mr. Frasier's application included a criminal history report reflecting arrests and convictions. Since Mr. Frasier's application could not be approved at staff level he was notified by letter dated July 26, 2010 that the Board would review his application during this meeting and that he must appear before the Board to answer questions from the members.

Deryl Frasier appeared before the Board. Mr. Frasier's arrest and conviction occurred in 2003.

MOTION

Mr. Robinson made a motion the Board approve Deryl Frasier for licensure. Dr. Evans seconded the motion, which carried unanimously.

Zannie Worrell

On June 2, 2010 the Board received a master hair care specialist application from Zannie Worrell. Mr. Worrell's application included a criminal history report reflecting arrests and convictions. Since Mr. Worrell's application could not be approved at staff level he was notified by letter dated July 26, 2010 that the Board would review his application during this meeting and that he must appear before the Board to answer questions from the members.

Zannie Worrell appeared before the Board. Mr. Worrell was incarcerated in Georgia. He was sentenced to spend 18 months in prison and three years of probation in Georgia. The crimes did not occur in or near a barber shop or school. He is working with the Salvation Army and is coaching a little league team. He has passed both exams.

MOTION

Mr. Robinson made a motion the Board approve Zannie Worrell for licensure and that the license be placed on probation for three years during which time he submit a SLED report, at his own expense, to the Board on an annual basis. Ms. Patton seconded the motion, which carried unanimously.

Yolanda R. Nelson

On February 6, 2010 the Board received a registered barber application from Yolanda Nelson. Ms. Nelson's application included a criminal history report reflecting arrests and convictions. Since Ms. Nelson's application could not be approved at staff level she was notified by letter dated July 27, 2010 that the Board would review her application during this meeting and that she must appear before the Board to answer questions from the members.

Yolanda Nelson appeared before the Board. Ms. Nelson was incarcerated in 1999 and was released in January 2009. She is employed at a barber shop in Marion. She now attends church services and is also doing volunteer work in Marion. She took an anger management class while she was in a half way house. The offense did not occur in or near a barber shop or school.

MOTION

Mr. Robinson made a motion the Board approve Yolanda Nelson for licensure and that the license be placed on probation for three years during which time she submit a SLED report, at her own expense, to the Board on an annual basis. Ms. Patton seconded the motion, which carried unanimously.

Louis Agner

On June 8, 2010 the Board received a master hair care specialist application from Louis Agner. Mr. Agner's application included a criminal history report reflecting arrests and convictions. Since Mr. Agner's application could not be approved at staff level he was notified by letter dated July 29, 2010 that the Board would review his application during this meeting and that he must appear before the Board to answer questions from the members.

Louis Agner appeared before the Board. Mr. Agner has one felony conviction and was placed on three years probation of which he has three months left.

MOTION

Mr. Robinson made a motion the Board approve Louis Agner for licensure and that the license be placed in probation for two years during which time he submit a SLED report, at his own expense, to the Board on an annual basis. Ms. Patton seconded the motion, which carried unanimously. Ms. Patton seconded the motion, which carried unanimously.

Approval of Meeting Dates for 2011

The Board reviewed the following proposed meeting dates.

February 14, 2011
August 8, 2011

April 11, 2011
October 10, 2011

June 13, 2011
December 12, 2011

MOTION

Ms. Patton made a motion the Board approve the proposed meeting dates for 2011. Dr. Evans seconded the motion, which carried unanimously.

Public Comments

No public comments were made during this meeting.

Adjournment

MOTION

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

The August 9, 2010 meeting of the SC Board of Barber Examiners adjourned at 11:37 a.m.