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MINUTES
South Carolina Board of Barber Examiners
Board Meeting
April 9, 2012, 9:00 A.M.
Synergy Business Park, Kingstree Building
110 Centerview Drive, Conference Room 105
Columbia, South Carolina

10 **Meeting Called to Order**

11 Chairman Paul Robinson called the meeting to order of the SC Board of Barber Examiners at 9:00 a.m.
12 Other members participating in the meeting included: Renee Patton Vice Chairman, Frederick M. G.
13 Evans and Edwin Barnes.

14
15 **Staff members participating in the meeting included:** Sara McCartha, Advice Counsel; Byron Ray,
16 Administrator; Malinda Pressley, Roz Bailey-Glover, Glenda Legette, and Bridget Jenkins,
17 Administrative Staff; Sharon Wolfe, Robbie Boland and DeLeon Andrews, Office of Investigative
18 Services; Cecelia P. Englert, Court Reporter.

19
20 **Others participating in the meeting included:**

21 Laocia Brave, Andre Thompson, Pernel Brown, Bridget Rowe, Quincy T. Benjamin, Patrick Curry,
22 Tarvis Williams, Maceo Jamerson, Marwin McKnight, Crystal Campbell, Edward Barrett, Nicholas
23 Brannon, Chris Dunkins.

24
25 **Video of this meeting can be viewed at the state's public website: www.llr.state.sc.us/POL/Barber,**
26 **On the Board's home page click "Board Information" and follow the link to the video.**

27
28 **Public Notice:**

29 Chairman Robinson announced that public notice of this meeting was properly posted at the SC Board of
30 Barber Examiners Office, Synergy Business Park, Kingstree Building, and provided to all requesting
31 persons, organizations, and news media in compliance with Section 30-4-80 of the South Carolina
32 Freedom of Information Act.

33
34 **Pledge of Allegiance:**

35 All present recited the Pledge of Allegiance.

36
37 **Approval of Excused Absences:**

38 All members were present at the April 9, 2012 meeting.

39
40 **Approval of Agenda**

41
42 **Motion:**

43 Mr. Evans made a motion to approve the agenda. Ms. Patton seconded the motion, which carried
44 unanimously.

45
46 **Approval of the Meeting Minutes:**

47
48 **December 12, 2011 Board Meeting Minutes**
49
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51

52 **Motion:**
53 Mr. Evans made a motion to approve the December 12, 2011 minutes. Ms. Patton seconded the motion,
54 which carried unanimously.
55

56 **February 6, 2012 Board Meeting Minutes**
57

58 **Motion:**
59 Mr. Barnes made a motion to approve the February 6, 2012 minutes. Ms. Patton seconded the motion,
60 which carried unanimously.
61

62 **Chairman's Remarks – Paul Robinson**

63 Chairman Robinson presented Mr. Barnes with a plaque in thanks for his dedicated service over the past
64 20 years as former Barber Board Chairman. Mr. Robinson made mention of Mr. Barnes recent
65 prestigious nomination into the Barber's Hall of Fame. Mr. Barnes said a few words and thanked the
66 Board for the plaque. He mentioned that he loved the barber industry and will continue to work on
67 committees and changes to the profession that benefit all barbers.
68

69 **Administrator's Remarks, for Information – Byron Ray**

70 Mr. Ray reminded the Board that the Ethics Commission documents were due by April 15, 2012 and that
71 the documents can only be submitted electronically to avoid late fees. Mr. Ray requested that Board
72 members let him know via email when they submit the documents. Chairman Robinson asked Mr. Ray to
73 provide the Board with an update from Professional Credential Services regarding the past meeting that
74 already took place.
75

76 **Reports:**
77

78 **Inspections Report:**

79 Mr. Robbie Boland, Office of Investigative Enforcement presented the Board with the Inspections Report
80 and stated there were 963 inspections done since July, 2011.
81

82 **IRC Report:**

83 Mr. Boland, Office of Investigative Enforcement presented the Board with the IRC Report and stated that
84 there was a backlog his staff was working on. Mr. Boland stated that there are now ten (10) inspectors to
85 cover inspections. So far there were 11 consent agreements, 16 cease & desist (C&D) and 27 letters of
86 caution issued. Inspectors will return to shops to ensure the C&D is in effect and that the shop is not
87 operating. Mr. Evans wanted clarification on what the Board was suppose to actually approve.
88

89 Mr. Boland explained the inspectors report was for information purposes only and that the IRC report was
90 separate from the inspections report. Mr. Boland explained the differences between the IRC and the
91 inspections report, stating that the Office of General Counsel streamlined the process so that the
92 inspectors just conduct inspections.
93

94 **Motion:**

95 Ms. Patton made a motion to approve the Inspection Report as information only. Mr. Evans seconded the
96 motion, which carried unanimously.
97

98 Ms. Sharon Wolfe presented the information on the IRC report stating there was one active case and that
99 there were 9 cases closed and one IRC report that required approval. Chairman Robinson asked about
100 case 2011-11 regarding Mr. Gregory Fielder and wanted to know if evidence was found that the fine he
101 owed was paid or not since the Board approved his most recent school application contingent upon his
102 payment of all fines owed to the Board. So far, the school has not opened and there is no active license.

103 Mr. Barnes commented that Mr. Fielder told the Board that he had his receipts of payment. At that time,
104 LLR staff checked the fine information and determined that the bulk of the fine was not paid. Mr. Barnes
105 asked the Administrator, Mr. Ray, to double check all of the fines against Mr. Fielder, and to also check
106 the Board meeting videos to see exactly what was said about the fees owed.

107
108 The Board also asked questions of clarification about cases 2011-22 and 2011-21. Ms. Wolfe stated that
109 the investigator, Bobby Taylor will have to get back to the Board to answer their questions as he was not
110 present. Ms. Wolfe stated that if the Board does not approve the IRC investigation report then the
111 complaints will not go any further.

112
113 Mr. Evans stated that the Board needs the “new set of rules” for the IRC process as there’s confusion
114 between the Board’s role and LLR’s role in the process. Mr. Evans was concerned that the Board
115 approved a school license for case 2011-11 and now investigations is saying if the Board does not
116 approve this report, the formal complaint does not go any further?

117
118 Mr. Andrew Rogers, General Counsel stated that the Board must first review and approve the IRC report
119 as the report informs the Board where the investigators are in the process and what they are doing with
120 the case. Most of the cases go to General Counsel for further prosecution. The OGC office would
121 provide a consent agreement if all is approved by the Board.

122
123 Ms. McCartha further explained that the facts are gathered by the IRC Committee and they make the
124 decision about the case and provide the IRC report to the Board for approval. Specific facts do not come
125 before the Board as the case may wind up before the Board for a hearing. Without the specific facts,
126 Board members and Advice Counsel will be able to provide a fair hearing to the respondent without being
127 tainted by previous facts from the investigation.

128
129 Mr. Evans is concerned about the description column on the IRC Report for case #2011-11. As he stated
130 previously, the Board took action in the past regarding this respondent and approved a school to be
131 opened. His concern is that part of the application process was that the respondent should have been
132 cleared of any previous fines, complaints, etc before coming to the Board. Now, reading the IRC report
133 description, it shows the respondent still has issues. If the Board process worked, the Board should not
134 have to deal with this issue again. Somewhere, someone from LLR staff must triple check the records.

135
136 Mr. Rogers explained that after a case has gone thru investigations, the prosecution will still review the
137 case further. If through speaking with the respondent General Counsel finds that the further information
138 is required and a violation has occurred, it must be brought before the Board again. So the OGC office is
139 asking the Board to approve the report so that OGC can continue the investigation. OGC is not asking the
140 Board to levy sanctions against the licensees at this time. Ms. McCartha clarified that the Board is not
141 exposed to any liability for voting to approve the inspections report as it is for information purposes only.
142 The Board previously took action against the respondent with the information they had at that time.
143 Another issue has come up and it may now be appropriate to take further investigative action against the
144 respondent.

145
146 Mr. Barnes stated that someone dropped the ball earlier on Mr. Fielder case and the Board wants to know
147 who that person may be. Several months ago the Board was told that everything had been cleared. So
148 why is Mr. Fielder’s case back in front of the Board if information previously received was right?

149
150 Chairman Robinson stated that it is clear there are issues that need to be resolved as the Board transitions
151 from the old administration to the new administration.

152
153

154 **Motion:**
155 Mr. Evans made a motion to approve IRC case #2011-22 and #2011-21. Ms. Patton seconded the motion,
156 which carried unanimously.

157
158 **Motion:**
159 Mr. Evans made a motion table IRC case #2011-11 for further investigation of the fine payment. Mr.
160 Barnes seconded the motion, which carried unanimously.

161
162 **OGC-Office of General Counsel Report – There was none.**
163 Mr. Rogers provided the Board and the court reporter with a copy of the OGC report for review. He
164 stated that there were four (4) open cases currently pending action. OGC has closed one (1) case this year
165 which does not include cases coming from the IRC. Mr. Rogers explained that some cases need clean-up
166 work done. OGC's goal is to close cases within 120 business days.

167
168 **Motion:**
169 Mr. Evans made a motion to approve the OGC report. Ms. Patton seconded the motion, which carried
170 unanimously.

171
172 **Old Business – There was none.**

173
174 **New Business**
175 Ms. Patton stated that she attended the National Board Conference meeting in San Diego, California and
176 there were two interesting things she wanted to share with the Board. At the meeting, two companies
177 offered liability insurance to barber shops which is something new and not previously offered. In
178 addition, there will be a Smart Phone® application available soon that will allow barbers and clients to
179 communicate with each other.

180
181 Mr. Barnes stated that he also attended the National Board Conference meeting in San Diego where he
182 worked with a committee on bringing more interested members into the National Board.

183
184 **Approval of Apprentice Applications**

185
186 **Mr. Laocia Brave** was sent a letter March 16, 2012 to appear before the Board seeking approval for an
187 apprentice examination application with a SLED report. Mr. Brave testified on his own behalf and not
188 represented by counsel. Mr. Brave had felonies on his record and did not bring any witness on his behalf.
189 Mr. Brave stated that he was wild and wound up being incarcerated at a young age. While incarcerated he
190 learned about the barber profession. He is now dedicated to the barber profession and is currently on
191 parole, under community supervision for two (2) years which should be concluded in May 2012. Mr.
192 Brave did not provide any supporting documentation regarding his parole status. He stated that he has
193 been out of jail for one year and two months. Mr. Brave stated that the barber profession can help him to
194 stay out of trouble and become part of the community. He is building a clientele and working very hard
195 at barbering. He is currently working at the Unique Cuts by Anthony Shop.

196
197 **Motion:**
198 Mr. Evans made a motion to approve the barber license with a one year probationary period and Mr.
199 Brave would have to provide a current SLED report to the Board, at his own expense at the end of the one
200 year term. If he gets into trouble, the license will be revoked. Ms. Patton seconded the motion, which
201 carried unanimously.

202
203 **Mr. Andre Thompson** was sent a letter on March 16, 2012 to appear before the Board seeking approval
204 for a Master Hair Care Specialist Apprentice license with a SLED report. The SLED report contained

205 felonies. Mr. Thompson appeared without counsel to testify on his own behalf. Mr. Thompson stated that
206 barbering was his passion. He got into trouble and served his time and refocused his life. Mr. Thompson
207 stated that he was not on probation and submitted evidence to the Board to show his probation was
208 completed. Mr. Thompson stated that he sees the importance of life now and is wiser and wants to be part
209 of the community. He also attends drug and alcohol school. The Board requested that staff clarify the
210 PCS deficiency letter in that it indicates the Cosmetology Board and not the Barber Board. The Board
211 wanted to know why certain items on the deficiency letter were crossed out on the letter from PCS. Mr.
212 Thompson clarified that he took the barber examination and not the cosmetology examination. LLR staff
213 returned to the Board and stated that when checking with PCS, PCS admitted to making a mistake on the
214 deficiency letter and crossed out items. PCS stated that Mr. Thompson took the barber examination three
215 times. LLR staff also corrected Mr. Thompson's name on the application.
216

217 **Motion:**

218 Ms. Patton a motion to approve the Master Hair Care Specialist Apprentice license. Mr. Evans seconded
219 the motion, which carried unanimously.
220

221 **Mr. Pernel Brown** was sent a letter on March 16, 2012 to appear before the Board seeking approval for
222 a barber apprentice license application with a SLED report. Mr. Brown had felonies on his SLED record.
223 Mr. Brown was not represented by counsel and testified on his own behalf. Mr. Brown testified that he
224 spent 14.5 years in prison. Although he learned carpentry and brick masonry he preferred the barber
225 profession. He completed the required 1500 hours of school training in 2011 and received his license. He
226 is currently making a good living and has made changes to his life. He works at Royal Cuts Barber Shop.
227 Mr. Brown stated that he is also a youth, counselor where he cuts the children's hair free of charge. Mr.
228 Brown stated that he got into drugs in his youth and hung out with the wrong crowd. He was robbed and
229 protected himself and served 14.5 years out of a 25 year sentence. Mr. Brown stated that he thinks about
230 what he did everyday of his life.
231

232 **Motion:**

233 Ms. Patton made a motion to grant the license. Mr. Barnes seconded the motion, which carried
234 unanimously.
235

236 **Ms. Bridget Rowe** was sent a letter on March 22, 2012 to appear before the Board seeking approval for a
237 registered barber apprentice application with a SLED report. Ms. Rowe testified that she was not
238 represented by counsel. Ms. Rowe testified that she attended Harleys Barber College. Ms. Rowe testified
239 that she started drinking and hung out with the wrong crowd. She realizes her mistakes and is now
240 focused on her church and her child. Ms. Rowe stated she loved barbering and wanted to help her
241 community. Ms. Rowe testified she is not on parole and received counseling for ten (10) weeks at
242 LRADAC Drug and Treatment Program. She has learned her lesson and surrounds herself with positive
243 people. She works two jobs and has a sick child at home. She works at Sonics and at Top of the Town
244 Barber Shop on Two Notch Road. She no longer drinks and talks to her family about her problems.
245

246 **Motion:**

247 Ms. Patton made a motion to approve the license. Mr. Evans seconded the motion, which carried
248 unanimously.
249

250 **Approval of Registered Barber License**

251
252 **Edward Barrett** was sent a letter on March 22, 2012 to appear before the Board seeking approval for a
253 registered barber license. Mr. Barrett worked for one (1) year with his apprenticeship license. He has
254 been working out of town with his father and now wants to obtain his license. Mr. Barrett is currently on
255 probation with the Barber Board until June 2012. New charges on the SLED report show incidents on

256 6/3/2011 and 2/8/2011. Based on the records, Mr. Barrett goes to court on 4/16/2012. Mr. Barrett
257 understands that he is on probation with the Barber Board and understands his license could be revoked if
258 he got into additional trouble. The Board determined that they would delay taking action on this license
259 until the current charges are disposed of, and that a violation of the Barber Board Order clearly occurred.
260 The Barber license is current in a lapse status, and will remain that way until the new charges on the
261 SLED report are resolved. The Board recommended that staff place Mr. Barrett on the next Board
262 meeting before a reinstatement can be reviewed and the violations of the order can be addressed.

263
264 Chairman Robinson asked staff not to bring cases before the Board if criminal charges have not been
265 properly disposed of as the Board cannot make a ruling on these cases without complete information.
266

267 **Quincy T. Benjamin** was sent a letter on March 28, 2012 to appear before the Board seeking approval
268 for an upgrade from apprentice to a registered barber license with a SLED report. Mr. Benjamin stated he
269 went to jail for one (1) year and was placed on a five (5) year supervised probation which he completed
270 on 5/27/2010. Mr. Benjamin stated that he was fighting the case now for simple possession. He received
271 his barber license June 2009 which expired June 2010. Mr. Benjamin testified that he has a job waiting
272 for him at City Wide Barber Shop in Winnsboro, SC and that the conspiracy, drug trafficking charges
273 were all cleared up. Mr. Benjamin stated he took also took a 40 hour drug class and other classes to help
274 himself to get better.

275
276 **Motion:**
277 Mr. Evans made a motion to approve the upgrade application for the barber license. Ms. Patton seconded
278 the motion, which carried unanimously.
279

280 **Approval of Reinstatement Application**

281
282 **Patrick Curry** was sent a letter on March 22, 2012 to appear before the Board seeking approval to
283 reinstate his barber license with a SLED report. Mr. Curry testified that there was an incident in October
284 2010 that went to court on August 23, 2011. Mr. Curry stated he has been working in construction until
285 he can renew his barber license. His problem began when he was visiting a friend who started a fight
286 with someone. Mr. Curry stated he tried to stop the fight and the person turned on him so he defended
287 himself. Mr. Curry testified that he is on probation until August 2012. He did not bring in any documents
288 to support his probation schedule.

289
290 **Motion:**
291 Mr. Evans made a motion to approve the reinstatement application with a one year probation period. Mr.
292 Curry must submit a current SLED report at his own expense to the Board at the end of the one year
293 probationary period. Ms. Patton seconded the motion, which carried unanimously.
294

295 **Approval of 3rd Student Permit Request**

296
297 **Maurice McCoy** was sent a letter on March 27, 2012 to appear before the Board seeking approval for a
298 third student permit to complete his on the job training. The Board did not make any determination as
299 Mr. McCoy was not present to testify.

300
301 **Tarvis Williams** was sent a letter on March 16, 2012 to appear before the Board seeking approval for a
302 third student permit. Mr. Williams testified that his family was going through some financial issues and
303 he wants a chance to complete his barber class hours. Mr. Williams testified that he was locked up for
304 non-payment of child support for a few months which interrupted his classes. He has since been paying
305 his child support. Mr. Williams stated that he had 1,344 hours completed. Mr. Barnes stated that LLR
306 staff was supposed to provide the Board with student hours for each student requesting another permit.

307 Chairman Robinson clarified that a new form has been drafted for the Board to review however, the new
308 form to track hours has not yet been instituted. Mr. Williams stated that he is up to date with his child
309 support and has retained his receipts.

310
311 **Motion:**

312 Mr. Barnes made a motion to go into executive session. Ms. Patton seconded the motion, which carried
313 unanimously.

314
315 **Motion:**

316 Mr. Barnes made a motion to return to public session. Ms. Patton seconded the motion, which carried
317 unanimously.

318
319 Mr. Williams testified that the proper spelling of his name is Tarvis Williams. The Board pointed out that
320 on his school records the name is spelled Travis, but the application is spelled Tarvis.

321
322 **Motion:**

323 Mr. Evans made a motion to approve the third student permit. Ms. Patton seconded the motion, which
324 carried unanimously.

325
326 **Maceo Jamerson** was sent a letter on March 22, 2012 to appear before the Board seeking approval for a
327 third student permit having completed 1,081 hours. Mr. Jamerson testified that he is in a program that
328 helps disabled veterans. The name of the program is Voc Rehab which helps veterans with a career and
329 job after separating from the military. The program training interfered with his barber training and his
330 second permit expired. He has now been approved by the Education and Training Department in the Voc
331 Rehab Program so now he can focus on completing his barber hours.

332
333 **Motion:**

334 Mr. Evans made a motion to grant a third student permit. Ms. Patton seconded the motion, which carried
335 unanimously.

336
337 **Master Hair Care Practical Examination**

338
339 **Marwin McKnight** – Jasper County High School.

340 Mr. Evans recused himself as he is a public member of the Board and could not participate in discussions
341 regarding examinations. Mr. McKnight addressed the Board stating he had grave concerns about how his
342 students were being graded on the barber practical examination. He stated that his students are in his
343 program for three years and are properly trained. In all of his years of training barbers, he has never
344 experienced so many student failures. Mr. McKnight feels that the testing service, Professional
345 Credential Services (PCS) is not grading the examination correctly. He stated that throughout the
346 examination, at the PCS testing site, kids are failing the examinations and he believes the kids are being
347 treated unfairly and have to retake the examination and thereby pay additional fees. Mr. McKnight stated
348 that students are now using mannequins since the practical examination was changed as of January 2011.
349 Mr. Barnes expressed his opinion and understanding of what the examination should entail. The Board
350 let Mr. McKnight know that a meeting with PCS has been requested to discuss providing a video to the
351 Board to show what they are really doing at the test site and what students are being asked to do during
352 the practical examination. According to Mr. McKnight, his students are telling him that they are not being
353 observed. Mr. McKnight stated that he has also contacted Mr. Matt Levy at PCS and had not received any
354 response to-date.

355
356 Mr. Barnes stated that at a previous meeting, Ms. Francine Rananto, Manager at PCS stated that she
357 would come to SC at any time to address the Board and to bring the video tape of the practical

358 examination to the next Board meeting. Chairman Robinson agreed. Chairman Robinson also
359 commented that PCS does come to SC every June to provide information to instructors regarding the
360 examination, and recommended all Board members attend the June training session. Chairman Robinson
361 instructed Mr. Ray to construct a letter to PCS to let them know the Board has received an official
362 complaint from Mr. McKnight regarding the practical examination, and the haircuts. The Board is
363 requesting an audience with Ms. Rananto, and to inform PCS that the Board members will be attending
364 their next training session for instructors in June 2012. Chairman Robinson asked Mr. Ray to obtain an
365 official date when the next instructor training is scheduled in June and notify the Board of that date. In
366 addition, Mr. Ray was asked to contact someone from the NIC as they should also attend the next Board
367 meeting with Ms. Rananto on June 11, 2012 as the NIC is the creators of the examination.
368

369 Mr. McKnight had further concerns that students required to re-examine are experiencing a hard ship as
370 the test becomes costly. Chairman Robinson recommended that Mr. McKnight notify the Board and the
371 testing office before the students are ready to test so the Board can arrange to have Board members to
372 visit the testing site to observe first-hand what PCS is really doing from the Board's perspective.
373 Chairman Robinson also stated to Mr. Ray to contact Mr. Levy and notify him that under the
374 circumstances if PCS is not able to produce results that are satisfactory regarding Mr. McKnight's
375 questions about the test scoring that PCS should allow the students to re-examine without cost or a lower
376 cost. The Board is concerned that this may be a larger problem than what this current complaint has
377 revealed. Board members were not allowed to enter the testing area in the past. The Board members who
378 have a badge should take their LLR badge with them to the testing site.
379

380 Mr. McKnight stated that the last day for the students is May 14, 2012. Chairman Robinson stated that he
381 will arrange for May 14th, 2012 for someone from the Board to visit the testing site and asked Mr.
382 McKnight to give him a reminder call regarding the May 14th test date.
383

384 **Public Comments – There were none.**

385 Mr. Barnes stated for the record, that the profession must get back to shaving on the practical
386 test. The reason they stopped with the shaving is because the testing sites did not have the
387 proper facilities available with running water so they stopped doing the shaving part. The
388 meeting with NIC and PCS that will be arranged for May 11, 2012 at the next meeting to show
389 the Board how examinations are graded would be most beneficial.
390

391 Chairman Robinson stated that the Board will make a recommendation/motion that the Board
392 will create a committee with up to five people to develop a code of ethics and disciplinary
393 guidelines, so that the Board will be able to consistently apply disciplinary actions to those who
394 come before the Board. Chairman Robinson recommended Mr. Edwin Barnes to represent the
395 National Association and Mr. Byron Ray, Barber Board Administrator. Chairman Robinson
396 recommended that a member of the Palmetto Barber Association, which is a statewide, African
397 American Association serve on the committee. In addition, he recommended Mr. Don Norris,
398 from the Disciplinary Panel, and Chairman Robinson stated that he will appoint a fifth person to
399 be announced. Mr. Barnes will provide a meeting date, time and place. Mr. Barnes requested
400 that Mr. Ray contact him on April 10th, 2012 regarding his schedule. In addition Mr. Barnes
401 requested that Mr. Ray get in contact with all of the other people mentioned for the committee
402 and determine from the Chairman who the fifth person will be. This is the motion before the
403 Board. Ms. Patton seconded the motion which was carried unanimously.
404

405 **Adjournment**

406

407 **Motion:**
408 Mr. Evans made a motion to adjourn the meeting. Mr. Barnes seconded the motion, which carried
409 unanimously.
410
411 **The next meeting of the SC Board of Barber Examiners is scheduled for June 11, 2012.**
412