

**South Carolina Board of Barber Examiners
Board Meeting
9:00 a.m., February 24, 2014
Synergy Business Park
Kingstree Building
110 Centerview Drive, Conference Room 204
Columbia, South Carolina 29211**

Meeting Called to Order

Public notice of this meeting was properly posted at the S. C. Board of Barber Examiner's 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

Rules of the Meeting Read by the Chairman

Introduction of Board Members:

Chairperson Paul Robinson called the regular meeting of the Board of Barber Examiners to order. Other Board members on the conference call for the meeting included, Paul Robinson, Renee Patton, Ed Barnes, and Frederick Evans.

Staff Members Participating in the Meeting:

Mary League, Advice Counsel; Roz Bailey-Glover, Interim Administrator; Matteah Taylor, Staff; Cecelia P. Englert, Court Reporter, George Barr, OIE, Prentiss Shealey, General Counsel and Robbie Boland, OIE.

All Other Persons Attending:

Eaddy Williams, Anthony Albrittain, Frederick Woods, Dredrick Singletary, Zachary Venable, Jamil Woody, Deritha Capers, Calvin Dean, Arthur Tucker, Michael Gantt, Shanita Peppers, Shanekia Byrd, Takemia Wilson, Martin Williams, Christopher Boswell, Shawnteal Weaver, Carlos Scott, David Wilson, and Clifford Hoyles

Approval of Excused Absences: There were none.

Approval of the Agenda

MOTION:

Dr. Evans made a motion to approve the agenda. Ms. Patton seconded the motion which carried unanimously.

Approval of the Minutes for the Following Meeting: December 9, 2013

MOTION:

Ms. Patton made a motion to approve the minutes for December 9, 2013 with no corrections. Mr. Barnes seconded the motion which carried unanimously.

Chairman's Remarks – Paul Robinson:

Mr. Robinson attended the first practical examination for 2014 for the Register Barbers and Master Hair Care Specialist which was the first time in awhile the live shave was administered. PCS was contacted for a pass/fail rate which will be shared with all Board members. Information has not trickled down to the OJT Instructors and schools there were quite a few no shows. The Instructors must do a better job with preparing their students for the live shave.

Mr. Robinson attended the Winter meeting with NABA and it was a successful, very informative meeting and trip. The National meeting is in September 2014 in Las Vegas, NV.

Administrator Remarks – Roselind Bailey-Glover, Interim Administrator

Mr. George Barr is sitting in for Sharon Wolfe to present the OIE report. From January 1, 2014 – February 19, 2014 there is one (1) active investigation; three (3) total active cases, and nine (9) closed cases. A Barber IRC will be held March 11, 2014 to discuss other cases.

Ms. Prentiss Shealey reviewed the OGC report. The report is titled Division of Legal Services Case Load. There are fifty-three (53) open cases, nine (9) pending action, thirty-one (31) pending consent Board Memoranda of Agreement, no cases for Board Action, eleven (11) pending Board Hearings, No cases pending Final Order Hearings, thirty-two (32) Closed files since January 2013, and two (2) pending Appeals reviewed. The but these two (2) appeal files are the same files but opened twice and pending closure. The ALC is looking to dismiss this case because their respondent failed to file the brief.

Mr. Robbie Boland reviewed the OIE report. For the year 2013 over 1500 inspections were attempted, about 400 shops were closed at the time of inspecting, so about 1100 shops were inspected. Currently there are 1354 active Barber Shops. As far as the OJT students, inspector, Raymond Lee will be asked to remind the Instructors about the live shave portion of the examination.

Budget Report:

Dr. Evans wants it to be on record that he is concerned about the budget. Base on the last Budget report which was seen at the December 2013 Board meeting the deficit has increased by \$80,000 which is a concern and now it reflects a total deficit of about \$342,000. At the rate it's going it could very well be over \$400,000 by the next meeting. What's the plan of action to reduce this deficit?

Mr. Robinson responded to Dr. Evans question as of two (2) meetings ago it was voted upon to have an increase in the fees and the fine structure which will go into effect as of June 2014. Until then there will continue to be an increase in the budget. There probably will not be an increase in the budget for a little while because only the Hair Braiders are renewing this year.

Nomination of Professional IRC member – Prentiss Shealey

Ms. Shealey stressed the importance of having a professional member on the IRC. If there are any violations this person could provide recommendations on how to resolve the cases. For the last six (6) to eight (8) months there has not been a professional member because of illness. The professional member is always a good idea to have because they deal with the profession all the time.

Mr. Robinson recommended Mr. Anthony Gibson which is a school owner as well as the President of the Palmetto Barber Association. Mr. Gibson will be provided to the LLR staff to get in touch with Mr. Gibson. If he is unable to fulfill this recommendation maybe he could recommend someone.

MOTION:

Ms. Patton made a motion to have Mr. Anthony Gibson to be a potential future member of the IRC. Mr. Barnes seconded the motion which carried unanimously.

Mr. Robinson stated the Barber Board was contacted by Shirley McKinley who stated she was the daughter of the Board's first Chairman who was appointed by the late Strom Thurman. Ms. McKinley is interested in giving her father's memorabilia to the Board. Mr. Robinson spoke with Mr. Howard Warner and recommended by letter to Ms. McKinley to have her father's memorabilia placed in the National Board of Barber Museum which is located in Cleveland, OH.

Old Business

Discussion of Secondary School Barber Training

Ms. League stated Dr. Glover proposed at the last Board meeting consideration of approval for a curriculum for use in the secondary school system. Ms. Glover has forwarded a proposed curriculum which is a good starting point. One thing that was found when Ms. League reviewed the current statutes and regulations was in order to accomplish a secondary school program the Board would need to amend the practice act. There is no specific authority in the practice act to allow this so it would have to be reviewed. If the Board would like to establish a committee to look into this further to review the curriculum to try and put something together or table it for now and work on the practice act for the primary step before taking any action. As you are all aware there are no regulations for OJT or Barber College curriculums either of which maybe something to be considered.

Dr. Evans stated that under the Barber training curriculum the various subject areas are what we identify as requirements for Barber students now, before they take the exam. Ms. League stated the regulation does say that certain courses have to be taught. Dr. Evans responded, do we really want to get into the business of establishing a curriculum that will have to define each course in hours. Ms. League answered this is why a committee was asked to be formed. Mr. Robinson he would like for South Carolina to take the lead in developing a defined curriculum for and determine what is best for the Barber students and assist public educators in establishing a better path for the students as opposed to tabling the issue. Dr. Evans is not against it but some barriers can be foreseen in developing a curriculum for the secondary level for example, will the

curriculum be the same for OJT and the Barber Colleges? We need to move forward with caution. Mr. Robinson stated in the committee there should be a person from higher education, a professional member, and a Barber Instructor. This matter should not be tabled it should move forward.

MOTION:

Dr. Evans made a motion to form a committee to review the curriculum for the post-secondary schools and make recommendations for changes in the practice act. Ms. Patton seconded the motion which carried unanimously.

New Business:

Mr. Robinson called everyone's name that the agenda and asked that they stand and remain stating so all could be sworn in collectively.

Ms. Glover asked if the Board would like to have a closed or open session due to the ADA accommodation request. Mr. Robinson agreed this hearing should be a closed session where the other public members would leave the room.

Review for Approval of ADA Accommodations for the Practical Examination:

Mr. Albrittain appeared before the Board because he has a nerve condition for which he is currently on medication. Mr. Albrittain doesn't feel his hands are steady enough to use a sharp object near a person's face. Mr. Albrittain is requesting to use a mannequin instead of a live person. The school was made aware of Mr. Albrittain's nerve condition after enrollment.

MOTION:

Dr. Evans made a motion to enter into executive session for legal advice. Ms. Patton seconded the motion which carried unanimously.

MOTION:

Ms. Patton made a motion to come out of executive session. Dr. Evans seconded the motion which carried unanimously. No motions were made or votes were taken.

MOTION:

Dr. Evans made a motion to approve the request for Mr. Albrittain to take a person to the testing site and to go through the exam without a blade in the razor. Ms. Patton seconded the motion which carried unanimously.

MOTION:

Ms. Patton made a motion to come out of closed session. Mr. Barnes seconded the motion which carried unanimously.

Review for Consideration of an Internship Request: B-Unique Barber Academy

Ms. Shanita Peppers and Ms. Shanekia Byrd are requesting consideration for an internship program. The internship program would fall under the career services office of the school which is required by the accrediting agency and finance aid office of the school to have a placement

program for the Barber students upon graduation. The internship will exposed student to the work force while still working under a Barber Instructor in an actual Barber Shop. The Board accepted the proposal as information only. No motion was made.

Review for Consideration of Reinstatement:

Mr. Clifford Hoyles was released from the Department of Corrections. In 2011 Mr. Hoyles was arrested twice for drugs abuse and alcohol usage. In 2012 Mr. Hoyles was admitted into Morris Village after being hospitalized which assisted him with getting clean and sober there he attended AA meetings and has been cleaned for over one (1) year.

MOTION:

Ms. Patton made a motion to reinstate Mr. Hoyles license with a one (1) year probationary period. A SLED report must be submitted at his own expense. If any additional violations appear on the SLED report the license will be immediately administratively suspended. Dr. Evans seconded the motion which carried unanimously.

Review for Approval of Third Student Permit:

Mr. Dredrick Singletary appeared before the Board to request a third student permit. Mr. Singletary is interested in obtaining the remainder of his hours from Diamond Cutz Barber Shop under instructor Mikell White.

MOTION:

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

Mr. David Wilson appeared before the Board to request a third student permit. Mr. Wilson is interested in obtaining his remaining hours from Greenwood Barber College. Mr. Wilson stated he has a desire and a love for cutting hair and meeting people. Mr. Wilson obtained two (2) prior student permits but due to family obligations he was unable to complete his hours.

MOTION:

Dr. Evans made a motion to grant Mr. David Wilson a third student permit. Ms. Patton seconded the motion which carried unanimously.

Mr. Eaddy Williams appeared before the Board to request a third student permit. Mr. Williams is interested in completing his hours from Jirah Barber and Style Shop under instructor Leonard Smith II.

MOTION:

Dr. Evans made a motion to approve a third student permit to Mr. Williams. Ms. Patton seconded the motion which carried unanimously.

Review of Application with Background Checks:

Mr. Frederick Woods appeared before the Board seeking approval for his Master Hair Care Specialist license. Mr. Woods was in prison two (2) years ago. Mr. Woods stated that barbering is the only things keeping him out of trouble and off the streets. On June 10, 2004 the charges were dropped. Mr. Woods is not currently on parole or probation and none of the violations happened in or near a barber shop. Mr. Woods has a job lined up at Trend Setters Barber Lounge.

MOTION:

Ms. Patton made a motion to grant Mr. Woods a Master Hair Care license. Mr. Barnes seconded the motion which carried unanimously.

Ms. Takemia Wilson appeared before the Board seeking to reinstate her Hair Braider's registration. Ms. Wilson got in trouble by defending herself. The incident did not happen in or near a barber shop. Ms. Wilson is not currently on probation or parole. Ms. Wilson has not attended an angry management courses.

MOTION:

Ms. Patton made a motion to grant reinstatement of Ms. Wilson's Hair Braider's registration with a one (1) year probationary period. Ms. Wilson will submit a SLED report at the end of one (1) year at her own expense. If there are any additional violations on the SLED report the Hair Braider's registration cannot be renewed until after appearing before the Board. Dr. Evans seconded the motion which carried unanimously.

Mr. Calvin Dean appeared before the Board seeking a Master Hair Care license. Mr. Dean is actively involved with Palmetto Barber's Association under Mr. Anthony Gibson. From 1996 – 2006 Mr. Dean stated he was in and out of trouble, but has learned his lesson. Barbering is a way of life for him now. Mr. Dean is not currently on probation or parole. For the charges on his SLED report he stated that he was never sentenced to jail. Ms. Dean has a job lined up with Top of the Line Barber Shop with Mr. Anthony Gibson.

MOTION:

Ms. Patton made a motion to grant Mr. Dean his Master Hair Care license. Dr. Evans seconded the motion which carried unanimously.

MOTION:

Dr. Evans made a motion to have a recess. Ms. Patton seconded the motion which carried unanimously.

MOTION:

Dr. Evans made a motion to come back from recess. Ms. Patton seconded the motion which carried unanimously.

Mr. Christopher Boswell appeared before the Board seeking to reinstate of his Master Hair Care license. With Mr. Boswell was his attorney, Mr. Jack Cohoon and counselor, Ms. May Kirby

from the Transitions Outreach Center. In September 2011 Mr. Boswell had several heart attacks and later became homeless. The heart attacks resulted from alcoholism which Mr, Boswell has battled most of his life. In 2013 he moved into The Transition Outreach Center which is a homeless shelter. Mr. Boswell is trying to re-build his life because he lost everything. With Mr. Boswell's alcoholism he hurt a lot of people especially his family and he is currently working on re-building relationships with them. Prior to becoming homeless Mr. Boswell worked at Fort Jackson as a Barber. At Transitions Mr. Boswell attends AA meetings and different activities as a part of his recovery. Ms. Sandra Williams which is Mr. Boswell's ex-wife wrote a character letter on his behalf. Mr. Boswell has received assistance from Goodwill with clothing, vision exams, and different kinds of trainings. Mental Recovery Center, Goodwill, and Transitions have been a support group for Mr. Boswell's recovery. He is looking into moving closer to his family. He has been researching other shelters that may be able to assist in his recovery. The DUI, trespassing, and the drinking in public charges are still pending. However, Mr. Boswell is disputing the charges. Ms. Kirby stated in her counseling Mr. Boswell, she has concluded that his alcoholism has stemmed from depression. He has made a great deal of progression.

MOTION:

Dr. Evans made a motion to approve the reinstatement of Mr. Boswell's Master Hair Care license with a two (2) year probationary period. At the end of each year a SLED report is required and if any other violations occur, Mr. Boswell would be required to appear before the Board before his license can be renewed. The probationary period is due to the pending charges. Ms. Patton seconded the motion which carried unanimously.

Mr. Zachary Venable appeared before the Board seeking a Master Hair Care license. Mr. Venable stated he got into some trouble when he was in high school but has since changed his life. Barbering is important to him, he loves it, and now he has a family to take care of. Mr. Venable is not currently on probation or parole. None of his offenses happened in or near a barber shop.

MOTION:

Dr. Evans made a motion to approve Mr. Venable's Master Hair Care license. Ms. Patton seconded the motion which carried unanimously.

Mr. Martin Williams appeared before the Board seeking a Registered Barber's license. Mr. Williams brought Mr. Larry Dreher with him as a witness. Mr. Dreher owns Inner Visions Barber Shop. Mr. Robinson addressed Mr. Dreher regarding threats he made last year against the Board Chair and the Board members for violations in his barber shop. Mr. Dreher denied making any threats to the Board members.

MOTION:

Ms. Patton made a motion to go into executive session for legal advice. Mr. Barnes seconded the motion which carried unanimously.

MOTION:

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

Mr. Williams stated he is currently on probation for another three (3) to four (4) months. Mr. Williams explained that he is now focused and has a plan for his life. Mr. Williams stated he has a provisional driver's license which allows him to drive back and forth to work. None of the offenses happened in or near a barber shop.

MOTION:

Dr. Evans made a motion to approve Mr. Martin Williams' Registered Barber's license with a one (1) year probationary period. At the end of the year a SLED report must be provided to the Board at his own expense. If any new violations occur, Mr. Williams will be required to come back before the Board. Ms. Patton seconded the motion which carried unanimously.

Mr. Carlos Scott appeared before the Board seeking reinstatement of his Registered Barber's license. Mr. Scott completed his Associates degree at ITT Tech and while awaiting employment in his degree field he decided to reinstate his barber's license. Mr. Scott was in trouble several years ago and has attended anger management courses. None of the offenses happened in or around a barber shop.

MOTION:

Ms. Patton made a motion to approve the reinstatement of Mr. Carlos Scott Registered Barber's license. Dr. Evans seconded the motion which carried unanimously.

Ms. Deritha Capers appeared before the Board seeking approval of a Master Hair Care license. Ms. Capers wanted to own her a barber shop and realized she could not with a Hair Braider's Registration. Ms. Capers has applied for the two (2) assault and battery charges from 2005 to be expunged from her record. She is not currently on probation or parole.

MOTION:

Ms. Patton made a motion to approve Ms. Deitha Capers Master Hair Care license. Dr. Evans seconded the motion which carried unanimously.

Ms. Shawnteal Weaver appeared before the Board seeking approval for a Master Hair Care license. Ms. Weaver stated she was 18 years old when she was arrested and pled guilty to a felony. Ms. Weaver spent one (1) year in jail and one (1) year in prison. She was granted a YOA (Youthful Offenders Act) which allows early release of probation/parole. If any other violations occur within five (5) years Ms. Weaver will have to go back to prison to serve out the balance of her time. Since being released Ms. Weaver received her GED. Ms. Weaver is currently on parole until 2016 but she is currently seeking probation termination. Ms. Weaver got into more trouble in 2013; however, that case was forgiven. None of these offenses happened in or near a barber shop.

MOTION:

Ms. Patton made motion to approve Ms. Shawnteal Weaver Master Hair Care license with a two (2) year probationary period. At the end of each year a SLED report is due at Ms. Weaver's own expense and if any additional violations occur. Ms. Weaver will come back before the Board. Dr. Evans seconded the motion which carried unanimously.

Mr. Thomas Woody appeared before the Board seeking approval for a Registered Barber's license. Mr. Woody stated he does not pose a threat to anyone nor is he unfit to perform the duties as a Registered Barber. The charges on his SLED report did not happen in or near a barber shop. Mr. Woody is not currently on probation or parole. He served nine (9) months in jail in 2006. Mr. Woody stated he has employment lined up with Next Level Barber Shop.

MOTION:

Ms. Patton made a motion to approve Mr. Thomas Woody's Registered Barber's license. Dr. Evans seconded the motion which carried unanimously.

Mr. Barnes left at 2:00pm

Mr. Michael Gantt appeared before the Board seeking reinstatement of his Master Hair Care license. Mr. Gantt stated he has a long criminal history. He got out of prison in November 2013. While incarcerated Mr. Gantt stated he attended NA and AA meetings which he has a number of times before but it was not until he started getting involved in church did he realize he needed to get his life together for his child. Mr. Gantt stated that he just wants another chance. None of his charges happened in or near a barber shop. Mr. Gantt has employment lined up with Transitions Barber and Beauty Shop.

MOTION:

Ms. Patton made a motion to approve the reinstatement of Mr. Michael Gantt's Master Hair Care license with a three (3) year probationary period. A SLED report has to be submitted at the end of each year at Mr. Gantts own expense, and if any additional violations occur the license will be immediately administratively suspended, and Mr. Gantt will have to appear before the Board again. Dr. Evans seconded the motion which carried unanimously.

Disciplinary Hearings:

Cases 2012-24 and 2012-23 have been moved for a continuance.

Case 2012-32 Journey's Barber Shop

Ms. Prentiss Shealey has a copy of the compliant but didn't include it in the packet because she is going to move to dismiss the case. There was an inspection done on July 2012, which found unlicensed practice. The shop actually closed December 2012. The owner didn't realize she needed to close the shop with LLR and since done so. Since there is no active license Ms. Shealey is moved to dismiss the case.

MOTION:

Dr. Evans made a motion to accept the dismissal of case 2012-32. Ms. Patton seconded the motion which carried unanimously.

Case 2012-31 Hardy's Barber Shop

Ms. Prentiss Shealey stated that on January 9, 2014 an agreement was reached with Mr. Kelvin Hardy, owner of Hardy's Barber Shop. Mr. Hardy has decided to enter into an MOA which he signed.

On July 17, 2012 there was a routine inspection and two (2) employees were found providing service to the public without a South Carolina license. On October 12, 2012 a follow-up inspection was done and there were no violations found. The owner admitted to violating Section 40-7-110(c) and 40-7-30

Ms. Shealey stated that the respondent has agreed to the facts and leaving the sanction to The Boards discretion. The respondent has been very cooperative.

Mr. Bobby Aughtry was the individual found working unlicensed. Mr. Aughtry is a licensee in Georgia. Mr. Aughtry was simply trying to assist Mr. Hardy in his barber shop and didn't mean any harm. Mr. Aughtry has since obtained his South Carolina license.

MOTION:

Ms. Patton made a motion for Hardy's Barber Shop to be fined \$100 for the violation of unlicensed practice. Dr. Evans seconded the motion which carried unanimously.

Discussion

Board Member Reports – there were none

Public Comment – there were none

Adjournment: 2:19pm

MOTION:

Ms. Patton made a motion to adjourn. Dr. Evans seconded the motion which carried unanimously.