

**South Carolina Board of Barber Examiners
Board Meeting
9:00 a.m., October 14, 2019
Synergy Business Park, Kingstree Building
110 Centerview Drive, Conference Room 108
Columbia, South Carolina 29210**

1. Meeting Called to Order

- a. 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.
- b. Rules of the Meeting
- c. Pledge of Allegiance

2. Introduction of Board Members and All Other Persons Attending

Chairperson Paul Robinson called the meeting of the S.C. Board of Barber Examiners to order at 9:01 a.m. Other Board members participating were:

- ❖ Renee Patton
- ❖ Frederick Evans
- ❖ Christopher Jarvis

Other persons participating included: Theresa Brown, Administrator; Mary League, Advice Counsel; Shannon Beaudry, Staff; Eric Thompson, Office of Investigations and Enforcement (OIE); Charles S. Gwynne, Jr., Office of Disciplinary Counsel (ODC); Jennifer Stilwell, Office of Investigations and Enforcement (OIE); Lolei Bristow, Office of Investigations and Enforcement (OIE); and Tina Behles, Court Reporter

3. Approval of Excused Absences

There were no absences for this meeting.

4. Approval of Agenda

Dr. Evans made a motion to approve the agenda for the October 14, 2019 meeting. Ms. Patton seconded the motion and it carried.

5. Approval of Meeting Minutes

Dr. Evans made a motion to approve the minutes for the August 12, 2019 Board meeting. Mr. Jarvis seconded the motion and it carried.

Ms. Patton made a motion to approve the minutes for the August 12, 2019 Barber Task Force meeting. Dr. Evans made a motion and it carried.

6. Chairperson's Remarks – Paul E. Robinson

Mr. Robinson gave the Board an update on the September NABBA convention in Reno, Nevada. He stated that 21 states participated as members of the association and that the convention focused on instructors. He stated that the next annual conference will be in Washington, D.C., and the 2021 convention will be held in Columbia.

7. Administrator's Remarks, For Information – Theresa N. Brown

- a. **Budget/Drawdowns** – For Information – The budget will presented at the next board meeting.
- b. **OIE Report** – For Information – Eric Thompson – The OIE report is for cases from January 1, 2019-October 9, 2019. Since January, 127 cases have been closed; 23 cases were referred to the Inspections Unit; 41 were marked as Do Not Open; 16 cases are pending board action; 3 cases are pending IRC; and no cases were marked as Cease and Desist.
- c. **IRC Report** – For Approval – Eric Thompson – The IRC report is dated October 3, 2019. There were ten (10) cases for Dismissal; one (1) Cease and Desist for Dismissal; two (cases) for Formal Complaint; and three (3) cases for Reconsideration of Dismissal.

The Inspection IRC report was also presented to the Board for approval. There were three (3) cases marked for Cease and Desist and two (2) cases presented for recommendation of Consent Agreement.

Dr. Evans made a motion to approve the IRC and Inspection IRC Reports. Ms. Patton seconded the motion. The motion carried.

- d. **ODC Report** – For Information – Charles S. Gwynne, Jr. – As of September 9, 2019, there are 9 open cases.

- 6 (pending actions)
- 2 (ready for hearings)
- 1 (pending IRC)

Since the last ODC report, 3 cases have been closed.

- e. Inspection Report** – For Information – Eric Thompson – In August, there were 157 attempted inspections; 38 shops were closed at the time of visit and 119 inspections were conducted. In September, there were 256 attempted inspections; 83 shops were closed at the time of visit and 173 inspections were conducted. So far this year, there have been 1690 attempted shop inspections; 463 shops were closed at the time and 1227 inspections were conducted.

In August, 1 school was inspected, and in September, 1 school was inspected.

f. Legislative Updates

There were no legislative updates.

8. Old Business

Dr. Evans brought up the topic of giving inspectors the authority to issue citations. Mr. Robinson stated that this would be discussed during the Task Force meeting.

9. New Business

a. Consideration of Licensure

i. Buddha S. Shabazz

Mr. Shabazz was seeking approval of his Registered Barber license renewal with a criminal background. Mr. Shabazz has been given three years on house arrest.

Ms. Patton made a motion to go into executive session to garner legal advice on this case and it was seconded by Mr. Jarvis. The motion carried.

Dr. Evans made a motion to come out of executive session and it was seconded by Ms. Patton. The motion carried. There were no motions made or votes taken during executive session.

Ms. Patton made a motion to approve Buddha Shabazz's license renewal with the following conditions: Mr. Shabazz's license will be on probation for 3 years concurrent with his house arrest. During that time, Mr. Shabazz must submit a yearly SLED report to the Board at his own expense, and the SLED report must show no new offenses. Mr. Shabazz is not allowed to be a manager of any shop during the period of his licensure probation. Dr. Evans seconded the motion and it carried.

ii. Twyla Sherryl Gillins

Ms. Patton made a motion to go into closed session for this application hearing. Mr. Jarvis and Dr. Evans seconded the motion and the motion carried.

Ms. Patton made a motion to continue approval of Ms. Gillins's Hair Braider Registration based on the disposition of her criminal charges. Dr. Evans seconded the motion and it carried.

b. Consideration of Student Permit

i. Quinton Jerod Johnson

Mr. Quinton Johnson was seeking approval for a third On-the-Job Training (OJT) student permit. His instructor, Mr. Timothy Johnson, was also in attendance. Mr. Quinton Johnson stated that he had to stop training with his last OJT permit because he was injured.

Mr. Robinson gave the applicant and his instructor an overview similar to the one presented at the monthly OJT Overviews.

Ms. Patton made a motion to reissue Mr. Johnson's second student permit because of the medical issues he had during his training. Dr. Evans seconded the motion and it carried.

ii. Brandon Quala Boyce

Mr. Brandon Boyce was seeking approval for an OJT student permit with a criminal background. His instructor was not in attendance. Mr. Robinson stressed that instructors must be notified to come with applicants for student permit hearings.

A relative of the applicant, Mr. Jabora Lyles, spoke in support of Mr. Boyce. Mr. Lyles was in attendance at the meeting to have his barber college approved; he stated that, if approved, he would be willing to take on Mr. Boyce as a student. Mr. Robinson stated that this could be handled administratively. The application hearing was deferred until later in the meeting.

Mr. Boyce was asked to come back later in the meeting to speak with the Board. Mr. Boyce stated that he would like to remain with his OJT instructor.

Dr. Evans made a motion to approve Mr. Boyce's OJT student permit contingent on Mr. Boyce and his instructor attending the next OJT Overview. Ms. Patton seconded and the motion carried.

iii. Trevis Jerod Frazier

Mr. Trevis Frazier was seeking approval for a fourth OJT student permit. His instructor was not in attendance. Ms. Tamika Frazier Bailey spoke as a character witness in support of Mr. Frazier.

Mr. Frazier was issued three permits over a very short period of time between 2003 and 2005. After being issued the third permit, he was sentenced to prison for 13 years. He is currently on probation and has a year left on that probation.

Dr. Evans made a motion to reissue Mr. Frazier's third student permit contingent on the applicant and his instructor attending the next OJT Overview. The student permit will run concurrent with his probation and Mr. Frazier must submit a yearly SLED report at his own expense during the period of his probation. Ms. Patton seconded the motion and the motion carried.

iv. Timothy Leon Marsh

Mr. Timothy Marsh was seeking approval for an OJT student permit with a criminal background. His instructor was not in attendance. Ms. Aletta McClendon spoke as a character witness in support of Mr. Marsh.

This would be Mr. Marsh's first experience with barbering. He was convicted of a felony in 1988 and was in prison until May 2019. He is now on parole.

Ms. Patton made a motion to go into executive session to garner legal advice on this case and it was seconded by Dr. Evans. The motion carried.

Dr. Evans made a motion to come out of executive session and it was seconded by Ms. Patton. The motion carried. No motions were made or votes taken during executive session.

Dr. Evans made a motion to grant Mr. Marsh a student permit contingent on him and his instructor attending the next OJT Overview. Mr. Marsh must appear before the Board after he completes his training before he can be issued a full license. Ms. Patton seconded the motion and it carried.

c. Consideration of a New Barber College

i. Estill High School

Estill High School was seeking approval to start a new barber school. Walter Craig Cylear, Pamela Brantley Love, and Eleanor Glover Gadney represented the school before the Board.

All application materials had been given to the Board to review. The school's prospective start date is January 17, 2020.

Mr. Cylear stated that Ms. Babette Cylear would be listed as the alternate instructor. Mr. Robinson stressed that the school needs to make sure the alternate instructor has a current supervisor license and that instructors are responsible for submitting monthly hours on time.

Dr. Evans made a motion to approve the new barber program at Estill High School pending inspections by LLR and a member of the board and submitting the name of a licensed alternate instructor. Ms. Patton seconded the motion and it carried.

ii. Stacks Advanced Training Institute, LLC

Stacks Advanced Training Institute was seeking approval for a new barber college. Ms. Karen Stacks represented the school before the Board.

All application materials had been given to the Board to review. The school's requested start date is as soon as possible. The Board noted a few errors on the course materials that need to be corrected; namely, there is mention of Cosmetology in some of the materials which needs to be corrected to Barber. It was noted that registered barber instructors cannot teach master hair care students.

Ms. Patton made a motion to approve Stacks Advanced Training Institute, LLC, as a new barber college pending inspection by LLR and a Board member and pending correction of the course materials. Mr. Jarvis seconded the motion and it carried.

iii. Clean Cutz Barber School

Clean Cutz Barber School was seeking approval for a new barber college. Mr. Jabora Lyles, Mr. William Durham, and Mr. Curtis Mings represented the school before the Board.

All application materials had been given to the Board to review. The school's request start date is as soon as approved.

Dr. Evans made a motion to approve Clean Cutz Barber School as a new barber college pending inspection by LLR and a Board member. Mr. Jarvis seconded the motion and it carried.

d. Temporary License for Military Spouses

Ms. Brown asked the Board to make a decision as to whether they want to allow spouses of military personnel stationed in South Carolina to receive a temporary license. The license would be good for one year and would give applicants time to meet all requirements of the reciprocity application. Applicants would need to have a license in good standing in another state and no criminal background. After the year is up, applicants would either need to qualify for reciprocity or will no longer be licensed in South Carolina.

Dr. Evans made a motion to approve issuing temporary licenses to spouses of military personnel stationed in South Carolina for one year, provided they have a license in good standing in another state and have no criminal history. Ms. Patton seconded the motion and it carried.

10. Hearings – Charles S. Gwynne, Jr.

a. 2019-53

This case was in the matter of Rodney Reynolds. Mr. Reynolds is a registered barber and is the owner and manager of Grand Champion Barbers in Greenwood, South Carolina. In March 2019, a routine inspection by LLR revealed several issues, including unlicensed practice and several sanitation issues. Mr. Reynolds had a prior consent agreement for similar issues. Mr. Reynolds does not contest the allegations but stated that all issues have been corrected.

Lolei Bristow, the LLR inspector who did the March 2019 inspection, testified as to the violations uncovered during the inspection. A subsequent inspection was done and the necessary changes had been made.

Ms. Patton made a motion to go into executive session to garner legal advice on this case. Dr. Evans seconded the motion and it carried.

Ms. Patton made a motion to come out of executive session. Mr. Jarvis seconded the motion and it carried. No motions were made or votes taken during executive session.

Dr. Evans made a motion that the State has proven its case on all three violations. Respondent will be issued a penalty of \$500 for each of the violations (totaling \$1500) to be paid within 30 days of the order and will receive a public reprimand. If respondent fails to comply with the terms of the order, he will have to come back before the Board. Ms. Patton seconded the motion and it carried.

Mr. Robinson encouraged Mr. Reynolds not to repeat these actions since this is his second offense. Ms. League reminded Mr. Reynolds that the Board has a right to suspend his license if there are any future offenses.

b. 2017-74

This case was in the matter of B-Unique Beauty and Barber Academy. Ms. Shanita Peppers, owner and manager of B-Unique, appeared before the Board but stated that she would not be participating in the hearing. She stated that she informed the Office of Disciplinary Counsel on Friday, October 11th, that she was sick and asked for a deferment.

Mr. Robinson granted a continuation in case 2017-74.

11. Consideration of Additional/Alternate IRC Member

The Board had previously been asked to send recommendations for alternate IRC members. Ms. Brown presented one name, Tony Holloman, to the Board for consideration. Mr. Holloman's license is active and in good standing. He is based in Columbia.

Ms. Patton made a motion to approve Mr. Holloman as an alternate IRC member. Dr. Evans seconded the motion and it carried.

12. Board Member Reports

There were no board member reports.

13. Discussion

There was no discussion.

14. Public Comments

There were no public comments.

15. Adjournment

Dr. Evans made a motion to adjourn the meeting. The motion was seconded by Ms. Patton and it carried. The meeting adjourned at 12:34 p.m.

The next meeting of the S.C. Board of Barber Examiners is scheduled for December 9, 2019.