

**South Carolina Board of Barber Examiners
Board Meeting
Agenda
9:00 a. m, August 8, 2022
Via WebEx Teleconference**

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

2. Introduction of Board Members and All Other Persons Attending

Chairman Paul E. Robinson called the meeting of the S.C Board of Barber Examiners to order at 9:00 a.m. Other Board members participating in the meeting included:

- Renee Patton
- Melissa Jones Horton

Staff members present included: Theresa Brown, Administrator; Mary League, Advice Counsel; Robynn Devine, Staff; Patrice Deas, Staff; Rodney Pigford, Chief Investigator (OIE); Jennifer Stillwell, Chief Inspector (OIE); and Donnell Jennings, Staff;

All other persons in attendance: Kira, Court Reporter, William Srbinovich, Rashun Garriss, Eleanor Glover Gladney, Jessica Veerapen, Sheila Hawkins, and Dashaun West.

3. Approval of Excused Absences

Renee Patton made a motion to approve the absence of Mr. Christopher Javis. Ms. Melissa Jones Horton seconded the motion and it carried.

4. Approval of Agenda

Ms. Renee Patton made a motion to approve the agenda. Ms. Melissa Jones Horton seconded the motion and it carried.

5. Approval of Meeting Minutes

Ms. Melissa Jones Horton made a motion to approve the Board minutes for June 13, 2022. Ms. Renee Patton seconded the motion and it carried.

Ms. Melissa Jones Horton made a motion to approve the OJT Overview meeting minutes for June 27, 2022. Ms. Renee Patton seconded the motion and it carried.

6. Chairperson's Remarks – Paul E. Robinson

Mr. Paul Robinson stated that NABBA Conference is coming up in September. Mr. Robinson stated further that the planning is going very well. They are in the promotion phase of learning about barbering and it has a component for school instructors, Barbers, Cosmetology Instructors as well as Barber Professionals and they are looking forward to the conference.

Mr. Paul Robinson then stated that he attended the Palmetto Barber Association Conference in Charleston, SC. Mr. Robinson stated that it was very well attended and there were competitions, educational classes taught by state educators, a banquet, as well as graduation. Mr. Robinson spoke at the graduation and at the banquet.

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

a. Budget/Drawdowns – For information

- b. OIE Report – For Information – Rodney Pigford-** Mr. Rodney Pigford gave this report and stated that this is for information purposes. From January 1, 2022 to July 26, 2022 received a total of 93 complaints, 0 active cases, and 25 closed cases.
- c. IRC Report – For Approval – Rodney Pigford-**The IRC met on July 25, 2022. A total of 7 cases were presented and the IRC members recommended for 3 cases for dismissal, 1 letter of caution, 1 case for formal complaint, and 2 for consent agreement giving a total of 17 cases for approval.

Ms. Renee Patton made a motion to approve the IRC report. Ms. Melissa Jones Horton seconded the motion and it carried.

- d. ODC Report – For Information -- Erin Baldwin –** Ms. Erin Baldwin introduced herself and stated that there is a disciplinary case for today and the case numbers will come down by one after today's meeting and then go up by the appropriate number of formal complaints if there were any approved on the IRC Report.

- e. Inspection Report – For Approval – Jennifer Stillwell-** For the month of June, there were a total of 194 inspections with 159 of those actually been inspected, 11 have been permanently closed, 20 were not open at the time of inspection, and 4 of those were schools. In July, a total number of inspections 177, 1127 were physically inspected, 14 have been permanently closed, 34 were not open at the time of inspection, and 2 of those were schools. The total for the year 1,369 inspections to date.

Mr. Paul Robinson asked of the schools, were they inspected or closed. Ms. Jennifer Stillwell stated that they were inspected.

Ms. Renee Patton made a motion to approve the Inspection report. Ms. Melissa Jones Horton second the motion and it carried.

Ms. Jennifer Stillwell then asked a question to get clarity. Ms. Stillwell stated that the inspection unit is having a little bit of an issue with the suite setup. Ms. Stillwell stated since COVID a lot of places are going into the suites, think of a building that has 20 suites in it, each suite is individually license. The problem they are having is that people are moving to location to location within the building but moving to a different suite which means their license is no longer valid once they move to a different suite and they don't have jurisdiction over facilities that are not license. Ms. Stillwell then asked how should they proceed with this issue. Discussion ensued.

f. Legislative Updates – Holly Beeson

Ms. Holly Beeson stated this is the downtime in terms of the legislator. They concluded session in May and they will return later this month to take up some issues related to the Supreme Court opinion of Dobbs and that does not impact the Barber Board. It is not believed that they are going to come back again other than that purpose except in August and September for that purpose. They will return later this year after November elections to populate their committees based on their new membership otherwise they won't return until the second Tuesday in January. Ms. Beeson then stated in the meantime, they are all hard at work working on regulations and the Barber Board have already done that. The Board had that wonderful comprehensive overview of chapter 17 and those changes passed even though there is a regulatory review, the Barber Board did bulk of the work this past year. Ms. Beeson then stated there was a question that arose about a section in regulation 17-3 and it is the one that relates to instructors or teachers who are working in Barber schools and colleges. The desire was to ensure that they were not concurrently seeing clients while they were supposed to be teaching their students or supervising students but the way the wording was in that regulation, the members were interested in

clarifying that a little bit. The way that it is worded now it says that they cannot do any professional work during school hours and the members want it clarified that it doesn't mean that they did not have classes during that time or not supposed to be instructing their students that they could have clients separately. Ms. Beeson stated that they were told at the end of the year because this came up within the last few days of session and they would not been able to make that correction and still have the entire regulation pass. Ms. Beeson then went further to say that they would bring this small issue up to the members in the spring and try to clarify that language but before they do, they wanted to bring this before the board to make sure the board was amenable to this because it is a board regulation. Ms Beeson then reiterated that they will only clarify that the language is meant to apply while the teacher or instructor is in the school or college setting. Ms. Beeson stated that she is asking for permission to clean up the language going forward. Discussion ensued.

Ms. Renee Patton made motion to allow administrator, Ms. Theresa Brown, and Ms. Mary League to discuss with Ms. Beeson necessary changes to clarify 17-3 of the regulation. Ms. Melissa Jones Horton seconded the motion and it carried.

8. New Business

a. Consideration of Reciprocity

i. William M. Srbinovich

Mr. William Srbinovich represented himself and was requested to meet with the Board in regards to his reciprocity application. Mr. Srbinovich is licensed in another state as a barber however the other state does not require the NIC examination. Mr. Srbinovich answered the board's questions and gave background information about his application.

Ms. Melissa Jones Horton made a motion to go into executive session for legal advice. Ms. Renee Patton seconded the motion and it carried.

Ms. Renee Patton made a motion to come out of executive session. Mr. Paul Robinson seconded the motion and it carried. **Always add "No votes were taken or made during executive session."**

Ms. Renee Patton made a motion that William Michael Srbinovich be granted a Master Hair Care Specialist license ~~with reciprocity~~. Ms. Melissa Jones Horton seconded the motion and it carried.

9. Disciplinary Hearings

a. 2021-154

This case is in the matter of Martin Luther Williams. Mr. Williams appeared before the board representing himself. Ms. Erin Baldwin presented the findings of the case.

Ms. Renee Patton made a motion to dismiss the case and at another time address for clarification the applicant and the office. Ms. Melissa Jones Horton seconded the motion and it carried.

10. Discussion Regarding Board Expungement Policy

Ms. Mary League stated that at the last meeting it was asked that Ms. League provide a blank template so that the board can talk about conditions and timeframes that the board wants to incorporate in the expungement policy.

Ms. Mary League presented and explained her findings for paragraphs one and two and that the first thing that needs to be determined is how long from the date of the order does it need to be and at what point can someone seek expungement. Discussion ensued.

Ms. Melissa Jones Horton made a motion to approve a one year period to appear before the board to request expungement. No one seconded the motion and motion died.

Ms. Renee Patton made a motion to approve a 5 year period before appearing before the Board to request expungement. Mr. Paul Robinson seconded the motion, a vote was taken, and the motion carried.

Ms. Mary League then continued presenting her findings for paragraphs three through nine then discussion ensued.

Ms. Renee Patton made a motion to adopt procedures as discussed. Mr. Paul Robinson seconded the motion, a vote was taken, and the motion carried.

11. Regulatory Review

Ms. Mary League stated that the Regulatory Review is a requirement that every 5 years LLR Boards and Commissions need to review their regulations to determine if there are any that need to be repealed because they no longer serve their purpose, need to be amended, or fine the way they are. Ms. League stated that the Board did extraordinary comprehensive review last year and don't know if the Board is aware of anything that they would like to be touched up this year other than 17-3 with the instructors and schools clarifying that they can't concurrently work privately and in a school then discussion ensued.

Ms. Renee Patton made a motion that the report be submitted which indicates all the regulations are good except for 17-3 and that the Board Chair, Mr. Paul Robinson, has the authority to sign the report on behalf of the board. Ms. Melissa Jones Horton seconded the motion and it carried.

12. Board Member Reports

Ms. Renee Patton requested that the Board does advertisement or a program for NABBA since they are getting closer to the conference. Ms. Patton then inquired if state dues and registration were paid to NABBA.

Ms. Theresa Brown informed them that her registration has been paid and asked the Board members to send their registration forms so that it can get paid. Ms. Brown stated that as far as the dues to NABBA, the dues were paid. Ms. Brown stated that the full page ad was approved and if there was something specific that is wanted, give the language to her and it will be sent quickly to NABBA.

Ms. Melissa Jones Horton stated that in June, she attended the Educational Business Summit (EBS) in Greenville, SC that was sponsored by Public Schools. Ms. Jones Horton stated that it was a 4-day conference that was attended by educators from all over South Carolina and the Barber instructors were very involved and shared a wealth of education and knowledge. Ms. Jones Horton stated that she enjoyed herself.

Ms. Renee Patton stated that they are still collecting funds for the Barber pole and they are at a standstill right now. Ms. Patton stated that they are looking forward to speaking with the attorney in Georgia concerning the paperwork and what they have done.

13. Public Comments

There were no public comments at the time.

14. Adjournment

Ms. Renee Patton made a motion to adjourn the meeting at 10:53 a.m. Mr. Paul Robinson seconded the motion and it carried.