

**South Carolina Board of Barber Examiners  
Board Meeting  
9:00 a.m., February 11, 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. Other Board members participating in the meeting included:

- ❖ Dr. Frederick Evans
- ❖ Renee Patton (via telephone)

Other persons in attendance included: Theresa Brown, Administrator; Mary League, Advice Counsel; Shalon Genwright, Staff; Eric Thompson, Office of Investigations and Enforcement (OIE); Charles S. Gwynne, Jr., Office of Disciplinary Counsel (ODC); Rodney Pigford, Office of Investigations and Enforcement (OIE); Jennifer Stillwell, Office of Investigations and Enforcement (OIE); Priscilla Louis, Staff; Tina Behles, Court Reporter

**3. Approval of Excused Absences**

There were no absences.

**4. Approval of Agenda**

Dr. Frederick Evans made a motion to approve the agenda for the meeting and it was seconded Ms. Renee Patton. The motion carried.

**5. Approval of Meeting Minutes**

December 10, 2018

Dr. Evans made a motion to approve the meeting minutes and it was seconded Ms. Patton. The motion carried.

**6. Introduction of Director Emily Farr**

Director Farr has been with the agency for almost two (2) years and has been going to a lot of the board meetings as there were many board members that she has not met face to face. She wanted to thank the board members for their service and let them know that if they ever have any questions or concerns, they may let her know. There are two (2) vacancies currently on the board that she will be following up with. There are some new things going on with the agency, such as a new website that is more user friendly. There is a new finance and procurement director, Mr. Abhijit Deshpande, who will be working with the boards on all of the finances and helping her make sure that they are good stewards of their monies.

**7. Chairperson's Remarks – Paul E. Robinson –** At the last meeting, Mr. Edwin Barnes was gifted for his services. He served for over 30 years on the Board of Barber Examiners. A moment of silence was given for the Allen-Benedict victims who died or were displaced.

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

- a. **Budget/Drawdowns** – For Information – The budget was for information purposes only. Renewals begin on April 1<sup>st</sup>.
- b. **OIE Report** – For Information – Rodney Pigford - The OIE report is for cases from January 1, 2018 through February 6, 2019. Since January, 66 cases have been closed. There are currently six (6) active investigations. Dr. Evans inquired about the 'Do Not Open' cases. The complaint analyst reviews the

incoming cases and depending on the allegation or the threshold of the complaint, it could be considered as 'Do Not Open'. Some of those cases are outside of our jurisdiction. It cannot be dismissed as it had never been opened. Dr. Evans suggested that the verbiage be changed as it carries the appearance as a case, but it is actually a complaint.

**c. IRC Report** – For Approval – Rodney Pigford – Dr. Evans made a motion to approve the IRC report and it was seconded by Ms. Patton. The motion carried.

**d. ODC Report** – For Information – Charles S. Gwynne, Jr. – Currently, there are 27 open cases.

- 14 (pending action agreement)
- 5 (pending consent agreement/memorandum of agreement)
- 8 (ready for hearings)

Since the last ODC report, seven (7) cases have been closed.

**e. Inspection Report** – For Information – Eric Thompson - In December, there were 85 barber shops inspected. In January, there were 125 barber shops inspected. For the calendar year of 2018, there have been a total of 1,207 barber shops inspected this year. A task force was created to gain suggestions on catching up with the shops that were closed and could not be inspected. His team came up with a tracking system and are prioritizing their old cases.

#### **f. Legislative Updates**

Ms. Patton wanted to go over Bill S13 during the task force meeting to gain clarity. Senator Reese introduced the bill years ago and it was tabled. The bill was reintroduced this year and made movement to the committee. It was requested that an e-blast go out to the licensees as a law has passed for 'Barber Day'. It will be held on the 3rd Wednesday of every February each year.

With House Bill 3253, there is a 3M (Medical, Military, Public and Municipal Affairs) committee dealing with mobile barbers, but there was no quorum to vote. The vote took place later and the bill will come out to the full committee on tomorrow (February 12<sup>th</sup>). The public does not get to speak at the full hearing. The Board has registered their opposition to the bill as it did not protect the brick and mortar buildings. Several gaps are in the bill with concerns to safety and sanitation. Instruction should not go on in mobile barbershops. It would be a nightmare or inspectors and the limitations as to where the mobile units may go. An amendment was added to the bill to include nursing homes and health facilities. Barbers may already do within the current statute.

### **9. Old Business**

There was no old business.

### **10. New Business**

#### **a. Consideration of Licensure**

##### **i. Anwin Wilder, Jr.**

Mr. Wilder was seeking approval for a Barber Student Permit with a criminal background. His probation will be complete as of February 15, 2019, as his charges ran concurrent.

Mr. Keith Miller will be his OJT instructor.

Dr. Evans made a motion to approve Mr. Anwin Wilder, Jr. to receive his Barber Student Permit and it was seconded by Chairperson Robinson. The motion carried.

##### **ii. Demar Shabazz**

Mr. Shabazz was seeking approval for a Barber Student Permit with a criminal background. Mr. Okey Uzor represented the school and served as a witness for Mr. Shabazz. Mr. Shabazz's probation will end in approximately sixty (60) days. He is a resident of North Carolina, but was approved by his probation officer to attend a barber college in Greenville as it is the closest barber college to him. Mr. Uzor stated that North Carolina does not accept South Carolina's on-the-job training students. He also stated that they have had a lot of students come through their

school from North Carolina.

Dr. Evans made a motion to approve Mr. Demar Shabazz to receive his Barber Student Permit and it was seconded by Ms. Patton. The motion carried.

**iii. Sterling Bates**

Mr. Sterling Bates was seeking approval to obtain a Barber Student Permit with a criminal background. Mr. Okey Uzor served as a school representative and witness for Mr. Bates. Mr. Bates will be on probation for five (5) more years (federal).

Dr. Evans made a motion to approve Mr. Sterling Bates to receive his Barber Student Permit and it was seconded by Ms. Patton. The motion carried.

**iv. Alton Clinkscales, Jr.**

Mr. Alton Clinkscales, Jr. was seeking approval to obtain an On-the-Job Training (OJT) Permit with a criminal background. This was his first charge and his probation ended in November of 2018.

A motion was made by Dr. Evans to approve Mr. Alton Clinkscales, Jr. to obtain his OJT Permit and it was seconded by Chairperson Robinson and Ms. Patton. The motion carried.

**v. Hunter Scott**

Mr. Scott was not present at the meeting. There was no consideration given in his absence.

**vi. Kyle McGuckin**

Mr. McGuckin was not present at the meeting. There was no consideration given in his absence.

**vii. Derrick Jones**

Mr. Jones sent an e-mail to let staff know that he would not be present at the meeting. There was no consideration given in his absence.

**b. Consideration of Student Permit**

**i. X-Xavier Williams (3<sup>rd</sup>)**

Mr. Williams was seeking approval to obtain a third student permit (OJT). There are no hours on file for him. With his first permit, the school was unauthorized. With his second permit, no hours were ever submitted to the Board and the school could not find him in their database.

It was the consensus of the Board that this could be Mr. Williams's second permit based on the circumstances given.

A motion was made by Dr. Evans to approve Mr. X-Xavier Williams for a second student permit and it was seconded by Chairperson Robinson. The motion carried.

Mr. Williams's Barber Instructor, Mr. Kalim Alwajid, inquired about opening a barber college later and being able to transfer Mr. Williams's OJT Permit. That would need to be handled in a different setting once the school is approved.

**ii. Engrid Vogt (3<sup>rd</sup>)**

Ms. Vogt was seeking permission to obtain her third student permit. She currently has 345.22 hours on file. Mr. Okey Uzor and Ms. Shanita Peppers served as her school representatives and witnesses. There are some hours missing from her high school barbering program that will be sent in.

Dr. Evans made a motion to approve Ms. Engrid Vogt for a third student permit and it was seconded by Ms. Patton. The motion carried.

**iii. Ryan Smith (3<sup>rd</sup>)**

Mr. Ryan Smith was seeking approval of a third student permit. He currently has 319 hours on file. His instructor, Mr. Curtis Mings, was present and served as his witness. Mr. Smith will be attending school full-time.

Dr. Evans made a motion to approve Mr. Ryan Smith for his third student permit and it was seconded by Ms. Patton. The motion carried.

**iv. Randy Hardin (1<sup>st</sup>)**

Mr. Hardin was not present at the meeting. There was no consideration given in his absence.

**c. Consideration of a New Barber College**

**i. Embassy Barber College**

Messrs. Juenarrl Keith and Juenarrl Keith, Jr. represented Embassy Barber College and they were seeking permission to open as a new barber college.

Their curriculum was modeled after the Atlanta barbering school program.

There were some concerns with the layout of the college. The college must also have ten (10) barber chairs in place prior to their approval. A new diagram must be submitted. The objective and lesson plans only mention cosmetology as well. The lesson plans must be specific to barbering. They would like to open within the next sixty (60) days.

The changes may be presented to staff members.

Dr. Evans made a conditional approval of Embassy Barber College pending the inspection, addition of chairs (with a new diagram), and the updated lesson plans. The motion was seconded by Ms. Patton and it carried.

**d. Hearings – Charles S. Gwynne, Jr.**

**ii. 2018-24**

This case was in the matter of James Singletary who was present at the hearing. A memorandum of agreement was signed. Mr. Singletary has since opened another barbershop.

There were several violations seen.

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

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

Dr. Evans made a motion to accept the Memorandum of Agreement for case 2018-24 and that there will be a public reprimand. Mr. James Singletary's Registered Barber license will also be on a two (2) year probation. He will be fined a total of \$1,500, payable in 120 days. The motion was seconded by Ms. Patton and it carried.

**iii. 2018-84**

This case was in the matter of Fashion's Barber School who was represented by Lutherine Williams. This school has a prior Consent Agreement and a Memorandum of Agreement was signed for this case.

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

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

Dr. Evans made a motion to accept the Memorandum of Agreement for case 2018-84. A public reprimand was given and a fine totaling \$900 was given, payable within 120 days. The Board also ruled that whomever is left in charge must know the rules. The motion was seconded by Ms. Patton and it carried.

**iv. 2017-72**

This case was in the matter of Charity Ferguson who was not present for the hearing. Ms. Ferguson was properly noticed and the Board proceeded with the case in her absence as she was working outside of her scope of practice. Ms. Kathy Meadows, Investigator, served as a witness for the state.

For case 2017-72, Dr. Evans made a motion that the state proved its case. A public reprimand was given, along with the suspension of her license for 90 days. A \$500 fine was given, to be paid within 90 days. The motion was seconded by Ms. Patton and it carried.

This was the maximum amount that the Board could give. The defendant has neglected to attend any other hearings.

**v. 2018-11**

This case was in the matter of Lanedra Johnson who had agreed to the stipulation of the facts. She was present at the meeting. On her initial application, she answered to the criminal conviction question. Mitigating circumstances were given by Ms. Johnson.

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

A motion to come out of the executive session was made by Dr. Evans and it was seconded by Chairperson Robinson. The motion carried. There were no motions made or votes taken during the executive session.

Dr. Evans made a motion that the state proved its case for 2018-11. A public reprimand was given and a fine totaling \$400. The fine must be paid within 120 days.

**vi. 2018-30**

This case was in the matter of Protégé Barber College. There was no representation present, but the respondent was properly noticed.

Dr. Evans made a motion for the continuance of case 2018-30 until the April meeting. The motion was seconded by Ms. Patton and it carried.

**vii. 2018-39**

This case was in the matter of Richard Adams who was present at the meeting. Ms. Jennifer Stillwell, Inspector, served as a witness for the state. There was an extensive hearing

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

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

Chairperson Robinson stated that the Board had concerns that the inspection was conducted during non-business hours. The Board is mindful that there were problems observed during that inspection.

Chairperson Robinson made a motion to dismiss the case with a letter of caution, observing the barber college rules and regulations with the emphasis on recording student hours and hours of operation requiring them to be open eight (8) hours per day for five (5) days per week. Community service is acceptable with supervision, but no pay for the students. The motion was seconded by Dr. Evans and it carried.

**e. On-the-Job Training Overview**

This training will bring in the Barber Instructor, along with the student to go over instructions for training. This training is definitely needed. A discussion was given on how the training will be conducted.

Dr. Evans made a motion to implement the on-the-job training overview to commence within 90 days as set out in the Code of Regulations (17-8). The motion was seconded by Ms. Patton and it carried.

**f. Discussion Regarding Pass/Fail Rate**

The Board needs to decide what the numbers will be. A tiered rate for the schools and OJT instructors was suggested for 75%.

**g. Examiner Training and Exam Overview**

This training will be held on June 10, 2019. The barbering portion will be completed in the afternoon as there is a board meeting on that day. Currently, a passing grade on the examinations is 70. Students may find out from the testing agency on what they failed specifically.

**11. Board Member Reports**

Dr. Evans visited Professional Image Barbering College. It was extremely clean and one of the largest schools he has seen in quite some time. If given the opportunity, others should visit as it is an exceptional school.

The mid-winter conference is coming up (February 23-26) this month in Nashville where they will discuss and formulate the nationwide conference in September.

Inspection/citation authority will have to be a statute change.

**12. Board Member Elections**

Mr. Paul Robinson was nominated as the Board Chair by Ms. Renee Patton. Dr. Evans closed the nomination.

Mr. Robinson nominated Ms. Patton as the Vice Chair and it was seconded by Dr. Evans. The motion carried.

### **13. Discussion**

There was no discussion.

### **14. Public Comments**

There were no public comments.

### **15. Adjournment**

A motion was made by Dr. Evans to adjourn the meeting and it was seconded by Ms. Patton. The motion carried. The meeting adjourned at approximately 2:20 p.m.