



State of North Carolina

Board Members

Kenneth Jackson
Lance Crumley
David Hood
Glovette Shannon
Gary Warwick

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Wayne Mixon
Executive
Director

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Counsel to the
Board

**NORTH CAROLINA STATE BOARD OF BARBER EXAMINERS
MEETING MINUTES**

February 17, 2014

The meeting of the North Carolina State Board of Barber Examiners was called to order at 9:05 a.m., on February 17, 2014 at the Board's office at 5809-102 Departure Drive, Raleigh, North Carolina.

Members Present:

Kenneth Jackson, Chair
Gary Warwick, Vice Chair
Glovette Shannon
David Hood

Staff Members Present:

Wayne Mixon – Executive Director
W. Bain Jones, Jr. – Board Counsel

1. 138A Ethics Awareness & Conflict of Interest

This statement was read by Chairman Jackson. No board members indicated any potential or actual conflicts.

2. Approve/Disapprove Minutes

A motion was made by Mr. Warwick and seconded by Mr. Jackson that the minutes of the December 9, 2013, Board meeting be approved as printed. The motion passed unanimously.

New Business:

3. Official introduction of new Board member; Mr. David Hood.

4. Recognition and presentation of gift to departing Board member Bruce Morgan.

5. A motion was made by Mr. Warwick and seconded by Ms. Shannon to reaffirm all standing Board policies and directives. The motion passed unanimously.

6. A motion was made by Ms. Shannon and seconded by Mr. Warrick to alter the order on the agenda to include Sami Bounajem and advance petitioner Clyde Hayes to be heard during the administrative hearing section of the Board meeting to ensure the court reporter included official sworn testimony on the record.

7. Administrative Hearings

- a) Mr. Clyde "Mike" Haynes appeared before the Board with two employees of his shop (Sandy Smith and Debra Little) to request an exemption to allow his dog to remain in the barber shop during work hours

Mr. Haynes made remarks to the Board. The Board questioned Mr. Haynes.

- b) Sami Bounajem appeared before the Board to request an Arabic interpreter for his written test.

Mr. Bounajem made remarks to the Board. The Board questioned Mr. Bounajem.

- c) Michael Goosby: Mr. Goosby appeared before the Board to determine if disciplinary action should be taken against his license for practicing as an apprentice barber with an expired license.

Mr. Goosby made remarks to the Board. The Board questioned Mr. Goosby.

Ronnell Mackins: Mr. Mackins failed to appear before the Board to determine if disciplinary action should be taken against his license for engaging in barbering with an expired license

Chairman Jackson decided to hear the case and Attorney Jones presented all evidence in the case as required by G.S. 150B.

- d) Robert Morrison: Mr. Morrison failed to appear before the Board to determine if disciplinary action should be taken against him for operating a barber shop without first filing an application for a barber shop permit

Chairman Jackson decided to hear the case and Attorney Jones presented all evidence in the case as required by G.S. 150B.

- e) Michael Pope: Mr. Pope appeared before the Board to determine if disciplinary action should be taken against him for engaging in barbering without a license

Mr. Pope made remarks to the Board. The Board questioned Mr. Pope.

- f) James Saunders: Mr. Saunders failed to appear before the Board to determine if disciplinary action should be taken against his license for being an apprentice engaging in the practice of barbering with an expired license.

Chairman Jackson decided to hear the case and Attorney Jones presented all evidence in the case as required by G.S. 150B.

- g) Gerald Thomas: Mr. Thomas appeared before the Board to determine if disciplinary action should be taken against his license for engaging in barbering with an expired license.

Mr. Thomas made remarks to the Board. The Board questioned Mr. Thomas.

8. Applicants with felony convictions with petitions before the Board.

- a) Charles Broughton: Dr. Tony Reggi of HCI appeared before the Board on the behalf of Mr. Broughton to request permission to obtain an unrestricted registered barber license upon his release from prison.

Mr. Broughton was convicted on felony Breaking and Entering and Habitual Felon charges in Rockingham County Superior Court in 2007. He successfully completed the Harnett Correctional Barbering Program and was granted a provisional Barber License in 2012. He has provided barber services at Catawba Correctional Center and Tyrell Work Farm.

He has rendered 3,552 hours of service in these shops. He was released to Post Release Supervision in Wake County on February 6, 2014.

Dr. Reggi made remarks to the Board. The Board questioned Dr. Reggi.

- b) Jonathan Clinkscales: Dr. Tony Reggi of HCI appeared before the Board on the behalf of Mr. Clinkscales to request permission to obtain an unrestricted registered barber license upon his release from prison.

Mr. Clinkscales was convicted of Robbery with a Dangerous Weapon and Possession of Schedule VI in Rowan Superior Court in 2007. He successfully completed the Harnett Correctional Barbering Program and was granted a provisional Barber License in 2012. He has provided barber services at Rutherford Correctional Center and Davidson Correctional Center. He has rendered 3,230 hours of service in these shops. He is scheduled for release to Post Release Supervision in Iredell County on March 10, 2014.

Dr. Reggi made remarks to the Board. The Board questioned Dr. Reggi.

- c) Jeremy Long: Dr. Tony Reggi of HCI appeared before the Board on the behalf of Mr. Long to request permission to obtain an unrestricted registered barber license upon his release from prison.

Mr. Long was convicted of Habitual Felon and First Degree Robbery in Cumberland Superior Court in 2007. He successfully completed the Harnett Correctional Barbering Program and was granted a provisional Barber License in 2011. He has provided barbering services to Bladen Correctional Center, Randolph Correctional Center and Rutherford Correctional Center. He has rendered 2,142 hours of service in these shops. On February 7, 2014, he was released to Post Release Supervision in Cumberland County.

Dr. Reggi made remarks to the Board. The Board questioned Dr. Reggi.

- d) Peter Gordy: Dr. Tony Reggi of HCI appeared before the Board on the behalf of Mr. Gordy to request permission to obtain an unrestricted registered barber license upon his release from prison.

Mr. Gordy was convicted of Assault with a Deadly Weapon with intent to inflict serious bodily injury and Assault by Strangulation in Richmond County Superior Court in 2007. He successfully completed the Harnett Correctional Barbering Program and was granted a provisional Barber License in 2012. He has provided barbering services to Catawba Correctional Center, Brown Creek Correctional Institution, Scotland Correctional Institution and Dan River Prison Work Farm. He has

rendered 3,338 hours of service in these shops. On April 14, 2014, he will be released to Post Release Supervision in Scotland County.

Dr. Reggi made remarks to the Board. The Board questioned Dr. Reggi.

- e) Alexander Mitchell: Mr. Mitchell failed to appear before the Board to request permission to obtain a license by reciprocity from New York.

Mr. Mitchell was convicted twice in the 1980's for DWI and in 2005 and 2006 for DWI in New York. He was placed on probation. Mr. Mitchell seeks to obtain a registered Barber License by reciprocity from New York.

The Board Chairman chose not to hear the case and no action was taken.

- f) Alonzo Brimmer: Mr. Brimmer appeared before the Board to request permission to obtain an apprentice barber license.

Mr. Brimmer was convicted of Felony Maintain a Vehicle or Dwelling for Controlled Substances and Possession with intent to Sell Cocaine in Onslow Superior Court in 2007. The judgment in these cases is not satisfied. Mr. Brimmer seeks an apprentice license.

Mr. Brimmer made remarks to the Board. The Board questioned Mr. Brimmer.

- g) Jamario Edwards: Mr. Edwards appeared before the Board to request permission to obtain an apprentice barber license.

Mr. Edwards was convicted of Felony Probation Violation and Obtain Property by False Pretense in 2011 in Mecklenburg Superior Court. He received 36 months probation which he is serving at the present time. Mr. Edwards seeks an apprentice license.

Mr. Edwards made remarks to the Board. The Board questioned Mr. Edwards.

- h) Damon Gaylor: Mr. Gaylor appeared before the Board to request permission to obtain an apprentice barber license.

Mr. Gaylor was convicted of Felony Sell and Deliver Schedule IV Controlled Substances and Possession with Intent to Sell and Deliver Marijuana in Craven Superior Court. He is on probation for these offenses and has had regular drug screens which were negative. Mr. Gaylor seeks an apprentice license.

Mr. Gaylor made remarks to the Board. The Board questioned Mr. Gaylor.

- i) Christopher Gibson: Mr. Gibson appeared before the Board to request permission to obtain an apprentice barber license.

Mr. Gibson was convicted of Selling Schedule VI and Schedule II in Durham Superior Court in 2008. He was placed on probation for these offenses. The judgment in these cases is not satisfied. Mr. Gibson seeks an apprentice license.

Mr. Gibson made remarks to the Board. The Board questioned Mr. Gibson.

- j) Macy Holden: Mr. Holden appeared before the Board to request permission to obtain an apprentice barber license.

Mr. Holden was convicted of being a Habitual Felon and Breaking and Entering with the Intent to Commit a Felony in Vance County Superior Court. He received active sentences. Mr. Holden seeks an apprentice license.

Mr. Holden made remarks to the Board. The Board questioned Mr. Holden.

- k) Tobias Hooker: Mr. Hooker appeared before the Board to request permission to obtain an apprentice barber license.

Mr. Hooker was convicted of Sell and Deliver Cocaine in Wake Superior Court. He served a probationary sentence. The judgment in these cases is not satisfied. He seeks an apprentice license.

Mr. Hooker made remarks to the Board. The Board questioned Mr. Hooker.

- l) Ulondice Lattimore: Mr. Lattimore appeared before the Board to request permission to obtain an apprentice barber license.

Mr. Lattimore was convicted of Possession with Intent to Sell and Deliver Schedule IV. He received an active sentence in 2009 for multiple offenses. He seeks an apprentice license.

Mr. Lattimore made remarks to the Board. The Board questioned Mr. Lattimore.

- m) Gregory Miles: Mr. Miles appeared before the Board to request permission to renew his registered barber license.

Mr. Miles was convicted of three counts of Sell Schedule II and Possess with Intent to Sell Schedule II in Robeson Superior Court in 2011. He received an active sentence. He indicated he was convicted of these offenses on his renewal card. He seeks to be allowed to renew his barber license.

Mr. Miles made remarks to the Board. The Board questioned Mr. Miles.

- n) Larry Ruffin: Mr. Ruffin appeared before the Board to request permission to obtain an apprentice barber license.

Mr. Ruffin was convicted of Delivery of Heroin and Felony Probation Violation in Wake Superior Court. He was placed on supervised probation. He is seeking an apprentice license.

Mr. Ruffin made remarks to the Board. The Board questioned Mr. Ruffin.

- o) Lamar Slade: Mr. Slade appeared before the Board to request permission to obtain an apprentice barber license.

Mr. Slade was convicted in 2013 of Possession of Firearm by Felon, Possession with Intent to Sell and Deliver Cocaine and Marijuana. Mr. Slade is currently on probation and his judgment has not been satisfied. He seeks an apprentice license.

Mr. Slade made remarks to the Board. The Board questioned Mr. Slade.

- p) Christopher Watson: Mr. Watson appeared before the Board to request permission to obtain an apprentice barber license.

Mr. Watson was convicted of Assault Resulting in Serious Bodily Injury in Guilford County Superior Court. The judgment has not been satisfied. He seeks an apprentice license.

Mr. Watson made remarks to the Board. The Board questioned Mr. Watson.

- q) Adriel Williams: Mr. Williams appeared before the Board to request permission to obtain an apprentice barber license.

Mr. Williams was convicted of multiple DWI s in 2010 and 2011 in Durham County. He seeks an apprentice license.

Mr. Williams made remarks to the Board. The Board questioned Mr. Williams.

9. Pitt Community College Licensure Proposal.

Board Counsel, Bain Jones, advised that Board staff discovered an illegal business arrangement between Pitt Community College and Altitude Academy of Barbering. Essentially, Pitt Community College advertised a barber training program, received tuition payments from students and subcontracted the barber training to Altitude Academy of Barbering.

Pitt Community College and Altitude Academy of Barbering agreed to cease and desist from the aforementioned practice and for Pitt Community College to become the barber school permit holder and retain Rodney Bullock of Altitude Academy of Barbering as their school instructor and manager. Part of Mr. Bullock's employment requires that he provide a barber school facility.

Mr. Bullock agreed to dissolve Altitude Academy of Barbering and become a contract employee of Pitt Community College and to include the use of his barber school facility as a condition of his employment to serve as the physical location of Pitt Community College's barber school.

A motion was made by Ms. Shannon and seconded by Mr. Warwick to approve the proposed employment arrangement between Pitt Community College and Rodney Bullock. The motion passed unanimously.

10. A motion was made by Mr. Hood and seconded by Mr. Warwick to approve a new employee leave policy as presented by Mr. Mixon. Ms. Shannon opposed the proposal. The majority of the Board voted in favor of the proposal and the motion carried.

11. A motion was made by Mr. Warwick and seconded by Mr. Jackson to approve the provisional school permit as presented by Mr. Mixon to allow students to enroll into barber school while waiting for his/her official FBI criminal record summary. The motion passed unanimously.

12. A motion was made by Mr. Hood and seconded by Mr. Jackson to disapprove the abolishment of the criminal conviction response questionnaire currently required for license renewal. Mr. Mixon was directed to research other viable options for obtaining equal assurances regarding licensee criminal activity before abolishing the current practice. The motion passed unanimously.

13. Lunch

A motion was made, seconded and approved unanimously to adjourn for lunch at 11:35 p.m.

At 12:05 p.m., a motion was made, seconded, and approved unanimously to reconvene the meeting.

Old Business

14. Legal activities status report

Board Counsel, W. Bain Jones, Jr., presented the Board with updates related to various cases and probable cause to levy civil penalties against violators of G.S. 86A and the Board Rules. Mr. Jones made comments to the Board and the Board questioned Mr. Jones.

15. Legislative activity status report.

Board Counsel, W. Bain Jones, Jr., presented the Board with updates related to the activities taken by the General Legislature on issues that could affect the Board and/or the barbering profession directly or indirectly. Mr. Jones made comments to the Board and the Board questioned Mr. Jones.

16. Board Credit Card

Executive Director, Wayne Mixon, reported that the Board received five agency credit cards (one for each Inspector and one for the Executive Director) and that the policy regarding the use of the credit cards has been fully implemented.

17. New Computer System Report

Mr. Mixon reported that the field staff inspection piece is still in the development phase and should be online in the near future.

Executive Director Report

18. Executive Director, Wayne Mixon, reported on the financial condition of the Board. Mr. Mixon reported that the Board's finances are down considerably due to an irregular license renewal trend. Mr. Mixon further advised that he is hopeful that licensees are simply waiting until close to the deadline to renew vice not renewing as this will have an adverse effect on Board operations.

A motion was made by Ms. Shannon and seconded by Mr. Jackson to postpone Board member training (Public Records, Open Meetings, and Administrative Procedure) until the April meeting. The motion passed unanimously.

Executive Session

19. A motion was made by Mr. Jackson and seconded by Mr. Warwick, to go into closed session pursuant to N.C.G.S. § 143-318.11(a)(3) and (a)(6). The motion passed unanimously.

A motion was made, seconded and unanimously passed to come out of closed session.

The Board unanimously decided to suspend the license of each respondent in the administrative hearings for respondent's failure to pay civil penalties and legal fees as ordered and for the respondent's license to remain suspended until such time as all penalties and fees are paid in full. The names of these individuals are as follows:

- a) Michael Goosby
- b) Ronnell Mackins
- c) Robert Morrison
- d) Michael Pope
- e) James Saunders
- f) Gerald Thomas

The Board decided to offer consent orders and rendered the following decisions regarding the convicted felon petitioners' requests as follows:

- a) Charles Broughton: Issue unrestricted license and five year probation.
- b) Jonathan Clinkscales: Issue unrestricted license and five year probation.
- c) Jeremy Long: Issue unrestricted license and five year probation.
- d) Peter Gordy: Issue unrestricted license and five year probation.
- e) Alexander Mitchell: Did not appear. No action taken.
- f) Alonzo Brimmer: Five year probation, drug screen within 24 hours with results forwarded to Board staff. Drug screen must be negative for controlled substances.
- g) Jamario Edwards: Five year probation and completion of anger management and good decision making course.
- h) Damon Gaylor: Five year probation and completion of anger management and good decision making course.
- i) Christopher Gibson: Five year probation and completion of anger management and good decision making course.
- j) Macy Holden: Five year probation and provide copy of completion of TASK program.
- k) Tobias Hooker: Five year probation, immediate drug screen and proof of court judgment.
- l) Ulondice Lattimore: Five year probation, completion of 30 day drug rehabilitation program and immediate drug screen.
- m) Gregory Miles: Five year probation, completion of 30 day drug rehabilitation program and immediate drug screen.

- n) Larry Ruffin: Five year probation, completion of 30 day drug rehabilitation program and immediate drug screen.
- o) Lamar Slade: Five year probation and provide proof of TASK program completion or other 30 day comparable program and immediate drug screen.
- p) Christopher Watson: Five year probation.
- q) Adriel Williams: Five year probation.

The Board rendered the following decisions regarding matters other than disciplinary action:

- a) Sami Bounajem's request to use an interpreter for the written examination was denied. Furthermore, the Board decided to offer the written exam in English only because it cannot provide the exam in every foreign language and because registrants of the Board must be able to read instructions on barber chemicals and products and communicate with the consuming public.
- b) Clyde "Mike" Haynes' petition to allow his pet in his shop was denied.

Adjournment

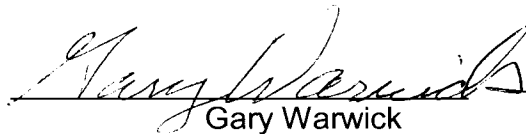
20. A motion was made by Mr. Jackson and seconded by Mr. Hood to adjourn the Board meeting until the next scheduled regular meeting on April 14, 2014. The motion passed unanimously.

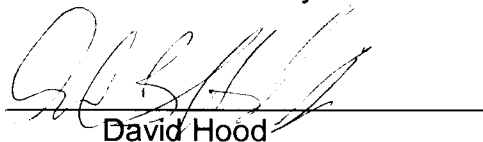
Glovette Shannon


Kenneth Jackson

Not Present

Lance Crumley


Gary Warwick



David Hood