



State of North Carolina

**Board Members**

David Hood  
Don Beal  
Lance Crumley  
Valerie Willis  
Steffon Sharpless

Board of Barber Examiners  
5809-102 Departure Drive  
Raleigh, NC 27616  
(919) 981-5210  
(919) 981-5068 (fax)

Wayne Mixon  
Executive  
Director

W. Bain Jones, Jr  
Counsel to the  
Board

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

**October 20, 2014**

The meeting of the North Carolina State Board of Barber Examiners was called to order at 9:05 a.m., on October 20, 2014 at the Board's office at 5809-102 Departure Drive, Raleigh, North Carolina.

**Members Present:**

David Hood, Chair  
Lance Crumley, Vice Chair  
Don Beal  
Valerie Willis  
Steffon Sharpless

**Staff Members Present:**

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

Visitors Present:

Michael Clay  
Donnell Bryant  
Cathleen Chew  
Robin Matthews  
Damian Jones

1. 138A Ethics Awareness & Conflict of Interest

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

2. Approve/Disapprove Minutes

A motion was made by Chairman Hood and seconded by Mr. Crumley to approve the minutes of the August 18, 2014. The motion passed unanimously and the minutes were signed by the members present at the August 18, 2014 meeting.

**New Business:**

3. The Board elected Don Beal as Vice Chairman. The votes were casted as follows:

- a) David Hood: Don Beal
- b) Don Beal; Don Beal
- c) Lance Curmley: Steffon Sharpless
- d) Valerie Willis: Valerie Willis
- e) Steffon Sharpless: Don Beal

4. A motion was made by Mr. Hood and seconded by Mr. Crumley to postpone the introduction of the new Board members until the October Board meeting when both members are present. The motion passed unanimously.

5. A motion was made by Mr. Hood and seconded by Mr. Beal to postpone the election for Vice Chairman until the October Board meeting when all members are present. The motion passes unanimously.

6. Board member Valerie Willis presented to the Board the concept of starting a continuing education program for registered barbers and barber instructors. Chairman Hood asked Ms. Willis to investigate the pros and cons of a continuing education program and to report back to the Board with those findings with a recommendation for further exploration.

## 7. Administrative Hearings

- a) Lester Best: Mr. Best appeared before the Board for charges brought against him as a barber instructor at Craven Community College where he is alleged to have conducted himself and the barber program in a grossly negligent manner. Mr. Best was represented by Attorney Kenneth A. Free, Jr.

Inspector Brenda Aldrich provided testimony on behalf of the Board.

Dr. Catherine Chew of Craven Community gave testimony on behalf of the Board.

Dean Robin Matthews of Craven Community gave testimony on behalf of the Board.

Donnell Bryant of Craven Community gave testimony on behalf of the Board.

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

- b) Albert Montgomery: Mr. Montgomery appeared before the Board for operating a barber shop and representing as a barber without a valid shop permit or barber license.

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

- c) Arnold Varnadoe: Mr. Varnadoe appeared before the Board for operating a barber shop and representing as a barber without a valid shop permit or valid barber license.

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

- d) Donald Griffin: Mr. Griffin appeared before the Board for operating a barber shop without a valid shop permit.

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

- e) Julius Butler: Mr. Butler failed to appear before the Board for engaging in the practice of barbering without a valid barber license.

Board Counsel, Bain Jones, presented the evidence for the Board's consideration.



- f) Shariff Martin: Mr. Martin failed to appear before the Board to appeal his case that he was wrongfully failed for his practical examination.

Board Counsel, Bain Jones, presented the evidence for the Board's consideration.

### **Old Business**

8. 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.

9. 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.

### **Executive Director Report**

10. Finance Report

Executive Director, Wayne Mixon, reported on the financial condition of the Board. Mr. Mixon provided the official audit for the past fiscal year. Mr. Beal made a motion to accept the audit for submission to various State agencies as required by law. Mr. Crumley seconded the motion, which passed unanimously.

### **Executive Session**

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

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

### **Administrative Hearings**

12. The Board rendered the following decisions:

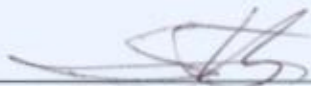
- a) Lester Best: Revoke Barber Instructor License.
- b) Albert Montgomery: Civil penalty of \$500.00 for fraudulent misrepresentation and \$165.00 legal fees.

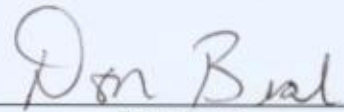
- c) Arnold Varnadoe: Civil penalties of \$150.00 for operating an unlicensed barber shop, \$50.00 for engaging in barbering with an expired license and \$330 for legal fees.
- d) Donald Griffin: Civil penalty of \$150.00 for operating an unlicensed barber shop and \$330.00 for legal fees.
- e) Shariff Martin: \$165.00 for legal fees and must retake the examination.

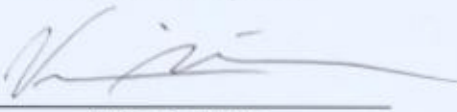
**Adjournment**

13. A motion was made by Mr. Beal and seconded by Mr. Crumley to adjourn the Board meeting until the next scheduled meeting on November 17, 2014. The motion passed unanimously.

  
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David Hood

  
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Steffon Sharpless

  
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Don Beal

  
\_\_\_\_\_  
Valerie Willis

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Lance Crumley

# VISITOR SIGN-IN

Please Print

NAME	EMAIL	BUSINESS / AGENCY
1 Michael Chen	mtchey@trade.RR.com	Craven Community College
2 Donnell Bryant	BryantD@CravenCC.edu	Craven Community College
3 Dathan Jones	cheese@Cravencc.edu	Craven Community College
4 Robin Matthews	matthews@Cravencc.edu	Craven Community College
5 Damian L Jones	Damian.jones@yahoo.com	
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## Ballot for Vice Chairman

By Lance Crumley

\_\_\_\_\_ Lance Crumley

\_\_\_\_\_ Don Beal

☒ \_\_\_\_\_ Steffon Sharpless

\_\_\_\_\_ Valerie Willis

## Ballot for Vice Chairman

By Steffon Sharpless

\_\_\_\_\_ Lance Crumley

☒ \_\_\_\_\_ Don Beal

\_\_\_\_\_ Steffon Sharpless

\_\_\_\_\_ Valerie Willis



## Ballot for Vice Chairman

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## **Ballot for Vice Chairman**

**By David Hood**

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\_\_\_\_\_ Valerie Willis

## Ballot for Vice Chairman

By Don Beal

\_\_\_\_\_ Lance Crumley

✓ \_\_\_\_\_ Don Beal

\_\_\_\_\_ Steffon Sharpless

\_\_\_\_\_ Valerie Willis

Thank you, Mr. Chairman for the opportunity to speak under this point of personal privilege. According to Roberts Rules of Order, this privilege, granted solely by the Chairman, is often used when a member feels a member or members have wronged them. It is for that purpose, Mr. Chairman that I am speaking today.

To say the last couple of months has been trying and at times confusing would be a major understatement. Today, I would like to set forth for this board and our industry my thoughts, concerns and plans as a result of the actions taken against me.

Though we do not YET know all of the facts about what has transpired regarding me and my position on this board, several facts have been brought to light and confirmed to me through direct conversations with the Board Chairman and the Board's current legal counsel.

What we do know now is:

1. We now know that a meeting of the board was held by telephone, during which discussion was had about how to get me to resign or be replaced on this board. Some may say that it was not a meeting but rather just a conversation among board members. But the law is very clear. That phone call was a meeting under the law. That meeting was also held without benefit of public notice or notices to all board members and was not held in public. Clearly, I was not invited to the meeting and did not participate.
2. We now know that during that meeting, a vote was taken regarding asking me to resign or to otherwise seek my removal by filing a complaint with the state ethics board.
3. We now know that a phone call was made to me after that meeting and vote seeking my voluntary resignation, which I refused since there was no reason for it.
4. We now know that an extensive complaint was drafted alleging that I had committed various ethical breeches. I have been told, by the current legal counsel, that this draft was written by Board Member,



Valerie Willis. I do not believe this to be true. I believe, I do not know, but I believe, that the complaint was the work of some attorney or staff person of the board although some board members may have been involved.

5. We now know that this complaint contained several false and defamatory statements.

6. We now know that this complaint was then leaked to the Governor's office of Boards and Commissions in an ill-fated attempt to seek political pressure to have me resign.

7. We now know that this leaking was in violation of the ethics boards confidentiality rules and was a breach of my rights to privacy.

8. We now know that the ethics board dismissed the alleged complaint out of hand. The complaint was judged to be so without merit that I was not even asked by the Ethics Board to respond.

9. We now know that the current legal counsel for the board spoke directly to me, stated that he did not know in advance that a telephone meeting was going to be held, alleged that Board Member Valerie Willis had drafted the complaint with the assistance of other board members, stated that he had no part in drafting the complaint or in filling it, that Board Member Don Beal leaked it to the Governor's Office and finally that he would investigate some of these issues and then respond back to me. That call happened about a month ago and I have not yet received that promised return call.

Those facts are what we now know. Here is what I believe:

1. I believe that my fellow board members have received bad advice. I believe that there were multiple opportunities for advice that could have stopped these ill-fated actions, but that advice was not forthcoming.

2. I believe that the non-public meeting and vote violated the Open

Meetings Law in multiple respects and that it's violation is continuing even today because minutes of that meeting and of the vote have not yet, to my knowledge, been filed with this board and with the public.

3. I believe that the complaint was not the lone work of Board Members.

4. I believe that those actions were not the un-advised, or un-initiated action of members of this board. Rather, I believe that they stem from others. My belief is founded upon the "facts" of long ago alleged events and the characterization of those events. Current members of this board would, in many respects, have no knowledge of the alleged details of those events. The current Board Members had to have been fed those events; those alleged facts and have been guided in creating that series of events and facts.

Mr. Chairman, though I know all those things and believe those others, I also hold a couple of other facts and beliefs that I want to end this statement with. And they are these...

First, I know I have been advised by my legal counsel, who by the way teaches Open Meeting Law at UNCG, that I should seek legal redress for the meeting, the vote and what I consider to be defamatory about the complaint and the leaking of it.

But, I also believe that that course of action is NOT in the best interest of this board or of our industry. To be sure, these last few months would be considered by many outside observers as ill-advised, ill-planned and perhaps a bit tawdry. And, to seek an ounce of redress for what I have been put through these last few months has its allure.

But, through it all, I strongly believe that the best course for this board is for the individual members to examine these past actions, the advice from whomever that got them and us here and then ask themselves individually and as a board if whether we have been well served these



past few months.

Has the board received advice designed to allow people of differing public policy viewpoints to work together or have we been steered instead into the arena of division and angst?

Have we been appropriately advised to seek common ground, compromise and the understanding of and respect for the strongly held beliefs of each other individually or has the fire of dispute and the belief that dissenting views must be squashed been fanned to such an extent that we are now where we find ourselves?

For me, Mr. Chairman and fellow Board Members, I will not resign and I will not be run out of office wrongfully. I will continue to serve and to be the voice of the Barbers who believe that many of our rules are more concerned with preserving the past than they are with building for the future.

Mr. Chairman and fellow members, having been recognized and allowed my point of personal privilege to answer the charges against me, from this moment forward, I will work hard, to turn my other cheek, let the past be the past and be a positive part of moving this board forward.

I will leave it to other members of this board to consider their own actions in light of the advice we have received and the dismissal of the charges against me.

Thank you Mr. Chairman, for this Point of Personal Privilege.