



NORTH CAROLINA BOARD OF BARBER AND ELECTROLYSIS EXAMINERS

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Minutes for Public Meeting Held April 2, 2023, at 7:00 p.m. Videoconference

Board Members

Sherod Holloway, Board Chairperson, Barber Member
Craig N. Burkhart, MD, Physician Member
Kristina Proctor, Public Member
Michael T. Swinney, Barber Member
David L. Williams, Barber Member
Electrologist (Vacant)
Electrologist (Vacant)
Barber (Vacant)
Barber (Vacant)

Executive Director

Dennis Seavers

Counsel to the Board

M. Jackson Nichols

The meeting of the North Carolina Board of Barber and Electrolysis Examiners was called to order at 7:11 p.m., on April 2, 2023.

The following board members were present during the meeting by video- or teleconference: Sherod Holloway; Craig N. Burkhart, MD; Kristina Proctor; Michael T. Swinney; and David L. Williams. No board members were absent. To ensure representation by all industries, the board also had the following individuals who are expected to be appointed to the board participate as though they were board members, without voting or making motions: Margaret Wingate, LE.

Also in attendance by videoconference were Dennis Seavers, Executive Director, and M. Jackson Nichols, Counsel to the Board.

OPEN SESSION

Ethics awareness and conflict of interest

Mr. Holloway read the statement required by G.S. § 138A-15(e) on ethics awareness and conflicts of interest. No board members indicated that they had any potential or actual conflicts.

Adoption of temporary rules

Mr. Holloway referred board members to Mr. Seavers’s March 30, 2023 memo on temporary rules to adopt, mostly dealing with mobile barber shops (see Attachment 1). Mr. Holloway noted there were public comments that had been submitted and that the board members had reviewed before the meeting. Dr. Burkhart made a motion to adopt the 68 temporary rules in Attachment 1. Ms. Proctor seconded the motion, which passed, 5–0.

Vote	Sherod Holloway	Craig Burkhart	Kristina Proctor	Michael T. Swinney	David Williams
Yes	X	X	X	X	X
No					
Abstain					
Not present					

Beaufort County Community College

Mr. Holloway asked Mr. Seavers to give a brief background on the circumstances leading to the request by Beaufort County Community College for a consent order. Mr. Nichols suggested that the date in Section V, Paragraph F, be changed from May 31 to July 1, 2023, to coincide with the fiscal year. Dr. Burkhart made a motion to approve the consent order with the revised date (see Attachment 2). Mr. Williams seconded the motion, which passed, 5–0.

Vote	Sherod Holloway	Craig Burkhart	Kristina Proctor	Michael T. Swinney	David Williams
Yes	X	X	X	X	X
No					
Abstain					
Not present					

Mr. Seavers gave a brief background on the need for Beaufort County Community College to receive a waiver under 21 NCAC 06Y .0106 (see Attachment 3). The waiver

would exempt the college from having to file the monthly report of student hours accrued in February 2023 due to questions about the reliability of the data. Ms. Proctor made a motion to approve the waiver, and Mr. Swinney seconded. The motion passed, 5–0.

Vote	Sherod Holloway	Craig Burkhart	Kristina Proctor	Michael T. Swinney	David Williams
Yes	X	X	X	X	X
No					
Abstain					
Not present					

Department of Adult Corrections request for waiver

Mr. Holloway noted that this matter had been taken up at the February 28, 2023 meeting, but the board did not take a vote (see Attachment 4). Mr. Seavers noted that although the request was for a waiver, the board would actually need to handle the matter through a consent order because the relevant requirement was statute-based rather than rule-based.

Dr. Burkhart made a motion to authorize the executive director to negotiate consent orders for the Department of Adult Correction as listed in that agency’s request. Ms. Proctor seconded the motion, which passed, 5–0.

Vote	Sherod Holloway	Craig Burkhart	Kristina Proctor	Michael T. Swinney	David Williams
Yes	X	X	X	X	X
No					
Abstain					
Not present					

Mr. Holloway adjourned the meeting at 7:29 p.m.

Minutes approved on _____

Sherod Holloway
Board Chairperson