

# DRAFT MINUTES – NOT YET APPROVED BY THE BOARD



## **NORTH CAROLINA BOARD OF BARBER AND ELECTROLYSIS EXAMINERS**

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### **DRAFT Minutes for Public Meeting** Held October 24, 2023, at 8:30 a.m. Videoconference

#### **Board Members**

Sherod Holloway, Board Chairperson, Barber Member  
Don Beal, Barber Member  
Craig N. Burkhart, MD, Physician Member  
William K. Graham, Barber Member  
Stacy M. Miller, LE, CPE, Electrologist Member  
Kristina Proctor, Public Member  
Michael T. Swinney, Barber Member  
David L. Williams, Barber Member  
Margaret Wingate, LE, Electrologist Member

#### **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 8:32 a.m., on October 24, 2023.

The following board members were present by video- or teleconference: Sherod Holloway; Don Beal; Craig N. Burkhart, MD; William K. Graham; Stacy M. Miller, LE, CPE; Kristina Proctor; Michael T. Swinney; David L. Williams; and Margaret Wingate. No board members were absent.

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Also in attendance in person 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.

### Approval of minutes

Dr. Burkhart made a motion to approve the minutes and closed-session narrative from the August 22, 2023 meeting. Ms. Proctor seconded the motion, which passed, 8–0 (Mr. Williams had not yet joined the meeting).

Board member	Yes	No	Abstain	Not present
Sherod Holloway	X			
Don Beal	X			
Craig N. Burkhart	X			
William K. Graham	X			
Stacy M. Miller	X			
Kristina Proctor	X			
Michael T. Swinney	X			
David L. Williams				X
Margaret Wingate	X			
<b>Total</b>	<b>8</b>	<b>0</b>	<b>0</b>	<b>1</b>

### Report of the electrolysis exam ad hoc committee and action on the report recommendations by the board

The board considered the report from the electrolysis exam ad hoc committee (see Attachment 1). Following discussion, Ms. Wingate made a motion for the board to adopt the recommendations of the committee. Dr. Burkhart seconded the motion, which passed 9–0.

Board member	Yes	No	Abstain	Not present
Sherod Holloway	X			
Don Beal	X			
Craig N. Burkhart	X			
William K. Graham	X			
Stacy M. Miller	X			
Kristina Proctor	X			
Michael T. Swinney	X			
David L. Williams	X			

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Margaret Wingate	X			
<b>Total</b>	<b>9</b>	<b>0</b>	<b>0</b>	<b>0</b>

## Rulemaking for electrology

The board considered the adoption of rules related to civil penalties (see Attachment 2) and the proposal of rules related to animals in electrolysis offices and civil penalties for failure to display an electrology or laser hair practice license (Attachments 3 and 4). Following discussion and questions from the board members, Mr. Beal made a motion to adopt and propose the rules, and Ms. Wingate seconded. The motion passed, 9–0.

Board member	Yes	No	Abstain	Not present
Sherod Holloway	X			
Don Beal	X			
Craig N. Burkhart	X			
William K. Graham	X			
Stacy M. Miller	X			
Kristina Proctor	X			
Michael T. Swinney	X			
David L. Williams	X			
Margaret Wingate	X			
<b>Total</b>	<b>9</b>	<b>0</b>	<b>0</b>	<b>0</b>

## Personal observance leave policy

The board considered the proposal from the executive director for a personal observance leave policy, which had been recommended by a staff member (see Attachment 5). Ms. Proctor made a motion to adopt the policy, and Dr. Burkhart seconded. The motion passed, 9–0.

Board member	Yes	No	Abstain	Not present
Sherod Holloway	X			
Don Beal	X			
Craig N. Burkhart	X			
William K. Graham	X			
Stacy M. Miller	X			
Kristina Proctor	X			
Michael T. Swinney	X			
David L. Williams	X			
Margaret Wingate	X			
<b>Total</b>	<b>9</b>	<b>0</b>	<b>0</b>	<b>0</b>

## Adoption of financial statements

The board considered the draft financial statements for fiscal year 2023 (see Attachment 6). Mr. Seavers gave an overview of the statements and answered

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questions from the board members. Mr. Beal made a motion to adopt the statements, and Ms. Wingate seconded. The motion passed, 9–0.

<b>Board member</b>	<b>Yes</b>	<b>No</b>	<b>Abstain</b>	<b>Not present</b>
Sherod Holloway	X			
Don Beal	X			
Craig N. Burkhart	X			
William K. Graham	X			
Stacy M. Miller	X			
Kristina Proctor	X			
Michael T. Swinney	X			
David L. Williams	X			
Margaret Wingate	X			
<b>Total</b>	<b>9</b>	<b>0</b>	<b>0</b>	<b>0</b>

### Legal counsel report

Mr. Nichols gave a report on a pending lawsuit, Rodney Bullock c/o Altitude Academy, LLC, v. North Carolina Board of Barber and Electrolysis Examiners and Pitt Community College. He also reported on a potential action by the board against an unlicensed practitioner.

### Election

Mr. Holloway gave an overview of the responsibilities of the chairperson and vice chairperson.

Mr. Beal nominated Mr. Holloway as chairperson, and Mr. Williams seconded the nomination. Mr. Holloway nominated Mr. Beal as vice chairperson.

Ms. Miller made a motion to close the nominations. Dr. Burkhart seconded the motion, which passed, 9–0.

<b>Board member</b>	<b>Yes</b>	<b>No</b>	<b>Abstain</b>	<b>Not present</b>
Sherod Holloway	X			
Don Beal	X			
Craig N. Burkhart	X			
William K. Graham	X			
Stacy M. Miller	X			
Kristina Proctor	X			
Michael T. Swinney	X			
David L. Williams	X			
Margaret Wingate	X			
<b>Total</b>	<b>9</b>	<b>0</b>	<b>0</b>	<b>0</b>

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Mr. Swinney made a motion to approve the nominations, and Mr. Williams seconded. The motion passed, 9–0.

Board member	Yes	No	Abstain	Not present
Sherod Holloway	X			
Don Beal	X			
Craig N. Burkhart	X			
William K. Graham	X			
Stacy M. Miller	X			
Kristina Proctor	X			
Michael T. Swinney	X			
David L. Williams	X			
Margaret Wingate	X			
<b>Total</b>	<b>9</b>	<b>0</b>	<b>0</b>	<b>0</b>

## CLOSED SESSION

Mr. Holloway made a motion to go into closed session under G.S. § 143–318.11. Mr. Beal seconded the motion, which passed, 9–0.

Board member	Yes	No	Abstain	Not present
Sherod Holloway	X			
Don Beal	X			
Craig N. Burkhart	X			
William K. Graham	X			
Stacy M. Miller	X			
Kristina Proctor	X			
Michael T. Swinney	X			
David L. Williams	X			
Margaret Wingate	X			
<b>Total</b>	<b>9</b>	<b>0</b>	<b>0</b>	<b>0</b>

The board entered closed session at 9:32 a.m. The board emerged from closed session at 10:13 a.m.

## OPEN SESSION

The board members agreed that the next meeting would be either be held as a virtual meeting or board members could reach out to Dennis with suggested locations.

Mr. Holloway adjourned the meeting at 10:18 a.m.

Minutes approved on \_\_\_\_\_

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Sherod Holloway  
Board Chairperson