



## **NORTH CAROLINA STATE BOARD OF BARBER EXAMINERS**

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### **Minutes for Public Meeting**

Held February 16, 2015, at 9:00 a.m.  
5809 Departure Drive, Suite 102  
Raleigh, North Carolina

#### **Board Members**

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

#### **Executive Director**

Dennis Seavers

#### **Counsel to the Board**

W. Bain Jones, Jr.

The meeting of the North Carolina State Board of Barber Examiners was called to order at 9:00 a.m., on February 16, 2015 at the Board's office at 5809 Departure Drive, Suite 102, Raleigh, North Carolina.

The following board members were present during the meeting: David Hood, Don Beal, Steffon Sharpless, and Valerie Willis. The following board member was absent: Lance Crumley.

Also in attendance were Dennis Seavers, Executive Director, and W. Bain Jones, Jr., Counsel to the Board.

## **138A ethics awareness and conflict of interest**

Mr. Hood read the statement on ethics awareness conflicts of interest. No board members indicated that they had any potential or actual conflicts.

## **Minutes from December 8, 2014 meeting**

A motion was made by Mr. Beal and seconded by Mr. Hood to approve the draft minutes of the December 8, 2014 meeting. The motion passed unanimously, and the minutes were signed by the members present at the December 8, 2014 meeting.

## **NEW BUSINESS**

### **Administrative hearings—show cause**

The following individuals were served with a notice of hearing to appear before the board to show cause for failing to pay past-due civil penalties and attorney costs.

- a. Kenzie McElvin appeared in person and made remarks to the board. The board questioned Mr. McElvin.
- b. James Murphy appeared in person and made remarks to the board. The board questioned Mr. Murphy.

The following individuals were served with a notice of hearing to appear before the board to show cause for failing to pay past-due civil penalties and attorney costs. None of the individuals listed below made the required appearance.

- a. Dirrell Covington
- b. Ronald Hart
- c. Maurice McLeod
- d. Corey Hilliard
- e. Tory Howard
- f. Latonya Johnson
- g. Gary Marin
- h. Michael Mason
- i. John Moore
- j. Tinel Moore
- k. Selvono Mosley
- l. Reginald Phifer
- m. Rydedrick Porter
- n. Don Wilson Brook
- o. Ignacio Castillo-Javiel
- p. Lorenzo Johnson
- q. Gus Parker
- r. Amy Rinhart
- s. Steven Segars

t. Christopher Simmons

### **Administrative hearings—appeals**

Lionel Todd Dube had requested a hearing before the board to appeal the determination that he had committed fraudulent misrepresentation for the purpose of offering barber services by use of a barber-shop sign and the assessment of a \$500 civil penalty. Mr. Dube was properly served with a notice of hearing but failed to appear. Greg Washington, an inspector for the board, offered testimony and evidence.

### **OLD BUSINESS**

#### **Executive director's report**

Mr. Seavers presented a report on the board finances for fiscal year 2015 that emphasized the need for the board to increase revenues through the proposed statutory fee increase in order to avoid either cash-flow issues or disruptions to operations. He also reported on a project for mobile inspections with the board's software provider. He answered questions from board members.

#### **Legal activity status report**

Mr. Jones updated the board on recent court cases affecting the regulation of barbering. He answered questions from the board.

#### **Legislative activity status report**

Mr. Jones updated the board on legislative activities that would affect the board or barbering profession. He indicated that the board will have a bill introduced in the current session to increase the statutory cap on fees, remove the six-month grace period for renewing licenses, and remove the free-license provision for barbers 70 years or older. Mr. Jones answered questions from the board.

### **EXECUTIVE SESSION**

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.

### **DETERMINATIONS FROM ADMINISTRATIVE HEARINGS**

The Board rendered the decision to suspend the license of each respondent listed below in the show-cause administrative hearings for the respondents' failure to pay past-due civil penalties and attorney costs as ordered and for the licenses to remain

suspended until all civil penalties and attorney costs, including \$165 for attorney fees and costs for the show-cause hearing, are paid in full.

- a. Dirrell Covington
- b. Ronald Hart
- c. Maurice McLeod
- d. Corey Hillard
- e. Tory Howard
- f. Latonya Johnson
- g. Gary Marin
- h. Michael Mason
- i. John Moore
- j. Tinel Moore
- k. Selvono Mosley
- l. Reginald Phifer
- m. Rydedrick Porter
- n. Don Wilson Brook
- o. Ignacio Castillo-Javiel
- p. Lorenzo Johnson
- q. Kenzie McElvin
- r. James Murphy
- s. Gus Parker
- t. Amy Rinhart
- u. Steven Segars
- v. Christopher Simmons

The board rendered the decision to order Lionel Todd Dube to pay a \$500 civil penalty for fraudulent misrepresentation for the purpose of offering barber services by use of a barber-shop sign and \$165 for attorney fees and costs for the administrative hearing, for total penalties and costs of \$665.

## **BUSINESS DETERMINATIONS**

Mr. Hood made a motion to hold the next board meeting on April 14 rather than April 13, 2015, beginning at 8:00 a.m., with the meeting lasting until 7:00 p.m., if necessary, including 30 minutes for lunch. Mr. Sharpless seconded the motion, which passed 4–0. Mr. Seavers indicated that he and the general counsel could submit reports in writing instead of offering oral reports, and Mr. Hood asked that they do so.

Mr. Beal made a motion to continue holding barber examinations over a two-day period each month. Mr. Sharpless seconded the motion, which passed, 4–0. Mr. Seavers indicated that the staff could schedule the exams over two days as early as March. Mr. Hood made a motion for the two-day schedule to begin in March. Mr. Sharpless seconded the motion, which passed 4–0.

Minutes approved on April 13, 2015

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David Hood

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Steffon Sharpless

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Don Beal

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Valerie Willis

*Not present at 2/16/2015 meeting*

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Lance Crumley