

## **MINUTES**

The Tennessee State Board of Barber Examiners held a meeting on at August 16, 2010, 9:00 a.m. CDT, in Nashville, Tennessee.

The following members were present: J. B. Loring, President, Donald Collins, Larry High, Vernon Winfrey and Joe Jones.

Others present were: Beverly Waller, Executive Director, Terrance Bond, Staff Attorney and Lisa Swayze, Administrative Manager.

J. B. Loring, President asked all to join in prayer.

J. B. Loring, President asked all to stand for the pledge of allegiance.

J. B. Loring, President asked for a roll call.

### **APPEAR BEFORE THE BOARD**

Shelia Collins, Watertown, TN – Ms. Collins was present regarding educational documents of her high school diploma for an instructor license. She attended Penn Foster High School. On November 1, 2002 Penn Foster High School was granted accreditation by the Middle States Commission on secondary schools. ICS Newport Pacific name changed to Penn Foster High School. She has her cosmetology instructor license using the same high school diploma.

MOTION was made by Mr. Donald Collins and seconded by Mr. Larry High to approve her educational documents and approve Ms. Collins examination application for her instructor. Motion carried unanimously.

Joe Ray Campbell, Spring Hill, TN – Mr. Campbell was present to discuss his reciprocity application from Florida. Mr. Campbell completed 1,200 hours of training and has a work history from 1995 thru 2006. Mr. Campbell does not have a five year prior work history. He stated he had a broken leg and was taking care of his mother, but he does have twenty years of barbering.

MOTION was made by Mr. Vernon Winfrey and seconded by Mr. Donald Collins to approve his application for reciprocity. Motion carried unanimously.

Patricia Conrad is present to speak to the board concerning her instructor status. Ms. Conrad was required to attend the 2009 instructor seminar. Ms. Conrad did attend the 2010 instructor seminar. Ms. Conrad stated she was confused about when she needed to attend the seminar after receiving her instructor license.

MOTION was made by Mr. Joe Jones and seconded by Mr. Larry High to accept her attendance of the 2010 instructor seminar but request she attend the 2011 instructor seminar. Motion carried unanimously.

## **ADMINISTRATIVE REPORT**

Ms. Estelle Wanda Lewis requested an extension from the 2010 instructor seminar at the last meeting. The board requested additional medical documentation. Ms. Lewis did send in the additional medical statement documentation.

MOTION was made by Mr. Donald Collins and seconded by Mr. Larry High to grant Ms. Lewis the extension from the 2010 instructor seminar. Motion carried unanimously.

Ms. Melissa Childers is requesting approve of her examination application. Ms. Childers is a licensed cosmetologist. She completed 750 hours in barbering. When she enrolled in barber school her cosmetology license was expired. She did not renew her cosmetology license until the day she applied for examination for master barber. The entire time she was enrolled in barber school her cosmetology license was expired. On July 27, 2010 she paid her renewal for her cosmetology license. On July 31, 2010 she completed her hours in barbering school. She enrolled in barbering school on January 5, 2010 and her cosmetology license expired on July 31, 2008. Ms. Childers spoke with the board stating she has a North Carolina license and did not understand the rule. The school did receive a current copy of her North Carolina license and a copy of her expired cosmetology license.

MOTION was made by Mr. Vernon Winfrey and seconded by Mr. Joe Jones to accept Ms. Childer's examination application. Motion carried unanimously.

Mr. Robert Neal, Mr. Antino Roberson and Victor Tinsley submitted applications for examinations. Each has felonies.

MOTION was made by Mr. Larry High and seconded by Mr. Donald Collins to accept the applications for examination with signed agreed orders. Motion carried unanimously.

Fulton High School is requesting approval of the master barber curriculum at their school.

MOTION was made by Mr. Larry High and seconded by Mr. Vernon Winfrey to approve the barber curriculum to be offered at Fulton High School. Motion carried unanimously.

Ms. Jeneene Redmond is requesting an extension from the 2010 instructor seminar. Mr. Redmond did provide a medical statement.

MOTION was made by Mr. Donald Collins and seconded by Mr. Larry High to grant Mr. Redmond his extension from the 2010 instructor seminar. Motion carried unanimously.

Consent orders totaled \$4,000.00.

Another Look Barber Shop  
5331 Charlotte Avenue  
Nashville, TN 37209

Violation issued September 25, 2008  
Pd \$500.00 on 7-21-2010

Burk's Star Cuts  
946 E.H. Crump  
Memphis, TN 38104

Complaint  
Pd \$1,000.00 on 7-16-2010

Craig's Crown  
111 Spring Street  
Johnson City, TN 37604

Violation issued August 25, 2009  
Pd \$500.00 on 6-30-2010

Hardy Barber Shop  
1712-D Jefferson Street  
Nashville, TN 37208

Violation issued January 2, 2008  
Pd \$1,000.00 on 7-8-2010

Heads Up  
4120 N. Mt. Juliet Road  
Mt. Juliet, TN 37122

Violation issued January 27, 2010  
Pd \$500.00 on 8-2-2010

Sports Clips TN 206  
1701 West Main Street  
Lebanon, TN 37087

Violation issued March 30, 2010  
Pd \$500.00 on 7-12-2010

MOTION was made by Mr. Joe Jones and seconded by Mr. Donald Collins to approve the consent orders. Motion carried unanimously.

#### **STAFF ATTORNEY REPORT**

**1. 20082711-1 [RE-PRESENT]**

A formal hearing has been scheduled in the above-referenced case on allegations that the Respondent, a licensed master barber, operated his barber shop while the license for such shop was expired, unlawfully altered his master barber license to make it appear to be a valid master barber license and permitted a master barber to practice in his shop while his license was expired. The Respondent has entered into an Agreed Order dismissing the formal hearing on the conditions that the

Respondent remit a two thousand dollar (\$2,000.00) civil penalty and all administrative costs on or before a date certain and that the Respondent complete a two-year license probationary period, which shall become effective upon the approval of the Agreed Order dismissing formal proceedings.

**Recommendation: Adopt the Agreed Order.**

2.     **200707215-1**  
       **200708699-1**  
       **200800659-1**  
       **200900686-1**

It is the opinion of counsel that there is insufficient evidence to support the allegations in the above-referenced complaints against a licensed barber school.

**Recommendation: Close and flag in the event future complaints are filed.**

3.     **200801519-1**

Notice of Violation issued June 13, 2008 alleges that a licensed master barber was found practicing in a licensed shop while his master barber license was expired. The master barber license at issue has been renewed and no new Notices of Violation have been issued to the shop.

**Recommendation: Close with a letter of warning.**

4.     **200902205-1 (RE-PRESENT)**

The board ordered a re-inspection of Respondent shop after receiving an August 4, 2009 Notice of Violation alleging unsanitary conditions in a licensed barber shop. A re-inspection was recently completed and yielded an overall score of 92. No Notice of Violation was issued.

**Recommendation: Close with a letter of warning re: sanitation and sterilization.**

5.     **201002381-1**

May 13, 2010 Notice of Violation reports that both a barber shop license and master barber license were expired.

**Recommendation: Close with no action—insufficient information to establish a violation.**

**6. 200705470-1**

Consumer complaint alleges that the consumer witnessed the owner and several of the employees of a licensed barber shop using drugs in the shop.

**Recommendation: Refer to the appropriate authorities.**

**7. 200705678-1**

Administrative records show that the above-referenced school of barbering is closed for business.

**Recommendation: Close and flag in the event the school owner makes new application for licensure.**

**8. 201002632-1**

June 24, 2010 Notice of Violation reports that a barber shop was found operating while the shop license was expired. According to the inspector, no master barbers were practicing at inspection time. According to administrative records, the shop license remains delinquent.

**Recommendation: Authorize formal hearing with authority to settle by Consent Order and payment of a \$500.00 civil penalty; CEASE and DESIST operation until valid shop license is obtained.**

**9. 201002633-1**

June 24, 2010 Notice of Violation reports that one (1) master barber was found practicing in a barber shop that had not completed all requirements necessary for a change of location. According to the inspector, both the owner and the practicing barber were notified of the deficiency during a previous visit.

**Recommendation: Authorize formal hearing with authority to settle by Consent Order and payment of a \$500.00 civil penalty; CEASE and DESIST operation until valid shop license is obtained.**

**10. 201002634-1**

July 29, 2010 Notice of Violation reports that one (1) master barber was practicing barbering in a barber shop while the shop license was expired. According to administrative records, the shop license remains delinquent.

**Recommendation: Authorize formal hearing with authority to settle by Consent Order and payment of a \$500.00 civil penalty; CEASE and DESIST operation until valid shop license is obtained.**

**11. 201002637-1**

June 18, 2010 Notice of Violation reports that a licensed master barber was found operating an unlicensed barber shop. According to administrative records, the shop is now licensed to operate.

**Recommendation: Authorize formal hearing with authority to settle by Consent Order and payment of a \$500.00 civil penalty.**

**12. 201002638-1**

June 22, 2010 Notice of Violation reports that an unlicensed individual was instructing students at a licensed barber school. According to the inspector, the unlicensed individual was the only person supervising the students at inspection time. The school has paid a \$500.00 civil for the same violation previously.

**Recommendation: Authorize formal hearing with authority to settle by Consent Order and payment of a \$1,000.00 civil penalty.**

MOTION was made by Mr. Larry High and seconded by Mr. Vernon Winfrey to accept the recommendations. Motion carried unanimously.

MOTION was made by Mr. Joe Jones and seconded by Mr. Larry High to adjourn the meeting. Motion carried unanimously.