

**STATE OF MICHIGAN  
DEPARTMENT OF LABOR & ECONOMIC GROWTH  
BUREAU OF COMMERCIAL SERVICES - LICENSING DIVISION  
2501 Woodlake Circle, Okemos, Michigan 48864-5955**

**BOARD OF BARBER EXAMINERS**

**BOARD MEETING MINUTES**

January 14, 2008

In accordance with the Open Meetings Act, 1976 PA 267, as amended, the Board of Barber Examiners met in Regular session on January 14, 2008, at the Department of Labor & Economic Growth, Bureau of Commercial Services, 2501 Woodlake Circle, Conference Room 1, Okemos, Michigan. The business meeting was called to order by Chairperson, Gerald Wall, at 10:00 a.m.

**ROLL CALL**

Present:	John (Ollie) Boynton	- Public Member
	Michael Glasscoe	- Professional Member
	Harry Green	- Professional Member
	Walter Lupu	- Professional Member
	George Pappas	- Professional Member
	Dennis Sullivan	- Professional Member
	Gerald L. Wall	- Public Member
Absent:	Carl Grondin	- Professional Member
Staff:	Joseph Campbell	- Licensing Administrator
	Sarah Rock	- Assistant Licensing Administrator
	Sharon Murphy	- Recording Secretary
	Ann Paruk	- Enforcement Division
	Stephen Gobbo	- Compliance/Legal/FOIA Manager
	Paige Colley	- Testing & Education Services
Visitors:	William Roney	- Petitioner
	Edmond Taylor	- Petitioner

**APPROVAL OF PREVIOUS MINUTES HELD OCTOBER 22, 2007**

MOTION: Mr. Green moved to approve the minutes of October 22, 2007. The motion was seconded by Mr. Boynton. Mr. Pappas requested an additional comment be added to the minutes under Items for Consideration from Board Members/Staff, Testing Services which occurred at the last meeting as follows: Mr. Wall stated he would contact the Secretary of State, Terri Lynn Land, whom he personally knows and ask her to contact Bureau Director Andy Metcalf to discuss the Secretary of State's office providing photos for the licensing occupations. The motion carried unanimously with the amendment.

## **PETITIONS**

### **Moses McEwan, Student Barber License Denial, GMC**

Mr. McEwan applied for student barber licensure on February 22, 2007. The department denied the application on August 6, 2007 for lack of good moral character. A petition for review was received on September 21, 2007, was scheduled for the October 22, 2007 board meeting, and then tabled per petitioner's request. Mr. McEwan was not present at the meeting today. The board reviewed the petition and supporting documentation.

MOTION: Mr. Lupu moved to uphold the denial issued by the department based upon Mr. McEwan's failure to demonstrate rehabilitation and his propensity to serve the public in a fair, honest, and open manner. Mr. Glasscoe seconded the motion, which carried unanimously. The department concurred.

### **William Roney, (Apprentice) Barber License Reinstatement**

Mr. Roney applied for barber licensure reinstatement on July 30, 2007, as his barber license was revoked on May 11, 1983 for practicing fraud or deceit in obtaining a license since he failed to report a felony conviction on his apprenticeship application (barber apprenticeships are no longer in the statute). The department denied the application on October 3, 2007 for lack of good moral character. A petition for review was received on October 17, 2007. Mr. Roney was present at the meeting today and addressed the board. The board reviewed the petition, supporting documentation, and heard the petitioner's statements.

MOTION: Mr. Pappas moved to uphold the denial issued by the department based upon Mr. Roney's failure to demonstrate rehabilitation and his propensity to serve the public in a fair, honest, and open manner. Mr. Green seconded the motion which carried by a majority vote, with Mr. Boynton and Mr. Sullivan opposed. The department concurred.

### **Edmond Deon Taylor III, Student Barber License Denial, GMC**

Mr. Taylor applied for student barber licensure on July 13, 2007. The department denied the application on October 3, 2007, for lack of good moral character. Copies of old supporting documentation from a previous petition were submitted on November 17, 2007. Mr. Taylor was present at the meeting today and addressed the board. Mr. Taylor stated he had not been employed since April 2007 but participates in a Work First program. The board reviewed the outdated documentation from a previous appeal and heard the petitioner's statements. No updated documentation was submitted at time of review.

MOTION: Mr. Green moved to uphold the denial issued by the department based upon Mr. Taylor's failure to demonstrate rehabilitation and his propensity to serve the public in a fair, honest, and open manner. Mr. Glasscoe seconded the motion, which carried unanimously. The department concurred.

## **STIPULATIONS**

### **Gents by D Mongos, Larry J. Mongo, 17-02-056112, C#305732**

The board reviewed the Stipulation in the matter of Gents by D Mongos in Detroit, Michigan for allowing rubbish to accumulate on the premises of the barber shop; and failure to maintain small items of equipment in a sanitary condition and store in covered containers.

In accordance with the Stipulation, the respondent consents to pay a fine of \$750.00 to the department, which shall be due sixty (60) days from the date of mailing of the Final Order. Failure to comply with the Final Order shall result in a suspension of all licenses, denial of any license renewals, and denial of future applications for licensure until compliance is made with all terms and conditions of the Stipulation.

MOTION: Mr. Green moved to accept the stipulation. Mr. Boynton seconded the motion, which carried unanimously.

**Stipulation Discussion:** Mr. Lupu asked why the violations cited for unlicensed activity were dismissed in the stipulations when the board has been adamant regarding the enforcement of unlicensed activity. Mr. Gobbo explained the compliance conference process whereby the department and respondent negotiate a stipulated agreement, and in this case the respondent agreed to admit to violating the two lesser violations of sanitation and the unlicensed activity violations dismissed. Mr. Gobbo suggested the board adopt a policy indicating that unlicensed activity substantiated by evidence not be dismissed by a stipulated agreement. It was the consensus of the board to recommend that unlicensed activity not be dismissed through compliance conferences and stipulations, and the board made the following motion.

MOTION: Mr. Lupu moved that the bureau not dismiss via a stipulation any evidentially substantiated charges of unlicensed activity. Mr. Pappas seconded the motion, which carried unanimously.

## **HEARING REPORTS**

MOTION: Mr. Pappas moved to receive the following Hearing Reports. Mr. Sullivan seconded the motion, which carried unanimously.

The following actions were taken on the Hearing Reports presented to the Board:

### **Ramon D. Johnson, 17-01-020828, C#304601, Docket No. 2007-1052**

The board reviewed the Hearing Report in the matter of Ramon D. Johnson for practicing fraud or deceit in obtaining a license.

MOTION: Mr. Pappas moved to assess a fine in the amount of \$500.00 to be paid to the department within sixty (60) days from the date of mailing of the Final Order, and immediate suspension of his barber license. Failure to comply with the Final Order shall result in continued suspension of all licenses, denial of any license renewals,

and denial of future applications for licensure until compliance is made with all terms and conditions of the Final Order. Mr. Glasscoe seconded the motion, which carried unanimously.

**Joseph William Toth, 17-01-022777, C#305514, Docket No. 2007-945**

The board reviewed the Hearing Report in the matter of Joseph William Toth for practicing fraud or deceit in obtaining a license; and demonstrating a lack of good moral character.

MOTION: Mr. Boynton moved to assess a fine in the amount of \$500.00 to be paid to the department within sixty (60) days from the date of mailing of the Final Order. Failure to comply with the Final Order shall result in suspension of all licenses, denial of any license renewals, and denial of future applications for licensure until compliance is made with all terms and conditions of the Final Order. Mr. Pappas seconded the motion, which carried unanimously.

**ITEMS FOR CONSIDERATION FROM BOARD MEMBERS/STAFF**

Testing Services – Ms. Colley updated the board with statistical pass rate information for the examination categories. She stated the examination contractor, PSI Services LLC, is recruiting additional barber examiners with training to possibly begin in February 2008. Ms. Colley also reported that PSI is conducting practical examination review in Grand Rapids on February 6 and 7, 2008 and asked those interested in attending the review to notify her for referral to PSI.

Mr. Campbell inquired whether Ms. Colley knew if Mr. Byrne (former Testing & Education Services manager) spoke with the Secretary of State's office following the last meeting in October 2007 regarding the possibility of licensees acquiring their photo license cards from a Secretary of State's office. Ms. Colley stated she didn't know if Mr. Byrne spoke with the Secretary of State's office following the last board meeting; however, testing services had contacted the Secretary of State's office previously regarding the photo license card program and were informed that the Secretary of State cannot allow their data base information to be shared by other departments due to confidentiality issues. Ms. Colley stated PSI is willing to accommodate larger groups at conferences or meetings in processing the photo licenses and suggested interested parties contact her with future dates to coordinate with PSI. She also stated the use of mobile units in remote areas was being explored.

**ELECTION** (Last election held January 22, 2007)

Mr. Wall was nominated and reelected as the board chairperson by unanimous vote.  
Mr. Lupu was nominated and reelected as the board vice-chairperson by unanimous vote.

**PUBLIC COMMENT**

None.

**NEXT MEETING DATE**

The next regularly scheduled meeting of the Board of Barber Examiners will be held on May 12, 2008 at 10:00 a.m.

**ADJOURNMENT**

MOTION: There being no further business to be brought before the Board at this time, the meeting was adjourned at 11:32 a.m.

Walter Lupu /s/  
Board Chairperson

5/12/2008  
Date

Sharon Murphy /s/  
Recording Secretary

5/12/2008  
Date