

**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**

May 14, 2007

In accordance with the Open Meetings Act, 1976 PA 267, as amended, the Board of Barber Examiners met in Regular session on May 14, 2007, 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
	Harry Green	- Professional Member
	Carl Grondin	- Professional Member
	Walter Lupu	- Professional Member
	George Pappas	- Professional Member
	Dennis Sullivan	- Professional Member
	Gerald L. Wall	- Public Member
Absent:	Michael Glasscoe	- Professional Member
	Max J. Plante	- Public Member
Staff:	Joseph Campbell	- Licensing Administrator
	Sarah Rock	- Assistant Licensing Administrator
	Sharon Murphy	- Recording Secretary
	Jim Nelson	- Support Services Unit Manager
Visitors:	Jacqueline Rush	- Petitioner
	JaNay Tavolacci	- West Michigan College of Barbering

**INTRODUCTIONS**

Dennis Sullivan of Waterford, succeeding James Vreeland, was appointed to the board representing professionals for a term commencing February 5, 2007 and expiring September 30, 2009. Walter Lupu of Charlotte was reappointed to the board representing professionals for a term expiring September 30, 2010.

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

MOTION: Mr. Green moved to approve the minutes of January 22, 2007. The motion was seconded by Mr. Pappas, which carried unanimously.

## **PETITIONS**

### **Jacqueline Rush, 17-01-022737, Barber Instructor License, Education Review**

Ms. Rush applied for barber instructor licensure on March 1, 2007. The application was referred to the board to determine whether the 90 term hours completed at DePaul University are acceptable based upon Section 339.1109(1)(b) of Article 11 of PA 299 of 1980, combined with the six months of barber instructor training obtained at West Michigan College of Barbering. The board reviewed the petition and discussed the supporting documentation. Ms. Rush was present at the meeting today and addressed the board.

MOTION: Mr. Lupu moved to accept Ms. Rush's petition and grant her a barber instructor license based upon her exceeding the substitution requirement of completion of at least 90 term hours of college course work in addition to six months of barber instructor training in a licensed barber college. Mr. Sullivan seconded the motion, which carried unanimously. The department concurred.

## **STIPULATIONS**

### **Forty Cutz, Forty Cutz LLC, 17-02-060240, C#303772**

The board reviewed the Stipulation in the matter of Forty Cutz for permitting an unlicensed person to work in the shop as a barber.

In accordance with the Stipulation, the respondent consents to pay a fine of \$350.00 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. Pappas moved to accept the stipulation. Mr. Green seconded the motion, which carried unanimously.

### **Jimmy Lee Posey, 17-01-022443, C#303771**

The board reviewed the Stipulation in the matter of Jimmy Lee Posey for rendering barber services on a patron without possessing a license.

In accordance with the Stipulation, the respondent consents to pay a fine of \$250.00 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. Pappas seconded the motion, which carried unanimously.

**Richard D. Williams, 17-01-022971, C#304077**

The board reviewed the Stipulation in the matter of Richard D. Williams for engaging in the practice of barbering without possessing a license.

In accordance with the Stipulation, the respondent consents to pay a fine of \$175.00 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. Sullivan seconded the motion, which carried by a majority vote with Mr. Lupu abstaining.

**HEARING REPORT**

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

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

**Perfect 10, Martes Howard, 17-02-060146, C#303372, Docket No. 2006-774**

The board reviewed the Hearing Report in the matter of Perfect 10, Martes Howard, for failure to display barbershop and barber licenses in a prominent place visible to the public; failure to keep outside openings properly screened; failure to keep floors, walls, ceilings, fixtures, and furnishings clean; failure to keep waste receptacles cleaned and disinfected every 24 hours; failure to ensure that small items of equipment were maintained in a sanitary condition; violating a rule of conduct; and violating other section or rule.

MOTION: Mr. Pappas moved to accept the administrative law judge's recommendation to assess a fine in the amount of \$1,050.00 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 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 Final Order. Mr. Lupu seconded the motion, which carried unanimously.

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

Testing Services – There were no updates at this time.

Barber Poles – Mr. Green stated that two licensed barbers had contacted him regarding a cosmetology establishment displaying a barber pole at their place of business and whether it was considered a violation. Several board members surmised that the red, white and blue alternating stripe barber pole was a registered service mark at one time, and it is generally associated with the barber profession. Board members wanted to know if the use of a barber pole in a cosmetology shop advertisement would be considered false advertising if there were

no licensed barbers. Mr. Campbell stated that a written complaint could be submitted to the enforcement division for their review to determine if a violation has occurred.

**PUBLIC COMMENT**

None

**NEXT MEETING DATE**

The next regularly scheduled meeting of the Board of Barber Examiners will be held on October 22, 2007 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 10:25 a.m.

Gerald Wall /s/  
Board Chairperson

10/22/2007  
Date

Sharon Murphy /s/  
Recording Secretary

10/22/2007  
Date