



**Mississippi Board of Barber Examiners**  
510 George Street, Suite 400, Jackson, MS 39202

**Regular Meeting Minutes of Sunday, October 15, 2023**

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**I. Call to Order**

The meeting was called to order by Mike Cothran, Chairman of the Board.

**II. Roll Call**

**Members present:**

**Mike Cothran, Chairman**  
**Bennie Adkins, Vice-Chairman**  
**Clelly Farmer, Member**  
**Mike McBunch, Secretary/Treasurer**

**Also in attendance were:**

**Yvonne Laird, Consultant**  
**Kim Turner, Assistant Attorney General, Director of State Agency Division  
and Counsel for the Board**  
**Yarnell Waters, Administrative Support Assistant - MBBE**  
**Ann Welch, Administrative Support Assistant - MBBE**

**Members of the Public in Attendance:**

**Catherine Bell, Special Assistant Attorney General and Counsel of the  
MS State Board of Cosmetology**  
**Sharon Clark, Executive Director -MS State Board of Cosmetology**  
**Debbie Coker, Board Member – MS State Board of Cosmetology**  
**Ruby Lowery, Deputy Director – MS State Board of Cosmetology**  
**Jewel Stewart, Board Member – MS State Board of Cosmetology**  
**Richard Brown, Brown's Barber Shop**  
**Gerald Mann, Mann's School of Barbering**  
**Tyrone McLaurin, Member of the Public**

**Erica Turner, East Mississippi Community College  
Tyrone McLaurin, Pearl River Community College  
Asheena Woods, Member of the Public**

**A quorum was present for voting purposes.**

**III. Approval of the Agenda**

**The Agenda was revised to reflect the addition of Item XII. Item B. 2023-040-03. The motion was made by Mike McBunch to accept the revision to the Agenda. A second was provided by Clelly Farmer. The vote was, as follows:**

<b>Aye – Bennie Adkins</b>	<b>Aye – Mike Cothran</b>
<b>Aye – Clelly Farmer</b>	<b>Aye – Mike McBunch</b>

**IV. Discussion of the Minutes of August 20, 2023**

**Upon motion made by Mike McBunch, with a second by Bennie Adkins, the Minutes of August 20, 2023 were approved as presented. The vote was as follows:**

<b>Aye – Bennie Adkins</b>	<b>Aye – Mike Cothran</b>
<b>Aye – Clelly Farmer</b>	<b>Aye – Mike McBunch</b>

**V. Agenda Request**

**A. James Preston was not present due to a death in the family. Shika Yarnell, Administrative Support Assistant for MBBE made the presentation on behalf of Mr. Preston regarding the request for ADA accommodations for the written examination. Mr. Preston will be advised that the MBBE.30 ADA Request currently appears on the website and shall be submitted to the Board. Mike Cothran advised that he could participate as the examination proctor (reader). Mr. Preston will be advised of the date and time for the examination to be held at the offices of MBBE. No action required by the Board.**

**B. MS State Board of Cosmetology representatives and counsel for the Board discussed a prospective merger bill previously distributed to MBBE members with the agenda. The motion was made by Mike McBunch to proceed with reviewing the submittal and offer possible suggestions and recommendations. Deadline for review November 1, 2023. A second was provided by Bennie Adkins. The vote was, as follows:**

<b>Aye – Bennie Adkins</b>	<b>Aye – Mike Cothran</b>
<b>Aye – Clelly Farmer</b>	<b>Aye – Mike McBunch</b>

**C. Melvin Calton was not present; however, his agenda request was addressed.**

**1. School and Instructor Training – October 29, 2023**

**Mr. Calton will be advised that the School and Instructor Training Agenda will be released as soon as it is approved by the Board this date (Item XIII).**

**2. Kim Turner, Counsel for the Board, advised that it is acceptable for a licensed school to offer a program with additional hours over and above the required hours for licensure. The hours specified in the statute are minimum**

hours for licensure. Mr. Calton will also be advised that this Board does not have jurisdiction over what he names his program (barberologist or barber supreme) as long as the hours stipulated by statute are completed as a requirement for licensing.

**VI. Report of Officers**

**A. Chairman**

Mike Cothran provided an overview of the Board progress from FY2023. No action required by the Board.

**B. Vice-Chairman**

Bennie Adkins advised that he had communicated with the Governor's Office regarding the Board vacancy. The Board is awaiting the Governor's action. No action required by the Board.

**VII. Financial Report**

Mike McBunch provided an overview of the financial status of the Board for FY2024. No action required by the board.

**VIII. Report of Counsel – Kim Turner**

**A. 2023-2716/87/01 Update**

The notice has been prepared for a November 12, 2023 hearing and will be forwarded to the Board Chairman for his review and signature.

**B. Retention Schedule**

Kim Turner advised that she had reviewed the retention schedule on file with the Mississippi Department of Archives and History. It was advised that this Board is required to maintain all student files indefinitely for those barber schools which have closed. Mrs. Turner advised that this schedule needs to be revised. No files are currently maintained within the MDAH. No action required by the Board.

**C. Kim Turner also reviewed the temporary rules currently on file with the Secretary of State in accordance with the Administrative Procedures Act and recommended that they be re-visited for full compliance.**

**IX. Executive Report**

Ann Welch, Administrative Support Assistant, provided the 2022-2023 Test Score Report by School which indicates a cumulative pass rate of 58% which is a 19% increase over the 2022 annual pass rate of 39%. She further advised that 21 licensed schools are currently below the 70% pass rate requirement with 60% of licensed schools below minimum standards.

Mike Cothran also advised that MBBE is currently up 200% on completed inspections for the same period in the prior calendar year.

Mrs. Welch recommended that discussions of the purchase of a bank scanner be tabled until the November 12, 2023 meeting pending receipt of additional information from Regions Bank.

No action required by the Board.

**X. Old Business**

**A. Rules and Regulations – Mobile Barbering**

Kim Turner, Counsel reviewed the chronological history of the Board's discussion regarding implementing jurisdictional rules relative to mobile barbering. Mrs. Turner advised that the inclusion of this rule was acted on by the Board when the proposed and temporary rules were approved on July 16, 2023 and the Minutes of this meeting accepted on August 20, 2023.

**B. Travel Policy and Per Diem Allowances**

Mrs. Turner also advised that pursuant to law, any Board member who performs any function of the Board, such as a school inspection, shall be reimbursed at a daily rate of \$40.00 and paid mileage in accordance with DFA. Board members shall provide a completed inspection form as support documentation of this per diem and travel reimbursement request.

**C. Secretary of State Michael Watson's 29 X 29 Initiative Recommendations**

The Board will take these recommendations under advisement when reviewing current rules and statutes.

**D. Inspections**

**CLOSED DETERMINATION/EXECUTIVE SESSION**

Upon motion made by Mike McBunch, with a second by Benny Adkins, the Board voted to go into a closed determination session to establish the need for an Executive Session. The motion carried with the following members voting: voting for: Bennie Adkins, Mike Cothran, Clelly Farmer and Mike McBunch; voting against: none; recusal: none; absent: none.

In the determination session, Bennie Adkins moved, seconded by Clelly Farmer, that the Board had reason to go into Executive Session, namely for: [25-41-7(4)(d)] investigative proceedings by any public body regarding allegations of misconduct or violation of law. The motion carried with the following members voting: voting for: Bennie Adkins, Mike Cothran, Clelly Farmer and Mike McBunch; voting against: none; recusal: none; absent: none.

The Board announced to the public the aforesaid reasons as the Board's purpose for entering into an Executive Session.

Upon the conclusion of business during Executive Session, the Board voted, upon motion made by Bennie Adkins and seconded by Mike McBunch to come out of Executive Session. The motion carried with the following members voting: voting for: Bennie Adkins, Mike Cothran, Clelly Farmer and Mike McBunch; voting against: none; recusal: none; absent: none.

The Board resumed in open meeting by announcing the Board took no action during Executive Session.

**XI. New Business**

**A. Regulatory Roundtable: Mississippi in Review – October 24-25, 2023**

The motion was made by Mike McBunch to approve the travel and per diem for all four (4) board members attending the Regulatory Roundtable: Mississippi in Review mini-conference October 24-25, 2023. A second was provided by Bennie Adkins. The vote was, as follows:

Aye – Bennie Adkins

Aye – Mike Cothran

Aye – Clelly Farmer

Aye – Mike McBunch

**B. Cause Number 2023-040-03**

Mike Cothran will serve as the investigative board member in this matter.

**C. School Monthly Reports**

The motion was made by Bennie Adkins to eliminate the mailing into the MBBE office of monthly reports effective January 1, 2024. However, the schools must retain these documents for audit purposes. Official school transcripts will be required as of January 1, 2024. A second was provided by Clelly Farmer. The vote was, as follows:

Aye – Bennie Adkins

Aye – Mike Cothran

Aye – Clelly Farmer

Aye – Mike McBunch

**D. Temporary Staffing**

MBBE staff requested temporary assistance due to the resignation of the Executive Director, Sharron Martin. Yvonne Laird was instructed to speak with Cornerstone to see if the budget allowed for temporary staffing. If it is within the budget to accommodate this request, MBBE staff can proceed with contacting a staffing company for temporary assistance. No action required by the Board.

**E. Inspections**

The Board will be seeking individuals to serve as inspectors through Mississippi. An application will be required as well as a personal interview which will be conducted by the Board at the November 12, 2023 meeting. The deadline for receipt of applications is November 8, 2023. This employment opportunity as well as the application will be placed on the website for those interested in an inspector position.

Mike McBunch also offered for clarification that in the past Board members have been responsible for inspecting schools and inspectors inspect shops. Due to the limited availability of inspectors in the prior fiscal year, the Board opted to assist with shop inspections. As noted by the Board, and directed by Counsel, going forward, Board members will not inspect shops. Board members who perform school inspections will be compensated at the standard board per diem rate of \$40 plus mileage upon completion and submittal of the inspection form.

**Inspector Employment**

**CLOSED DETERMINATION/EXECUTIVE SESSION**

Upon motion made by Mike McBunch, with a second by Clelly Farmer, the Board voted to go into a closed determination session to establish the need for an Executive

**Session. The motion carried with the following members voting: voting for: Bennie Adkins, Mike Cothran, Clelly Farmer and Mike McBunch; voting against: none; recusal: none; absent: none.**

**In the determination session, Bennie Adkins moved, seconded by Mike McBunch, that the Board had reason to go into Executive Session, namely to: transact business and discussions regarding employment of a person in a specific position. The motion carried with the following members voting: voting for: Bennie Adkins, Mike Cothran, Clelly Farmer and Mike McBunch; voting against: none; recusal: none; absent: none.**

**The Board announced to the public the aforesaid reasons as the Board's purpose for entering into an Executive Session.**

**Upon the conclusion of business during the Executive Session, the Board voted, upon motion made by Bennie Adkins and seconded by Mike McBunch to come out of Executive Session. The motion carried with the following members voting: voting for: Bennie Adkins, Mike Cothran, Clelly Farmer and Mike McBunch; voting against: none; recusal: none; absent: none.**

**The Board resumed in open meeting by announcing the following actions and votes taken in Executive Session.**

#### **RETURN TO REGULAR SESSION**

**Within the Executive Session, the Board took the following actions:**

**The motion was made by Mike McBunch to hire Tim Burns as a contract inspector for the period October 16, 2023 thru June 30, 2024. Clelly Farmer provided a second. The vote was, as follows:**

**Aye – Bennie Adkins**

**Aye – Mike Cothran**

**Aye – Clelly Farmer**

**Aye – Mike McBunch**

#### **XII. School and Instructor Training – October 29, 2023**

**The motion was made by Bennie Adkins to accept the program agenda for the school and instructor training scheduled for Sunday, October 2, 2023. Clelly Farmer provided a second. The vote was, as follows:**

**Aye – Bennie Adkins**

**Aye – Mike Cothran**

**Aye – Clelly Farmer**

**Aye – Mike McBunch**

**XIII. Next Regular Scheduled Meeting**

The next regularly scheduled meeting is October 12, 2023 at 9:00 a.m.  
2024 Meeting Schedule was distributed and will be placed on the website for viewing by the public as well as on the DFA transparency website.

**XIV. Adjournment**

Clelly Farmer made the motion that the meeting be adjourned at 12:45 p.m. Bennie Adkins provided a second. The vote was, as follows:

Aye – Bennie Adkins

Aye – Mike Cothran

Aye – Clelly Farmer

Aye – Mike McBunch

**APPROVED:**

  
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Mike Cothran, Chairman

  
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Mike McBunch, Secretary