



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

Regular Meeting Minutes of Sunday, November 12, 2023

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
Mike McBunch, Secretary/Treasurer
Clelly Farmer, Member**

Also, in attendance were:

**Yvonne Laird, Consultant
Kim Turner, Assistant Attorney General, Director of State Agency Division
and Counsel for the Board
Kristen Love, Hearing Officers
Angela Welch, Administrative Support Assistant - MBBE
Yarnell Waters, Administrative Support Assistant – MBBE**

CLOSED DETERMINATION/EXECUTIVE SESSION

Upon motion made by Clelly Farmer, 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 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: investigative proceedings regarding allegations of misconduct or violations 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.

RETURN TO REGULAR SESSION

III. Hearing / Executive Session

A. 2023-2716.87-01 (AK)

Kristen Love presided as the hearing officer. In advising the Respondent of his right to legal counsel, Respondent stated he received the notice of the hearing by certified mail on Nov. 1, 2023 and was unable to secure representation before the hearing. Respondent requested a continuance of the hearing so he may retain legal counsel to represent him in this matter. A motion to continue the hearing to December 3, 2023 was made by Bennie Adkins, 2nd by Mike McBunch. The vote was as follows:

Aye – Bennie Adkins

Aye – Mike Cothran

Aye – Clelly Farmer

Aye – Mike McBunch

The hearing upon 2023-2716.87-01 was therefore recessed until December 3, 2023.

B. Upon motion of Clelly Farmer and a second by Mike McBunch, the Board voted unanimously to proceed with the filing of a Complaint in matter number 2023-06375-05, with a hearing to be held at 9:00 a.m. on the date of the next regularly scheduled board meeting.

IV. Approval of the Agenda

The motion was made by Bennie Adkins to accept the Agenda. A second was provided by Clelly Farmer. The vote was as follows:

Aye – Bennie Adkins

Aye – Mike Cothran

Aye – Clelly Farmer

Aye – Mike McBunch

V. Discussion of the Minutes of October 15, 2023

Upon motion made by Clelly Farmer, with a second by Mike McBunch, the Minutes of October 15, 2023 meeting were approved as presented. The vote, was as follows:

Aye – Bennie Adkins

Aye – Mike Cothran

Aye – Clelly Farmer

Aye – Mike McBunch

VI. Agenda Request for Pre-Determination

The request for predetermination failed to comply with the requirements for a declaratory opinion. Board counsel will respond to the requestor.

VII. Report of Officers

A. Chairman

Mike Cothran provided an overview of the quarterly school meeting held October 29, 2023. The speaker addressed teaching adult students in the barber profession.

Inspections by Samuel Raper have resulted in identifying closed barber shops. 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 Governor stated that after the election was over, he would appoint a new board member. The Board is awaiting the Governor's action. No action required by the Board.

VIII. Financial Report

Tabled until the January, 2024 meeting.

IX. Report of Counsel

Kim Turner will be reviewing information regarding fines and will provide input at the January 2024 meeting. No action required by the Board.

X. Executive Report

A. Approval of Licenses

Ann Welch, Administrative Support Assistant, provided the barber, instructor and crossover testing information applications for new licenses. The motion was made by Mike McBunch, second by Bennie Adkins to approve licenses for all individuals who had met the requirements. The vote was as follows:

Aye – Bennie Adkins
Aye – Clelly Farmer

Aye – Mike Cothran
Aye – Mike McBunch

B. Approval of Expenses

The motion was made by Bennie Adkins, second by Clelly Farmer to approve expenses, as submitted. The vote was as follows:

Aye – Bennie Adkins
Aye – Clelly Farmer

Aye – Mike Cothran
Aye – Mike McBunch

C. Discussion of Scanning of Receivables (Regions)

The motion was made by Bennie Adkins to make the one-time purchase of single-feed scanner for \$35.00 and paying a \$50.00 monthly maintenance fee with unlimited users and online access to view checks and transaction at \$.12 per item and no annual contract. Clelly Farmer provided a second.

The vote was as follows:

Aye – Bennie Adkins
Aye – Clelly Farmer

Aye – Mike Cothran
Aye – Mike McBunch

D. DataLynks (Server)

Yvonne Laird provided an update regarding the Datalynks System and the options available to MBBE. The motion was made by Mike McBunch to proceed with one work station and table the purchase of a new server at this time. A second was provided by Bennie Adkins. The vote was as follows:

| | |
|---------------------|--------------------|
| Aye – Bennie Adkins | Aye – Mike Cothran |
| Aye – Clelly Farmer | Aye – Mike McBunch |

E. CEU Approval

Ann Welch presented three School Instructor CEU Events for approval. Bennie Adkins made the motion to deny the CEU submittals which consisted of competitive events. Mike McBunch provided a second. The vote was as follows:

| | |
|---------------------|--------------------|
| Aye – Bennie Adkins | Aye – Mike Cothran |
| Aye – Clelly Farmer | Aye – Mike McBunch |

Yvonne Laird will develop a CEU Application for the website for future use.

F. Ethics Commission Economic Statements

Yvonne Laird provided a roster to each Board member advising them of their respective Economic Impact Statement requirements with the MS Ethics Commission. No action required by the Board.

Yvonne Laird presented a Mission Statement and Code of Ethics for the Board's review and adoption. Motion made by Mike McBunch, second by Clelly Farmer to adopt the Mission Statement and Code of Ethics for the Board. The vote was as follows:

| | |
|---------------------|--------------------|
| Aye – Bennie Adkins | Aye – Mike Cothran |
| Aye – Clelly Farmer | Aye – Mike McBunch |

XI. Old Business

A. Merger Bill Update

Yvonne Laird and Kim Turner provided an update relative to the merger bill that Cosmetology will present this year. The new Board will consist of three Barbers and three Cosmetology members. The seventh Board Members will alternate each year between Barbers and Cosmetology. Mike McBunch made the motion for Kim Turner to work with the attorney for the Cosmetology Board on behalf of and in the best interest of the Barber Board. Clelly Farmer provided a second. The vote was as follows:

| | |
|---------------------|--------------------|
| Aye – Bennie Adkins | Aye – Mike Cothran |
| Aye – Clelly Farmer | Aye – Mike McBunch |

B. Leave Policies

The motion was made by Bennie Adkins to adopt the Leave Policies as presented. A second was provided by Mike McBunch. The vote was as follows:

| | |
|---------------------|--------------------|
| Aye – Bennie Adkins | Aye – Mike Cothran |
| Aye – Clelly Farmer | Aye – Mike McBunch |

XII. Executive Session

Upon motion made by Mike McBunch, with a second by Bennie 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 member 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 discussion of personnel matters related to job performance. The motion carried with the following members 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 of 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 for: Bennie Adkins, Mike Cothran, Clelly Farmer and Mike McBunch; voting against: none; recusal: none; absent: none.

RETURN TO REGULAR SESSION

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

The motion was made by Mike McBunch to appoint Ann Welch as Interim Executive Director with a pay increase not to exceed the 10% maximum allowed due to increase in duty assignments. A second was provided by Bennie Adkins. The vote was as follows:

**Aye – Bennie Adkins
Aye – Clelly Farmer**

**Aye – Mike Cothran
Aye – Mike McBunch**

The motion was made by Bennie Adkins to authorize a pay increase not to exceed the 10% maximum allowed due to increase in duties Yarnell Waters, Administrative Assistant. A second was provided by Mike McBunch. The vote, was as follows:

**Aye – Bennie Adkins
Aye – Clelly Farmer**

**Aye – Mike Cothran
Aye – Mike McBunch**

Applicants For Inspector:

The Board reviewed five inspector applications. One applicant requested to have his name removed from the list and another applicant was disqualified because she is a registered Instructor. Three applicants are scheduled for interviews Sunday, December 3, 2023. No further action required by the Board at this time.

XIII. Discussion of School and Instructor Training

The motion was made by Mike McBunch with a second by Clelly Farmer to hold school and instructor training meetings twice per year (spring and fall) and issue one (1) continuing education hour for each hour of instruction. The vote was as follows:

Aye – Bennie Adkins
Aye – Clelly Farmer

Aye – Mike Cothran
Aye – Mike McBunch

XIV. Adjournment

Clelly Farmer made the motion to adjourn the meeting, with a second by Bennie Adkins. The vote was as follows:

Aye – Bennie Adkins
Aye – Clelly Farmer

Aye – Mike Cothran
Aye – Mike McBunch

A special called meeting of MBBE will be held on December 3, 2023 at 9:00 a.m. The 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.

The meeting was adjourned at 12:45 p.m.

APPROVED:



Mike Cothran, Chairman



Mike McBunch, Secretary