

**MISSISSIPPI BOARD OF COSMETOLOGY AND BARBERING**  
**Board Meeting Minutes**  
**August 26, 2024**  
**239 North Lamar Street, 2nd Floor, Jackson, MS 39201**

I. Welcome and Call to Order

- A. Warren Rossi called the meeting to order at 9:00 a.m. Roll call was completed. May the record reflect that there was a quorum present for voting purposes.

Members present:

Warren Rossi, President

Bennie Lee Adkins, Vice President

Clelly Farmer

Michael McBunch

Linell Palmer, Jr.

Dr. Daniel Edney, State Health Officer or Designee – Absent

Catherine Bell, Special Assistant Attorney General / Counsel for the Board

Sharon Clark, Executive Director, Cosmetology Board

Ann Welch, Interim Executive Director, Barber Board

Ruby Lowery

There were members of the public present.

B. Invocation

II. Agenda Approval

Michael McBunch moved to accept the agenda with the following amendments:

1. VI (B) Style of License moved to Section III
2. VII License/Work Permits/Approval Letters moved to Section III.

Clelly Farmer provided a second. The motion carried by unanimous approval.

III. Board Minutes Approval

Michael McBunch moved to approve the July 29, 2024, Board Minutes. Linell Palmer, Jr. seconded the motion. The motion carried by unanimous approval.

IV. Style of License

Clelly Farmer moved for Ann Welch to request two quotes for either upgrading or duplicating the Badgepass system. Linell Palmer, Jr. seconded the motion. The motion carried by unanimous approval.

Michael McBunch moved that as of January 1, 2025, all practitioners will receive a license in the style of the Badgepass card and all establishments (salons, shops and schools) will receive a license made of paper. Clelly Farmer provided a second. The motion carried by unanimous approval.

V. License / Work Permits / Approval Letter Report

Ann Welch presented the report of barber licenses, work permits, and shops. Michael McBunch moved to accept the new licensees for licensure as reported. Bennie Lee Adkins provided a second. The motion carried by unanimous approval.

Ruby Lowery presented the report of cosmetology/nail technology/esthetics licenses, work permits, and shops. Bennie Lee Adkins moved to accept the new licensees for licensure as reported. Michael McBunch provided a second. The motion carried by unanimous approval.

A. Out of Country Examination Application

Linell Palmer, Jr. moved to accept the education included in P. Ngo's application and permit him to sit for licensure examination. Clelly Farmer provided the second. The motion passed unanimously.

Linell Palmer, Jr. moved clarify that for UROLA purposes, the Board interprets the word "utility" to mean a bill for electricity, gas, and/or water services to an address that is a residency and not a business. Michael McBunch provided a second. The motion carried by unanimous approval.

B. Linell Palmer, Jr. moved that MS Beauty and Aesthetics Institute must submit a compliance plan regarding their pass/fail ratio falling below the ratio required by the Board and Rule 5.24. Bennie Lee Adkins provided a second. The motion carried by unanimous approval.

VI. Financial Report

A. Denise DeRossette with Cornerstone provided the financial report. Linell Palmer, Jr. moved to approve the financial report pending audit. Clelly Farmer provided a second. The motion carried by unanimous approval.

VII. Agenda Request Form

A. Heather Hopkins

Ms. Hopkins' cosmetology license expired in June 2019. Ms. Hopkins requested that the Board set aside the retesting (theory and practical) requirement of Miss. CODE ANN. § 73-7-19 for a licensee whose license has expired three or more years prior. Bennie Lee Adkins moved to deny the request. Clelly Farmer provided a second. The motion carried by unanimous approval.

B. Mississippi Vietnamese Organization

A representative of the MS Vietnamese Organization spoke to the Board with concerns over reciprocity, UROLA, pedicure spa logs, six-month suspensions, and the electric file certifications. The Board took no action. A representative of the MS Vietnamese Organization will meet with Sharon Clark, Catherine Bell, and Warren Rossi to discuss these concerns in detail at a later date.

VIII. Old Business

A. Cosmetology Hearings

Linell Palmer, Jr. moved for hearings to be held on December 9, 2024, at 9:00 a.m. for the following:

- a. 2024-08-1895-01
- b. 2024-02-66427-1
- c. 2024-01-65462-1

Clelly Farmer provided a second. The motion carried by unanimous approval.

B. Curriculum and Instruction

After a brief discussion, this item remains tabled.

IX. New Business

A. Fresh Start Act

a. Warren Rossi moved to accept the Fresh Start Determination policy. Michael McBunch provided a second. The motion carried by unanimous approval.

b. Fresh Start Request

i. Delta Correctional Facility Felony Applicants

Bennie Lee Adkins moved that pursuant to the Fresh Start Act (MISS. CODE ANN. § 73-77-1 *et seq.*) and the Board's Rule 2.15, the following candidates with previous felony convictions of which the Board has knowledge on the date of the meeting are required to attend a show cause hearing on October 28, 2024, before a determination can be made as to whether the Board will deny licensure to the candidate based on MISS. CODE ANN. § 73-7-27 (2) (d) once all education and testing were successfully completed:

- P. Bennett
- C. Fields
- J. Gilmer
- C. Harpole
- J. Harrington
- A. Hawthorne
- N. Lett
- S. Smith
- S. Young

Linell Palmer, Jr. provided a second. The motion carried by unanimous approval.

Michael McBunch moved that pursuant to the Fresh Start Act (MISS. CODE ANN. § 73-77-1 *et seq.*) and the Board's Rule 2.15, the following candidate's previous felony convictions of which the Board has knowledge on the date of the meeting would not prohibit the candidate's ability to receive a license under MISS. CODE ANN. § 73-7-27 (2)(d) once all education and testing were successfully completed:

A. Azimow  
S. Bassett  
D. Bradley  
L. Davis  
B. Goodenough  
P. Hamilton  
S. Magee  
A. Palmer  
M. Reed  
B. Waddell  
C. Young

Bennie Lee Adkins provided a second. The motion carried by unanimous approval.

ii. Hatfield's Felony Applicant

Bennie Lee Adkins moved that pursuant to the Fresh Start Act (MISS. CODE ANN. § 73-77-1 *et seq.*) and the Board's Rule 2.15, S. Holloway's previous felony convictions of which the Board has knowledge on the date of the meeting would not prohibit the candidate's ability to receive a license under MISS. CODE ANN. § 73-7-27 (2)(d) once all education and testing were successfully completed. Linell Palmer, Jr. provided a second. The motion carried by unanimous approval.

iii. UROLA Felony Applicant

Linell Palmer, Jr. moved that pursuant to the Fresh Start Act (MISS. CODE ANN. § 73-77-1 *et seq.*) and the Board's Rule 2.15, K. Lane's previous felony convictions of which the Board has knowledge on the date of the meeting would not prohibit the candidate's ability to receive a license under MISS. CODE ANN. § 73-7-27 (2)(d) once all testing was successfully completed. Clelly Farmer provided a second. The motion carried by unanimous approval.

B. Rules Drafting

Ad hoc rules drafting committee comprised of Dr. Daniel Edney of the Dept of Health, Ruby Lowery, and Linell Palmer, Jr. was created to assist in the initial drafting of the rules and regulations.

The Board discussed the permissibility of mobile salons as Barbers currently allow while Cosmetology prohibits same. Warren Rossi moved that mobile establishments (salon or shop) wherein any profession regulated by the Board be prohibited as of January 1, 2024, and for a rule and regulation to be drafted to that effect. Linell Palmer, Jr. seconded the motion. The motion carried by unanimous approval.

C. Declaratory Opinion Request

The Board reviewed the response prepared by counsel to a request for declaratory opinion regarding dermaplaning and requested that the response clarify that dermaplaning with a guarded blade is permissible if the guarded blade is a tool containing a disposable, nonsurgical guarded blade. Counsel will amend the response accordingly.

D. IT and Web Services Providers

Clelly Farmer moved for quotes to be requested for IT and Web Services including the Cybersecurity Assessment. Linell Palmer, Jr. provided a second. The motion carried by unanimous approval.

E. Surety Bond – Office Staff and Board Members

Office staff and Board Members have been bonded for \$25,000 except for Dr. Daniel Edney. His application will be completed for submission at the next Board Meeting.

F. MS Cosmetology and Barbering Council Payment and Catering

Melvin Calton, president of the Council, stated that the Board is not required to pay the yearly dues to the Council. Clelly Farmer moved to discontinue the payment of the dues to the Council. Michael McBunch provided a second. The motion carried by unanimous approval.

Sharon Clark updated that catering at the Council meetings was provided by each entity within the council on a rotating basis. The Board was scheduled to provide catering at the upcoming September 2024 meeting. Michael McBunch moved to approve the Board's payment of the catering for the Council meeting on September 29, 2024. Clelly Farmer provided a second. The motion carried by unanimous approval.

X. Licensure Examination

A. Practical Exam Evaluator Contractual Pay Rate

The Board discussed pay rate for the practical exam evaluator contracts established during the July 2024 meeting and determined that the daily rate of \$105.00 was incorrectly calculated and should be amended. Linell Palmer, Jr. moved for the daily rate of the practical exam evaluator contractors to be \$120. Michael McBunch provided a second. The motion carried by unanimous approval.

B. Ethics Opinion Request Update

Catherine Bell advised there is no update at this time.

C. Practical Exam Evaluator Selection – Barbering

a. Oliver Sampson

Bennie Lee Adkins moved to approve applicant to be a barbering practical exam evaluator on a contract basis. Clelly Farmer provided a second. The motion carried by unanimous approval.

- b. John Wesley Campbell  
Linell Palmer, Jr. moved to approve applicant to be a barbering practical exam evaluator on a contract basis. Michael McBunch provided a second. The motion carried by unanimous approval.
- c. Tracey L. Crawley  
Michael McBunch moved to approve applicant to be a barbering practical exam evaluator on a contract basis. Clelly Farmer provided a second. The motion carried by unanimous approval.
- d. Brandy Farmer  
Linell Palmer, Jr. moved to approve applicant to be a barbering practical exam evaluator on a contract basis. Bennie Lee Adkins provided a second. The motion carried with the following vote:
  - Warren Rossi - aye
  - Bennie Lee Adkins - aye
  - Clelly Farmer - abstention
  - Michael McBunch - aye
  - Linell Palmer, Jr. - aye
- e. Paul A. Collier, Sr.  
Bennie Lee Adkins moved to approve applicant to be a barbering practical exam evaluator on a contract basis. Michael McBunch provided a second. The motion carried by unanimous approval.

D. Practical Exam Evaluator Selection - Cosmetology

- a. Anita Jamison  
Linell Palmer, Jr. moved to approve applicant to be a cosmetology practical exam evaluator on a contract basis. Clelly Farmer provided a second. The motion carried by unanimous approval.
- b. Angela Di Donna  
Bennie Lee Adkins moved to approve applicant to be a cosmetology practical exam evaluator on a contract basis. Clelly Farmer provided a second. The motion carried by unanimous approval.

Training of new evaluators will be held on Sunday, September 8, 2024. Michael McBunch, Clelly Farmer, and Bennie Lee Adkins will provide the training for the Barber examination. Ruby Lowery will provide the training for the Cosmetology examinations.

XI. Formal Complaints

CLOSED DETERMINATION / EXECUTIVE SESSION

Michael McBunch moved to enter closed session to determine if the Board has reason to enter Executive Session. The vote was unanimous. The motion carried.

Linell Palmer, Jr., seconded by Clelly Farmer, moved that the Board had reason to go into Executive Session pursuant to MISS. CODE ANN. § 25-41-7 (d) investigative proceedings

regarding allegations of misconduct or violation of law. The vote was unanimous. Motion carried.

Within Executive Session the following action was taken:

- A. Cosmetology: FC20240802-001  
Bennie Lee Adkins moved for dismissal based on the subject of the complaint being outside the jurisdiction of the Board. Linell Palmer, Jr. provided a second. The motion carried by unanimous approval.
- B. School: FC20240813-001 / FC20240819-001  
Complaint was assigned to Clelly Farmer to investigate.
- C. Appeal: G2024-851 H/3  
Counsel provided an update. No action necessary.
- D. Appeal: 2024-535-G2  
Counsel provided an update. No action necessary.
- E. Cosmetology: FC20240624-001  
Sharon Clark was asked to notify the Board of Health about the presence of tattooing equipment in the establishment. Linell Palmer, Jr. moved to approve authority for counsel to offer a consent agreement that was within the parameters outlined by the Board. Clelly Farmer provided a second. The motion carried by unanimous approval.
- F. Barber: FC20240716-001  
Michael McBunch requested that this formal complaint be reassigned to Bennie Lee Adkins due to scheduling conflict.
- G. Barber: FC20240708-001  
Bennie Lee Adkins moved to waive the violation. Clelly Farmer provided a second. The motion carried by unanimous approval.
- H. Linell Palmer, Jr. moved for the Board to develop a course on sanitation to be used for remedial purposes. Michael McBunch provided a second. The motion carried by unanimous approval.

Linell Palmer, Jr. moved to return to open session. Bennie Lee Adkins provided the second. The vote was unanimous. Motion carried.

Catherine Bell advised the actions taken during executive session.

- XII. Examination Fees – Theory and Practical Examination  
Bennie Lee Adkins moved that effective January 1, 2025, the practical examination for all professions licensed by the Board would cost \$95 for a practitioner and \$120 for an instructor. Also effective January 1, 2025, the theory examination cost for all

professions licensed, both practitioner and instructor, by the Board would be \$95. Linell Palmer, Jr. provided a second. The motion carried by unanimous approval.

XIII. Continuing Education

A. National Interstate Council of State Boards (October 11) – Utah

Bennie Lee Adkins moved to approve travel and per diem for Board members and the Executive Director. Clelly Farmer provided a second. The motion carried by unanimous approval.

Linell Palmer, Jr. moved to amend the approval of the National Interstate Council on State Boards attendees to include Ruby Lowery. Michael McBunch provided a second. The motion carried by unanimous approval.

B. Mississippi Esthetics and Spa Conference (October 12) - Hattiesburg

Linell Palmer, Jr. moved to approve the conference for 7.0 continuing education hours. Clelly Farmer provided a second. The motion carried by unanimous approval. The Board requested Drew Hudson to monitor.

B. Mississippi Esthetics Association (October 27) – Biloxi

Bennie Lee Adkins moved to approve the conference for 9.0 continuing education hours. Michael McBunch provided a second. The motion carried by unanimous approval. The Board requested Drew Hudson and Ruby Lowery to monitor.

XIV. Adjournment

Linell Palmer, Jr. moved to adjourn at 2:17 p.m. A second was provided by Michael McBunch. The motion carried by unanimous approval.

APPROVED: \_\_\_\_\_

  
Warren Rossi, President