



Arizona State Board of Barbers

1400 West Washington, Suite 220

Phoenix, Arizona 85007

(602) 542-4498

**NOTICE AND AGENDA OF REGULAR MEETING
OF THE ARIZONA BOARD OF BARBERS**

Pursuant to A.R.S. § 38-431.02, notice is hereby given to the members of the Arizona Board Of Barbers (Board) and to the general public that the Board will hold a regular meeting open to the public on:

Monday, November 17, 2014, 2014 at 9:30 a.m.
1400 West Washington
Conference Room B-1
Phoenix, Arizona 85007

Title 2 of the Americans with Disability Act (ADA) prohibits the Board from discriminating on the basis of disability in its public meetings. Persons with a disability may request a reasonable accommodation by calling Mary Jane Jones at the Board office at 602-542-4498, or the TDD number at 800-367-8939. Requests should be made as early as possible to allow time to arrange the accommodation.

During the course of the meeting, the Board, upon a majority vote of a quorum of the members, may hold an executive session for the purposes of obtaining legal advice from the Board's attorney on any matter listed on the agenda pursuant to A.R.S. § 38-431.03 (A) (3). The executive session will be held immediately after the vote and will not be open to the public.

The agenda is subject to change up to 24 hours prior to the meeting. The Board Chairperson reserves the right to change the order of the items on the agenda, except for matters set for a specific time.

Please be aware that the Board may take action on any item listed on the agenda. Please note that any recommendations listed on the agenda are merely suggested Board actions. These recommendations do not become final until adopted by the Board. The Board has the authority to accept, reject, or modify any recommendations listed on the agenda.

AGENDA

The Agenda for the meeting is as follows:

- 1. Call to Order**
- 2. Roll Call**

3. Declaration of Recusal or Conflict of Interest

4. Review, Discussion and Approval of Board Meeting Minutes for September 29, 2014

5. Review, Discussion and Legal Action on Formal Hearings. Upon a majority vote of a quorum of the members, the Board may hold an executive session pursuant to A.R.S. § 38-431.03(A)(2), for the purposes of discussion or consideration of records exempt by law from public inspection, including the receipt and discussion of information or testimony that is specifically required to be maintained as confidential by state or federal law.

None

6. Review, Discussion and Legal Action on Informal Interviews.

Upon a majority vote of a quorum of the members, the Board may hold an executive session pursuant to A.R.S. § 38-431.03(A)(2), for the purposes of discussion or consideration of records exempt by law from public inspection, including the receipt and discussion of information or testimony that is specifically required to be maintained as confidential by state or federal law.

None

8. Review, Discussion and Legal Action on Consent Orders.

Upon a majority vote of a quorum of the members, the Board may hold an executive session pursuant to A.R.S. § 38-431.03(A)(2), for the purposes of discussion or consideration of records exempt by law from public inspection, including the receipt and discussion of information or testimony that is specifically required to be maintained as confidential by state or federal law.

a.	Case No:	2015-003	Inspection Report No.	25258
	Licensee:	Original Barber LLC	License No(s):	0518-E
	Possible Violation(s):	Overall condition of the shop		
	By Sam Barcelona			
	Staff Report	Consent Agreement was signed and \$100 civil penalty paid.		

b.	Case No:	2015-004	Inspection Report No.	25283
	Student:	Julian Atencio, Jr	Barber Student Card	8493
			No.	
	Possible Violation(s)	Working as a barber while a student		
	By Sam Barcelona			
	Staff Report	Consent Agreement was signed 9-8-2014 and \$500 civil penalty was due 11-12-2014.		

c.	Case No:	2015-007	Inspection Report No.	25465
	Licensee:	Jose Gonzalez	License No(s):	5883
	Possible Violation(s)	Unsanitary work stand		
	By Sam Barcelona			
	Staff Report	Certified mail was sent 8-12-14 and was returned to the office. Response was due 10-3-2014.		

- | | | | | |
|-----------|---|--|-----------------------|--------|
| d. | Case No: | 2015-009 | Inspection Report No. | 25486 |
| | Licensee: | Andre E Taylor | License No(s): | 5658 |
| | Possible Violation(s)
By Sam Barcelona
Staff Report | Inadequate dip sanitizer, unsanitary work stand and lapsed license (still lapsed)
Consent Agreement was accepted but signature was illegible. There was no date on the return receipt card but at the latest, the response date was | | |
| | | | | |
| e. | Case No: | 2015-010 | Inspection Report No. | 25486 |
| | Licensee: | Terrence Vyfhuis | License No(s): | 5969 |
| | Possible Violation(s)
By Sam Barcelona
Staff Report | unsanitary work stand and unsanitary tool drawer
Certified mail to the home address was returned, as well as the mail to the shop. Regular mail to his home has not been received by the office. The response date was | | |
| | | | | |
| f. | Case No: | 2015-011 | Inspection Report No. | 25486 |
| | Licensee: | Adriana Gomez | License No(s): | 788 |
| | Possible Violation(s)
By Sam Barcelona
Staff Report | Lapsed license (still lapsed) and license not posted
Certified mail to the home address was returned, as well as the mail to the shop. Regular mail to his home has not been received by the Board. The response date was | | |
| | | | | |
| g. | Case No: | 2015-012 | Inspection Report No. | 25486 |
| | Licensee: | Cedric Neal | License No(s): | 1220-E |
| | Possible Violation(s)
By Sam Barcelona
Staff Report | 2 employees working with a lapsed license, 1 employee working without posting a license and overall condition of the shop
Both certified and regular mail to the shop was returned. Regular mail to his home has not been received by the Board. The response date was 10-6-2014. | | |
| | | | | |
| o. | Case No: | 2015-016 | Inspection Report No. | 24700 |
| | Licensee: | Ricardo S Medina | License No. | 6157 |
| | Possible Violation(s)
By Sam Barcelona
Staff Report | Inadequate dip sanitizer and and unsanitary tool drawer
Certified mail was received 8-14-2014 by Raul (rest of signature illegible). Response date was 10-5-2014. | | |

9. Review, Discussion and Legal Action on Investigative and Inspection Reports.

Upon a majority vote of a quorum of the members, the Board may hold an executive session pursuant to A.R.S. § 38-431.03(A)(2), for the purposes of discussion or consideration of records exempt by law from public inspection, including the receipt and discussion of information or testimony that is specifically required to be maintained as confidential by state or federal law.

- | | | | | |
|-----------|--|--|-----------------------|-------|
| a. | Case No: | 2015-068 | Inspection Report No. | 26419 |
| | Licensee: | Carlos A Quezada | License No(s): | 1241 |
| | Possible Violation(s)
By Joyce Voss
Staff Recommends | Lapsed License
License not posted
Consent Agreement for Barber License No. 1241 with a \$160 civil penalty for working with a lapsed license and a \$100 civil penalty for working without posting a license for a total of a \$260 civil penalty , this consent agreement to be returned within 21 days and the civil penalty to be due 60 days after the acceptance of the consent agreement, and if the consent agreement is not approved or the civil penalty is not paid, an informal interview will be scheduled. . | | |

b. Case No: 2015-069 Inspection Report No. 26419
Licensee: Herminia Jimenez License No(s): 1179
Possible Violation(s): Unsanitary workstand
By Joyce Voss Unsanitary tool drawer
Staff Recommends Consent Agreement for Barber License No. 1179 with a \$50 civil penalty for working with an unsanitary workstand, and a \$50 civil penalty for working with an unsanitary tool drawer for a total of a \$100 civil penalty, this consent agreement to be returned within 21 days and the civil penalty to be due 60 days after the acceptance of the consent agreement, and if the consent agreement is not approved or the civil penalty is not paid, an informal interview will be scheduled.

c. Case No: 2015-070 Inspection Report No. 26553
Licensee: Emanuel Pineda License No(s): 289
Possible Violation(s): Inadequate dip sanitizer
By Joyce Voss Unsanitary tool drawer
Unsanitary neck duster
Dirty sink
Staff Recommends Consent Agreement for Barber License No. 289 with a \$50 civil penalty for working with an inadequate dip sanitizer, a \$50 civil penalty for working with an unsanitary tool drawer, a \$50 civil penalty for working with an unsanitary neck duster and a \$50 civil penalty for working with a dirty sink for a total of a \$200 civil penalty, this consent agreement to be returned within 21 days and the civil penalty to be due 60 days after the acceptance of the consent agreement, and if the consent agreement is not approved or the civil penalty is not paid, an informal interview will be scheduled.

d. Case No: 2015-071 Inspection Report No. 26553
Licensee: Raudel Macias License No(s): 528
Possible Violation(s): Dirty sink
By Joyce Voss
Staff Recommends Consent Agreement for Barber License No. 528 with a \$50 civil penalty for working with a dirty sink for a total of a \$50 civil penalty, this consent agreement to be returned within 21 days and the civil penalty to be due 60 days after the acceptance of the consent agreement, and if the consent agreement is not approved or the civil penalty is not paid, an informal interview will be scheduled.

e. Case No: 2015-072 Inspection Report No. 26655
Licensee: Omar A Abed License No(s): 305
Possible Violation(s): Lapsed license
By Joyce Voss
Staff Recommends Consent Agreement for Barber License No. 305 with a \$160 civil penalty for working with a lapsed license for a total of a \$160 civil penalty, this consent agreement to be returned within 21 days and the civil penalty to be due 60 days after the acceptance of the consent agreement, and if the consent agreement is not approved or the civil penalty is not paid, an informal interview will be scheduled.

f. Case No: 2015-073 Inspection Report No. 26655
Licensee: European Barber Shop Corporation License No(s): 0653-E
Possible Violation(s): Employee working with a lapsed license
By Joyce Voss
Staff Recommends Consent Agreement for Establishment License No. 0653-E with a \$100 civil penalty for an employee working with a lapsed license for a total of a \$100 civil penalty, this consent agreement to be returned within 21 days and the civil penalty to be due 60 days after the acceptance of the consent agreement, and if the consent agreement is not approved or the civil penalty is not paid, an informal interview will be scheduled.

g. Case No: 2015-074 Inspection Report No. 26661
Licensee: Manuel Mejias License No(s): 6040 & 0521-E
Possible Violation(s): For Barber License No. 6040--Lapsed license
By Joyce Voss For Barber License No. 6040--Inadequate dip sanitizer
For Barber License No. 6040--Unsanitary workstand
For Barber License No. 6040--Unsanitary tool drawer
For Barber License No. 6040--Unsanitary neck duster
For Establishment License No. 0521-E—No shop license
For Establishment License No. 0521-E—Overall condition of the shop
Staff Recommends Consent Agreement for Barber License No. 6040 with a \$160 civil penalty for working with a lapsed license, with a \$50 civil penalty for working with an inadequate dip sanitizer, a \$50 civil penalty for working with an unsanitary workstand, a \$50 civil penalty for working with an unsanitary tool drawer, and a \$50 civil penalty for working with an unsanitary neck duster; for Establishment License No. 0521-E a \$250 civil penalty for operating a barber shop without an establishment license and a \$100 civil penalty for the overall condition of the establishment for a total of a \$710 civil penalty, this consent agreement to be returned within 21 days and the civil penalty to be due 60 days after the acceptance of the consent agreement, and if the consent agreement is not approved or the civil penalty is not paid, an informal interview will be scheduled.

h. Case No: 2015-075 Inspection Report No. 26664
Licensee: Juan Cuevas License No(s): 4462
Possible Violation(s): Unsanitary workstand
By Joyce Voss Unsanitary brushes
Sanitized tools not in tool drawer
Staff Recommends Consent Agreement for Barber License No. 4462 with a \$50 civil penalty for working with an unsanitary workstand, a \$50 civil penalty for not keeping sanitized tools in a tool drawer and a \$50 civil penalty for working with unsanitary brushes for a total of a \$150 civil penalty, this consent agreement to be returned within 21 days and the civil penalty to be due 60 days after the acceptance of the consent agreement, and if the consent agreement is not approved or the civil penalty is not paid, an informal interview will be scheduled.

- | | | | | |
|-----------|------------------------|--|-----------------------|-------|
| i. | Case No: | 2015-076 | Inspection Report No. | 26682 |
| | Licensee: | Maria M Munoz | License No(s): | 2090 |
| | Possible Violation(s): | Inadequate dip sanitizer | | |
| | By Joyce Voss | | | |
| | Staff Recommends | Consent Agreement for Barber License No. 2090 with a \$50 civil penalty for working with an inadequate dip sanitizer for a <u>total of a \$50 civil penalty</u> , this consent agreement to be returned within 21 days and the civil penalty to be due 60 days after the acceptance of the consent agreement, and if the consent agreement is not approved or the civil penalty is not paid, an informal interview will be scheduled. | | |
| | | | | |
| j. | Case No: | 2015-077 | Inspection Report No. | 26682 |
| | Licensee: | Maria De Lourdes Saldana | License No(s): | 3637 |
| | Possible Violation(s): | Lapsed license | | |
| | By Joyce Voss | License not posted | | |
| | Staff Recommends | Consent Agreement for Barber License No. 3637 with a \$160 civil penalty for working with a lapsed license and a \$100 civil penalty for working without posting a license for a <u>total of a \$260 civil penalty</u> , this consent agreement to be returned within 21 days and the civil penalty to be due 60 days after the acceptance of the consent agreement, and if the consent agreement is not approved or the civil penalty is not paid, an informal interview will be scheduled. . | | |

10. Review, Discussion and Legal Action on General Agency Operations.

a. Report from Assistant Attorney General

b. Report from Executive Director

i. Neck dusters

11. Establishment of Future Meeting Dates

a. January 26, 2015

13. Call to the Public

The Board may make an open call to the public during the meeting, subject to reasonable time, place, and manner restrictions, to allow individuals to address the Board on any issue within its jurisdiction. Those wishing to address the Board should fill out a speaker request form. Pursuant to A.R.S. § 38-431.01 (H), members of the Board are not allowed to discuss or take legal action on matters raised during an open call to the public unless the matters are properly noticed for discussion and legal action. However, the Board may ask staff to review a matter or may ask that a matter be placed on a future agenda.

14. Discussion of Items to be placed on a future meeting agenda

15. Adjournment

16. POSTED November 10, 2014