



**MINUTES FROM AGENDA OF REGULAR MEETING
OF THE ARIZONA STATE BOARD OF BARBERS**

**Arizona State Board of Barbers
1740 West Adams Street, Suite 3011
Phoenix, Arizona 85007
(602) 542-4498**

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 25th, 2019 at 9:30 a.m.
1740 West Adams Street
Conference Room B
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 Adriana Gonzalez 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

1. Call to Order

9:45am

2. Roll Call

Mr. Thomas and Mr. Knox were absent, but board had quorum to proceed

	Mr. Roberts	Mr. Sandler	Mr. Knox	Mr. Lewis	Mr. Thomas
Yay	X	X		X	
Nay					
Recused					
Abstained					
Absent			X		X

3. Declaration of Recusal or Conflict of Interest – A.R.S. §38-503

**4. Review, Discussion and Approval of Board Meeting Minutes
Monday, July 29th, 2019.**

Approval of minutes passed motion made by Mr. Lewis and second by Mr. Sandler

	Mr. Roberts	Mr. Sandler	Mr. Knox	Mr. Lewis	Mr. Thomas
Yay	X	X		X	
Nay					
Recused					
Abstained					
Absent			X		X

5. 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.

None

6. Review, Discussion and Possible Action on Formal Hearings

Upon a majority vote of a quorum of the members, the Board may hold an executive session pursuant to ARS §38-431.03(A)(2), for the purpose of discussion of 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

7. Review, Discussion and Possible Action on Informal Interviews

Upon a majority vote of a quorum of the members, the Board may hold an executive session pursuant to ARS §38-431.03(A)(2), for the purpose of discussion of 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 Possible Action on Paid Civil Penalties
None

9. Review, Discussion and Possible Action on Investigative Reports and Inspections

Upon a majority vote of a quorum of the members, the Board may hold an executive session pursuant to ARS §38-431.03(A) (2), for the purpose of discussion of 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 motion was made by Mr. Roberts and seconded by Mr. Lewis to send citations out on all cases shown here from a through e. Motion passed.

	Mr. Roberts	Mr. Sandler	Mr. Knox	Mr. Lewis	Mr. Thomas
Yay	X	X		X	
Nay					
Recused					
Abstained					
Absent			X		X

- a. Case No 2019-05 Inspection Report No. 32920 on 06/14/19
 Inspected by Joyce Voss

2019-05-A	Bogie's Hall of Fades BBE-00080	Bogie Rodriguez Owner	ARS-32-353(5)R4-5-1 01Tool Drawer	50.00
2019-05-B	Bogie's Hall of Fades BBE-00080	Bogie Rodriguez Owner	ARS-32-351(A) Shop License not posted	100.00
2019-05-C	Bogie's Hall of Fades BBE-00080	Bogie Rodriguez Owner	ARS-32-355(A)(6) 2 Lapsed licensed Barbers	100.00
2019-03-D	Bogie's Hall of Fades BBE-00080	Bogie Rodriguez Owner	R-4-104(B)(2) Overall condition of Shop	100.00

2019-03-E	Bogie's Hall of Fades BBE-00080	Alexander Johnson BAR-004009	ARS-32-353(5)R4-5-1 01Tool Drawer ARS-32-351(A) Barber License Lapsed	160.00 50.00
2019-03-F	Bogie's Hall of Fades BBE-00080	Donald Dixon BAR-001698	ARS-32-351(A) Barber License Lapsed ARS-32-353(5)R4-5-1 01Tool Drawer	160.00 50.00
2019-03-G	Bogie's Hall of Fades BBE-00080	Adrian Marcelino BAR-002539	ARS-351(A) Barber License not posted	100.00

10. Consent Agenda for Cases Recommended for Disciplinary Consent Agreements

The Consent Agenda items may be considered for approval as a single action unless a Board member or any other interested party wishes to remove an item for discussion. If the Board moves to offer a consent agreement to any or all of the following cases, each consent agreement that is accepted is to be returned within 21 days of receipt and the civil penalty is 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.

a. Case No. 2019-06 Inspection Report No. 32972 on 7/30/19
Inspected by Joyce Voss

2019-06-A	Scissors and Comb Barber Shop 0022-E	Gustavo Duran No.1456	ARS-32-351(A)ARS-3 2-353(5) Barber License Lapsed and Tool Drawer	160.00 50.00
2019-06-B	Scissors and Comb Barber Shop 0022-E	Francisco Fazio Owner License No. 446	ARS-32-351(A) Barbers' License Lapsed	100.00
2019-06-C	Scissors and Comb Barber Shop 0022-E	Michael Grossi License No. 84	ARS-353(5) Tool Drawer	50.00

b. Case No. 2019-07 Inspection Report No. 32999 on 7/31/19 Inspected by Joyce Voss

2019-07-A	All Styles Barber Shop License No. 0907-E	Rene' Jimenez Owner	ARS-32-351(A) (2) Barber License Lapsed	160.00 160.00
2019-07-B	All Styles Barber Shop License No. 0907-E	Rene' Jimenez Owner	ARS-32-353(5)) Wet Sanitizer	50.00
2019-07-C	All Styles Barber Shop License No. 0907-E	Jason Heras License No. 251	ARS-32-351(A) Lapsed License	160.00
2019-07-D	All Styles Barber Shop License No. 0907-E	Jorge Regalado License No. 6018	ARS-32-353(5)) License not posted	100.00
2019-07-E	All Styles Barber Shop License No. 0907-E	Fernando Santiago License no. 4976	ARS-32-351(A) Lapsed License	160.00

c. Case No.219-08

Inspection Report No. 33001 on 7/31/19

Inspected by Joyce Voss

2019-08-A	Executive Cuts License No.1492-E	Leland Yates Owner License No.5039	ARS-32-351(A) License Lapsed ARS-32-353(5) Wet Sanitizer	160.00 50.00
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d. Case No 2019-09

Inspection Report No. 33009 on 07/31/19

Inspected by Joyce Voss

2019-06-A	Barber E's Shop 1342-E	Eliezer Gonzalez Owner	ARS-32-353(5)R4-5-3 03(B)(1) 3 Unlicensed Barbers	500.00 3 Students 1 Unknown
2019-06-B	Barber E's Shop 1342-E	Eliezer Gonzalez Owner	ARS-32-351(A) Shop License not posted	100.00
2019-06-C	Barber E's Shop 1342-E	Eliezer Gonzalez Owner	R-4-104(B)(2) Overall condition of Shop	100.00
2019-06-D	Barber No 6165	Eliezer Gonzalez Owner	ARS-32-351(A) Barber License Lapsed	160.00
2019-06-E	Barber No. 6541	John Huynh	ARS-32-353(5) Duster/Wet Sanitizer	100.00 Duster 50.00 Sanitizer
2019-06-F	Barber No.10535	Jesus Obesco	ARS-32-353(5)R4-5-1 01 Tool Drawer	50.00 Dirty Tool Drawer
2019-07-G	Barber No. 5709	Frankie Pantoja	ARS-32-353(5) Work Station/Sanitizer	50.00 Station 50.00 Sanitizer
Student	Daniel Ruiz	OT's Barber School	Student working in licensed location	500.00 When Licensed
Student	Marco A. Gibbons	OT's Barber School	Student working in licensed location	500.00 When Licensed
Student	Alex Alejandre	OT's Barber School	Student working in licensed location	500.00 When Licensed
Unknown	Jose Torres			

e. Case No 2019-10

Inspection Report No. 33264 on 10/31/19

Inspected by Sam Barcelona

2019-10-A	Bustillos Barber Shop 0691-e	Juan Bustillos Owner	ARS-32-353(5)R4-5-3 03(B)(1) 3 Unlicensed Barbers	500.00
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11. Review, Discussion and Possible Action Regarding Notice to Barber School Owners

11a. *Due to the fact that there are two board members not in attendance, Chairman Roberts will table until next session, the letter to schools which needs to be signed by all 5 Barber Board members before sending out to the schools*

12. Report and Discussion with Assistant Attorney General

Assistant Attorney General, Frankie Shinn-Ekberg reported that she will be leaving her position with the State at the end of the year to begin work in Academia.

13. Report and Discussion with Executive Director

- A. Military Wavers, update
- B. Mr. Lonnie Pollard license number BAR-006337 update
- C. Mr. Gerald Magdalano, license number BAR-001489 update
- D. Mr. Kenneth McCormick phone discussion update. update

14. Review, Discussion and Possible Action Regarding Employment Matters

Upon a majority vote of a quorum of the members, the Board may hold an executive session pursuant to ARS §38-431.03(A)(1), for the purpose of discussion or consideration of employment, assignment, appointment, promotion, demotion, dismissal, salaries, disciplining, or resignation of a public officer, appointee or employee of any public body, except that, with the exception of salary discussions, an officer, appointee or employee may demand that the discussion or consideration occur at a public meeting.

14a *Executive Board called an executive session at 9:54am.to discuss employment protocol and governmental procedures. Executive session was closed at 10:09am and open session was immediately resumed.*

14b. *The meeting resumed to open session at 10:10 am, and a motion was made by Chairman Roberts to appoint Assistant Director Bruce N. Bueno to Executive Director pro-tem to replace retiring Executive Director Sam Barcelona. Appointment will become effective January 11th. Motion was second by Mr. Lewis.
Motion passed.*

	Mr. Roberts	Mr. Sandler	Mr. Knox	Mr. Lewis	Mr. Thomas
Yay	X	X		X	
Nay					
Recused					
Abstained					
Absent			X		X

15. Establishment of Future Meeting Dates

Monday January 27th at 9:30 am Board Room B

16. Motion to Adjourn / 10:20am

16a. *Motion to adjourn was made by Chairman Roberts and second by Mr. Sandler. Passed*

	Mr. Roberts	Mr. Sandler	Mr. Knox	Mr. Lewis	Mr. Thomas
Yay	X	X		X	
Nay					
Recused					
Abstained					
Absent			X		X

17. Minutes from November 25th 2019 Barber Board meeting respectfully submitted this day, Friday December 13th 2019.

Sam Barcelona
Executive Director