



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

**MINUTES FROM AGENDA OF REGULAR MEETING
OF THE ARIZONA STATE 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 July, 29th, 2019 at 9:30 a.m.
1740 West Adams Street
Conference Room A
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

Barber Board meeting was called to order at 9:43 am, July 29th, 2019

2. Roll Call

Mr. Lewis was absent for this meeting

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

None

4. Review, Discussion and Approval of Board Meeting Minutes

May 28th, 2019

An amendment suggested by Mr. Sandler that due to the Holiday on the 28th the meeting was actually Tuesday, May 29th, 2019. Motion to accept the updated minutes from last meeting made by Chairman Roberts, second by Mr. Sandler. Motion passes 4-0

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

Mr. Kenneth McCormick, License no. 5119, complains that Cosmetologists are providing barbering services to some area retirement and assisted living facilities with services including shaving. Attorney General recommends staff investigation and chairman recommends results placed on next agenda.

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 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

8. Review, Discussion and Possible Action on Paid Civil Penalties

Case No.	License No.	Licensee	Offense	By Violation
2019-01-A	BBC-BC-017	D'Image Barber College	ARS-32-325 G	Teaching without a licensed instructor there to supervise Paid 06/20/2019
Case No.	License No.	Licensee	Offense	By Violation
2019-02-A	BBE-001392	Sonny's Old Town Barber Shop	ARS 32-355	2 Lapsed barbers Paid 7/19/2019

Fines were paid.

9. Review, Discussion and Possible Action on Military Service Waivers

- A. Cosimo Ingrande
- B. Mario Busalacchi

*Board made a motion that due to the fact Mr. Ingrande does not have military service and military waiver cannot be used, Mr Ingrande should attain his school instruction record, contact the board to make application for an exam to secure a license. The motion was made by Chairman Roberts. Second, by Mr.Thomas.
Motion passed.*

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

Board made a motion that due to the fact Mr. Busalacchi does not have military service and military waiver cannot be used, Mr. Busalacchi will need to go to school to take an exam or deal with DES and the apprentice program to become eligible to test for a barber license. Motion was made by Chairman Roberts, second by Mr. Sandler. Motion Passed.

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

10. Review, Discussion and Possible Action on Application for Renewal of License

A. Lonnie Pollard

Mr. Pollard was not in attendance for his request to speak to the board. He will be notified again that he was placed on the agenda as he requested.

11. Review, Discussion and Possible Action on Application for Licensure

A. Gerardo Magdalano

Mr Magdalano requested reinstatement of his license after his two year revocation and the board will allow Mr. Magdalano to apply for an exam to reinstate his license. Mr. Madalano also has a outstanding fine balance of 105.00 dollars that is needed to be paid before he can apply for exam status.

12. Consent Agenda for the Review, Discussion and Possible Action on 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. 2019-03 Inspection Report No. 32809 on 06/9/19
Inspected by: Bruce Bueno

2019-03-A	Paris Barber Shop LLC BBE-000937 06/9/19	Jacqueline Olivas BAR-006295	ARS-32-355(A)(6) Unlicensed Barber	500.00
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B. Case No. 2019-04 Inspection Report No. 32810 on 06/19/19
Inspected by: Bruce Bueno

2019-03-B	Paris Barber Shop LLC BBE-000937 6/19/2019	Jacqueline Olivas BAR-006295	ARS-32-355(A)(6) Unlicensed Barber	500.00
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Board wants both of these violations to be blocked together and a consent agreement to be sent to Ms. Jacqueline Olivas for the total amount of 1000.00 dollars for both of these offenses. No Motion.

C. 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)R4-5-101 Unsanitary Tool 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-32-351(A) Barber License Lapsed	160.00
2019-03-F	Bogie's Hall of Fades BBE-00080	Donald Dixon BAR-001698	ARS-32-351(A) Barber License Lapsed	160.00
2019-03-G	Bogie's Hall of Fades BBE-00080	Adrian Marcelino BAR-002539	ARS-351(A) Barber License not posted	100.00

A correction was made referring to item C which refers to 100 dollars for a lapsed license. Due to the fact that there were two individuals with lapsed licenses, the correction was made to state the fine was 200 dollars. The board made a motion for the correction and included that consent agreements be sent for all the violations. Motion was made by Chairman Roberts and second by Mr. Thomas. Motion passed.

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

13. Review, Discussion and Possible Action on Cases Recommended for Informal Interview

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. Case No. 2019-02 Inspection Report No. 31643 on 05/02/19
Inspected by: Sam J. Barcelona**

2019-02-B	BAR-004068 05/17/18	Dominic Enrique	ARS-32-355(A)(1) ARS- 32-353(5)	licensed lapsed; dirty work station; wet sterilizer; dirty neck dusters	160+50+50+100 Total 360.00
2019-02-C	BAR-004466 01/20/19	Martin Miranda	ARS-32-355(A)(1) ARS- 32-353(5)	licensed lapsed; dirty work station	160+50 Total 210.00

The board has not heard from either of these individuals on their consent agreements so board is recommending a consent order for an informal hearing for both if these individuals. The motion was made by Chairman Roberts, second by Mr. Sandler. Motion passed

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

14. 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.

None

15. Report and Discussion with Assistant Attorney General

None

16. Report and Discussion with Executive Director

A. Deloitte and Barber Board progress update with online licensing and ASET addition on website.

Mr. Barcelona reported that all was status quo with e-licensing / website and informed board of new addition to State licensing protocol.

B. Update from meeting with Barber Board Chairman Roberts concerning e-licensing and delinquent schools.

Mr. Barcelona referred to meeting with Chairman Roberts to discuss letters of concern to boards and commissions and barber schools. Mr. Barcelona discusses his recent meeting with Boards and Commissions and is presently working on a letter of concern for the schools to share with the board at the next meeting for approval.

C. HB2569 and SB1328, both active on August 27th

Both of these bills will be active starting on August 27, 2019. Mr. Barcelona referred to the information of what both of these bills will entail. For information on these bills listen to the audio or you can go to azleg.gov and look up either of these by going to bill search.

D. Discussion on accepting out of state students coming to Arizona with certified hours.

The board was told that it has no jurisdiction on saying how many hours a school can or will not accept but if an out of state student can submit to a barber school an official certified document of hours from the school attended the Arizona school may accept or deny these hours based on a proficiency evaluation.

17. Establishment of Future Meeting Dates

Monday, September 23, 2019 at 9:30 am; Board Room B

18. Motion to Adjourn

Motion to adjourn made by Chairman Roberts at 10:50 am, second by Mr. Sandler. Motion Passed

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

