

MISSION STATEMENT

To protect the public’s health and safety, our agency will license qualified schools, establishments, and individuals, and ensure compliance with state statutes and regulations.

VISION STATEMENT

Provide quality and timely service through world-class customer care.

Board Meeting Minutes

Arizona Barbering & Cosmetology Board Meeting
July 21, 2023 | 9:00 a.m.
1700 W. Washington St. Room 104
Phoenix, AZ 85007

Board Members

Gary Begley Cosmetology School Owner <i>Chair</i>	Brandy B. Flores Public Member <i>Secretary/ Treasurer</i>	Earl “Nick” Goodman Public Member	Trista Guzman Glover Public Member	Marshall A. Knox Barber School Owner <i>Vice-Chair</i>
Vacant Public Member	Chase Turrentine Public Member	Tracy Mayfield Cosmetologist	Brandon L. McFadden Barber	

I. Call to Order & Pledge of Allegiance

Board Chair Gary Begley called the meeting to order at 9:08 AM. The pledge of allegiance was recited.

II. Roll Call of Board Members & Board Staff

Roll call of staff members was taken. Roll call of the board members was taken.

Board Members Present:



Gary Begley, Cosmetology School Owner, *Chair*
Marshall A. Knox, Barber School Owner, *Vice-Chair*
Tracy Mayfield, Cosmetologist
Brandon McFadden, Barber
Earl “Nick” Goodman, Public Member

Board Members Absent:

Brandy B. Flores, Public Member, *Secretary/Treasurer*
Trista Guzman Glover, Public Member
Chase Turrentine, Public Member (virtual)

Board Staff Members:

Frank L. Migali, MBA, Executive Director
Kelli Shepard, Deputy Director
Bruce Bueno, Licensing & Customer Care Administrator
Rosa Rodriguez, Compliance Administrator
Heather Sanabria, Executive Staff Assistant
Cathy Bergeron, Investigator
Helen Bordelon, Investigator
Lisa Chavez, Investigator
Alexandra Hill, Investigator
Keegan McConnell, Investigator
Darnée Griffin, Program Project Specialist
Carlos Terrazas, Legal Assistant
Amelia Heredia, Program Project Specialist

Legal Counsel Present:

Mona Baskin, Assistant Attorney General
Mark Harris, Independent Advisor

III. Board Business

The Board may vote to go into Executive Session to discuss personnel matters pursuant to A.R.S. § 38-431.03 (A)(1) or to obtain legal advice pursuant to A.R.S. § 38-431.03 (A)(3).

A. Discussion, Consideration and Possible Action on Approval of Regular Board Minutes for the May 19, 2023 meeting.

This item was continued to the next board meeting as there is not quorum to approve the May 19, 2023 board minutes.

B. Discussion, Consideration and Possible Action on Approval of Regular Board Minutes for the June 16, 2023 meeting.

This item was continued to the next board meeting as there is not quorum to approve the June 16, 2023 minutes.



C. Board Member Declaration of Conflict of Interest.

There were no conflicts of interest reported.

D. Welcome to Visiting Barber and Cosmetology Students and Instructors.

Board Chair Gary Begley welcomes Lisa French from EVIT (East Valley Institute of Technology) and Gateway Community College to the meeting.

IV. Executive Director Report

A. Report and Discussion on Agency Departments.

- a. Good News, Announcements
- b. Staffing Updates
- c. Board Membership Updates
- d. Testing Update and Data
- e. Overall Licensing Update
- f. Customer Care Update
- g. Next Meeting - August 18, 2023

V. Complaint Review/Consent Agenda (Step 1)

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 the item for discussion. The Board may vote to go into Executive Session to discuss and consider records exempt by law from public inspection, including the receipt and discussion of information, or testimony that is confidential by State or Federal law on all agenda items under Steps 1 and 2 pursuant to A.R.S. § 38-431.03 (A)(2).

A. Recommended Dismissals A.R.S. § 32-573 (B) (1).

1.	2022-BAR-0043	House of Phadez #BBE-002277 Dairon Legras #BAR-010690 Emmanuela Mendiola #BAR-004960, Owner
2.	95938	Nail Jewelry #SNT17273 Son Xuan Dinh #50100471, Owner
3.	97940	QN Fashion Nails & Spa #SNT16646 Quy Nguyen II LLC, Owner Quy Nguyen, Member
4.	98005	Primp and Blow Chandler #SCOS26361 Primp and Blow Chandler LLC, Owner Melodi Harmon, Manager Bryanna Jimenez, Manager
5.	98233	New Moon Nails #SNT18631 QI Nail Spa LLC, Owner Ngan Hoang #51200224, Manager
6.	98255	Oracle Nails #SNT19531

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		DNDC Nails Inc., Owner Tuyen T. Phan, Director Hien Thi Nguyen, Vice President
7.	98281	Star Nails by Linda #SNT19044 Star Nails by Linda LLC, Owner Linda Nguyen #59800240, Manager

Motion: Marshall Knox moved to accept the staff recommendations for dismissal of the referenced 7 cases.

Second: Nick Goodman seconds the motion.

Vote: 5-aye, 0-nay, 0-abstain, 0-recuse, 3-absent.

Motion passed unanimously.

B. Recommended Non-Disciplinary Letter of Concern A.R.S. § 32-573 (B)(2).

1	96164	Alluring Image Full Service Salon #SCOS20304 Celia Bernal #59700289, Owner
2	98227	Top Knot Hair Salon #SCOS29439 Top Knot Enterprise, Owner Danica Germaine, Member Levi Germaine, Member Hannah Germaine, Member Kent Nielson, Member
3	98288	Suite T Studio #HRST10069 Tanya Levac #10700245, Owner
4	98290	Essential Beauty AZ #SAES22559 Brittany Velarde #11002055, Owner
5	98306	@Lash #SCOS21737 @Lash LLC, Owner Theresa Fuentes #19500934
6	98310	Loma Skin Care #SAES21163 Loma Skin Care LLC, Owner Karen Rambat #31000172, Member
7	98330	Studio One Hair Design #SCOS25553 Laurie Johnston, #18123610 Co-Owner Cynthia K. Murphy #18600204, Co-Owner Marianne J. Chronis #16910087, Co-Owner Andrea Davis #19401367, Co-Owner
8	98334	The Hair Loft #SCOS32355 Danielle Federico #10332591, Owner

Motion: Marshall Knox moved to accept the staff recommendations to issue non-disciplinary letters of concern for the 8 referenced cases.

Second: Tracy Mayfield seconds the motion.

Vote: 5-aye, 0-nay, 0-abstain, 0-recuse, 3-absent.

Motion passed unanimously.

C. Recommended Informal Interview or Negotiation Terms A.R.S. § 32-573 (C) (D).

1	2022-BAR-0005	Headliners Barber Shop #BBE-000447 LaRon E. Cook Sr. #BAR-002675, Owner
2	86037	Shear Bliss #BBE000755 Joanne Klenner #BAR004353, Owner
3	98163	The Healing Arts Day Spa & Salon #SAES12242 Terrell Lynn Kukla, Owner
4	98174	Megan L. Hurff #11800102, Licensee
5	98202	Leekaja Hairbis #SCOS31231 Aura Hair & Beauty Inc., Owner Soojeong Baek, President
6	98206	Ocean Nails #SNT16577 Boa Kim Huynh #50600283, Owner
7	98207	Kelli J. McClure #10701872, Licensee
8	98211	Evelyn A. Mendivil #31901197, Licensee
9	98212/98213	Sachi Nail & Lash #SNT18778 & SAES20427 Sachi Nail & Lash LLC, Owner Andy Nguyen #50300378, Member Quy Phan, Member Heather Lam #50601118, Manager
10	98218	Sienna Jewel Salon #SCOS25463 Sienna Jewel Salon LLC, Owner Kimberly Ann Arpino #11001972, Member
11	98219/98220	Le New Nails #'s SNT14256 & SAES15393 Le New Nails LLC, Owner Son Le #59600149, Member
12	98228	Polish Nails #SNT19218 Polish Nails LLC, Owner Lan To Thi Nguyen #51600360, Member
13	98234	Serene Life Spa #SNT20146 Serene Life Spa LLC, Owner

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		Jenny Uyen Bui #31000110, Member
14	98243	Desert Clipper #SCOS33084 Nicolette Ricciardi #18701094, Owner
15	98244	Latanya Georgette #31900419, Owner
16	98248	Krystyna Thanh Tran #11601682, Owner
17	98250	HD Brow & SkinRx #SAES20827 Kiran Skin Care LLC, Owner Kiran Badwal #31701093, Member
18	98257	Kelly D Nails Spa #SNT17902 Kien Tran #50200031, Owner
19	98258	The Nail Lounge By Hannah #SCOS32252 The Nail Lounge By Hannah LLC, Owner Hannah H. Pham #11102038, Member
20	98268	Luster Nail and Spa #SNT18581 Luster Nail and Spa LLC, Owner Tiffany Y. Dinh #50700783, Member Jennifer Hanh Dinh #51100122, Member
21	98273	AZ Academy of Beauty #CSL6 AZ Academy of Beauty Inc., Owner Stewart White, Member Carey White, Member
22	98276	Alba Salon #SCOS27354 Albana Lika #11302430, Owner
23	98283	Tweety's Perfect Nails and Spa #SNT14730 Hien T. Le #59800201, Owner
24	98289	Off Camber Studios #SCOS21026 Thirty-One Studios LLC, Owner Benjamin D. Barnes #19700209, Member Michael R. Barnes #10225868, Member
25	INSP-085882	VD Barbershop #BBE-000566 Jesus L. Uriate, Owner
26	INSP-085863	Maria G. Toyos #BAR-003662, Owner

Motion: Marshall Knox moved to accept the staff recommendations to send the 26 referenced cases to an informal interview or accept the negotiation terms offered by the board.

Second: Tracy Mayfield seconds the motion.

Vote: 5-aye, 0-nay, 0-abstain, 0-recuse, 3-absent.

Motion passed unanimously.

VI. Items for Board Review, Discussion, and Possible Action - 9:30 a.m.

The Board may go into Executive Sessions for the purpose of obtaining legal advice from the Board's attorney on any of the agenda items under Step 3 pursuant to A.R.S. § 38.431.03 (A)(3).

The Board may vote to go into Executive Session to discuss and consider records exempt by law from public inspection, including the receipt and discussion of information, or testimony that is confidential by State of Federal Law on all agenda items under Step 3 pursuant to A.R.S. § 38-431.03 (A)(2).

A. Review, Discussion and Possible Action on Motion to Deem pursuant to A.R.S. § 32-573 (E).

1.	96593 & 97552	<p>JC Karma #SCOS21061 JC Karma LLC, Owner Julie Cuen #10332111, Member</p> <p>Assistant Attorney General Mona Baskin is present to represent the State of Arizona.</p> <p>Licensee is not present.</p> <p>Assistant Attorney General Mona Baskin spoke to licensee and licensee agreed and signed the consent agreement and made the first payment on the agreement.</p> <p>The state requests to withdraw the motion to deem as the licensee agreed.</p> <p>Motion: Marshall Knox motions to accept the states position to withdrawal the motion to deem allegations admitted. Second: Nick Goodman seconds the motion. Roll Call Vote: Gary Begley AYE Marshall A. Knox AYE Tracy Mayfield AYE Brandon McFadden AYE Earl "Nick" Goodman AYE Vote: 5-aye, 0-nay, 0-abstain, 0-recuse, 3-absent. Motion passed unanimously.</p>
2.	97467	<p>Apus Nails & Lashes #SCOS31747 Apus Nails & Lashes LLC, Owner Duy Huynh #50500702, Member</p> <p>Assistant Attorney General Mona Baskin is present to represent the State of Arizona.</p>

		<p>Licensee is not present.</p> <p>Assistant Attorney General Mona Baskin presents the states oral argument. The state requests to grant the motion to deem allegations admitted, adopt the findings of fact and conclusions of law, and issue a \$250 civil penalty to be paid within 21 days along with cost and attorney fees and if not paid within 21 days to revoke the license.</p> <p>Motion: Tracy Mayfield moves to grant motion to deem allegations admitted in the formal hearing complaint, adopt the findings of fact and conclusions of law based on the states allegations in the complaint, and issue a \$250 civil penalty to be paid within 21 days along with cost and attorney fees and if not paid within 21 days the or revoke the license.</p> <p>Second: Marshall Knox seconds the motion.</p> <p>Roll Call Vote:</p> <table style="width: 100%; border: none;"> <tr> <td style="padding-right: 20px;">Gary Begley</td> <td>AYE</td> </tr> <tr> <td>Marshall A. Knox</td> <td>AYE</td> </tr> <tr> <td>Tracy Mayfield</td> <td>AYE</td> </tr> <tr> <td>Brandon McFadden</td> <td>AYE</td> </tr> <tr> <td>Earl "Nick" Goodman</td> <td>AYE</td> </tr> </table> <p>Vote: 5-aye, 0-nay, 0-abstain, 0-recuse, 3-absent. Motion passed unanimously.</p>	Gary Begley	AYE	Marshall A. Knox	AYE	Tracy Mayfield	AYE	Brandon McFadden	AYE	Earl "Nick" Goodman	AYE
Gary Begley	AYE											
Marshall A. Knox	AYE											
Tracy Mayfield	AYE											
Brandon McFadden	AYE											
Earl "Nick" Goodman	AYE											

B. Review, Discussion and Possible Action on Barber Instructor Applicant Pursuant to A.R.S. § 32-323.

1.	APP-009355727	<p>Derina White Ferrell</p> <p>Applicant Derina White Ferrell is present.</p> <p>Executive Director Frank Migali presents the case to the board and requests the boards input on whether to approve or deny the license application. The applicant is required to practice barbering for two years and has not yet met that requirement.</p> <p>The board staff will administratively deny the applicant based on the board discussion and input.</p>
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VII. Informal Interview A.R.S. § 32-573 (C) (D) (Step 2) 9:30 a.m.

Board Chair Gary Begely has the board members introduce themselves.

Board Chair Gary Begley introduces Executive Director, Frank Migali and Assistant Attorney General Mona Baskin, and swears in the board staff.

A. With Negotiation Options

1	84549	<p>Trust Lounge Barber Shop #BBE-001885 Anthony John Ochoa #BAR-010237, Owner</p> <p>Anthony Ochoa is present via phone and sworn in.</p> <p>Investigator Keegan McConnell presents the case.</p> <p>Motion: Tracy Mayfield moves to adopt the findings of fact and conclusions of law. Second: Marshall Knox seconds the motion. Vote: 4-aye, 1-nay, 0-abstain, 0-recuse, 3-absent. Motion passed.</p> <p>Motion: Tracy Mayfield moves to issue \$100 civil penalty. Second: Marshall Knox seconds the motion. Vote: 5-aye, 0-nay, 0-abstain, 0-recuse, 3-absent. Motion passed unanimously.</p>
2	98000	<p>Tracy H. Eihausen #'s 59920334 & 30600188</p> <p>Tracy Eihausen is present via phone and sworn in.</p> <p>Investigator Lisa Chavez presents the case.</p> <p>Motion: Brandon McFadden motions to dismiss the case. Second: Tracy Mayfield seconds the motion. Vote: 5-aye, 0-nay, 0-abstain, 0-recuse, 3-absent. Motion passed unanimously.</p>
3	98201	<p>Kinh Do Hair Design #SCOS25984 Kinh Do Hair Design LLC, Owner Thien Nguyen, Member</p>

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		<p>Yen H. Pham #11001104, Member</p> <p>Thein Nguyen is present and sworn in. Yen “Holly” Pham is present and sworn in. LLC Attestation is on file for this case.</p> <p>Investigator Alexandra Hill presents the case.</p> <p>Motion: Marshall Knox moves to adopt the findings of fact and conclusions of law. Second: Tracy Mayfield seconds the motion. Vote: 5-aye, 0-nay, 0-abstain, 0-recuse, 3-absent. Motion passed unanimously.</p> <p>Motion: Brandon McFadden motions to issue a disciplinary letter of concern. Second: Tracy Mayfield seconds the motion. Vote: 5-aye, 0-nay, 0-abstain, 0-recuse, 3-absent. Motion passed unanimously.</p>
4	98099	<p>Hair Design by Amy #SCOS31071 Amy A. Mohr Statler #10601315, Owner</p> <p>This case was negotiated prior to the meeting.</p>
5	98121	<p>Quanna Coahran #18428275, Licensee</p> <p>Licensee is not present.</p> <p>Motion: Gary Begley moves to send case to a formal hearing unless licensee signs the consent agreement originally offered by the board. Second: Marshall Knox seconds the motion. Vote: 5-aye, 0-nay, 0-abstain, 0-recuse, 3-absent. Motion passed unanimously.</p>
6	98123	<p>Allison Parson #11401019, Licensee</p> <p>Licensee is not present.</p> <p>Motion: Gary Begley moves to send case to a formal hearing unless licensee signs the consent agreement originally offered by the board. Second: Marshall Knox seconds the motion. Vote: 5-aye, 0-nay, 0-abstain, 0-recuse, 3-absent. Motion passed unanimously.</p>
7	98247	<p>Jessica Green #11901252, Licensee</p>

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		<p>Licensee is not present.</p> <p>Motion: Gary Begley moves to send case to a formal hearing unless licensee signs the consent agreement originally offered by the board..</p> <p>Second: Marshall Knox seconds the motion.</p> <p>Vote: 5-aye, 0-nay, 0-abstain, 0-recuse, 3-absent.</p> <p>Motion passed unanimously.</p>
8	INSP-085384	<p>Jose Cordova Leyva #BBE-01430 Jose Cordova Levya #BAR-003805, Owner</p> <p>Licensee is not present.</p> <p>Motion: Gary Begley moves to send case to a formal hearing unless licensee signs the consent agreement originally offered by the board.</p> <p>Second: Marshall Knox seconds the motion.</p> <p>Vote: 5-aye, 0-nay, 0-abstain, 0-recuse, 1-absent.</p> <p>Motion passed unanimously.</p>

VIII. Review, consideration and possible action regarding the annual election of Board Officers (Chairperson, Vice Chairperson and Secretary-Treasurer) A.R.S. § 32-503(A)

Motion: Marshall Knox nominates Gary Begley as the Chairman of the Board.

Second: Tracy Mayfield seconds the motion.

Gary Begley accepts nomination.

Roll Call Vote:

Gary Begley AYE

Marshall A. Knox AYE

Tracy Mayfield AYE

Brandon McFadden AYE

Earl "Nick" Goodman AYE

Vote: 5-aye, 0-nay, 0-abstain, 0-recuse, 3-absent.

Motion passed unanimously.

Motion: Gary Begley nominates Marshall Knox as the Vice Chairman of the Board.

Second: Tracy Mayfield seconds the motion.

Marshall Knox accepts nomination.

Roll Call Vote:

Gary Begley AYE

Marshall A. Knox AYE

Tracy Mayfield AYE

Brandon McFadden AYE

Earl "Nick" Goodman AYE



Vote: 5-aye, 0-nay, 0-abstain, 0-recuse, 3-absent.

Motion passed unanimously.

Motion: Marshall Knox nominates Tracy Mayfield as the Secretary/Treasurer of the Board.

Second: Brandon McFadden seconds the motion.

Tracy Mayfield accepts nomination.

Roll Call Vote:

Gary Begley **AYE**

Marshall A. Knox **AYE**

Tracy Mayfield **AYE**

Brandon McFadden **AYE**

Earl "Nick" Goodman **AYE**

Vote: 5-aye, 0-nay, 0-abstain, 0-recuse, 3-absent.

Motion passed unanimously.

IX. Discussion, consideration, and possible action regarding 2023 Draft Barbering & Cosmetology Administrative Code Update.

Deputy Director, Kelli Shepard presents the Rules Review/Update.

Motion: Gary Begley moves to accept proposed changes on the Administrative Code and direct staff to open the docket.

Second: Marshall Knox seconds the motion.

Vote: 5-aye, 0-nay, 0-abstain, 0-recuse, 3-absent.

Motion passed unanimously.

X. Call for Public Comment

Those wishing to address the Board do not need to request permission in advance; however, the Board may limit those persons speaking during this time to a reasonable number on any given public matter. In addition, each person wishing to address the Board will be given five (5) minutes to do so. Pursuant to A.R.S. § 38-431.01 (H), the Board can only take action on matters listed on the agenda. Action on public comment matters that are not listed on the agenda will be limited to directing staff to study the matter or to schedule the matter for further discussion at a later date.

A. Derina White Ferrell speaks regarding her application submitted for barber instructor. Lisa French, Director at EVIT, thanks the board for hearing the case regarding the application and speaks on issues regarding obtaining barber instructors at her school.

B. Bruce Brown requests clarification on statute A.R.S. § 32-323. Mr. Brown explains how his home state doesn't hold instructors, they hold Master Barbers licenses and wants to know how he can get licensed as an instructor. The Board Staff instructs Mr. Brown to email Director Frank Migali to assist with his question.

XI. ADJOURNMENT

Motion: Brandon McFadden moves to adjourn the meeting.

Second: Marshall Knox seconds the motion.

Vote: 5-aye, 0-nay, 0-abstain, 0-recuse, 3-absent.

Motion passed unanimously.

Meeting adjourned at 11:34AM.

Individuals who need reasonable accommodation to participate or who need information in an alternative format, may contact Amelia Heredia, ADA Coordinator, at (480) 889-2958.