



1721 East Broadway • Tempe AZ 852
Phone 480.784.4539 • Fax 480.784.49
www.azboc.org

TENTATIVE BOARD MEETING MINUTES

January 18, 2013

TIME: 9:00 a.m.

PLACE: 1721 East Broadway, Tempe Arizona, 85282

ALL AGENDA ITEMS INCLUDE THE OPPORTUNITY FOR BOARD CONSIDERATION, DISCUSSION, AND POSSIBLE ACTION

Board Meetings may go into "Executive Session" for the purpose of obtaining legal advice from the Board's attorney on any of the agenda items pursuant to A.R.S. § 38.431.03 (A)(3) *, to discuss personnel matters pursuant to A.R.S. §38-431.03(A)(1)**, to discuss confidential matters pursuant to A.R.S. §38-431.03(A)(2)*** or pending litigation pursuant to A.R.S. §38-431.03(A)(4)****.

The Board makes every attempt to hear all matters timely. However, due to the number of items scheduled on any particular agenda, the Board may find it necessary to hear some items out of order and/or later than the time originally scheduled.

PLEDGE OF ALLEGIANCE

CALL TO ORDER AND ROLL CALL

Gary Begley
Karla Clodfelter
Sandra Hecksel
Jessica Stall
Joe Verdugo
Larry Bulechek
Tammy L Acton

BOARD *, **, *AND ******

1. Approval of Board Minutes of December 14, 2012.

MOTION by Larry Bulechek to accept minutes as written. MOTION SECONDED by Joe Verdugo. MOTION CARRIED.

2. Declaration of Conflict of Interest.

None.

3. Discussion, Consideration & Possible Action on Lauren Boice and Angels on Earth Home Beauty, LLC vs. Donna Aune, et. Al, Case No. 2011-021811.

- **Update on Case Status**
- **Litigation Strategies**

Assistant Attorney General, Bridget Harrington, reported that the discovery process was on hold.

4. Discussion, Consideration and Possible Action on Cindy Vong and La Vie LLC, Plaintiffs vs. Donna Aune, Defendants, Maricopa County Superior Court Case No. CV2009—037208:

- **Update on Case Status**

Assistant Attorney General, Bridget Harrington, informed the Board that the trial was held on January 14 and 15, 2013 and we are currently waiting on the Judge's decision.

9:10 a.m. MOTION by Sandra Hecksel to enter into executive session for the purpose of discussing pending litigation pertaining to this case. MOTION SECONDED by Larry Bulechek . MOTION CARRIED.
9:25 a.m. Meeting reconvened.

5. Discussion, Consideration and Possible Action on Proposed Legislation.

- **A.R.S. § 32-501 (Adding “threading”)**
- **A.R.S. § 32-513 (One Class for IFP/Law Review)**

Jessica Stall reported that Bill 2096 has been dropped.

6. Cosmetology Students on Field Trip:

- **Questions and answers regarding Board authority and process**

EXECUTIVE DIRECTOR'S REPORT *, **, *AND ******

A. Report and Discussion on Meetings with Legislators.

Executive Director, Donna Aune, informed the Board that she and Nick Simonetta, the Board's lobbyist, met with legislators Carter, Reese and McClain.

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- 85543 Gila Academy of Cosmetology #S119 *(Found equipment in working order)*
 East Arizona Academy of Cosmetology LLC, Owner
 Deborah John, President
 Drew John, Secretary
 Patricia Barcado, Instructor
- 85571 Smart Style #2184 #C18971 *(No follow-up by complainant)*
 Minnesota Regis Corp, Owner
 Paul Finkelstein, President
 Monica, Licensee
- 85581/85582 JB Kaye #'s 56410271 & 38700021 *(Salon in compliance)*
 85583 Studio Academy of Beauty #S148 *(No evidence to support allegations)*
 The Studio Academy of Beauty PH1 LLC, Owner
 Reed Jackson Holding Inc
 Catherine Koluch, President
 Heather Barker #91100063, Instructor
- 85618/85619 Royalty Nails #'s M16706 & A17051 *(Found no violations of unlicensed activity)*
 Prosperity Properties Inc., Owner
 Ashley Uyen Tran #'s 50000102 & 30500319, Member/Manager
- 85622 Arizona Academy of Beauty Inc, #S6 *(Customer service issue)*
 AZ Academy of Beauty Inc, Owner
 Cary White, Owner
 Themla L Saenz #90000005, Instructor
 Julia Smith #9081015, Student
- 85653 Magic Cuts #0023-E, Licensed Barber Shop *(No evidence to support allegations)*
 Nallely Orozco, Owner
- 85654 Magic Cuts #0916-E, Licensed Barber Shop *(No evidence to support allegations)*
 Sinai Torres, Owner
- 85655/85656 University Nails #'s A17812 & M17263 *(No evidence to support allegations)*
 Phung Thi Vo #'s 30500347 & 50300068
- 85669 Essentials Total Skin, Pseudo Unlicensed *(No evidence to support allegations)*
 85674 Trenez Academy of Cosmetology #S142 *(No evidence to support allegations)*
 Trenez Academy LLC, Owner
 Darrin Workman, Member
 Jill Workman, Member
 Diane Workman #90400078, Instructor
- 85681 Guilty Pleasure Nail Salon *(Found said location in compliance #M16855)*
 85683 John Adrian Salon #C20838 *(No evidence to support allegations)*
 John Adrian Salon LLC, Owner
- 85684 Shear Magnolia Salon #C20679 *(No evidence to support allegations)*
 Andrea Thrappas #10601980, Owner
- 85712 Ashley Nail & Spa #M14875 *(No evidence of unlicensed activity)*
 Quynhhoa T Pham #'s 50500216 & 30500660, Owner
- 85784 New Attitudez-Hair by Lydia #C20610 *(No violation – licensee was current)*
 Lydia Ruiz #18801610, Owner/Manager

C. Recommend Letter of Concern

See Motion under B. above.

- 85236 Cost Cutters #32038 #C14389 *(Leather bag with soiled shears & razors)*

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- 85354 Minnesota Regis Corp., Owner
Kim's Nails of Tucson #M13402 *(Delinquent license & towels need to be enclosed)*
Phuong Kim Hoang #50200425, Owner/Manager
- 85535 Come For Nails #M15851 *(Floors need attention & soiled drill at pedicure station)*
Thuy Minh Ngoc #'s 59920087 & 30900026, Owner
- 85648 Arizona Hair Design #C18476 *(Only does close friends – salon is used for storage)*
Karlos N T Kasabian #19500303, Owner
- 85672 Uniquely Nail Spa #M16857 *(License not posted)*
Kevin J Le #59800435, Co-Owner
Holly Nguyen #59800216
- 85688 Neo Nails By Tammy #M17254 *(Personal license display)*
Neo Nails By Tammy LLC, Owner
Tammy Pham #10700948, Member/Manager
Nicholas Nguyen #50700523, Member
- 85694 Le's Magic Nails #M6774 *(Delinquent establishment license)*
Kim-Hue T Le #'s 59500486 & 30300074, Owner/Manager
- 85703 Hair Headquarters of Green Valley #C19875 *(Delinquent personal license; health & safety violations)*
Kathy Van Camp #18428851, Owner/Manager
- 85704 Rumors Hair Studio of Green Valley #C15272 *(Delinquent establishment license, health & safety violation at station & wet disinfectant not labeled)*
Lorraine Williams #17718333, Co-Owner/Manager
Colleen Pardun #10200479, Co-Owner
- 85711 Pam's Styling #C17913 *(Re-Inspection - Delinquent personal license)*
Pam Petersen #17921718, Owner
- 85713 Brenda C Katzorke #19800183 *(Delinquent personal license)*
- 85727 Magic Hair Salon #C20955 *(Delinquent establishment license)*
Rosa Perez #10300139, Owner/Manager
- 85728 Alice & Friends Hair #C5114 *(Delinquent establishment license)*
Alice Castaneda #18327631, Owner/Manager
- 85729 Hairworks Family Salon #C15646 *(Delinquent personal license)*
Star Haircare Services Inc
Carol Breedlone, Manager
- 85731 Nails & Spa Zaza #M16849 *(Delinquent personal license)*
Loan T. Nguyen #50600681, Owner/Manager
- 85732 Lilian Nails-Spa #M16823 *(Delinquent personal license)*
Toan T. Dao #50100165, Owner/Manager
- 85734 Zeta Hair & Day Spa #C19683 *(Personal license display & advertising differently)*
La Guera LLC
Karen Henson #11100415, Member/Manager
- 85735 Super Cuts #C19042 *(Delinquent personal license)*
Terrace Management LLC
- 85738 Dora's Mane Attractions #C18459 *(Delinquent personal license)*
Dora Henry #16405945, Owner/Manager
- 85739 D & J's Trends Studio #C11315 *(Delinquent personal license)*
Pam Leal #18500526, Owner/Manager
- 85743 Bien Nail by Kathy III #M16887 *(Delinquent establishment license)*
Hung Huynh #59500848, Owner
Judy Dang, Manager
- 85748 Hair by Di #C15139 *(Delinquent establishment license)*
Diana Simpson #10400888, Owner/Manager
- 85750 Leidan Mitchell #C18426 *(Delinquent personal license & personal license display)*

- Leidan Mitchell II LLC
- Erin Essert #18327799, Member
- Jacki Tatman, Member/Manager
- 85682 & T Lily Fresh Sin Solution, Pseudo Unlicensed
- 85764 & Fabulous Skin Care by Nicole #C17105 *(Advertising differently than salon name)*
- Nicole Woolfey #39817388, Owner
- 85765 Tiffany L Vitale #30125494 *(Advertising differently than salon name)*
- 85771 La Via at La Posada #C13473 *(No 1st aid kit, wet was not labeled and leather pouch)*
- La Posada at Park Centre Inc
- Gerald D. Gilmore, President/CEO
- Norma Nauman #19714272, Manager
- 85774/85775 Julia’s Nails & Spa #A15281 & #M15287 *(Delinquent personal license)*
- Julee Huynh #10402225, Owner/Manager
- 85776 Just Nailz #M15706 *(Delinquent establishment license)*
- Trudy Patton #59400554, Owner/Manager
- 85788 Myhanh’s Hair Designs #C712 *(Delinquent personal license & restroom toilet out of service – being repaired day of inspection)*
- Myhanh Le #19200345, Owner/Manager
- 85791/85792 Annie Nails & Spa #A16706 & #M16435 *(Restroom storage, no 1st aid/blood spill kit & towels not enclosed)*
- Ngo Dong T. Ho #30900712 & #50900545, Owner/Manager
- 85808 All About Hair Inc Arizona #C16346 *(Delinquent personal license)*
- All About Hair LLC
- Brenda Moorhead #18124661, Member/Manager
- Cynthia Millam #18900160, Member/Manager
- 85809 Preety Beauty Salon #A17386 *(Delinquent establishment license)*
- Preety Beauty Salon LLC
- Harpreet Kaur #31000018, Member/Manager
- 85817 Hairport Salon of Beauty #C805 *(Delinquent establishment & personal license)*
- Martha Speese #16809478, Owner/Manager
- 85821 Cho Salon Spa #C20163 *(No 1st aid/blood spill kit/dry storage & towels not enclosed)*
- Claudia H. Ornelas #19600803, Owner/Manager
- 85822 Smart Style #408 #C15199 *(Delinquent personal license, wet not labeled & soiled tools in empty station)*
- Minnesota Regis Corp
- Paul Finkelstein, President
- Beatriz Rodriguez #19501319, Manager
- 85823 My Shoppe #C18026 *(Delinquent personal license & No TB HIV-1 HEP B)*
- Rita D. Hernandez #17516628, Owner/Manager
- 85824 JC Penney Styling Salon #2655-9 #C6237 *(Delinquent personal license, no blood spill kit 1st aid incomplete, tools not labeled & sink clogged)*
- JC Penny Co Inc
- 85825 Nanda’s Styles #C16647 *(Delinquent personal license)*
- Maria Fernanda Munoz #19918280, Owner/Manager
- 85826 Kustom Kuts by Omar #C16416 *(Delinquent personal license)*
- Omar Sandoval, Owner
- 85831 Miss Bellisima #C19277 *(Delinquent personal license)*
- Margarita Romero #10902078, Owner/Manager

D. Recommend Informal Interview or Negotiation Terms

MOTION by Karla Clodfelter to accept staff recommendations and terms for all those listed below except for 85548. MOTION SECONDED by Joe Verdugo. MOTION CARRIED.

1. 85248 Bella Day Spa & Boutique #'s A16884 & M16803
Sugar LLC, Owner
Nickie Verdugo #30227652, Member

Offer a consent agreement to assess \$250 civil penalty and costs, see motion above.

2. 85401 Henry Nguyen #50501067, Licensee

Offer a consent agreement to assess \$250 civil penalty and costs, see motion above.

3. 85528 Teased By Jen #C22257
Teased By Jen LLC, Owner
Jennifer Denton #10802302, Members
Charles Denton, Member

Offer a consent agreement to assess \$500 civil penalty and costs, see motion above.

4. 85530 Great Clips #C6931
Kula Inc, Owner
Mike DiCarlo, President
Cheryl DiCarlo, Secretary
Randy Nelson, District Manager
Lourdes Roe #19501190, Manager
Phillip Walter Britton #11201283, Licensee

Dismiss, see motion above.

5. 85548 Ocean Spa & Nails #M17209
Ocean Spa & Nails LLC, Owner
Nina Bui #'s 59700561 & 30400070, Member
Hoang C Nguyen #50000346, Member

MOTION by Karla Clodfelter to offer a consent agreement to assess \$500 civil penalty and costs.

MOTION SECONDED by Tammy Acton. MOTION CARRIED. Joe Verdugo VOTED NAY.

6. 85570 Honey Stylz #C20595
Pat Catz LLC, Owner
Darin Travis, Member
Kim Moss, Member
Lakisha K Thomas #19917711, Licensee

Offer a consent agreement to Honey Stylz #C20595 to assess \$250 civil penalty and costs and to pay \$130.00 restitution; and offer a consent agreement to Lakisha K Thomas #19917711 to assess \$250 civil penalty and costs, see motion above.

7. 85572 Belleza Hair Studio #C22022
Katherine Provencio #19918277, Owner
Alejandra Lopez #10801301, Licensee

Offer a consent agreement to Belleza Hair Studio #C22022 to assess \$500 civil penalty and costs and to pay \$85.00 restitution; and offer a consent agreement to Alejandra Lopez #10801301 to assess \$250 civil penalty and costs, see motion above.

8. 85573 All That Glitters Salon & Boutique #C21740

All That Glitters Salon & Boutique LLC, Owner
Kimberly Mettie, Member

Offer a consent agreement to assess \$250 civil penalty and costs, see motion above.

9. 85576/85577 Tuyet Royal Nails #'s M14995 & A15167
Tuyet Thi Le #'s 50400067 & 30601070, Owner

Offer a consent agreement to assess \$1,000 civil penalty and costs and to attend the law review/infection protection class given by the Board, see motion above.

10. 85578 Arizona Nails by Tony #M416847
Arizona Nails by Tony Inc, Owner
Tri Minh Tran #50331566, President
Phuong Uyen-Dang Mai #50400893, V-P

Offer a consent agreement to assess \$500 civil penalty and costs, see motion above.

11. 85579/85580 AZ Tip & Toe Nails #'s M17052 & A17521
Jason Bui #50502367, Owner

Offer a consent agreement to assess \$500 civil penalty and costs, see motion above.

12. 85586 Leslie Vanderbeek #30400020, Licensee

Offer a consent agreement to assess \$500 civil penalty and costs and to attend the law review/infection protection class given by the Board, see motion above.

13. 85627 Karyn Peck #19601082, Licensee/Owner

Offer a consent agreement to assess \$500 civil penalty and costs, see motion above.

14. 85630 Tint of Madness #C22087
Erika Acosta #10226240, Co-Owner/Manager
Antoinette Madero #10602126, Co-Owner/Manager

Offer a consent agreement to assess \$250 civil penalty and costs, see motion above.

15. 85633 Indulge Yourself Salon by Severine #C17358
Severine LLC, Owner
Jiwan Jama #11202255, Licensee/Member

Offer a consent agreement to assess \$500 civil penalty and costs, see motion above.

16. 85637 Avalon for Hair, Skin & Nails #C20419
Avalon Inc., Owner
Kevin Casey #18400765, Member/Manager

Issue a Letter of Concern, see motion above.

17. 85639 Vanish #A17777
Vanish Inc., Owner
Justin Taylor, Member
Nicole Taylor, Member

Offer a consent agreement to assess \$250 civil penalty and costs, see motion above.

18. 85640 Tuyet Hoa T. Pham #50601151, Licensee/Owner

Offer a consent agreement to assess \$750 civil penalty and costs, see motion above.

19. 85642 Studio 116 #C18594
Cynthia Elordi #19916877, Owner/Manager
Offer a consent agreement to assess \$250 civil penalty and costs, see motion above.

20. 85649 Nu View Academy #S134
Nu View Academy LLC, Owner
Mario Macias #90600040, Director/Instructor in Charge
Offer a consent agreement to Nu View Academy #S134 to assess \$2,000 civil penalty and costs; and offer a consent agreement to Mario Macias #90600040 to assess \$500 civil penalty and costs and to attend the law review/infection protection class given by the Board, see motion above.

21. 85651 Christine Bengtsson 31000073, Licensee
Offer a consent agreement to assess \$300 civil penalty and costs, see motion above.

22. 85652 His & Hers Hair Salon #C19357
Vera Hutchison, Owner
Offer a consent agreement to assess \$250 civil penalty and costs, see motion above.

23. 85657 Applause #C3985
Jacalyn D. Kins Millard #17617956, Owner/Manager
Offer a consent agreement to assess \$250 civil penalty and costs, see motion above.

24. 85658 Revolver Hair Salon #C20507
Revolver Hair Studio LLC
Jamie McDonald #10300206, Member/Manager
Offer a consent agreement to assess \$750 civil penalty and costs, see motion above.

25. 85660 Queen Nails & Spa #M16740
Nghia Phan #50800688, Owner/Manager
Offer a consent agreement to assess \$500 civil penalty and costs, see motion above.

26. 85666 Melissa Abdo #39918804
Offer a consent agreement to assess \$500 civil penalty and costs, see motion above.

27. 85676 Willow Creek Salon #C13552
Willow Creek Phoenix Operations LLC., Owner
Debra Ervin #19700083, Member
Offer a consent agreement to assess \$250 civil penalty and costs, see motion above.

28. 85679 Dong Van Nguyen #10332076, Licensee/Owner
Offer a consent agreement to assess \$500 civil penalty and costs, see motion above.

29. 85680 Paul Gallarzo#10600796
Offer a consent agreement to assess \$500 civil penalty and costs, see motion above.

30. 85689 Chad Austin #19920854, Licensee/Owner
Offer a consent agreement to assess \$500 civil penalty and costs, see motion above.

31. 85690 & Christian Stevens #10600134, Licensee
85691 & Daniel Stewart #18600055, Licensee
85692 & Annette Rauch #10332270, Licensee

85693 Adriana Gastelum #11200318, Licensee

Offer a consent agreement to each licensee to assess \$50 civil penalty and costs each, see motion above.

32. 85695 Linda Marie Williams #10901930, Licensee/Owner

Offer a consent agreement to assess \$500 civil penalty and costs, see motion above.

33. 85696 Shear Performance Salon & Products #C20281

Steve Morales, Owner

Offer a consent agreement to assess \$750 civil penalty and costs, see motion above.

34. 85697 & Nidia Brown #30900064, Licensee

85698 & Sandra Hass #30600049, Licensee

85699 & Migdalia Drury #30800703, Licensee

85700 & Annette Greiman #30021472, Licensee

85701 Joanna Patton #31100054, Licensee

Offer a consent agreement to each licensee to assess \$250 civil penalty and costs each, see motion above.

35. 85702 American Hair Family Cutters #C3406

April Clement #18428658, Co-Owner/Manager

Nick Clement #18500422, Co-Owner

Offer a consent agreement to assess \$250 civil penalty and costs, see motion above.

36. 85705 & Stephanie Mendoza #18700433, Licensee/Owner

85706 & Joann Mendoza #10700253, Licensee

85707 & Kris Lind #18701121, Licensee

85708 Tomi Jones #58800089, Licensee

Offer a consent agreement to Stephanie Mendoza #18700433 to assess \$1,750 civil penalty and costs and to attend the law review/infection protection class given by the Board, see motion above.

37. 85730 Silva Nahabedian #59919071, Licensee/Owner

Offer a consent agreement to assess \$500 civil penalty and costs, see motion above.

38. 85736 Jenniffer Mayo #90900027, Licensee/Owner

Offer a consent agreement to assess \$500 civil penalty and costs, see motion above.

39. 85737 Genesis Hair Artistry #C3956

Darrell Sherrill, Co-Owner

Barbara Sherrill, Co-Owner

Offer a consent agreement to assess \$500 civil penalty and costs, see motion above.

40. 85742 Kinh Do Hair Design #C20770

Kinh Do Hair Design LLC., Owner

Laura Namphuong Phan, Member

Offer a consent agreement to assess \$500 civil penalty and costs, see motion above.

41. 85745 & Elijah Muhammad #19713416, Licensee/Co-Owner

85746 Billy Muhammad #19813415, Licensee/Co-Owner

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Offer a consent agreement to Elijah Muhammad #19713416 to assess \$250 civil penalty and costs; and offer a consent agreement to Billy Muhammad #19813415 to assess \$250 civil penalty and costs, see motion above.

42. 85747 Tammy's Pro Nails & Spa #M16774
Hong Thi Nguyen #10600441, Owner/Manager
Offer a consent agreement to assess \$250 civil penalty and costs, see motion above.

43. 85768 Supercuts #C3737
Supercuts Corp Shops Inc
Mark Kartarik, President
Ashley Carlos, Manager
Offer a consent agreement to Supercuts #C3737 to assess \$750 civil penalty and costs; and Offer a consent agreement to Ashley Carlos, Manager to attend the law review/infection protection class given by the Board, see motion above.

44. 85769 & Argelia Sotelo #11201718, Licensee
85770 Ebonee Harvin #11000883, Licensee
Offer a consent agreement to Argelia Sotelo #11201718 to assess \$50 civil penalty and costs; and offer a consent agreement to Ebonee Harvin #11000883 to assess \$100 civil penalty and costs and to attend the law review/infection protection class given by the Board, see motion above.

45. 85773 Spa at Canoa Ranch #C19391
Catalina Corporation
Raymond Kerege, CEO
Shelbee, Spa Director
Offer a consent agreement to assess \$500 civil penalty and costs, see motion above.

46. 85777 Silver King Hair Co. #C21166
Carol Johnson #10601661, Owner/Manager
Offer a consent agreement to assess \$250 civil penalty and costs, see motion above.

47. 85778 /85779 Global Nail Spa #A15857 & #M15773
Tommy V. Nguyen #30500360 & #50401503, Owner/Manager
Offer a consent agreement to assess \$750 civil penalty and costs, see motion above.

48. 85780 Juan P. Bernal #10701541, Licensee/Owner
Offer a consent agreement to assess \$500 civil penalty and costs and to attend the law review/infection protection class given by the Board, see motion above.

49. 85781 Bellisima Beauty Salon #C6504
Eustaquio Bernal #19000501, Owner/Manager
Offer a consent agreement to assess \$250 civil penalty and costs and to attend the law review/infection protection class given by the Board, see motion above.

50. 85782 Irene's Salon #C10875
Irene Menchaca-Soto #19600855, Owner/Manager
Offer a consent agreement to assess \$500 civil penalty and costs and to attend the law review/infection protection class given by the Board, see motion above.

51. 85783 Lacey K. Brown #10200739, Licensee/Owner

Offer a consent agreement to assess \$750 civil penalty and costs and to attend the law review/infection protection class given by the Board, see motion above.

52. 85785 Daisy’s Beauty Salon #C20762
Eufemia Espinoza #19100417, Owner/Manager

Offer a consent agreement to assess \$250 civil penalty and costs, see motion above.

END OF CONSENT AGENDA

All Investigators, Inspectors and staff present and planning to give testimony for any cases were sworn in by the Chairman.

STEP 2: INFORMAL INTERVIEWS * AND ***

A. Without Negotiation Options

None

B. With Negotiation Options

1. 85239 Syri Gerstner #10901679 **10:15 a.m.**

Continued from December’s Board Meeting

RETURN TO SENDER – NOT DELIVERABLE

MOTION by Karla Clodfelter to accept staff recommendations and rescind the previous motion for \$500 and to instead issue a Letter of Concern for advertising violation. MOTION SECONDED by Joe Verdugo. MOTION CARRIED.

2. 85540 & 85590 New Dimension Extensions #C20269 **10:15 a.m.**

Tammy Kelichner-Andre #19700552, Owner/Manager

Continued from December’s Board Meeting

Tammy Kelichner-Andre and Rita Macia appeared, were sworn in, and spoke to the issue.

MOTION by Joe Verdugo to issue a Letter of Concern. MOTION SECONDED by Jessica Stall. Gary Begley, Karla Clodfelter, Sandra Hecksel, Larry Bulechek and Tammy Acton VOTED NAY. MOTION DIED.

MOTION by Tammy Acton to issue a Board Order to Tammy Kelichner-Andre and accept the investigative findings as Findings of Fact for violations with the exception of T-2. MOTION SECONDED by Gary Begley. MOTION CARRIED.

MOTION by Tammy Acton to accept as Conclusions of Law the substantiated violation under the investigative summary with the exception of T-2. MOTION SECONDED by Gary Begley. MOTION CARRIED.

MOTION by Tammy Acton to order discipline to attend the Board’s Law Review/Infection Protection class at a cost of \$25.00 within the first ninety (90) days of a six month probation. MOTION SECONDED by Gary Begley. MOTION CARRIED.

3. 85356 & Mirabella Hair Design #C21017 **10:15 a.m.**

Salon Veinte LLC, Owner

R Angela Simpson, Member

Continued from December’s Board Meeting

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R. Angele Simpson and Thomas Bashara, attorney, appeared, were sworn in, and spoke to the issue.

MOTION by Karla Clodfelter to offer a consent agreement in lieu of a formal hearing to assess \$250 civil penalty and costs and to attend the law review/infection protection class given by the Board within three months. MOTION SECONDED by Larry Bulechek. MOTION CARRIED.

- 85593 Maranda Rutkowski #11001294, Manager
Continued from December's Board Meeting
NEGOTIATED TO ATTEND BOARD CLASS
4. 85471 & Regis Salon #457 #C12384 **10:15 a.m.**
Minnesota Regis Corp
Paul Finkelstein, President
Continued from December's Board Meeting
NEGOTIATED \$750/PAID
- 85722 Patricia Pena #10200467, Manager
Continued from December's Board Meeting
NEGOTIATED TO ATTEND BOARD CLASS
5. 85497 Latina's Touch #C19448 **10:15 a.m.**
Jeanette Esquivel #10601877, Owner/Manager
Continued from December
NEGOTIATED \$250
6. 83483 Loan Kim Bieschke #50400575 **10:15 a.m.**
RETURN TO SENDER – NOT DELIVERABLE
7. 85039 Passion Nail Salon #A17324 **10:15 a.m.**
Hanh T Nguyen #59800334, Owner/Manager
NEGOTIATED \$250/PAID
8. 85072 & Lisa Ann Richardson #30400601, Co-Owner **10:15 a.m.**
85800 Les Beaute' Studio / Les Clinique Visage #C22178
Lawrence Richardson, Co-Owner
Brittany Stafford #50601162, Licensee
RETURN TO SENDER – NOT DELIVERABLE
9. 85102/85103 Passion Nail Salon #'s M16906 & A17324 **10:15 a.m.**
Hanh T Nguyen #59800334, Owner/Manager
NEGOTIATED \$2,000/1ST Payment Submitted/6-Months Probation
10. 85131 Helene I Lustgarten #39500043 **10:15 a.m.**
NEGOTIATED \$500/PAID
11. 85277 & Tony's Hair Salon #C21548 **10:15 a.m.**
NEGOTIATED \$2,000
- 85720 "John" Dzuong Vong #50800649, Owner/Manager
NEGOTIATED TO ATTEND BOARD CLASS
Can T Luu #10801013, Licensee
Queenie Hoa Ly #11001938, Licensee

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12. 85406 Sun Nails & Spa #M16941
Duy Ngoc Ky #51100266, Owner
No show; to formal hearing. **10:15 a.m.**
13. 85408 Uni Hair & Nail Salon #C15132 **10:15 a.m.**
Nam Truong, Partner
Katrina Thuy Cao #30601134, Partner
NEGOTIATED \$500/6-Months Probation/1st payment submitted
14. 85425 Chastity Lynne Cook #30900627 **10:15 a.m.**
CONTINUED
15. 85474/85479 & For Nails Only #'s M15079 & A15051 **10:15 a.m.**
D & L Nails Inc., Owner
NEGOTIATED \$250/PAID
85716 Lan Huynh #50300433 & 30500865, President/Manager
NEGOTIATED TO ATTEND BOARD CLASS
16. 85490/85491 Amy's Palace Nails #'s M15385 & A15382 **10:15 a.m.**
Hue P Lam #59600460 & 30300107, Owner/Manager
NEGOTIATED \$500
17. 85522 & Dieu T. Nguyen #30800728 **10:15 a.m.**
NEGOTIATED \$125
85523 Dieu Thi Nguyen #50500523
NEGOTIATED \$125
18. 85524 Scottsdale Hand & Foot Spa #M15786 **10:15 a.m.**
Lee Thai #59500709, Owner/Manager
NEGOTIATED \$250/PAID
19. 85533 Hair by Elma #C19139 **10:15 a.m.**
Hair by Elma LLC
Elma Contreras #18400930, Member/Manager
NEGOTIATED \$250/PAID
20. 85534 Complement Salon #C22289 **10:15 a.m.**
Complement Salon LLC
Maria T. Figueroa #11101300, Member/Manager
NEGOTIATED \$250
21. 85545/85546 Az Tip & Toes Nails & Spa #A17414 & #M16978 **10:15 a.m.**
Thomas Van Ta, Owner
NEGOTIATED \$750/PAID
22. 85547 & V1 Salon #C17635 **10:15 a.m.**
V1 Salon LLC
NEGOTIATED \$250/PAID
85717 Kevin Anderson #19400150, Member/Manager
NEGOTIATED TO ATTEND BOARD CLASS

BOARD MEETING MINUTES

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23. 85551 Le Arizona Nails #M10317 **10:15 a.m.**
Bruce N. Le #59900199, Owner/Manager

Bruce Le appeared, was sworn in, and spoke to the issue.

MOTION by Larry Bulechek to dismiss. MOTION DIED FOR LACK OF SECOND.

MOTION by Karla Clodfelter to issue a Letter of Concern and if license was found to be paid on time the case would be brought back for dismissal. MOTION SECONDED by Joe Verdugo . MOTION CARRIED.

24. 85556 & Tom Le #50800430 **10:15 a.m.**
NEGOTIATED \$250
85557 Hang Thuy Vo #30800905
NEGOTIATED \$250

25. 85560/85561 Flower Nails by J #A17711 & #M17186 **10:15 a.m.**
Flower Nails by J LLC
Jason Khanh Duong #50601280, Member/Manager
NEGOTIATED \$500/PAID

26. 85563 & Legend Nails #A15005 **10:15 a.m.**
Kim Phuong Thi Nguyen #10100401, Owner/Manager
NEGOTIATED \$250/PAID
85718 Lynette A Lakshmeena #30900701, Licensee
NEGOTIATED \$500/PAID

27. 85564 Bamboo Nails & Spa by KD #M16412 **10:15 a.m.**
Kim Dao #30400375 & #59600520, Owner/Manager

Kim Dao appeared, was sworn in, and spoke to the issue.

MOTION by Larry Bulechek to remove the fine from the owner and move to licensee. MOTION WITHDRAWN.

MOTION by Sandra Hecksel to offer a consent agreement in lieu of a formal hearing to reduce the fine by \$25 and assess \$225 civil penalty and costs and to attend the law review/infection protection class given by the Board. MOTION SECONDED by Tammy Acton. Larry Bulechek, Jessica Stall, Joe Verdugo and Karla Clodfelter VOTED NAY. MOTION DIES.

MOTION by Karla Clodfelter to offer a consent agreement in lieu of a formal hearing to assess \$150 civil penalty and costs and to attend the law review/infection protection class given by the Board within 90 days. MOTION SECONDED by Joe Verdugo. MOTION CARRIED.

28. 85603 Annie's Hair Studio #C9526 **10:15 a.m.**
Annie Navarro #17314370, Owner/Manager
NEGOTIATED \$250/PAID

29. 85607 Salon at Desert Point #C17414 **10:15 a.m.**
Renee Amico #19700856, Owner/Manager

Renee Amico and Rose Lopez appeared, were sworn in, and spoke to the issue.

MOTION by Karla Clodfelter to issue a Letter of Concern. MOTION SECONDED by Joe Verdugo. MOTION CARRIED.

30. 85613 Madison Avenue International Salon & Day Spa #C17686 **10:15 a.m.**

BOARD MEETING MINUTES

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Madison Avenue International Salon & Day Spa Inc
Sean Larusso, President
Deborah Larusso #19400899, Secretary
NEGOTIATED \$500

31. 85615 Allure Nails #M17195 **10:15 a.m.**
R & R Nail Salon LLC
Russ Seekatz, Member
Roberta Eldred, Member
NEGOTIATED \$250

32. 85617 Mitti Fields-Smith #39916897 **10:15 a.m.**
Mitti Fields-Smith appeared, was sworn in, and spoke to the issue.
MOTION by Karla Clodfelter to offer a consent agreement in lieu of a formal hearing to assess \$250 civil penalty and costs and to attend the law review/infection protection class given by the Board. MOTION SECONDED by MOTION CARRIED.

33. 85621 Safe Nails #M12131 **10:15 a.m.**
Thanh T. Truong #59920825, Owner/Manager
NEGOTIATED \$250/PAID

34. 85623 Beauty Nails & Spa #M17237 **10:15 a.m.**
Beauty Nails & Spa LLC
Hoang Nguyen #50000346, Member/Manager
Hoang Nguyen appeared, was sworn in, and spoke to the issue.
MOTION by Larry Bulechek to dismiss. MOTION SECONDED by Joe Verdugo. Gary Begley, Karla Clodfelter, Jessica Stall, Tammy Acton and Sandra Hecksel VOTERD NAY.MOTION DIES.
MOTION by Gary Begley to issue a Letter of Concern. MOTION SECONDED by Joe Verdugo. MOTION CARRIED. Larry Bulechek VOTED NAY.

35. 85625 Cutters Four #C18259 **10:15 a.m.**
Cheryl Hogan #10501918, Owner/Manager
NEGOTIATED \$500/PAID

36. 85626 Salon St. Martin #C14659 **10:15 a.m.**
Laura O'Brien, Partner
Mary O'Brien, Partner
NEGOTIATED \$250/PAID

37. 85667 Diana Cracraft #3033074 9 **10:15 a.m.**
Diana Cracraft appeared, was sworn in, and spoke to the issue.
MOTION by Karla Clodfelter to offer a consent agreement in lieu of a formal hearing to assess \$250 civil penalty and costs and to attend the law review/infection protection class given by the Board. MOTION SECONDED by Sandra Hecksel. Larry Bulechek, Joe Verdugo, Jessica Stall Tammy Acton and Gary Begley VOTED NAY. MOTION DIES.
MOTION by Larry Bulechek to issue a Letter of Concern. MOTION SECONDED by Tammy Acton. MOTION CARRIED. Karla Clodfelter VOTED NAY.

38. 85668 Lindsay M Berg #30400266 **10:15 a.m.**
NEGOTIATED \$500/PAID

39. 85670 Noelani Ganz #30226649 **10:15 a.m.**

Noelani Ganz appeared, was sworn in, and spoke to the issue.

MOTION by Larry Bulechek to dismiss. MOTION SECONDED by Joe Verdugo. Gary Begley, Sandra Hecksel, Tammy Acton, Jessica Stall and Karla Clodfelter VOTED NAY. MOTION DIES.

MOTION by Karla Clodfelter to offer a consent agreement in lieu of a formal hearing to assess \$250 civil penalty and costs and to attend the law review/infection protection class given by the Board within 90 days. MOTION SECONDED by MOTION CARRIED.

40. 85671 Johanna Trujillo #30330660 **10:15 a.m.**

Johanna Trujillo appeared, was sworn in, and spoke to the issue.

MOTION by Karla Clodfelter to offer a consent agreement in lieu of a formal hearing to assess \$50 civil penalty and costs. MOTION SECONDED by Joe Verdugo. MOTION CARRIED.

41. 85719 Danny Q Dang #50000517 **10:15 a.m.**
NEGOTIATED \$50/PAID

42. 85309 & La Vie Nails & Spa #M15919 **10:15 a.m.**
NEGOTIATED \$250/PAID
85721 Binh Quoc Pham #50501344, Owner/Manager/Licensee
NEGOTIATED TO ATTEND BOARD CLASS

STEP 3: HEARINGS * AND ***

A. Denial Appeals

None

B. Motion to Deem Allegations Admitted

82944 Michelle Jonas #59200429 **10:00 a.m.**
This case has settled.

80138 & Shear Performance-Tucson Mall #C13315 **10:00 a.m.**
83238 Steve Morales, Owner
Christian Stevens, Manager #10600134

Assistant Attorney General, Bridget Harrington, appeared representing the State. Solicitor General, Christopher Munns, appeared representing the Board. Licensee did not appear.

MOTION by Karla Clodfelter to grant the State’s MOTION TO DEEM ALLEGATIONS ADMITTED. MOTION SECONDED by Sandra Hecksel . MOTION CARRIED.

MOTION by Karla Clodfelter to adopt as Findings of Fact paragraphs III and IV in the Complaint and as Conclusions of Law paragraph IV in the Complaint. MOTION SECONDED by Sandra Hecksel. MOTION CARRIED.

MOTION by Karla Clodfelter to issue an Order of discipline to revoke both licenses and to impose civil penalties and costs for \$500 to and that the agency recovers its total costs incurred for this case in an amount to be determined later by the agency. MOTION SECONDED by Sandra Hecksel. MOTION CARRIED.

84673 Shear Performance Salon #C20281 **10:00 a.m.**

Steve Morales, Owner

Assistant Attorney General, Bridget Harrington, appeared representing the State. Solicitor General, Christopher Munns, appeared representing the Board. Licensee did not appear.

MOTION by Karla Clodfelter to grant the State’s MOTION TO DEEM ALLEGATIONS ADMITTED. MOTION SECONDED by Joe Verdugo. MOTION CARRIED.

MOTION by Karla Clodfelter to adopt as Findings of Fact paragraphs III and IV in the Complaint and as Conclusions of Law paragraph IV in the Complaint. MOTION SECONDED by Joe Verdugo. MOTION CARRIED.

MOTION by Karla Clodfelter to issue an Order of discipline to revoke the license and to impose civil penalties and costs for \$250 to and that the agency recovers its total costs incurred for this case in an amount to be determined later by the agency. MOTION SECONDED by Sandra Hecksel. MOTION CARRIED.

C. Hearing Officer Recommendations

12F-80983-COS &	Greenfield Nail Spa #A16036 & #M15923	9:45 a.m.
12F-80984-COS	Cuong Duc Le, Owner/Manager #50400608	

Assistant Attorney General, Bridget Harrington, appeared representing the State. Solicitor General, Christopher Munns, appeared representing the Board. Cuong Duc Luong appeared and spoke to the issue.

MOTION by Joe Verdugo to accept the Administrative Law Judge’s Findings of Fact. MOTION SECONDED by Sandra Hecksel. MOTION CARRIED.

MOTION by Tammy Acton to accept Administrative Law Judge’s Conclusions of Law and correct a typographical error on line 14 on page 5 correcting “bowels” to “bowls” and correcting page 6, line 17, “Infectious” to “Infection”. MOTION SECONDED by Karla Clodfelter. MOTION CARRIED.

Motion by Joe Verdugo to accept the recommendations of the Administrative Law Judge with the following modification: the Board reduced and set its reasonable costs at \$1,000.00. MOTION SECONDED by Sandra Hecksel. MOTION CARRIED.

D. Request for Reinstatement

Tammy Griffin #1010082 **11:30 a.m.**

Tammy Griffin appeared and spoke to the issue.

MOTION by Tammy Acton to table until February Board. MOTION DIED FOR LACK OF A SECOND.

MOTION by Karla Clodfelter to offer a consent agreement for reinstatement with the following terms: Prior to having the license reinstated all the restitution shall be paid, attend the Board’s law review/infection protection class, and a reinstatement fee of \$250 shall be paid in full; after the licenses is reinstated there will be a three year probation during which Ms. Griffin shall not own nor manage any establishment licensed by this Board; a total of \$1,500.00 shall be paid with a monthly payment as designated in the consent agreement and any if violation occurs during this probation period it shall result in the immediate revocation of the license. MOTION SECONDED by Joe Verdugo. MOTION CARRIED.

E. Appeal Board Orders

None

F. Discussion, Consideration and Possible Action on Proposed Consent Agreement Terms.

85601 Amber Villines #10500583, Manager

MOTION by Karla Clodfelter to accept staff recommendations and rescind the previous motion and to instead dismiss. MOTION SECONDED by Joe Verdugo. MOTION CARRIED.

STATUS AND ADDITIONS TO TENTATIVE AGENDA * AND ***

For Board Information Only:

85518 Cost Cutters #1183 #C22332
 Minnesota Regis Corp., Owner *(Negotiated/paid, was no show for 12-14-12)*

ADJOURN

MOTION by Sandra Hecksel to adjourn. MOTION SECONDED by Joe Verdugo. MOTION CARRIED.

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- * **LEGAL ADVICE WHERE APPLICABLE – A.R.S. § 38-431-03 (A) (3)**
- ** **PERSONNEL MATTERS – A.R.S. § 38-431.03 (A) (1)**
- *** **CONFIDENTIAL MATTERS – A.R.S. § 38-431.03 (A) (2)**
- **** **PENDING LITIGATION – A.R.S. § 38-431.03 (A) (4)**