

BOARD MEETING MINUTES

October 16, 2009

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 A.R.S. § 38.431.03 (A) (3).

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

Stephen Colarusso
Flo Finch
Thom Kasch
Gary Begley
Karla Clodfelter
Kyra Locnikar

BOARD * AND ***

A. Board Minutes of September 18, 2009.

MOTION by Stephen Colarusso to approve the minutes as written with an amendment to Item B. under Executive Director’s Report to be amended as follows: The Executive Director, Donna Aune, reported that the Strategic Plan included a Versa upgrade for licensing procedures but the upgrade would be amortized over a three year period rather than a single payment due to the State of Arizona agency money sweeps and an approval by GITA was needed. MOTION SECONDED by Thom Kasch. MOTION CARRIED.

B. Executive Session Minutes of September 18, 2009.

MOTION by Thom Kasch to approve minutes as written. MOTION SECONDED by Gary Begley. MOTION CARRIED.

C. Board Meeting Dates for 2010 and 2011.

2010: January 15, February 19, March 19, April 16, May 21, June 18, July 16, August 20, September 17, October 15, November 19, December 10.

2011: January 21, February 18, March 18, April 15, May 20, June 17, July 15, August 19, September 16, October 21, November 18, December 9.

D. Infection Protection Class and Law Review Dates for 2010 and 2011.

2010: January 25, February 22, March 22, April 19, May 24, June 21, July 19, August 23, September 20, October 18, November 22, December 13.

2011: January 24, February 28, March 21, April 18, May 23, June 20, July 18, August 22, September 19, October 24, November 21, December 12.

MOTION by Thom Kasch to approve the above dates for the 2010 and 2011 Board Meetings and for the Infection Protection and Law Review classes. MOTION SECONDED by Flora Finch. MOTION CARRIED.

E. Cosmetology Students on Field Trip.

- Questions and answers regarding Board authority and process.

F. Declaration of Conflict of Interest.

Karla Clodfelter declared for case no. 78837, under Step 1.D., #30.

EXECUTIVE DIRECTOR’S REPORT *, **, * AND ******

A. Report and Discussion on (NIC) National Interstate Council Conventions held in Myrtle Beach, South Carolina, September 24th – 28th.

The Executive Director, Donna Aune, reported that she and Chairman of the Board Stephen Colarusso attended the convention.

B. Report and Discussion on Federation of Association of Regulatory Boards (FARB) Conference held in Chicago.

Bridget Harrington, Assistant Attorney General, attended the conference and had the opportunity to meet with attorneys from other regulatory Boards and had informative discussions on current and future legislation.

C. Report and Discussion on Governor’s Mandate.

- **Proposal of 15% Budget Cuts and Agency Compliance**

Executive Director, Donna Aune, reported that the agency has been instructed by the Governor to submit a budget showing a 15% cut in expenditures, which is \$277, 000. Eliminating much needed computer upgrades and a negotiated lower building lease were included in the expenditure cuts. Other options would be to eliminate the sixty day renewal notices and possibly do a onetime license with online renewals.

Flora Finch pointed out that having pictures for examinations, placing one in the file and one on their license may be a way of having photo ID without the expense of a computer upgrade. However, Bridget Harrington advised the Board that this may require statute changes.

Stephen Colarusso suggested to agendize the Legislative Committee for the November Board meeting and at that time cost saving suggestions, photo on licenses and other budget saving ideas could be discussed. After further discussion Stephen Colarusso directed that Legislation be agendized for November for the full Board, not a committee.

D. Summary of Current Events.

A new Board member will be joining the agency at the November Board. Her name is Sandra Hecksel and will be filling the position of Public Educator.

STEP 1: COMPLAINT REVIEW * AND ***

A. Recommend Application Denials

78908 Thai Ngoc Ngo (*Deny & accept w/negotiation*)

78914 Loi Kim Nguyen #50900015(*Deny & accept w/negotiation*)

MOTION by Thom Kasch to accept staff recommendations and deny the applications and accept with negotiation. MOTION SECONDED by Karla Clodfelter. MOTION CARRIED.

B. Recommend Dismissals

MOTION by Thom Kasch to accept staff recommendations and dismiss those listed below. MOTION SECONDED by Gary Begley. MOTION CARRIED.

78388 Stella Worley #16808840 (*No evidence to support allegations*)

78561 Regal Nails #2113 #M15972 (*No evidence to support allegations*)
Ut Van Thai #50000024, Owner/Manager

78565 Regency Beauty College #S77 (*No evidence to support allegations*)

78567 Regency Corp
 Deborah Fitzpatrick #90200004, Manager/Instructor
 Cheryl Chelius #90223285, Asst Manger/Instructor
 Avalon School of Cosmetology #S 125 *(School handled situation in an appropriate manner)*
 EA Education Inc
 Geraldine Wickerd #99000022, Manager/Instructor

C. Recommend Letter of Concern

MOTION by Flora Finch to accept staff recommendations and issue Letters of Concern to those listed below with the exception of 78884. MOTION SECONDED by Thom Kasch. MOTION CARRIED.

- 78808 Joseph Scott Salon #C15865 *(Delinquent establishment license)*
 Joseph Scott Salon LLC
- 78809 Hair Expression & Design #C16325 *(Delinquent personal license)*
 Hair Express & Design LLC
 Beverly Landers #18225534, Member/Manager
- 78812 Athleticcuts Haircuts for Men #C16969 *(No TB HIV-1 HEP B)*
 Athletic Cuts Corp
- 78813 Charlie’s Nails #M15189 *(Delinquent Establishment License)*
 Charlie D. Vo #59600088, Owner/Manager
- 78814 Leidan Mitchell Salon #C11491 *(Delinquent personal license & personal license display)*
 Leidan Mitchell LLC
 Erin Essert #18327799, Member/Manager
- 78815 Ken’s Nails & Spa #M16386 *(Personal license display)*
 Anh Hoang Nguyen #50200058, Owner/Manager
- 78840 Splash Nail N Spa #M16001 *(Personal license display)*
 Splash Nail N Spa Inc
 Stephanie Huynh #30800780 & 50601165, President/Manager
- 78845 Gila Academy of Cosmetology #S119 *(Proof of education not in file)*
 Eastern AZ Academy of Cos LLC
 Diane Workman #90400078, Instructor in Charge
- 78849 Skinovative of Gilbert #A16400 *(Establishment license display)*
 Living Our Dreams LLC
- 78856 Third Dimension #C15547 *(No TB HIV-1 HEP B)*
 Michael Dinh #10326943, Co-Owner/Manager
 Thongsay Dinh #19700245, Co-Owner/Manager
- 78858 Kelly Nails and Spa #M11290 *(Delinquent establishment license & current personal license display)*
 Thao Mai Bui #50000617, Owner/Manager
- 78860 & Nail Me Good #A16188 & #M16039 *(No TB HIV-1 HEP B)*
 78861 Nail Me Good LLC
- 78862 & Nails 2 Luv #A16347 & #M16160 *(Establishment license display & personal license display)*
 78863 Kathleen Le #30600488 & 50600582, Owner
- 78866 Regis Salon #C17283 *(Delinquent personal license & current personal license display)*
 Minnesota Regis Corp
 Paul Finkelstein, President
- 78867 Bobbie Pinns Hair Salon #C18924 *(No TB HIV-1 HEP B)*
 Mandy Ring #10501524, Owner/Manager

- 78868 Tammy Kate Salon #C18572 *(Delinquent personal license & personal license display)*
 Tammy Kraemr #19800041, Owner/Manager
- 78869 Suite 109 Salon #C18759 *(No first aid kit, no blood spill kit & no TB HIV-1 HEP B)*
 Nikki Pantoja #10401651, Co-Owner/Manager
 Kelly Jenson #10223869, Co-Owner/Manager
- 78870 Natural Glow Skin Care by Felicia #A16445 *(No TB HIV-1 HEP B)*
 Felicia Larez #30123961, Owner/Manager
- 78871 Selah Salon #C15394 *(Delinquent personal license)*
 Renee Lee Ayala #18701069, Owner/Manager
- 78872 Cool Cuts 4 Kids #C19169 *(Establishment license display)*
 Minnesota Regis Corp
 Paul Finkelstein, President
- 78881 Pure Aesthetics #S17 *(No proof of education no in file)*
 Pure Aesthetics LLC
 Kaelen Johnson #70600002, Instructor in Charge
- 78884 A Beautiwerx by Cin Cin #C15569 *(Unable to remove jets from pedi spas for inspection)*
 A Beautiwerx by Cin Cin LLC
 Cynthia Phillips #10402071, Member/Manager

MOTION by Thom Kasch to accept staff recommendations and offer a consent agreement to assess \$250 civil penalty and costs. MOTION SECONDED by Gary Begley. MOTION CARRIED.

- 78885 Le's Exotic Nails & Spa #M15892 *(Delinquent establishment license)*
 Loan T. Nguyen #50500963, Owner/Manager
- 78886 Gadabout Salon Spas #C15587 *(Delinquent personal license)*
 Gadabout Inc
 Pamela McNair-Wingate #17921402, President
- 78887 El Rio Barber-Stylist #C17695 *(No large wet disinfectant set up – tall barbicide jars only)*
 Two Worlds Enterprises LLC
 Julieta Ferrel, Member
- 78911 Sol-Y-Luna Hair Salon #C14421 *(No TB HIV-1 HEP B & current personal license display)*
 Sol-Y-Luna Hair Salon LLC
 Irasema Arvizu #19200424, Member
- 78912 Nails "U" Luv #M15516 *(Delinquent personal license)*
 Bichly Le #30800147 & #50600052, Co-Owner/Manager
 Thuy Huynh, Co-Owner
- 78913 Paraiso Skin Care Etc. #C12114 *(Unlicensed Individual-Barber)*
 Dacier Enterprises Inc
 Mary Johnson #30022189, President/Manager
- 78916 Balaros Hair Salon Phase II #C14181 *(Delinquent personal license)*
 Elmira Mills #19000081, Owner/Manager
- 78917 & Nails 4 Less #A15341 & #M15345 *(No TB HIV-1 HEP B)*
 78918 Nancy Nguyen #30500809 & #50200187, Owner/Manager
 78919 Beauty Brands #C17019 *(Delinquent personal license)*
 Beauty Brands Inc
- 78924 Root Of All Beauty #C18198 *(Delinquent establishment license & establishment
 license display)*
 Rebecca Jimenez #10224419, Owner/Manager
- 78926 Shear Style Salon & Spa #C18320 *(No TB HIV-1 HEP B)*

78927	Tammy Montoya #19401363, Owner/Manager A New U Day Spa #C16921	(Advertising differently)
78928	Heather Smith #10226178, Owner/Manager Foot Fetish Nail Spa #C17212	(Delinquent personal license)
78929	Clarise Ward #50329333, Owner/Manager Robert Paul Salon #C16864	(Two licensees had soiled tools & dry storage, personal license display & advertising differently)
78930	Robert Rauscher #18600624, Owner/Manager Country Hairitage #C16449	(Delinquent personal license)
78937	Judith Chenoweth #19700725, Owner/Manager Main Waves #C9055	(Personal license display)
78950	Delora Morgan #17922082, Owner/Manager A Personal Touch By Maria #C18375	(Delinquent establishment license & advertising differently)
78951	Maria Lopez #19100177, Owner/Manager Lee's Unisex Salon #C17291	(No TB HIV-1 HEP B)
78959	Lee Williams #18328077, Owner/Manager Truth Natural Hair Oasis #C18467	(Delinquent establishment license & no TB HIV-1 HEP B)
	Eugenia Booker #10300222, Owner/Manager	

D. Recommend Informal Interview or Negotiation Terms

MOTION by Thom Kasch to accept staff recommendations for all negotiation terms as listed below except for 78837. MOTION SECONDED by Gary Begley. MOTION CARRIED.

- 78284/78970 Mike Lee Nails #M14378 & A15627
Chu T Huy #50200527, Owner/Manager
Thanh Nguyet Thi Vu #30600139, Licensee
Offer a consent agreement to assess \$500 civil penalty and costs, see motion above.
- 78314 & Mary Jonguitud File No. 9050215
78971 Mary Jonguitud #10901228
Offer a consent agreement to assess \$500 civil penalty and costs, see motion above.
- 78477 C & A Nails #M15243
My Truong Bui #50300376, Owner/Manager
Dismiss, see motion above.

- 78487 Classy Nails by Le #M11113
Quan Thai Le #59818007, Owner/Manager
Offer a consent agreement to assess \$1,000 civil penalty and costs, and to attend the infection protection class and the law review class given by the Board, see motion above.

- 78501 Ricqlen's Hair Co #C17426
Richard Cowles #16708000, Owner
Offer a consent agreement to assess \$250 civil penalty and costs, see motion above.

- 78503 Tucson Mall-Threading, *Pseudo Unlicensed*
General Growth Properties Inc.,
Harnak S Gill

7. 78562 Tucson Mall-Threading
General Growth Properties Inc.,
Harnak S Gill

Dismiss 78503 and 78562, refer to proper authorities and issue a letter regarding threading, see motion above.

8. 78579 Donna's Nails & Spa M16041
Minh Huynh #50501186, Owner/Manager
Chau Ngoc Tran #50331290, Licensee

Offer a consent agreement to salon to assess \$250 civil penalty and costs and \$30.00 restitution, and for Chau Ngoc Tran #50331290 to attend the infection protection class given by the Board, see motion above.

9. 78582 LA Nails #M9720
Susan B Au #59500448, Owner/Manager

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

10. 78624 V-K Elle Nails #M15557
V-K Elle Nails Inc
Duy Q Tong #50100431, Member/Manager

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

11. 78747/78748 V-K Elle Nails #A14943 & #M15557
V-K Elle Nails Inc
Duy Q. Tong #50100431, President/Manager

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

12. 78749 Le Vanittee Barber and Beauty Salon #C18059
Maria Hernandez, Owner

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

13. 78750/78753 Jewelry Nails & Spa #A13558 & #M13557
Liem T. Ha #50000557, Owner/Manager

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

14. 78758 Nails by Denise #M11421
Denise Knudson #58402153, Owner/Manager

Issue a Letter of Concern, see motion above.

15. 78759 Nails by Anna Marie #M11414
Anna Marie Femiano Hernandez #58400179, Owner/Manager

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

16. 78760 Brenda at Salon Denmark #C11409
Brenda Beychak #17010940, Owner/Manager

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

17. 78764 & Dino Dominguez #10600777, Licensee

78765 & Isabel Zeiher #19400148, Licensee
 78766 & Haesuk Kim #10501875, Licensee
 78767 & Azucena Guerrero #10500243, Licensee
 78768 Kellie Bryant #18326884, Licensee

Add C11459 and offer a consent agreement to assess \$250 civil penalty and costs, see motion above.

18. 78769 A & K Nails #M15716
 Nhu Mai Thi Tran #50329004, Co-Owner/Manager
 Mai Trinh Tran #50331551, Co-Owner/Manager

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

19. 78804 Great Clips #1597 #C14251
 Kula Inc

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

20. 78805/78806 Ong Paulene's Nails #A14902 & #M14411
 Ong Hoang Duc #59500153, Owner/Manager

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

21. 78807 Central Nails #M7062
 Hong Bui #50123244, Owner/Manager

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

22. 78810 E's Urban Hair #C18438
 Ethan Murray #19201098, Owner/Manager

Issue a Letter of Concern, see motion above.

23. 78816/78817 Ultra Nails & Spa #2 #A16063 & #M15949
 Quan X. Ngo, Owner

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

24. 78818/78819 My Nails & Spa #A16467 & #M15982
 Tam Thanh Pham #50400001, Owner/Manager

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

25. 78820/78821 Nails & Spa Talk #A16631 & #M16383
 Danny Nguyen #50700127, Owner/Manager

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

26. 78822 Supercuts 90154 #C15351
 Supercuts Corporate Shops Inc

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

27. 78823 Arizona Academy of Beauty #S6
 Arizona Academy of Beauty Inc
 Thelma Saenz #90000005, Instructor in Charge

Issue a Letter of Concern, see motion above.

28. 78835 Marilyn's Hair Design #C15051
Marilyn Epps #10100319, Owner/Manager
Offer a consent agreement to assess \$250 civil penalty and costs, see motion above.

29. 78836 Avra Valley Hair Salon #C19372
Lucia Cruz #10802007, Owner/Manager
Offer a consent agreement to assess \$500 civil penalty and costs, see motion above.

30. 78837 Kurt, Quanna, & Co #C19021
Keila Enterprises LLC
William Womack, Member
Keila Womack #10123326, Member/Manager

Karla Clodfelter recused herself.

MOTION by Thom Kasch to accept staff recommendations and offer a consent agreement to assess \$750 civil penalty and costs, see motion above. MOTION SECONDED by Flora Finch. MOTION CARRIED.

31. 78838 #1 Nails by Thi #M11621
Diem Thi Nguyen #59900174 & 30300089, Owner/Manager
Offer a consent agreement to assess \$250 civil penalty and costs, see motion above.

32. 78839 Kolb Nails #M10461
Long Huynh #59716824, Co-Owner/Manager
Khiem Nguyen #59716825, Co-Owner/Manager
Offer a consent agreement to assess \$500 civil penalty and costs, see motion above.

33. 78841 EZ Nails #C13863
B.D.V. LLC
Binh Dinh, President
Van Nguyen #19100778, Vice President/Manager
Offer a consent agreement to assess \$500 civil penalty and costs, see motion above.

34. 78842 Belladonna Hair Studio #C16822
Thomas Proietti, Owner
Offer a consent agreement to assess \$250 civil penalty and costs, see motion above.

35. 78846 White Lotus Salon & Spa #C17468
White Lotus Advanced Skin Care LLC
Jodi Snyder #30125265, Member/Manager
Rachel Ventura #30125416, Member/Manager
Offer a consent agreement to assess \$250 civil penalty and costs, see motion above.

36. 78847 XS Salon & Spa #C17039
Salon XSLTD Inc
Sayoko Grove #18327931, President/Manager

Offer a consent agreement to assess \$500 civil penalty and costs, and for staff to check the licenses for renewal and if licenses have not been renewed then another inspection shall occur within one month, see motion above.

37. 78848 Kelly's Salon & Spa #C18119
Kelly's Salon & Spa LLC
Tay Van Ngo #10701267, Member
Kelly Mai #10700025, Member/Manager

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

38. 78859 Fantastic Sams #C12763
Team Spilo LLC
Edward & Christina Spilo, Members

Offer a consent agreement to assess \$500 civil penalty and costs, and add Tiffany Ellis #19300731 and offer a consent agreement to assess \$500 civil penalty and costs, see motion above.

39. 78874/78875 Bebe Nails #A15456 & #M15440
Chau Ly, Owner

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

40. 78876 The Lash Lounge at Gilbert Bodyworks, *Pseudo Unlicensed*
Jill Heijligers-Peloquin, Owner

Dismiss, refer to proper authorities, see motion above.

41. 78877 Smart Style #1183 #C15974
Minnesota Regis Corp
Paul Finkelstein, President

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

42. 78910 Lavish Nails & Spa #M16038
Jackie Nguyen #50500790, Owner/Manager

Issue a Letter of Concern, see motion above.

43. 78915 Party Nails #M15341
Huong Thi Tran #59800167, Owner/Manager

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

44. 78920 Santa Fe Hair Co #C16458
Jody Sharp #10123271, Owner/Manager

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

45. 78921 Brenda Hair Touch Studio #C18067
Brenda Hernandez #19400542, Owner/Manager

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

46. 78922 Nails Of World And Spa #M15668
Le Minh Phung #50700502, Owner/Manager

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

- 47. 78923 Vertigo 5 #C17057
Carmen Smith #10200382, Owner/Manager
Offer a consent agreement to assess \$250 civil penalty and costs, see motion above.
- 48. 78925 Mok Yi Kim #10500516, Licensee
Offer a consent agreement to assess \$500 civil penalty and costs, see motion above.
- 49. 78952 Royce Cousins #10200559, Licensee
Offer a consent agreement to assess \$500 civil penalty and costs, see motion above.
- 50. 78953 Thu Do Hair Design #C16354
Sabanh Daum #10200413, Owner/Manager
Offer a consent agreement to assess \$500 civil penalty and costs, see motion above.
- 51. 78954 Chatti Chix Hair Salon #C17221
Cindi Franco #19001210, Co-Owner/Manager
Tara Lauderlack #19101135, Co-Owner/Manager
Offer a consent agreement to assess \$250 civil penalty and costs, see motion above.
- 52. 78955 Elisa Cannon #10602436, Licensee
Offer a consent agreement to assess \$500 civil penalty and costs, see motion above.
- 53. 78956 Tamara Bluestein #19300212, Licensee
Offer a consent agreement to assess \$500 civil penalty and costs, see motion above.
- 54. 78957 Shalimar Stark #10600603, Licensee
Offer a consent agreement to assess \$500 civil penalty and costs, see motion above.
- 55. 78958 EMIII Design #C19408
Joseph Feneck #19813393, Owner/Manager
Offer a consent agreement to assess \$500 civil penalty and costs, see motion above.
- 56. 78960 Kathleen McLaughlin #10500450, Licensee
Offer a consent agreement to assess \$500 civil penalty and costs, see motion above.
- 57. 78961 Casey Hill #10600282, Licensee
Offer a consent agreement to assess \$500 civil penalty and costs, see motion above.

STEP 2: INFORMAL INTERVIEWS * AND ***

A. Without Negotiation Options

- 1. 78585 Ososexy Nails Spa #M16122 **10:15 a.m.**
Anh Ngoc Bu #50401405, Co-Owner
Sabanh Daum #10200413, Co-Owner/Manager
Sabanh Daum appeared and spoke to the issue.

MOTION by Flora Finch to offer a consent agreement for voluntary revocation of licenses for Ososexy Nails Spa #M16122, Anh Ngoc Bu #50401405, Sabanh Daum #10200413 plus license #C18878 to be done by November 1, 2009, or case will move on to a formal hearing. MOTION SECONDED by Thom Kasch. MOTION CARRIED.

2. 78688 Vista Spa #C18224 **10:15 a.m.**
 Thu Thi Pham #50500869 & #30600282, Co-Owner/Manager
 Tai Le #50800181, Co-Owner
NO SHOW; TO FORMAL HEARING.

B. With Negotiation Options

1. 78271 KJM Salon #C15963 **10:30 a.m.**
 KJM LLC
 Karen Morande, Member/Manager
 Continued from August Board Meeting
NEGOTIATED \$250

2. 77688 Kjrsten L D'Aubyn #19300655 **10:30 a.m.**
 Kjrsten L D'Aubyn appeared and spoke to the issue.
 MOTION by Karla Clodfelter to dismiss. MOTION SECONDED by Gary Begley. MOTION CARRIED. Thom Kasch and Flora Finch VOTED NAY.

3. 78049 Vanessa Austin #30500542 **10:30 a.m.**
NEGOTIATED

4. 78309 Earl's Academy of Beauty #S120 **10:30 a.m.**
 EA Education Inc., Owner
 Don Podiak, President
 Shad McCoy, Educational Director

MOTION by Karla Clodfelter to accept staff recommendations and rescind the previous motion for \$250 and to instead issue a Letter of Concern. MOTION SECONDED by Thom Kasch. MOTION CARRIED.

5. 78316 & Tiara Eakin #10501395 **10:30 a.m.**
NEGOTIATED \$50
 78317 Tori Stanley #30500210
NEGOTIATED \$500

6. 78393 Leo Orchard Nails & Spa M14942 **10:30 a.m.**
 Thac Chi Nguyen #50200010, Owner/Manager
NEGOTIATED \$250

7. 78400 Shannin Rodriguez (Nissley) #59817988 (*Expired 10.6.06*) **10:30 a.m.**
CONTINUED

8. 78416 Charlie's Nail & Spa #M15817 **10:30 a.m.**
 Charlie Tran #'s 50500056 & 30500838, Owner/Manager

NEGOTIATED \$500/PAID

9. 78418 Elizabeth Ann Byrne #10501936 **10:30 a.m.**
NEGOTIATED \$250/1st PAYMENT SUBMITTED
10. 78462 His & Hers Hair Salon C13020 (*Expired 8.8.08*) **10:30 a.m.**
Teresa Montano #18500340, Owner/Manager (*Expired 12.28.08*)
NEGOTIATED \$500
11. 78481 Tiffany's Nail & Hair #C15553 **10:30 a.m.**
NEGOTIATED \$250
Linda Giau Dung #'s 59920691 & 30200063, Owner/Manager
Hoe Nguyen #50800336, Licensee
PAID RESTITUTION IN THE AMOUNT OF \$57.00
12. 78486 Salon Sierra #C18418 **10:30 a.m.**
Lydia C Fisher-Creek #10800612, Owner/Manager
CONTINUANCE GRANTED
13. 78553 Molly Argumedo #17010941, Licensee **10:30 a.m.**
NO SHOW; TO FORMAL HEARING.
14. 78584 Hair-Do #C11381 **10:30 a.m.**
Raybell Enterprises LLC
Suzanne Bell #19500102, Member/Manager
NEGOTIATED
15. 78587/78588 Formal Nail #A15702 & #M15643 **10:30 a.m.**
Vanna Pham #50600100 & 30600618, Owner/Manager
NEGOTIATED \$500
16. 78589 Diana's Nails #M16130 **10:30 a.m.**
Loan Kim Huynh #10500292, Owner/Manager
NEGOTIATED \$500 PAID
17. 78597 Believe Salon #C19075 **10:30 a.m.**
Believe Salon Inc
Leslie Laitsch #18700505, President/Manager
NEGOTIATED \$250 PAID
18. 78617 Elegant Nails By Tim #M14563 **10:30 a.m.**
Thien Dinh #59818593, Owner/Manager
NEGOTIATED \$500
19. 78620 Oro Nails #M15548 **10:30 a.m.**
Dung Binh Tran Le #50200613, Owner
NEGOTIATED \$250
20. 78637 Miranda Lewis #10501338, Licensee **10:30 a.m.**

NEGOTIATED \$500

21. 78642/78643 Classy Nails by Le #A12786 & #M11113
Quan Thai Le #59818007, Owner/Manager
NEGOTIATED \$250 PAID **10:30 a.m.**
22. 78644 Azure Hair Salon of Tucson #C16660
Margaret Nastasi, Owner
NEGOTIATED \$250/PAID **10:30 a.m.**
23. 78646 Gigi's Nail Care #M15477
Gisela Branson #59000286, Owner/Manager
NEGOTIATED \$250 **10:30 a.m.**
24. 78649 Valley Nail Spa Studio by Sonny #M15386
Sonny Kim Tran #50000629, Owner/Manager
NEGOTIATED \$250 **10:30 a.m.**
25. 78650 DA-VI Nails #1411 #A16268
Kevin Nguyen #50300126, Owner/Manager
NEGOTIATED \$250/PAID **10:30 a.m.**
26. 78651 Donna & Co #C16162
Donna Brownlow #18500801, Owner/Manager
NEGOTIATED \$250 **10:30 a.m.**
27. 78655 Cheri Hair #10901290, Licensee
NEGOTIATED \$500 **10:30 a.m.**
28. 78656 How Bizarre #C15247
Branden Ruiz #19600662, Owner/Manager
NEGOTIATED \$250 **10:30 a.m.**
29. 78657 &
78935 Rapture Salon #C19198
Frances Gomez #19501295, Owner/Manager
NEGOTIATED \$500 **10:30 a.m.**

30. 78660 Gilberto Valenzuela Jr. #19101338, Licensee **10:30 a.m.**

MOTION by Gary Begley to accept staff recommendations and rescind the previous motion for \$500 and to instead offer a consent agreement to assess \$250 civil penalty and costs. MOTION SECONDED by Thom Kasch. MOTION CARRIED.

31. 78667 A + Nails & More #C18442
Quy Nhu Vo #50000567, Owner/Manager
NO SHOW; TO FORMAL HEARING. **10:30 a.m.**
32. 78668 Denise Butkivich #10501770, Licensee
NEGOTIATED \$250 **10:30 a.m.**

33. 78674 Serenity Nail Spa #A16364 **10:30 a.m.**
 Serenity Nail Spa LLC
 Judy Nguyen, Member
 Sang Nguyen, Member
NEGOTIATED \$500

34. 78676 / 78677 Lucious Nails #A16332 & #M16146 **10:30 a.m.**
 Dinh Doan #50500117, Owner/Manager
NEGOTIATED \$500

35. 78679 Vivian's Nail Spa #M14453 **10:30 a.m.**
 Ngan Vo #59717506, Owner/Manager
NEGOTIATED \$250/PAID

36. 78680 VIP Nails #M13833 **10:30 a.m.**
 Quoc Nguyen #50200252, Owner/Manager

Quoc Nguyen appeared and spoke to the issue.

MOTION by Thom Kasch to maintain the consent agreement offered for \$250 and to add to attend the infection protection class and the law review class given by the Board as terms of a ninety (90) day probation. MOTION SECONDED by Gary Begley. MOTION CARRIED.

37. 78681 Topline Nails #M14174 **10:30 a.m.**
 Carol Bui #59600937, Owner/Manager
NEGOTIATED \$500

38. 78683 Lily Nail Spa #M15752 **10:30 a.m.**
 Lily Do Nguyen #10119556, Owner/Manager
NEGOTIATED \$250/PAID

39. 78684/78685 Savvy Salon #A14170 & #C13338 **10:30 a.m.**
 Savvy Salon Inc
 Janine Aguilar #18601438, President/Manager
NEGOTIATED \$250

40. 78686 Stylemakers Hair Design #C1541 **10:30 a.m.**
 Billie Manzanedo #15901688, Owner/Manager
NEGOTIATED \$250/PAID

41. 78687 Highlight Nails #M8045 **10:30 a.m.**
 Dien Van Nguyen #59600864, Owner/Manager
NEGOTIATED \$250/PAID

42. 78718 & Glamour Nails #M16079 **10:30 a.m.**
NEGOTIATED \$500
 78938 & Jennifer Nguyen #50600649, Co-Owner/Manager
NEGOTIATED TO ATTEND BOTH CLASSES GIVEN BY THE BOARD
 78939 Bich Phan #50401551, Co-Owner/Manager

NEGOTIATED TO ATTEND BOTH CLASSES GIVEN BY THE BOARD

43. 78719 Regal Nails @ NW Glendale #M13518 **10:30 a.m.**
Hiep Dam #50000004, Owner/Manager
NEGOTIATED \$250/PAID
44. 78724/78725 Le's Nail Master #A16244 & #M16078 **10:30 a.m.**
Cindy Nguyen #50124498 & 30600128, Owner/Manager
NEGOTIATED \$250
45. 78731 Biagio Nail & Spa #C18627 **10:30 a.m.**
Phuong Nguyen Ha #19700320, Owner/Manager
NEGOTIATED \$250 PAID
46. 78732 Beyond Waycool Hair Experience #C17449 **10:30 a.m.**
Waycool Hair Experience Inc
Christy Schiedemeyer #18124575, President/Manager
NEGOTIATED \$250

STEP 3: HEARINGS * AND *****A. Denial Appeals**

None

B. Motion to Deem Allegations Admitted

74659 Tip Top Nails by Tony #M11824 **10:00 a.m.**
David Diep, Owner, Manager #50024143

Assistant Attorney General, Bridget Harrington, appeared representing the State. Solicitor General, Christopher Munns, was available by telephone. Licensee did not appear.

MOTION by Flora Finch to grant the State's MOTION TO DEEM ALLEGATIONS ADMITTED. MOTION SECONDED by Thom Kasch. MOTION CARRIED.

MOTION by Flora Finch to adopt as Findings of Fact paragraph III in the Complaint and as Conclusions of Law paragraph IV in the Complaint. MOTION SECONDED by Gary Begley MOTION CARRIED.

MOTION by Flora Finch to issue an Order of discipline to revoke both licenses, to pay \$250 civil penalties and costs for the violation, 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 Thom Kasch. MOTION CARRIED.

74579 & Snow Nails #M15425 **10:00 a.m.**
75202 Xi Thi Phan, Owner, Manager #50600894

Assistant Attorney General, Bridget Harrington, appeared representing the State. Solicitor General, Christopher Munns, was available by telephone. Licensee did not appear.

MOTION by Karla Clodfelter to grant the State's MOTION TO DEEM ALLEGATIONS ADMITTED. MOTION SECONDED by Gary Begley. MOTION CARRIED.

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

MOTION by Karla Clodfelter to issue an Order of discipline to revoke both licenses, to pay \$250 civil penalties and costs for the violation, 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 Gary Begley. MOTION CARRIED.

74700 Happy Faces Beauty Salon #C15517 10:00 a.m.
Cristina Zauala, Owner

Assistant Attorney General, Bridget Harrington, appeared representing the State. Solicitor General, Christopher Munns, was available by telephone. Licensee did not appear.

MOTION by Flora Finch to grant the State’s MOTION TO DEEM ALLEGATIONS ADMITTED. MOTION SECONDED by Gary Begley . MOTION CARRIED.

MOTION by Flora Finch to adopt as Findings of Fact paragraph III in the Complaint and as Conclusions of Law paragraph IV in the Complaint. MOTION SECONDED by Gary Begley. MOTION CARRIED.

MOTION by Flora Finch to issue an Order of discipline to revoke the license, to pay \$500 civil penalties and costs for the violation, 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 Gary Begley. MOTION CARRIED.

C. Hearing Officer Recommendations

None

D. Request for Reinstatement

None

E. Appeal Board Orders

None

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

None

STATUS AND ADDITIONS TO TENTATIVE AGENDA * AND ***

74630 Arizona Esthetics Institute #15
Garret Stephenson, Owner

73080 & Arizona Esthetics Institute #15
73334 & Garret Stephenson, Owner
73351 &
73353

MOTION by Thom Kasch to accept staff recommendations and to dismiss without prejudice.
MOTION SECONDED by Karla Clodfelter. MOTION CARRIED.

For Board Information Only:

ADJOURN

MOTION by Thom Kasch to adjourn. MOTION SECONDED by Karla Clodfelter. MOTION CARRIED.

In accordance with Title II of the Americans with Disabilities Act, the Cosmetology Board does not discriminate on the basis of disabilities in its programs, services or activities. Individuals who need reasonable accommodation to participate or who need information in an alternative format may contact the ADA Coordinator at (480) 784-4539.

- * **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)**