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MISSION STATEMENT

To ensure the public health, welfare, and safety through education and enforcement of the cosmetology laws and rules by the regulation of salons, schools, and individuals who practice Cosmetology.

AGENDA

Special Meeting Minutes

ARIZONA STATE BOARD OF COSMETOLOGY
September 26, 2017 at 1:00 p.m.
1721 East Broadway
Tempe, Arizona 85282-1611

Pursuant to A.R.S. § 38-431.02, notice is hereby given to the general public and to members of the Arizona State Board of Cosmetology that the Board will hold a special meeting open to the public on the date and at the time indicated above. The Board may vote to go into Executive Session for the purpose of obtaining legal advice on any of the agenda items pursuant to A.R.S. § 38.431.03 (A)(3).

Board Members

Gary Begley, School Owner, Chairperson
Karla Clodfelter, Cosmetologist, Vice Chairperson
Jessica M Stall-Rainbow, Public Member, Secretary/Treasurer
Melissa C Porter, Public Member
Charlie C Phan, Nail Technician
Thomas Rough, Cosmetologist
Vacant, Instructor

1. Call to Order

2. Pledge of Allegiance

3. Roll Call of Board Members – Gary Begley

Karla Clodfelter

Jessica Rainbow

Melissa Porter

Charlie Phan

4. Board Business

- A. Discussion, consideration, and possible action on Board response to August 17, 2017, letter from the General Accounting Office of the Arizona Department of Administration.

The Board may vote to go into executive session to obtain legal advice pursuant to A.R.S. § 38-431.03(A)(3).

The Board's legal counsel, Bill Thorpe discussed the draft report from the General Accounting Office of the Arizona Department of Administration received by the Board Chair on August 17, 2017 which requested a response. Mr. Thorpe summarized the following timeline for the Board:

August 23, 2017 – the Board retained the Thorpe Shwer law firm, to represent and assist the Board in this matter.

August 23, 2017 – Mr. Thorpe contacted Mr. Partridge, the author of the August 17, 2017 draft and stated that the Board would need at least until September 8, 2017 to respond and Mr. Partridge agreed to this additional time.

September 5, 2017 – Mr. Thorpe contacted Mr. Partridge stating that additional information was needed in order to best respond on behalf of the Board. The information was received around 5:00 p.m. that evening.

September 7, 2017 – Mr. Thorpe along with Mr. Grim met with Mr. Partridge for two and a half hours and Mr. Thorpe indicated that there was no way that the response would be ready by September 8, 2017, Mr. Thorpe explained to Mr. Partridge that the Board was planning to hold a special meeting on September 12, 2017, and that this would be the first time he would be speaking to the Board Members about the response. Mr. Thorpe then told Mr. Partridge that he would be contacting him the day following the special meeting, September 13.

September 13, 2017 – Mr. Thorpe spoke to Mr. Partridge about the additional steps necessary for the Board to take in order to complete its response to the report. Mr.

Thorpe stated that the Board would then be able to file its response on September 29, 2017.

September 21, 2017 – Without further communication, Mr. Partridge released the final report. Mr. Thorpe stated that he received the report via-email from the Board Chair and has still not received the report personally. Mr. Thorpe stated that the reason he has raised this is that the cover letter addressed to him from Craig Brown indicated that the report was released due to the inaction of the Board, and Mr. Thorpe reminded the Board that this is not a matter of the Board's inaction. To the contrary, the Board has been responsive to this matter from the beginning, having to first retain counsel, complete its own investigation, including conducting interviews, reviewing records and, through all of this, there was constant communication between Mr. Partridge and the state. Mr. Thorpe stated that he had no idea why the final report was released on September 21, 2017.

1:10 p.m. MOTION by Karla Clodfelter to go into Executive Session to obtain legal advice under Board Business 4. A. MOTION SECONDED by Melissa Porter. MOTION CARRIED.

1:50 p.m. Back in Open Session.

MOTION by Karla Clodfelter to accept Board Counsel's draft with our revisions. MOTION SECONDED by Melissa Porter. MOTION CARRIED.

MOTION by Karla Clodfelter once letter has been drafted to allow Board Chair to sign the letter on our behalf and give it to General Accounting Office of the Arizona Department of Administration. MOTION SECONDED by Melissa Porter. MOTION CARRIED.

MOTION by Karla Clodfelter for Mona Baskin, Assistant Attorney General or Bill Thorpe, Board's Counsel to coach the Executive Director and staff on the procedures identified in the letter. MOTION SECONDED by Melissa Porter. MOTION CARRIED.

MOTION by Karla Clodfelter for Board Counsel to draft a letter to Joanne Ayotte informing her that she may have no further contact with any of the Board Members and if she wishes to discuss anything which has to do with the Board of Cosmetology she should contact Board Counsel. MOTION SECONDED by Melissa Porter. MOTION SECONDED.

B. Discussion, consideration, and possible action on hiring and filling vacant positions within the agency.

Executive Director Donna Aune stated she has sent an email to HR stating that the agency was moving forward with the direct hire process of the two individuals along with all forms that were sent in July of 2017.

Executive Director Donna Aune stated how very much she appreciated the Board's support that we have worked hard for many years, that we have accomplished a great deal and that she is sorry that these issues come up and stated the agency needed to move forward.

5. Adjournment

MOTION by Karla Clodfelter to adjourn the meeting at 1:55 p.m. MOTION SECONDED by Melissa Porter. MOTION CARRIED.

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