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COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF STATE
BUREAU OF PROFESSIONAL AND OCCUPATIONAL AFFAIRS

F I N A L M I N U T E S

MEETING OF:

STATE BOARD OF BARBER EXAMINERS

TIME: 10:35 A.M.

Held at

PENNSYLVANIA DEPARTMENT OF STATE

2525 North 7th Street

CoPA HUB, Eaton Conference Room

Harrisburg, Pennsylvania 17110

as well as

VIA MICROSOFT TEAMS

Monday, November 25, 2024

State Board of Barber Examiners
November 25, 2024

BOARD MEMBERS:

Arion R. Claggett, Acting Commissioner, Bureau of
Professional and Occupational Affairs
Amber Derr, Chairperson, Professional Member
Patrick Gavin, Secretary, Consumer Protection Member
Michael McAndrew, Professional Member
Charles Seright, Professional Member
John Christopher, Professional Member

BUREAU PERSONNEL:

Shana M. Walter, Esquire, Senior Board Counsel
Carlton Smith, Esquire, Deputy Chief Counsel,
Prosecution Division
Michael Merten, Esquire, Board Counsel
J. Karl Geschwindt, Esquire, Senior Board Prosecutor
James Ritchie Espino Ostman, Esquire, Board
Prosecution Liaison
Riley Baker, Esquire, Board Prosecutor
Liliana G. Fisher, Esquire, Board Prosecutor
Sharona Evans, Board Administrator
Marc Farrell, Esquire, Regulatory Counsel,
Office of Chief Counsel, Department of State
Andrew LaFratte, MPA, Deputy Policy Director,
Department of State
Stephanie Dunkerley, Legal Analyst, Office of General
Counsel
Jennifer Jumper, Fiscal Management Specialist 2,
Bureau of Finance and Procurement, Department of
State
Tamie Laudenslager, Fiscal Management Specialist,
Bureau of Finance and Procurement, Department of
State
Taylor Koch, Fiscal Management Specialist 3,
Bureau of Finance and Procurement, Department of
State

ALSO PRESENT:

Cathy Tully, Esquire, Assistant District Attorney,
Lackawanna County
Randy D. Clause
Erin Badstuebner, Sargent's Court Reporting Service,
Inc.

1 ***

2 State Board of Barber Examiners

3 November 25, 2024

4 ***

5 [Pursuant to Section 708(a)(5) of the Sunshine Act,
6 at 9:00 a.m. the Board entered into Executive Session
7 with Michael Merten, Esquire, Board Counsel, for the
8 purpose of conducting quasi-judicial deliberations on
9 a number of matters currently pending before the
10 Board and to receive advice of counsel. The Board
11 returned to open session at 10:30 a.m.]

12 ***

13 The regularly scheduled meeting of the State Board
14 of Barber Examiners was held on Monday, November 25,
15 2024. Amber Derr, Chairperson, Professional Member,
16 called the meeting to order at 10:35 a.m.

17 ***

18 [Michael Merten, Esquire, Board Counsel, noted the
19 meeting was being recorded, and those who continued
20 to participate were giving their consent to be
21 recorded.

22 Mr. Merten also noted the Board entered into
23 Executive Session to receive advice of counsel and
24 engage in quasi-judicial deliberations.]

25 ***

1 Pledge of Allegiance

2 [The Pledge of Allegiance was recited.]

3 ***

4 Introduction of Board Members/Attendees

5 [Sharona Evans, Board Administrator, provided an
6 introduction of Board members and attendees. A
7 quorum of Board members was present.]

8 ***

9 Appointment - Bureau of Finance and Procurement

10 Annual Budget Presentation

11 [Jennifer Jumper, Fiscal Management Specialist,
12 Bureau of Finance and Procurement, Department of
13 State, presented the Annual Financial Report. She
14 referred to the license population over the last
15 seven years and the breakdown of license population
16 by class for the prior two biennial periods. She
17 reported a decrease of 288 licenses between the two
18 biennial periods for a 3.3% decline. She noted the
19 barber class had the biggest decrease at 17.5%, while
20 the barber manager had the largest increase at 18.5%.

21 Ms. Jumper addressed licensure renewal fees by
22 each license class. She stated the Board renews
23 licenses in April of even years, noting the last
24 Board-approved fee increase was in April 2022.

25 Ms. Jumper addressed biennial revenue from each

1 revenue source and as a total. She again noted
2 licenses are renewed in April of even years, which is
3 why the revenue for FY23-24 is much higher. She
4 reported on the total biennial revenue, noting 94.3%
5 of that revenue coming from renewals and
6 applications.

7 Ms. Jumper referred to Board expenses, noting
8 costs include timesheet-based charges, direct
9 charges, and licensee population. She referred to
10 FY24-25 and FY25-26 budget numbers, noting the
11 expenses were increasing.

12 Ms. Jumper reported three major items contributed
13 to the increase, including the modernization of the
14 Pennsylvania Licensing System (PALS), the legal
15 offices move from Penn Center to Thea Drive, and the
16 new information technology (IT) system for the legal
17 team.

18 Ms. Jumper addressed expenses and revenue, noting
19 the Board is starting off in a deficit, and the
20 deficit continues to grow over the next several
21 biennial periods. She reported the decline in
22 license population and increase in expenses
23 contributed to the growing deficits. She recommended
24 the Board look at a fee increase and informed Board
25 members that the Bureau of Finance and Procurement

1 will be following up in the spring with a fee
2 increase package.

3 Mr. Christopher requested information concerning
4 the last fee increase.

5 Ms. Jumper explained that the last fee increase
6 was in April 2022 and was a two-step incremental
7 increase, where barber teacher went from \$174 to \$225
8 to \$270. She also noted the barber manager fee went
9 from \$215 to \$260, barber from \$160 to \$184, barber
10 shop from \$235 to \$287, and barber school from \$340
11 to \$391, which is the last part of the fee increase
12 in April 2026.]

13 ***

14 Approval of minutes of the March 18, 2024 meeting

15 MR. MERTEN:

16 I believe the Board would entertain a
17 motion to approve the minutes from
18 March 18, 2024.

19 Do I have a motion to do so?

20 ACTING COMMISSIONER CLAGGETT:

21 So moved.

22 MR. MERTEN:

23 Is there a second?

24 MR. SERIGHT:

25 Second.

1 MR. MERTEN:

2 Roll call.

3

4 Arion, abstain; Amber, aye; Patrick,
5 aye; Michael, aye; Charles, aye; John,
6 abstain.

7 [The motion carried. Arion Claggett and John
8 Christopher abstained from voting on the motion.]

9

10 Report of Prosecution

11 [James Ritchie Espino Ostman, Esquire, Board
12 Prosecutor, presented the Consent Agreements for Case
13 No. 23-42-015293 and Case No. 20-42-007969.]

14

15 [J. Karl Geschwindt, Esquire, Senior Board
16 Prosecutor, presented the Consent Agreement for Case
17 No. 24-42-008578.]

18 MR. MERTEN:

19 I believe the Board would entertain a
20 motion to reject, as too lenient, the
21 Consent Agreements at agenda item 2,
22 Case No. 23-42-015293, and agenda item
23 4, Case No. 24-42-008578.

24 Do we have a motion?

25 ACTING COMMISSIONER CLAGGETT:

1 So moved.

2 MR. SERIGHT:

3 Second.

4 MR. MERTEN:

5 Roll call.

6

7 Claggett, aye; Derr, aye; Gavin, aye;

8 McAndrew, aye; Seright, aye;

9 Christopher, aye.

10 [The motion carried unanimously.]

11

12 MR. MERTEN:

13 I believe the Board would entertain a
14 motion to reject, as legally
15 insufficient, agenda item 3, the
16 Consent Agreement at Case No. 20-42-
17 007969.

18 Do we have a motion?

19 ACTING COMMISSIONER CLAGGETT:

20 So moved.

21 MR. SERIGHT:

22 Second.

23 MS. EVANS:

24 Claggett, aye; Derr, aye; Gavin, aye;

25 McAndrew, aye; Seright, aye;

1 Christopher, aye.

2 [The motion carried unanimously.]

3 ***

4 Report of Board Counsel - Motion to Deem Facts

5 Admitted

6 MR. MERTEN:

7 Agenda item 5 is the MDFA for Classic
8 Barber Shop at Case No. 21-42-012278.

9 I believe the Board would entertain
10 a motion to table this agenda item for
11 the time being and come back to it at a
12 later meeting.

13 Do I have a motion to do so?

14 ACTING COMMISSIONER CLAGGETT:

15 So moved.

16 MR. SERIGHT:

17 Second.

18 MS. EVANS:

19 Claggett, aye; Derr, aye; Seright, aye;
20 McAndrew, aye; Gavin, aye; Christopher,
21 aye.

22 [The motion carried unanimously.]

23 ***

24 Report of Board Counsel - Proposed Adjudication and

25 Order

1 MR. MERTEN:

2 Agenda item 6 is Case No. 22-42-017578,
3 Codell M. Daniels.

4 I believe the Board would entertain
5 a motion to adopt the Proposed
6 Adjudication and Order submitted by the
7 hearing examiner.

8 Do I have a motion?

9 ACTING COMMISSIONER CLAGGETT:

10 So moved.

11 MR. SERIGHT:

12 Second.

13 MS. EVANS:

14 Claggett, aye; Derr, aye; Seright, aye;
15 McAndrew, aye; Gavin, aye; Christopher,
16 aye.

17 [The motion carried unanimously.]

18 ***

19 Report of Board Counsel - Final Adjudications and
20 Orders

21 MR. MERTEN:

22 Agenda item 7 is Case No. 22-42-010485,
23 Lucy Salon; agenda item 8, Case No. 23-
24 42-004170, Whisker's Barber Company and
25 Shave Parlor; agenda item 9, Case No.

1 22-42-016709, 3rd Street Parlor; and
2 agenda item 10, Case No. 23-42-002421,
3 Jesus Garcia.

4 I believe the Board would entertain
5 a motion to issue the Final
6 Adjudication and Orders at agenda items
7 7 through 10.

8 Do I have a motion?

9 ACTING COMMISSIONER CLAGGETT:

10 So moved.

11 MR. SERIGHT:

12 Second.

13 MS. EVANS:

14 Claggett, aye; Derr, aye; Seright, aye;
15 McAndrew, aye; Gavin, aye; Christopher,
16 aye.

17 [The motion carried unanimously.]

18 ***

19 Report of Board Counsel - Applications

20 MR. MERTEN:

21 Agenda item 11, Application No.
22 AA0005004825, Arthur H. Logan.

23 I believe the Board would entertain
24 a motion to grant an Unrestricted
25 License to Mr. Logan.

1 Is there a motion?

2 ACTING COMMISSIONER CLAGGETT:

3 So moved.

4 MR. SERIGHT:

5 Second.

6 MS. EVANS:

7 Claggett, aye; Derr, aye; Seright, aye;
8 McAndrew, aye; Gavin, aye; Christopher,
9 aye.

10 [The motion carried unanimously.]

11 ***

12 Report of Board Counsel - Barber Shop Variance

13 Applications

14 MR. MERTEN:

15 At agenda items 12 and 13, Application
16 No. AA0005557132, Blendz By Dowd, and
17 Application No. AA0004817588, Bam Cuts,
18 I believe the Board would entertain a
19 motion to provisionally deny the
20 Variance Applications.

21 Do I have a motion?

22 ACTING COMMISSIONER CLAGGETT:

23 So moved.

24 MR. SERIGHT:

25 Second.

1 MS. EVANS:

2 Claggett, aye; Derr, aye; Seright, aye;
3 McAndrew, aye; Gavin, aye; Christopher,
4 aye.

5 [The motion carried unanimously.]

6 ***

7 MR. MERTEN:

8 For agenda item 14, Application No.
9 AA0005845639, Bearcutzhair Barber
10 Studio, I believe the Board would
11 entertain a motion to approve the
12 Barber Shop Variance.

13 Do I have a motion?

14 ACTING COMMISSIONER CLAGGETT:

15 So moved.

16 MR. SERIGHT:

17 Second.

18 MS. EVANS:

19 Claggett, aye; Derr, aye; Seright, aye;
20 McAndrew, aye; Gavin, aye; Christopher,
21 aye.

22 [The motion carried unanimously.]

23 ***

24 Report of Board Counsel - Act 41 Applications

25 MR. MERTEN:

1 In the matter of agenda item 15,
2 Application No. AA0005440109, Matthew
3 Froehkle, and agenda item 16,
4 Application No. AA0005549735, Joshua
5 Lingelbach, I believe the Board would
6 entertain a motion to grant Provisional
7 Licensure to the Applicants.

8 Do I have a motion?

9 ACTING COMMISSIONER CLAGGETT:

10 So moved.

11 MR. SERIGHT:

12 Second.

13 MS. EVANS:

14 Claggett, aye; Derr, aye; Seright, aye;
15 McAndrew, aye; Gavin, aye; Christopher,
16 aye.

17 [The motion carried unanimously.]

18 ***

19 MR. MERTEN:

20 In the matter of agenda item 17,
21 Application No. AA0005608809, Ibrahim
22 Uulu Eldiar, and agenda item 19,
23 Application No. AA0005565491, Meaghen
24 Torres, I believe the Board would
25 entertain a motion to grant full

1 Licensure by Endorsement.

2 Do I have a motion?

3 ACTING COMMISSIONER CLAGGETT:

4 So moved.

5 MR. SERIGHT:

6 Second.

7 MS. EVANS:

8 Claggett, aye; Derr, aye; Seright, aye;
9 McAndrew, aye; Gavin, aye; Christopher,
10 aye.

11 [The motion carried unanimously.]

12 ***

13 MR. MERTEN:

14 In the matter of agenda item 18,
15 Application No. AA0005593478, Matthew
16 DeMarco, and agenda item 20,
17 Application No. AA0004924132, Anja
18 Helmerichs, I believe the Board would
19 entertain a motion to provisionally
20 deny their Applications.

21 Do I have a motion?

22 ACTING COMMISSIONER CLAGGETT:

23 So moved.

24 MR. SERIGHT:

25 Second.

1 MS. EVANS:

2 Claggett, aye; Derr, aye; Seright, aye;
3 McAndrew, aye; Gavin, aye; Christopher,
4 aye.

5 [The motion carried unanimously.]

6 ***

7 MR. MERTEN:

8 In the matter of agenda item 21,
9 Application No. AA0005609047, Elson
10 Soto, I believe the Board would
11 entertain a motion to table in order to
12 gain more information for this
13 Application.

14 Do I have a motion?

15 ACTING COMMISSIONER CLAGGETT:

16 So moved.

17 MR. SERIGHT:

18 Second.

19 MS. EVANS:

20 Claggett, aye; Derr, aye; Seright, aye;
21 McAndrew, aye; Gavin, aye; Christopher,
22 aye.

23 [The motion carried unanimously.]

24 ***

25 Report of Board Counsel - Discussion Items - Election

1 of Vice Chair

2 MR. MERTEN:

3 We need to elect a Vice Chair. Are
4 there any nominations from the Board
5 for the position of Vice Chair?

6 ACTING COMMISSIONER CLAGGETT:

7 I would like to nominate Charles
8 Seright for the position of Vice Chair.

9 MR. MERTEN:

10 Mr. Seright, do you accept the
11 nomination?

12 MR. SERIGHT:

13 I do.

14 MR. MERTEN:

15 Are there any other nominations?
16 Hearing none. Sharona, could you give
17 us a roll call vote?

18
19 Claggett, aye; Derr, aye; Seright, aye;
20 McAndrew, aye; Gavin, aye; Christopher,
21 aye.

22 [The motion carried unanimously.]

23 ***

24 Report of Board Counsel - Discussion Items - Meeting
25 Date Change

1 MR. MERTEN:

2 Agenda item 23. Our initial date for
3 our next Board meeting is January 20,
4 2025, which just so happens to be
5 Martin Luther King Day; therefore, we
6 are not able to meet that day.

7 I believe the Board would entertain
8 a motion to move that meeting date from
9 January 20, 2025, to January 27, 2025.

10 Is there a motion?

11 MR. CHRISTOPHER:

12 So moved.

13 MR. SERIGHT:

14 Second.

15 MS. EVANS:

16 Claggett, aye; Derr, aye; Seright, aye;
17 McAndrew, aye; Gavin, aye; Christopher,
18 aye.

19 [The motion carried unanimously.]

20 ***

21 Report of Board Counsel - Discussion Items - House
22 Bill 327 of 2023/Act 66 of 2024

23 [Michael Merten, Esquire, Board Prosecution Liaison,
24 announced House Bill 327 of 2023, also known as Act
25 66 of 2024, has passed through the legislature and

1 signed into law.]

2 ***

3 Report of Board Chair - No Report

4 ***

5 Report of Acting Commissioner

6 [Arion R. Claggett, Acting Commissioner, Bureau of
7 Professional and Occupational Affairs, informed Board
8 members that System Automation has been selected as
9 their licensure replacement vendor and are on
10 schedule to have the new system in place by the end
11 of 2025.]

12 ***

13 Report of Board Administrator - No Report

14 ***

15 Adjournment

16 MR. MERTEN:

17 Do we have a motion to?

18 MR. CHRISTOPHER:

19 So moved.

20 MR. SERIGHT:

21 Second?

22 ACTING COMMISSIONER CLAGGETT:

23 The meeting is adjourned.

24 ***

25 [There being no further business, the State Board of

1 Barber Examiners Meeting adjourned at 11:13 a.m.]

2

3

4

CERTIFICATE

5

6 I hereby certify that the foregoing summary
7 minutes of the State Board of Barber Examiners
8 meeting, was reduced to writing by me or under my
9 supervision, and that the minutes accurately
10 summarize the substance of the State Board of Barber
11 Examiners meeting.

12

13

14



15

Erin Badstuebner,

16

Minute Clerk

17

Sargent's Court Reporting

18

Service, Inc.

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STATE BOARD OF BARBER EXAMINERS
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TIME	AGENDA
9:00	Executive Session
10:30	Return to Open Session
10:35	Official Call to Order
10:36	Pledge of Allegiance
10:37	Introduction of Board Members/Attendees
10:39	Appointment - Bureau of Finance and Procurement Presentation
10:47	Approval of Minutes
10:52	Report of Board Prosecution
11:02	Report of Board Counsel
11:12	Report of Acting Commissioner
11:13	Adjournment