

**MINUTES OF THE REGULAR MEETING OF THE
CONSTRUCTION INDUSTRIES BOARD**

**Conference Room
2401 NW 23rd Street, Ste. 2F
Oklahoma City, OK 73107**

June 28, 2017

CALL TO ORDER AND RECORDING OF MEMBERS PRESENT AND ABSENT

The regular meeting of the Construction Industries Board was called to order by Chair Tony Boevers at approximately 1:30 p.m. on Wednesday, June 28, 2017, in the Conference Room of the Construction Industries Board.

MEMBERS PRESENT: Tony Boevers, Mike Cooke, Keith Deaver, Paul Magdeburg, Jake Matherly, Scott Tucker, and Kevin Westmoreland.

MEMBERS ABSENT: None.

CIB STAFF PRESENT: Janis Hubbard, Administrator; Linda Ruckman, Board Secretary/ Executive Assistant; Windy Nunnery, Office Manager; Gary Kirk, Mechanical Supervisor; Ron Morris, Electrical Supervisor; and Richard Hager, Roofing Supervisor.

OTHERS PRESENT: LaTisha Edwards, OMES; Phil Ostrander, Oklahoma Legislative Consulting Group; Bill Kite, MEPO of Oklahoma; Mike Liston, PHCC; and Kenny Whitson, Plumbers Training Center.

STATEMENT OF COMPLIANCE WITH THE OPEN MEETING ACT

This regular meeting of the Construction Industries Board, scheduled to begin at 1:30 p.m. on this 28th day of June, 2017, has been convened in accordance with the Oklahoma Open Meeting Act, Oklahoma Statutes Title 25, §§ 301 through 314.

Further, this meeting was preceded by advance public notice filed electronically with the Secretary of State specifying the time and place of the meeting here convened. The Agenda was posted and displayed in public view on the office site of the Construction Industries Board and notice of this meeting was given at least twenty-four (24) hours prior hereto. Fifty people have filed a written request for notice of meetings of this public body to date.

Read aloud this 28th day of June, 2017.

ADMINISTRATOR'S REPORT

Ms. Hubbard reported that staff has been very busy finalizing purchasing for FY 17 and preparing the FY 18 budget for filing. Staff is also beginning to review administrative rules for possible clarifications or rule changes for the next legislative session. Any proposed changes will be submitted to the respective Committees in August, September and October, and they would be presented to the CIB in November. Ms. Hubbard stated that at this time all she is aware of are some possible clarifications. Ms. Hubbard reported that the auditors are continuing work on the FY 16 audit and reminded the Board that there were no reportable findings in the FY 15 audit. Ms. Hubbard thanked Mr. Dutton, Ms. Ruckman and Ms. Nunnery for their work on the employee handbook. She noted that most of what the Board will be considering today was also sent to the OMES Human Capital Management Division for review and input.

FINANCIAL REPORT FOR MONTH ENDED MAY 31, 2017

Ms. LaTisha Edwards reviewed the CIB's financial report for the month ended May 31, 2017.

LEGISLATIVE UPDATE

Mr. Phil Ostrander reported on House special committee meetings and on House interim study requests.

MECHANICAL DIVISION REPORT

The Board was provided a written report on field contacts, citations, complaints, renewals, and applications received and new licenses processed during the month of May. Mr. Kirk reported on activities of the Mechanical Division since the last Board meeting.

PLUMBING DIVISION REPORT

The Board was provided a written report on field contacts, citations, complaints, renewals, and applications received and new licenses processed during the month of May.

ELECTRICAL DIVISION REPORT

The Board was provided a written report on field contacts, citations, complaints, renewals, and applications received and new licenses processed during the month of May. Mr. Morris reported on activities of the Electrical Division since the last Board meeting.

ROOFING DIVISION REPORT

The Board was provided a written report on written warnings, citations, complaints, renewals, and applications received and new registrations and endorsements processed during the month of May. Mr. Hager reported on activities of the Roofing Division since the last Board meeting.

CONSENT AGENDA FOR UNCONTESTED CITATIONS PAID, HEARING WAIVED -- REVIEW AND POSSIBLE VOTE TO APPROVE ALL FINES, PENALTIES AND FEES ASSESSED AND COLLECTED ON UNCONTESTED MATTERS WHERE ADMINISTRATIVE HEARING WAS WAIVED AND FINES HAVE ALREADY BEEN PAID, AS REFLECTED ON THE MANAGEMENT STATEMENT OF ACTIVITIES BY TRADE REVOLVING FUND.

Mr. Dutton stated that this consent agenda item is related to individuals who paid their fine and waived their right to a hearing.

MOTION BY JAKE MATHERLY WITH SECOND BY PAUL MAGDEBURG TO APPROVE THE CONSENT AGENDA FOR UNCONTESTED CITATIONS PAID, HEARINGS WAIVED.

MOTION PASSED

Voting Aye: Tony Boevers
Mike Cooke
Keith Deaver
Paul Magdeburg
Jake Matherly
Scott Tucker
Kevin Westmoreland

Due to action taken on this item, Agenda Items 5(I) and 5(J) were not needed.

DISCUSSION AND POSSIBLE VOTE ON THE MINUTES OF THE REGULAR MEETING OF THE CONSTRUCTION INDUSTRIES BOARD HELD MAY 24, 2017.

The Board was provided a draft of the Minutes of the Regular Meeting of the CIB held in April.

MOTION BY PAUL MAGDEBURG WITH SECOND BY SCOTT TUCKER TO ACCEPT THE MAY 24, 2017, BOARD MEETING MINUTES AS PRESENTED.

MOTION PASSED

Voting Aye: Tony Boevers
Mike Cooke
Keith Deaver
Paul Magdeburg
Jake Matherly
Scott Tucker
Kevin Westmoreland

DISCUSSION WITH POSSIBLE VOTE ON CONTINUING TO USE SERVICES OF THE DEPARTMENT OF PUBLIC SAFETY IN FY 18.

Ms. Nunnery reported on the FY 18 hourly rate for security services for Board meetings through the Department of Public Safety.

MOTION BY JAKE MATHERLY WITH SECOND BY KEITH DEEVER TO CONTINUE USING SERVICES OF THE DEPARTMENT OF PUBLIC SAFETY IN FY18.

MOTION PASSED

Voting Aye: Tony Boevers
Mike Cooke
Keith Deaver
Paul Magdeburg
Jake Matherly
Scott Tucker
Kevin Westmoreland

DISCUSSION AND POSSIBLE VOTE ON ADOPTING PROPOSED SECTION 5 OF A CIB EMPLOYEE HANDBOOK

The Board was provided a draft of the proposed Section 5 of a CIB Employee Handbook. Ms. Hubbard explained this is a continuation of the handbook we have been working on that she along with Windy Nunnery and Linda Ruckman prepared and Jon Dutton and staff at OMES HCM reviewed. In addition, OMES HCM has reviewed this section. CIB staff has also had an opportunity to review and comment. Mr. Dutton noted that a lot of the language in Section 5 is mandated and taken from statutes and rules.

MOTION BY KEVIN WESTMORELAND WITH SECOND BY SCOTT TUCKER TO ACCEPT SECTION 5 OF THE CIB EMPLOYEE HANDBOOK AS PRESENTED.

MOTION PASSED

Voting Aye: Tony Boevers
Mike Cooke
Keith Deaver
Paul Magdeburg
Jake Matherly
Scott Tucker
Kevin Westmoreland

DISCUSSION AND POSSIBLE VOTE ON ADOPTING PROPOSED SECTION 8 OF A CIB EMPLOYEE HANDBOOK

The Board was provided a draft of the proposed Section 8 of a CIB Employee Handbook. Ms. Nunnery along with Ms. Hubbard and Linda Ruckman prepared the material and it was reviewed by Mr. Dutton. CIB staff also had an opportunity to review and comment on this section.

MOTION BY KEITH DEAVER WITH SECOND BY JAKE MATHERLY TO ACCEPT SECTION 8 OF THE CIB EMPLOYEE HANDBOOK AS PRESENTED.

MOTION PASSED

Voting Aye: Tony Boevers
Mike Cooke
Keith Deaver
Paul Magdeburg
Jake Matherly
Scott Tucker
Kevin Westmoreland

DISCUSSION WITH POSSIBLE VOTE ON THE ADMINISTRATIVE CONSENT ORDER REFLECTING AGREEMENT BETWEEN THE PARTIES *IN LIEU* OF AN ADMINISTRATIVE HEARING *IN RE* THE MATTERS OF ALLEGED PLUMBING INDUSTRY RULES VIOLATIONS OF STEVE MANSELL, CITATION NO. 13016.

Mr. Dutton stated that occasionally there are situations where due to facts and circumstances of a case it is determined the matter is best handled with a consent order. It is an agreed order where the Respondent waives their right to a hearing and the terms are agreed upon between the parties as described in the consent order. Mr. Dutton recommended approval of the proposed consent order.

MOTION BY JAKE MATHERLY WITH SECOND BY SCOTT TUCKER TO ACCEPT THE PROPOSED ADMINISTRATIVE CONSENT ORDER FOR CITATION NO. 13016.

MOTION PASSED

Voting Aye: Tony Boevers
Mike Cooke
Keith Deaver
Paul Magdeburg
Jake Matherly
Scott Tucker
Kevin Westmoreland

DISCUSSION WITH POSSIBLE VOTE TO APPROVE RECIPROCAL JOURNEYMAN ELECTRICIAN LICENSE AGREEMENT BETWEEN THE STATES OF SOUTH DAKOTA AND OKLAHOMA.

The Board was provided a copy of the proposed Reciprocal Journeyman Electrician License Agreement. Mr. Morris reported that South Dakota has been accepting Oklahoma licensees for some time; however, Oklahoma has not been accepting South Dakota licensees because there was no written reciprocity agreement. Mr. Morris discussed the differences in requirements between the two states. Mr. Morris also advised the Board that the proposed agreement was approved by the Electrical Examiners Committee. Mr. Dutton noted that the licensing requirements between the two states do not have to be exactly the same as there are many variables. The requirement for reciprocity is that the licensing requirements be substantially similar.

MOTION BY JAKE MATHERLY WITH SECOND BY KEITH DEAVER TO APPROVE THE RECIPROCAL JOURNEYMAN ELECTRICIAN LICENSE AGREEMENT BETWEEN THE STATES OF SOUTH DAKOTA AND OKLAHOMA.

MOTION PASSED

Voting Aye: Tony Boevers
Mike Cooke
Keith Deaver
Paul Magdeburg
Jake Matherly
Scott Tucker
Kevin Westmoreland

CONSIDERATION AND POSSIBLE VOTE TO RE-APPOINT RONNIE SMITH (PLUMBING CONTRACTOR) AS A MEMBER OF THE OKLAHOMA STATE COMMITTEE OF PLUMBING EXAMINERS FOR A TWO-YEAR TERM EXPIRING SEPTEMBER 2019. TITLE 59 O.S. § 1004(A)(1).

Ms. Hubbard reported that Ronnie Smith has expressed interest in continuing and is able to continue serving. She provided a history of Mr. Smith's service, initial appointment and reappointments, as a member of the Plumbing Examiners Committee. Ms. Hubbard noted that when Mr. Smith was appointed to the Committee in 2013 his name was on a list submitted by PHCC.

MOTION BY PAUL MAGDEBURG WITH SECOND BY JAKE MATHERLY TO RE-APPOINT RONNIE SMITH AS A MEMBER OF THE OKLAHOMA STATE COMMITTEE OF PLUMBING EXAMINERS FOR A TWO-YEAR TERM EXPIRING SEPTEMBER 2019.

MOTION PASSED

Voting Aye: Tony Boevers
Mike Cooke
Keith Deaver
Paul Magdeburg
Jake Matherly
Scott Tucker
Kevin Westmoreland

CONSIDERATION AND POSSIBLE VOTE TO RE-APPOINT GLEN CATES (PLUMBING INSPECTOR) AS A MEMBER OF THE OKLAHOMA STATE COMMITTEE OF PLUMBING EXAMINERS FOR A TWO-YEAR TERM EXPIRING SEPTEMBER 2019. TITLE 59 O.S. § 1004(A).

Ms. Hubbard reported that Glen Cates has expressed interest in continuing and is able to continue serving. She provided a history of Mr. Cate's service, initial appointment and reappointments, as a member of the Plumbing Examiners Committee, and his prior service as a member of the Inspector Examiners Committee. Ms. Hubbard reported that when Mr. Cates was appointed to the Plumbing Examiners Committee in 2012, his name was on lists presented by the Oklahoma Plumbing Inspectors Association and the Southwest Construction Codes Council.

MOTION BY JAKE MATHERLY WITH SECOND BY MIKE COOKE TO RE-APPOINT GLEN CATES AS A MEMBER OF THE OKLAHOMA STATE COMMITTEE OF PLUMBING EXAMINERS FOR A TWO-YEAR TERM EXPIRING SEPTEMBER 2019.

MOTION PASSED

Voting Aye: Tony Boevers
Mike Cooke
Keith Deaver
Paul Magdeburg
Jake Matherly
Scott Tucker
Kevin Westmoreland

CONSIDERATION AND POSSIBLE VOTE TO RE-APPOINT JOHN TAYLOR (BUILDING INSPECTOR) AS A MEMBER OF THE INSPECTOR EXAMINERS COMMITTEE FOR A FOUR-YEAR TERM EXPIRING SEPTEMBER 2021. TITLE 59 O.S. § 1034.

Ms. Hubbard reported that John Taylor has expressed interest in continuing and is able to continue serving. Mr. Taylor was appointed to the Committee to complete a four-year term expiring September 2017 due to the resignation of his predecessor. Mr. Taylor was selected from a list provided by the Oklahoma Building Inspectors Association.

MOTION BY MIKE COOKE WITH SECOND BY SCOTT TUCKER TO RE-APPOINT JOHN TAYLOR AS A MEMBER OF THE INSPECTOR EXAMINERS COMMITTEE FOR A FOUR-YEAR TERM EXPIRING SEPTEMBER 2021.

MOTION PASSED

Voting Aye: Tony Boevers
Mike Cooke
Keith Deaver
Paul Magdeburg
Jake Matherly
Scott Tucker
Kevin Westmoreland

PUBLIC COMMENTS

Kenny Whitson addressed the Board. Mr. Whitson congratulated the Board for approving the re-appointment of Ronnie Smith and Glen Cates to the Plumbing Examiners Committee. Mr. Whitson stated that Mr. Smith and Mr. Cates are approachable, very informative, and helpful to the judge during meetings. He also said they are in attendance at 98% of the Committee meetings.

Bill Kite addressed the Board. Mr. Kite stated that he wanted to address involvement between the CIB and industry. Mr. Kite stated that there are CIB inspectors who come to their monthly meetings. It is great involvement and gets CIB staff in front of some of the contractors face to face. Mr. Kite felt that is a great help to industry.

NEW BUSINESS

There was no new business discussed.

ADJOURNMENT

MOTION BY JAKE MATHERLY WITH SECOND BY KEVIN WESTMORELAND
TO ADJOURN THE MEETING.

MOTION PASSED

Voting Aye: Tony Boevers
Mike Cooke
Keith Deaver
Paul Magdeburg
Jake Matherly
Kevin Westmoreland

Voting Nay: Scott Tucker

The meeting was adjourned at approximately 2:10 p.m.

Minutes approved in Regular Session on the 23rd day of August, 2017.

/s/ Tony Boevers
Tony Boevers, Chair

/s/ Linda Ruckman
Linda Ruckman, Board Secretary