

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

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

October 18, 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, October 18, 2017, in the Conference Room of the Construction Industries Board.

MEMBERS PRESENT: Tony Boevers, Mike Cooke, Paul Magdeburg and Scott Soder.

MEMBERS ABSENT: Keith Deaver, Scott Tucker, and Kevin Westmoreland.

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

OTHERS PRESENT: Jon Dutton, Assistant Attorney General; LaTisha Edwards, OMES; Tim Yaciuk, IEC-OKC; Mike Liston, PHCC; Kenny Whitson, 344 Training Center; and Bill Kite, MEPO of Oklahoma.

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 18th day of October, 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 18th day of October, 2017.

ADMINISTRATOR'S REPORT

Ms. Hubbard reported that next month the Board will be reviewing a draft of proposed rule amendments to consider for approval to publish and begin the rulemaking process. Ms. Hubbard also reported that Stephen Hawkins, who has served as the Director of OMES ABS, has taken another position, and we received notification that Steve Funck will be the new Director of OMES ABS. Ms. Hubbard stated that it should be a very smooth transition as Mr. Funck has been with OMES for over 20 years and knows the CIB very well.

FINANCIAL REPORT FOR MONTH ENDED SEPTEMBER 30, 2017

Ms. LaTisha Edwards reviewed the CIB's financial report for the month ended September 30, 2017.

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 September. 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 September.

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 September.

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 September. 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 MIKE COOKE WITH SECOND BY PAUL MAGDEBURG TO APPROVE THE CONSENT AGENDA FOR UNCONTESTED CITATIONS PAID, HEARINGS WAIVED.

MOTION PASSED

Voting Aye: Tony Boevers
Mike Cooke
Paul Magdeburg
Scott Soder

Absent: Keith Deaver
Scott Tucker
Kevin Westmoreland

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

DISCUSSION AND POSSIBLE VOTE ON THE MINUTES OF THE REGULAR MEETING OF THE CONSTRUCTION INDUSTRIES BOARD HELD SEPTEMBER 27, 2017.

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

MOTION BY PAUL MAGDEBURG WITH SECOND BY SCOTT SODER TO APPROVE THE SEPTEMBER 27, 2017, BOARD MEETING MINUTES AS PRESENTED.

MOTION PASSED

Voting Aye: Tony Boevers
Mike Cooke
Paul Magdeburg
Scott Soder

Absent: Keith Deaver
Scott Tucker
Kevin Westmoreland

**DISCUSSION WITH POSSIBLE VOTE ON THE CONSTRUCTION INDUSTRIES BOARD
REGULAR MEETING DATES FOR CALENDAR YEAR 2018.**

The following proposed dates for regular meetings of the CIB were presented for the Board's consideration:

January 17, 2018	July 25, 2018
February 21, 2018	August 22, 2018
March 21, 2018	September 26, 2018
April 18, 2018	October 24, 2018
May 23, 2018	November 14, 2018
June 27, 2018	December 12, 2018

MOTION BY MIKE COOKE WITH SECOND BY SCOTT SODER TO ACCEPT THE PROPOSED DATES FOR REGULAR MEETINGS OF THE CIB BOARD IN CALENDAR YEAR 2018.

MOTION PASSED

Voting Aye: Tony Boevers
Mike Cooke
Paul Magdeburg
Scott Soder

Absent: Keith Deaver
Scott Tucker
Kevin Westmoreland

**DISCUSSION WITH POSSIBLE VOTE TO RENEW CONTRACT WITH ECAPITOL FOR
LEGISLATIVE TRACKING SERVICES FOR CALENDAR YEAR 2018.**

Ms. Nunnery stated that in addition to notices and legislative tracking during the regular legislative session and any special session, eCapitol provides notices for interim studies and general legislative news. She stated there would be no change in rate for calendar year 2018.

MOTION BY PAUL MAGDEBURG WITH SECOND BY MIKE COOKE TO APPROVE RENEWAL OF THE CONTRACT WITH ECAPITOL FOR LEGISLATIVE TRACKING SERVICES FOR CALENDAR YEAR 2018.

MOTION PASSED

Voting Aye: Tony Boevers
Mike Cooke
Paul Magdeburg
Scott Soder

Absent: Keith Deaver
Scott Tucker
Kevin Westmoreland

DISCUSSION AND POSSIBLE VOTE ON AUDIT ENGAGEMENT WITH OFFICE OF STATE AUDITOR AND INSPECTOR FOR FY 17 AUDIT.

Ms. Hubbard reported that the audit engagement would be for the statutorily required annual audit, and would be at the same rate charged for the FY 16 audit. The auditors hope to have the FY 17 audit completed by January 31, 2018.

MOTION BY MIKE COOKE WITH SECOND BY SCOTT SODER TO ACCEPT THE AUDIT ENGAGEMENT WITH THE OFFICE OF STATE AUDITOR AND INSPECTOR FOR THE FY 17 AUDIT.

MOTION PASSED

Voting Aye: Tony Boevers
Mike Cooke
Paul Magdeburg
Scott Soder

Absent: Keith Deaver
Scott Tucker
Kevin Westmoreland

DISCUSSION AND POSSIBLE VOTE(S) ON THE EMPLOYMENT, HIRING, APPOINTMENT, RESIGNATION, CHANGES TO EXISTING SALARIES, OR SETTING SALARY RANGES FOR THE PLUMBING SUPERVISOR POSITION AND OTHER ASSIGNED DUTIES PREVIOUSLY PERFORMED BY JIM GEORGE, FOR THE BOARD SECRETARY/EXECUTIVE ASSISTANT POSITION, AND FOR THE ADMINISTRATOR POSITION

- (i) Possible vote to convene into Executive Session -- Pursuant to 25 O.S. § 307 (B)(1), the Board may convene in Executive Session to discuss the employment, hiring, appointment, resignation, changes to existing salaries, or setting salary ranges for the Plumbing Supervisor position and other assigned duties previously performed by Jim George, for the Board Secretary/Executive Assistant position, and for the Administrator position.
- (ii) Possible vote to return to Open Session.
- (iii) Possible vote(s) on matters discussed in Executive Session related to the employment, hiring, appointment, resignation, changes to existing salaries, or setting salary ranges for the Plumbing Supervisor position and other assigned duties previously performed by Jim George, for the Board Secretary/Executive Assistant position, and for the Administrator position.

MOTION BY MIKE COOKE WITH SECOND BY PAUL MAGDEBURG TO CONVENE INTO EXECUTIVE SESSION.

MOTION PASSED

Voting Aye: Tony Boevers
Mike Cooke
Paul Magdeburg
Scott Soder

Absent: Keith Deaver
Scott Tucker
Kevin Westmoreland

The Board entered into Executive Session at approximately 1:45 p.m.

MOTION BY SCOTT SODER WITH SECOND BY PAUL MAGDEBURG TO RETURN TO OPEN SESSION.

MOTION PASSED

Voting Aye: Tony Boevers
Mike Cooke
Paul Magdeburg
Scott Soder

Absent: Keith Deaver
Scott Tucker
Kevin Westmoreland

The Board returned to Open Session at approximately 2:59 p.m.

Mr. Dutton noted for the record that no votes were taken during the Executive Session.

MOTION BY MIKE COOKE WITH SECOND BY PAUL MAGDEBURG TO APPOINT RICHARD HAGER AS PLUMBING SUPERVISOR AT THE RATE OF THE OTHER SUPERVISORS.

MOTION PASSED

Voting Aye: Tony Boevers
Mike Cooke
Paul Magdeburg
Scott Soder

Absent: Keith Deaver
Scott Tucker
Kevin Westmoreland

MOTION BY MIKE COOKE WITH SECOND BY SCOTT SODER TO AUTHORIZE JAN HUBBARD TO POST AND ADVERTISE THE POSITION OPENING FOR BOARD SECRETARY/EXECUTIVE ASSISTANT WITHIN THE SALARY RANGE DISCUSSED IN EXECUTIVE SESSION.

MOTION PASSED

Voting Aye: Tony Boevers
Mike Cooke
Paul Magdeburg
Scott Soder

Absent: Keith Deaver
Scott Tucker
Kevin Westmoreland

MOTION BY MIKE COOKE WITH SECOND BY PAUL MAGDEBURG TO CREATE AN AD HOC COMMITTEE COMPRISED OF UP TO THREE CIB BOARD MEMBERS RELATED TO THE POSITION OPENING FOR BOARD SECRETARY/EXECUTIVE ASSISTANT.

MOTION PASSED

Voting Aye: Tony Boevers
Mike Cooke
Paul Magdeburg
Scott Soder

Absent: Keith Deaver
Scott Tucker
Kevin Westmoreland

There was no action taken related to the Administrator position.

DISCUSSION AND POSSIBLE VOTE ON CIB APPOINTEE TO THE OKLAHOMA UNIFORM BUILDING CODE COMMISSION

Ms. Hubbard stated that part of Jim George's responsibilities was serving as the CIB designee to the Uniform Building Code Commission. Mr. George's retirement leaves that spot vacant so it is appropriate for the Board to appoint a CIB designee. Ms. Hubbard stated there are no requirements for the individual appointed as the CIB designee.

MOTION BY TONY BOEVERS WITH SECOND BY PAUL MAGDEBURG TO ACCEPT MIKE LISTEN AS THE CIB DESIGNEE TO THE UNIFORM BUILDING CODE COMMISSION.

MOTION PASSED

Voting Aye: Tony Boevers
Mike Cooke
Paul Magdeburg
Scott Soder

Absent: Keith Deaver
Scott Tucker
Kevin Westmoreland

PUBLIC COMMENTS

There were no public comments.

NEW BUSINESS

There was no new business discussed.

BREAK

At approximately 3:05 p.m. the meeting was recessed for a short break.

RECORDING OF MEMBERS PRESENT AFTER SCHEDULED BREAK

MEMBERS PRESENT: Tony Boevers, Mike Cooke, Paul Magdeburg and Scott Soder.

MEMBERS ABSENT: Keith Deaver, Scott Tucker, and Kevin Westmoreland.

POSSIBLE VOTE TO REMOVE ITEM FROM CONSENT AGENDA FOR INDIVIDUAL ADMINISTRATIVE PROCEEDINGS FOR CONSIDERATION AS A SEPARATE ACTION ITEM.

Mr. Dutton stated that Mr. Penner originally requested an appeal of the Proposed Order shown on the Consent Agenda, but subsequently withdrew the request to appeal. That is why the Proposed Order is now on the Agenda for consideration. Mr. Dutton stated that due to the number of Board members present and the need for Mr. Boevers to recuse on this item, it would need to be tabled until the next meeting. Agenda Items 11, 12, and 13, which were all related, were tabled until the next meeting.

ADJOURNMENT

MOTION BY MIKE COOKE WITH SECOND BY SCOTT SODER TO ADJOURN THE MEETING.

MOTION PASSED

Voting Aye: Tony Boevers
Mike Cooke
Paul Magdeburg
Scott Soder

Absent: Keith Deaver
Scott Tucker
Kevin Westmoreland

The meeting was adjourned at approximately 3:09 p.m.

Minutes approved in Regular Session on the 15th day of November, 2017.

/s/ Scott Tucker
Scott Tucker, Vice Chair

/s/ Linda Ruckman
Linda Ruckman, Board Secretary