

**MINUTES OF THE REGULAR MEETING OF THE
CONSTRUCTION INDUSTRIES BOARD
Conference Room
2401 NW 23rd Street, Ste. 2F
Oklahoma City, OK 73107**

May 22, 2019

CALL TO ORDER AND RECORDING OF MEMBERS PRESENT AND ABSENT

The regular meeting of the Construction Industries Board was called to order by Chair Scott Tucker at approximately 1:30 p.m. on Wednesday, May 22, 2019, in the Conference Room of the Construction Industries Board.

MEMBERS PRESENT: Tony Boevers, Keith Deaver, Paul Magdeburg, Scott Tucker, and Kevin Westmoreland

MEMBERS ABSENT: Mike Cooke and Scott Soder

CIB STAFF PRESENT: Janis Hubbard, Administrator; Jon Dutton, Assistant Attorney General; Stephanie Brown, Board Secretary/Executive Assistant; Windy Nunnery, Office Manager; Gary Kirk, Mechanical Supervisor; Richard Hagar, Plumbing & Roofing Supervisor; Ron Morris, Electrical Supervisor

OTHERS PRESENT: LaTisha Edwards, OMES; Phil Ostrander, Legislative Consulting Services; David Finley, OK NECA

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 22nd day of May, 2019, 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 22nd day of May, 2019.

ADMINISTRATOR'S REPORT

Ms. Hubbard reported that the position made vacant by Sherrie Ladd's retirement has been posted and interviews will begin next week.

She stated that the Occupational Licensing Advisory Commission (OLAC) had a meeting that she and Phil Ostrander attended, where it was decided that there would be future meetings to review specific licenses. She stated that out of the trades administered at the CIB, they would only be looking at Home Inspectors this year and that she would have more information to provide OLAC regarding Home Inspectors at the meeting scheduled on September 9.

Ms. Hubbard reported that she had received an invitation to the Governor's Summit with all agency heads that is scheduled for June 3rd and that she has already registered to attend.

She reported that the agency was continuing to work with OMES IT on issues. She stated that it is taking time, but talks are moving forward. She advised that the agency still does not have answers to some of the issues but that the proposed budget includes what we think it would be.

Ms. Hubbard reported that Executive Order 2019-02 provides that no agency can use the services of an outside legislative liaison without written exemption. She stated that June 30th is the end of the current contract with the agency's legislative liaison and that will be the last day for them to represent the CIB. She stated that she cannot thank them enough for what they've done for the CIB and the industries, and that having them has really benefitted the CIB.

FINANCIAL REPORT FOR MONTH ENDED APRIL 30, 2019

Ms. Edwards reviewed the CIB's financial report for the month ended April 30, 2019.

LEGISLATIVE UPDATE

Mr. Phil Ostrander gave a final update on legislation which would directly impact the CIB. Mr. Ostrander then thanked the Board and staff for allowing them to represent the agency for so many years and stated that June 30 would be their last day with the CIB. He stated that he and Tommy are both grateful for the hard work, prudence, diligence and frugality of Administrator Jan Hubbard and the Board and said it was truly a pleasure working with the agency.

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 April. Mr. Kirk reported on activities of the Mechanical Division since the last Board meeting.

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 April. Mr. Morris reported on activities of the Electrical 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 April. Mr. Hager reported on activities of the Plumbing 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 April. 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 KEITH DEAVER WITH SECOND BY PAUL MAGDEBURG TO APPROVE THE CONSENT AGENDA FOR UNCONTESTED CITATIONS PAID, HEARINGS WAIVED.

MOTION PASSED

Voting Aye: Tony Boevers
Keith Deaver
Paul Magdeburg
Scott Tucker
Kevin Westmoreland

Absent: Mike Cooke
Scott Soder

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 APRIL 17, 2019

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

MOTION BY TONY BOEVERS WITH SECOND BY KEVIN WESTMORELAND TO ACCEPT THE APRIL 17, 2019, BOARD MEETING MINUTES AS PRESENTED.

MOTION PASSED

Voting Aye: Tony Boevers
Keith Deaver
Paul Magdeburg
Scott Tucker
Kevin Westmoreland

Absent: Mike Cooke
Scott Soder

DISCUSSION WITH POSSIBLE VOTE ON CONTINUING TO USE SERVICES OF THE FOLLOWING AT ESTIMATED COSTS AS REFLECTED IN PROPOSED FY 20 BUDGET WORK PROGRAM

i. AT&T

Ms. Nunnery stated that this would be the first year of a two year contract with AT&T with no increase in cost from FY19.

MOTION BY KEITH DEAVER WITH SECOND BY KEVIN WESTMORELAND TO ACCEPT CONTINUING TO USE THE SERVICES OF AT&T WITH THE COSTS AS DISCUSSED

MOTION PASSED

Voting Aye: Tony Boevers
Keith Deaver
Paul Magdeburg
Scott Tucker
Kevin Westmoreland

Absent: Mike Cooke
Scott Soder

ii. GALT

Ms. Nunnery stated that GALT provides CIB with temporary staffing to keep staffing costs down and that there would be no increase in cost from FY19.

MOTION BY PAUL MAGDEBURG WITH SECOND BY KEITH DEEVER TO
ACCEPT CONTINUING TO USE THE SERVICES OF GALT AS DISCUSSED

MOTION PASSED

Voting Aye: Tony Boevers
Keith Deaver
Paul Magdeburg
Scott Tucker
Kevin Westmoreland

Absent: Mike Cooke
Scott Soder

iii. Security Services

Ms. Nunnery stated that Oklahoma City Police Department is willing to continue working as security services for the CIB for hearings and meetings, and that the rate for FY20 would remain the same as FY19.

MOTION BY TONY BOEVERS WITH SECOND BY KEVIN WESTMORELAND TO
RENEW CONTRACT WITH OKLAHOMA CITY POLICE DEPARTMENT FOR SECURITY
SERVICES FOR FY 20

MOTION PASSED

Voting Aye: Tony Boevers
Keith Deaver
Paul Magdeburg
Scott Tucker
Kevin Westmoreland

Absent: Mike Cooke
Scott Soder

iv. Xerox

Ms. Nunnery stated Xerox provides the agency with a workroom and front office copier/printer/fax machines. She stated there is no increase in cost from FY19, but that this would be the first year of a new contract with four possible renewals.

MOTION BY KEITH DEEVER WITH SECOND BY TONY BOEVERS TO ACCEPT
CONTRACT WITH XEROX FOR FY20 AS DISCUSSED

MOTION PASSED

Voting Aye: Tony Boevers

Keith Deaver
Paul Magdeburg
Scott Tucker
Kevin Westmoreland

Absent: Mike Cooke
Scott Soder

DISCUSSION AND POSSIBLE VOTE ON EMPLOYMENT, HIRING, APPOINTMENT, PROMOTION, DEMOTION, DISCIPLINING OR RESIGNATION OF THE ADMINISTRATOR AND/OR DUTIES CONCERNING PUBLIC RELATIONS, SPECIAL PROJECTS, PUBLIC INFORMATION AND LEGISLATIVE LIAISON RESPONSIBILITIES

- (i) Possible vote to convene into Executive Session pursuant to 25 O.S. § 307(B)(1) for discussion and possible action on employment, hiring, appointment, promotion, demotion, disciplining or resignation of the Administrator and/or duties concerning public relations, special projects, public information and legislative liaison responsibilities
- (ii) If Executive Session convened, vote to return to Open Session.
- (iii) Possible vote on matters discussed related to employment, hiring, appointment, promotion, demotion, disciplining or resignation of the Administrator and/or duties concerning public relations, special projects, public information and legislative liaison responsibilities from Executive Session or as discussed in Open Session.

MOTION BY TONY BOEVERS WITH SECOND BY PAUL MAGDEBURG TO CONVENE INTO EXECUTIVE SESSION

MOTION PASSED

Voting Aye: Tony Boevers
Keith Deaver
Paul Magdeburg
Scott Tucker
Kevin Westmoreland

Absent: Mike Cooke
Scott Soder

DISCUSSION AND POSSIBLE VOTE ON EMPLOYMENT, HIRING, APPOINTMENT, PROMOTION, DEMOTION, DISCIPLINING OR RESIGNATION OF ALL CIB STAFF LISTED SPECIFICALLY CONCERNING STAFF PAY ADJUSTMENTS SUPPORTED BY RECENT RESEARCH AND OMES HCM MARKET STUDY AND/OR RECENTLY PROPOSED LEGISLATION

- (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 changes to existing salaries, or setting salary ranges, for all CIB employees as follows: Carla Bell, Stephanie Brown, Earle Davis, Steve Guerrero, Richard Hager, Elizabeth Handy, Timothy Hillman, Raymond Howard, Janis Hubbard, Regina James, Basel Kilani, Gary Kirk, Ron Morris, Robert Newberg, Windy Nunnery, Buddy Osborn, Derric Pruitt, Amanda Riley, Roderick Roberts,

Stanley Scheilz, Charles Scott, June Smith, Tamara Solano, Kim Stell, Ronnie Terry, David Veteto, Gregory Walker, Gary Williamson, Shereice Word, Christopher Wyre and Dannette Yousey.

(ii) Possible vote to return to Open Session

(iii) Possible vote on matters discussed in Executive Session related to possible action on changes to existing salaries, or setting salary ranges, for all CIB employees as follows: Carla Bell, Stephanie Brown, Earle Davis, Steve Guerrero, Richard Hager, Elizabeth Handy, Timothy Hillman, Raymond Howard, Janis Hubbard, Regina James, Basel Kilani, Gary Kirk, Ron Morris, Robert Newberg, Windy Nunnery, Buddy Osborn, Derric Pruitt, Amanda Riley, Roderick Roberts, Stanley Scheilz, Charles Scott, June Smith, Tamara Solano, Kim Stell, Ronnie Terry, David Veteto, Gregory Walker, Gary Williamson, Shereice Word, Christopher Wyre and Dannette Yousey

MOTION BY PAUL MAGDEBURG WITH SECOND BY KEVIN WESTMORELAND TO CONVENE INTO EXECUTIVE SESSION

MOTION PASSED

Voting Aye: Tony Boevers
Keith Deaver
Paul Magdeburg
Scott Tucker
Kevin Westmoreland

Absent: Mike Cooke
Scott Soder

Note: The Board went into Executive Session at approximately 2:02 p.m., and Mr. Dutton joined the Board in the Executive Session. Ms. Hubbard also joined the Board in Executive Session intermittently as requested.

MOTION BY PAUL MAGDEBURG WITH SECOND BY KEVIN WESTMORELAND TO RETURN TO OPEN SESSION FROM BOTH EXECUTIVE SESSIONS

MOTION PASSED

Voting Aye: Tony Boevers
Keith Deaver
Paul Magdeburg
Scott Tucker
Kevin Westmoreland

Absent: Mike Cooke
Scott Soder

Mr. Dutton noted that there were no votes taken in Executive Session.

MOTION BY KEVIN WESTMORELAND WITH SECOND BY TONY BOEVERS TO ADD ADDITIONAL DUTIES OF PUBLIC INFORMATION OFFICER AND LEGISLATIVE

DUTIES WITH A SALARY INCREASE OF \$3,431 WITH SPECIFIC DUTIES TO BE DETERMINED AT A LATER DATE

MOTION PASSED

Voting Aye: Tony Boevers
Keith Deaver
Paul Magdeburg
Scott Tucker
Kevin Westmoreland

Absent: Mike Cooke
Scott Soder

MOTION BY PAUL MAGDEBURG WITH SECOND BY TONY BOEVERS TO APPROVE A 3.5% SALARY INCREASE WHICH INCLUDES A STATUTORY INCREASE FOR THE LISTED INDIVIDUALS

MOTION PASSED

Voting Aye: Tony Boevers
Keith Deaver
Paul Magdeburg
Scott Tucker
Kevin Westmoreland

Absent: Mike Cooke
Scott Soder

DISCUSSION AND POSSIBLE VOTE ON EMPLOYEMENT, HIRING, APPOINTMENT OF POSITION PERFORMING PUBLIC RELATIONS, PUBLIC INFORMATION, SPECIAL PROJECTS, ADMINISTRATIVE DUTIES AS ASSIGNED AND LEGISLATIVE LIAISON DUTIES, SETTING FRAMWORK OF JOB DESCRIPTION WITH SALARY RANGE AND POSSIBLE TITLE OF PUBLIC RELATIONS AND OUTREACH OFFICER

Ms. Hubbard stated that the draft of the position description includes public information and other duties the agency could use assistance with. She stated this would be a position the Board would be directly involved with hiring.

Mr. Boevers added that these duties are similar to the ones assigned previously on this agenda to the Administrator but that this position would be to assist her in these additional duties and noted it would take time to train someone on the duties of the CIB and all that would be involved in this position.

MOTION BY TONY BOEVERS WITH SECOND BY PAUL MAGDEBURG TO CREATE AND POST THE NEW POSITION AND PROVIDE THE ADMINISTRATOR AUTHORIZIATION TO ADJUST THE JOB DESCRIPTION AND REQUIREMENTS AS NEEDED

MOTION PASSED

Voting Aye: Tony Boevers
Keith Deaver
Paul Magdeburg
Scott Tucker
Kevin Westmoreland

Absent: Mike Cooke
Scott Soder

UPDATE, DISCUSSION AND POSSIBLE VOTE REGARDING PREVIOUSLY APPROVED FIVE YEAR UNLIMITED JOURNEYMAN AND FIVE YEAR RESIDENTIAL JOURNEYMAN RECIPROCAL AGREEMENTS WITH THE STATE OF TEXAS AND POSSIBLE ADJUSTMENT ON ANY NECESSARY WRITTEN NOTICE OF TERMINATION FOR SUPERCEDING OCTOBER 10, 2016 RECIPROCAL AGREEMENT

Ms. Hubbard provided an update to the March meeting when the Board approved new Unlimited and Residential Reciprocal Agreements with Texas to supersede the existing agreement which is not as detailed. She stated when the two agreements were offered to Texas, they responded that they do not wish to have an electrical residential Reciprocal Agreement with Oklahoma. They are working through approvals on the Unlimited which they do wish to continue having. Once the Unlimited is approved by Texas, Texas will be sent a termination notice for the existing contract.

MOTION BY TONY BOEVERS WITH SECOND BY KEITH DEAVER TO CONTINUE THE NEW UNLIMITED ELECTRICAL RECIPROCAL AGREEMENT WITH THE STATE OF TEXAS PROVIDED THE NEW AGREEMENT IS SIGNED BY JULY 31, 2019, AND REQUIRING TEXAS TO RESTART THE APPLICATION PROCESS IF THEY WANT TO HAVE A RESIDENTIAL ELECTRICAL RECIPROCAL AGREEMENT IN THE FUTURE

MOTION PASSED

Voting Aye: Tony Boevers
Keith Deaver
Paul Magdeburg
Scott Tucker
Kevin Westmoreland

Absent: Mike Cooke
Scott Soder

DISCUSSION AND POSSIBLE VOTE ON A PROPOSED FY 20 CIB BUDGET WORK PROGRAM

Ms. Hubbard stated that the proposed budget for FY 20 has a slight increase over the FY 19 budget and highlighted some of those changes. She stated the budget is not a statement of the amount the CIB will spend, but it establishes the amount the CIB would have the ability to spend as expenditures are approved by the Board.

MOTION BY PAUL MAGDEBURG WITH SECOND BY KEITH DEAVER TO ACCEPT THE PROPOSED FY 20 BUDGET WORK PROGRAM AS PRESENTED ALLOWING CHANGES FOR THE SALARY INCREASES APPROVED

MOTION PASSED

Voting Aye: Tony Boevers
Keith Deaver
Paul Magdeburg
Scott Tucker
Kevin Westmoreland

Absent: Mike Cooke
Scott Soder

PUBLIC COMMENTS

There were no public comments.

NEW BUSINESS

There was no new business discussed.

ADJOURNMENT

MOTION BY TONY BOEVERS WITH SECOND BY KEITH DEAVER TO
ADJOURN THE MEETING.

MOTION PASSED

Voting Aye: Tony Boevers
Keith Deaver
Paul Magdeburg
Scott Tucker
Kevin Westmoreland

Absent: Mike Cooke
Scott Soder

The meeting was adjourned at approximately 4:07 p.m.

Minutes approved in Regular Session on the 26th day of June, 2019.

/s/ Scott Tucker
Scott Tucker, Chair

/s/ Stephanie Brown
Stephanie Brown, Board Secretary