

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

**June 26, 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, June 26, 2019, in the Conference Room of the Construction Industries Board.

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

MEMBERS ABSENT: Kevin Westmoreland.

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

OTHERS PRESENT: LaTisha Edwards, OMES; Ric Russell, Career Tech; David Finley, OKNECA.

**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 26<sup>th</sup> day of June, 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 26<sup>th</sup> day of June, 2019.

**ADMINISTRATOR'S REPORT**

Ms. Hubbard reported that after Sherrie Ladd, the Mechanical Secretary had retired, the position was posted. She stated that 5 applications were received and the top applicant allowed for an internal promotion.

She reported that the Public Information Officer job description is almost finalized and that it should be posted soon. She stated that she anticipated leaving the position posted for 4-6 weeks to maximize the pool of applicants.

She reported that she attended the Governor's Summit recently as well as the IEC Apprentice's Graduation ceremony and a virtual phone conference on the new OK Checkbook. She provided all Board members a link to the website.

She reported that when the Legislature finished there was only 1 bill that directly affected trades licensed through the CIB. She stated that there will need to be administrative rule changes regarding military and spouses and possibly tweaks to alarm endorsements on criminal history, but that the only bill that directly affected the CIB was SB733 allowing for 3<sup>rd</sup> party inspectors that also will need administrative rule changes.

She reported that the House deadline has passed for filing interim studies. They have not been approved yet, but would be posted later in July. She stated that there is nothing specific regarding CIB or the trades, but there were 12 she was watching. She also reported that Senate interim studies would be approved in July.

### **FINANCIAL REPORT FOR MONTH ENDED MAY 31, 2019**

Ms. LaTisha Edwards reviewed the CIB's financial report for the month ended May 31, 2019.

### **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.

### **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.

### **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. 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 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 PAUL MAGDEBURG WITH SECOND BY SCOTT SODER TO APPROVE THE CONSENT AGENDA FOR UNCONTESTED CITATIONS PAID, HEARINGS WAIVED.

MOTION PASSED

Voting Aye: Tony Boevers  
Mike Cooke

Keith Deaver  
Paul Magdeburg  
Scott Soder  
Scott Tucker

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 MAY 22, 2019.**

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

MOTION BY TONY BOEVERS WITH SECOND BY PAUL MAGDEBURG TO ACCEPT THE MAY 22, 2019, BOARD MEETING MINUTES AS PRESENTED.

MOTION PASSED

Voting Aye: Tony Boevers  
Keith Deaver  
Paul Magdeburg  
Scott Tucker

Abstain: Mike Cooke  
Scott Soder

**DISCUSSION AND POSSIBLE VOTE ON OMES MASTER SERVICE AGREEMENT FOR SHARED SERVICES THROUGH OMES HUMAN CAPITAL MANAGEMENT (APPENDIX D: OMES CENTRAL ACCOUNTING AND REPORTING HUMAN RESOURCES/PAYROLL DETAIL OF SERVICES PROVIDED)**

Windy Nunnery reported that CIB received notice of a cost increase to Appendix D of their current contract with OMES for Human Resources and Payroll services. The cost of Appendix D has increased \$1 per employee per month, but that cost increase is mostly offset by the decrease to Appendix F.

MOTION BY PAUL MAGDEBURG WITH SECOND BY MIKE COOKE TO APPROVE THE CHANGES TO THE MASTER SERVICES AGREEMENT APPENDIX D AS PRESENTED.

MOTION PASSED

Voting Aye: Tony Boevers  
Mike Cooke  
Keith Deaver  
Paul Magdeburg  
Scott Soder  
Scott Tucker

**DISCUSSION AND POSSIBLE VOTE ON OMES MASTER SERVICE AGREEMENT FOR SHARED SERVICES THROUGH OMES AGENCY BUSINESS SERVICES (APPENDIX F: CENTRAL ACCOUNTING AND REPORTING DETAIL OF SERVICES PROVIDED)**

Windy Nunnery reported that CIB was notified of a cost decrease to Appendix F. The cost has been reduced by \$1,999.92 annually. She stated the change to Appendix F further strikes language of services not being used by CIB and not being provided to CIB by OMES.

MOTION BY MIKE COOKE WITH SECOND BY SCOTT SODER TO APPROVE THE CHANGES TO THE MASTER SERVICES AGREEMENT APPENDIX F AS PRESENTED.

MOTION PASSED

Voting Aye: Tony Boevers  
Mike Cooke  
Keith Deaver  
Paul Magdeburg  
Scott Soder  
Scott Tucker

**DISCUSSION AND POSSIBLE VOTE ON ADMINISTRATOR'S RECOMMENDATION OF CANDIDATE TO FILL THE VACANT PLUMBING FIELD INVESTIGATOR POSITION**

Ms. Hubbard reported that 8 applications were received for the Plumbing Field Investigator position. She reported that 4 of those applicants were interviewed and that the top scoring candidate is present today.

The candidate, Marion Harris, gave a brief history of his qualifications and thanked the Board for their consideration.

Ms. Hubbard stated that it was the Administrator's recommendation to hire Marion Harris.

MOTION BY SCOTT SODER WITH SECOND BY PAUL MAGDEBURG TO HIRE CANDIDATE MARION HARRIS FOR THE PLUMBING FIELD INVESTIGATOR POSITION.

MOTION PASSED

Voting Aye: Tony Boevers  
Mike Cooke  
Keith Deaver  
Paul Magdeburg  
Scott Soder  
Scott Tucker

**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 TONY BOEVERS WITH SECOND BY MIKE COOKE TO CONVENE INTO EXECUTIVE SESSION

MOTION PASSED

Voting Aye: Tony Boevers  
Mike Cooke  
Keith Deaver  
Paul Magdeburg  
Scott Soder  
Scott Tucker

Note: The Board went into Executive Session at approximately 1:49 p.m., and Mr. Dutton and Ms. Hubbard joined the Board in the Executive Session.

MOTION BY MIKE COOKE WITH SECOND BY KEITH DEAVER TO RETURN TO OPEN SESSION

MOTION PASSED

Voting Aye: Tony Boevers  
Mike Cooke  
Keith Deaver  
Paul Magdeburg  
Scott Soder  
Scott Tucker

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

MOTION BY TONY BOEVERS WITH SECOND BY SCOTT SODER TO CLARIFY RAISES AS FOLLOWS FOR ALL EMPLOYEES AND SUPERCEDE THE MAY VOTE ON RAISES. ALL EMPLOYEES WILL RECEIVE AN INCREASE ESTABLISHED BY HB2021. THOSE ELIGIBLE, AS DISCUSSED IN EXECUTIVE SESSION, WILL RECEIVE A TOTAL INCREASE UP TO 3.5% OF THEIR CURRENT TOTAL SALARY.

MOTION PASSED

Voting Aye: Tony Boevers  
Mike Cooke  
Keith Deaver

Paul Magdeburg  
Scott Soder  
Scott Tucker

MOTION BY TONY BOEVERS WITH SECOND BY KEITH DEEVER TO ALSO PROVIDE AN ADDITIONAL RAISE FOR SUPERVISORS AS DISCUSSED IN EXECUTIVE SESSION UP TO 5% IN ADDITION TO THE PREVIOUS MOTION BUT NOT TO EXCEED MARKET STUDY LIMITS.

MOTION PASSED

Voting Aye: Tony Boevers  
Mike Cooke  
Keith Deaver  
Paul Magdeburg  
Scott Soder  
Scott Tucker

**DISCUSSION AND POSSIBLE VOTE ON ADDING RESOURCES TO THE CIB'S WEBSITE ON THE DEVELOPING EDUCATION AND WORKFORCE PAGE TO ASSIST INTERESTED PEOPLE IN MAKING CONNECTIONS WITH LICENSED TRADE BUSINESSES FOR POSSIBLE PRE-MENTORING OR INDUSTRY SUPPORT AND NETWORKING**

Ms. Hubbard reported that the link on CIB's webpage to workforce development is the framework for this. She stated the agency is still looking for a way to bring together potential licensees, licensees and the educational resources that are out there. She stated one possibility would be for licensees to list their contact information if they are interested in being a resource for potential workers.

The Board discussed the benefits of this but also how to avoid it turning into a marketing or recruiting situation.

No action was taken on this item.

**PUBLIC COMMENTS**

There were no public comments.

**NEW BUSINESS**

There was no new business discussed.

**BREAK**

At approximately 2:53 pm the meeting was recessed for a five-minute break.

**RECORDING OF MEMBERS PRESENT AFTER SCHEDULED BREAK**

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

**Plumbing Hearing Board:**

Mr. Dutton noted that Paul Magdeburg served as Chair of the Plumbing Hearing Board when Docket No. CIB-18-P-005 was heard.

Matters heard by the Plumbing Hearing Board on Docket No. CIB-18-P-005 as follows:

<u>Case No.</u>	<u>Respondent</u>	<u>Violation</u>
Citation No. 20632	Don R. Smith	Contracting without a license
Citation No. 20634	Don R. Smith	Contracting without a license
Citation No. 20698	Randy Houston	Contracting without a license
Citation No. 20615	Brandon Terwilliger	Contracting without a license
Citation No. 20678	Mike Floyd	Contracting without a license
Citation No. 20627	Bill French	Contracting without a license
Citation No. 20749	Justin Gray	Unlicensed or unregistered individual performing trade work under the direction of another

MOTION BY MIKE COOKE WITH SECOND BY KEITH DEAVER TO ACCEPT THE PROPOSED ORDERS FOR THE MATTERS LISTED ON THE CONSENT AGENDA RELATED TO PLUMBING HEARING BOARD DOCKET CIB-18-P-005.

MOTION PASSED

Voting Aye: Tony Boevers  
Mike Cooke  
Keith Deaver  
Scott Soder  
Scott Tucker

Recused: Paul Madeburg

**Mechanical Hearing Board:**

Mr. Dutton noted that Scott Tucker served as Chair of the Mechanical Hearing Board when Docket No. CIB-18-M-006 was heard.

Matters heard by the Mechanical Hearing Board on Docket No. CIB-18-M-006 as follows:

<u>Case No.</u>	<u>Respondent</u>	<u>Violation</u>
Citation No. 20382	Robert W. Teague	Contracting without a license
Citation No. 20383	Dickie E. Sanders	Contracting without a license
Citation No. 20384	Dickie E. Sanders	Contracting without a license
Citation No. 20803	Adam Fitzgerald	Contractor working registered apprentice without direct supervision (per apprentice)
Citation No. 20676	Jerry D. Smith	Inactive contractor or journeyman engaged in contracting

Citation No. 20758    John Donelson    Contracting without a license

MOTION BY MIKE COOKE WITH SECOND BY SCOTT SODER TO ACCEPT THE PROPOSED ORDERS FOR THE MATTERS LISTED ON THE CONSENT AGENDA RELATED TO MECHANICAL HEARING BOARD DOCKET CIB-18-M-006.

MOTION PASSED

Voting Aye:    Tony Boevers  
                  Mike Cooke  
                  Keith Deaver  
                  Paul Magdeburg  
                  Scott Soder

Recused:        Scott Tucker

**Electrical Hearing Board:**

Mr. Dutton noted that Tony Boevers served as Chair of the Electrical Hearing Board when Docket No. CIB-19-E-001 was heard.

Matters heard by the Electrical Hearing Board on Docket No. CIB-19-E-001 as follows:

<u>Case No.</u>	<u>Respondent</u>	<u>Violation</u>
Citation No. 20189	Aaron Summer	Contracting without a license
Citation No. 20686	Richard Horn Jr.	Contracting without a license
Citation No. 20776	Sean Cooper	Contractor working unlicensed or unregistered individual (per person)
Citation No. 20864	Dakota Chaplin	Unlicensed or unregistered individual performing trade work under the direction of another
Citation No. 20823	Walt Brandhorst	Contracting without a license

MOTION BY MIKE COOKE WITH SECOND BY PAUL MAGDEBURG TO ACCEPT THE PROPOSED ORDERS FOR THE MATTERS LISTED ON THE CONSENT AGENDA RELATED TO ELECTRICAL HEARING BOARD DOCKET CIB-19-E-001.

MOTION PASSED

Voting Aye:    Mike Cooke  
                  Keith Deaver  
                  Paul Magdeburg  
                  Scott Soder  
                  Scott Tucker

Recused:        Tony Boevers



**Mechanical Hearing Board:**

Mr. Dutton noted that Scott Tucker served as Chair of the Mechanical Hearing Board when Docket No. CIB-19-M-001 was heard.

Matters heard by the Mechanical Hearing Board on Docket No. CIB-19-M-001 as follows:

<u>Case No.</u>	<u>Respondent</u>	<u>Violation</u>
Citation No. 20581	David Elkins	Contracting without a license

MOTION BY MIKE COOKE WITH SECOND BY PAUL MAGDEBURG TO ACCEPT THE PROPOSED ORDERS FOR THE MATTERS LISTED ON THE CONSENT AGENDA RELATED TO MECHANICAL HEARING BOARD DOCKET CIB-19-M-001.

MOTION PASSED

Voting Aye: Tony Boevers  
Mike Cooke  
Keith Deaver  
Paul Magdeburg  
Scott Soder

Recused: Scott Tucker

**Plumbing Hearing Board:**

Mr. Dutton noted that Paul Magdeburg served as Chair of the Plumbing Hearing Board when Docket No. CIB-19-P-001 was heard.

Matters heard by the Plumbing Hearing Board on Docket No. CIB-19-P-001 as follows:

<u>Case No.</u>	<u>Respondent</u>	<u>Violation</u>
Citation No. 20635	Bryan Swigert	Contracting without a license
Citation No. 20767	Jeremy Price	Contractor working unlicensed or unregistered individual (per person)
Citation No. 20767	Michael Buckley	Inactive contractor or journeyman engaged in contracting

MOTION BY MIKE COOKE WITH SECOND BY KEITH DEAVER TO ACCEPT THE PROPOSED ORDERS FOR THE MATTERS LISTED ON THE CONSENT AGENDA RELATED TO PLUMBING HEARING BOARD DOCKET CIB-19-P-001.

MOTION PASSED

Voting Aye: Tony Boevers  
Mike Cooke  
Keith Deaver  
Scott Soder

Scott Tucker

Recused: Paul Magdeburg

**Roofing Hearing Board:**

Mr. Dutton noted that Tony Boevers served as Chair of the Roofing Hearing Board when Docket No. CIB-19-R-001 was heard.

Matters heard by the Roofing Hearing Board on Docket No. CIB-19-R-001 as follows:

<u>Case No.</u>	<u>Respondent</u>	<u>Violation</u>
Citation No. 20859	John Jolly	Contracting without registration and commercial endorsement
Citation No. 20780	Conner Gray	Contracting without registration and commercial endorsement
Citation No. 20860	Gregg Newman	Contracting without registration and commercial endorsement

MOTION BY MIKE COOKE WITH SECOND BY PAUL MAGDEBURG TO ACCEPT THE PROPOSED ORDERS FOR THE MATTERS LISTED ON THE CONSENT AGENDA RELATED TO ROOFING HEARING BOARD DOCKET CIB-19-R-001.

MOTION PASSED

Voting Aye: Mike Cooke  
Keith Deaver  
Paul Magdeburg  
Scott Soder  
Scott Tucker

Recused: Tony Boevers

**Mechanical Hearing Board:**

Mr. Dutton noted that Scott Tucker served as Chair of the Mechanical Hearing Board when Docket No. CIB-19-M-002 was heard.

Matters heard by the Mechanical Hearing Board on Docket No. CIB-19-M-002 as follows:

<u>Case No.</u>	<u>Respondent</u>	<u>Violation</u>
Citation No. 20807	Bulmaro Martinez	Contracting without a license

MOTION BY MIKE COOKE WITH SECOND BY KEITH DEEVER TO ACCEPT THE PROPOSED ORDERS FOR THE MATTERS LISTED ON THE CONSENT AGENDA RELATED TO MECHANICAL HEARING BOARD DOCKET CIB-19-M-002.

MOTION PASSED

Voting Aye: Tony Boevers  
Mike Cooke  
Keith Deaver  
Paul Magdeburg  
Scott Soder

Recused: Scott Tucker

**Plumbing Hearing Board:**

Mr. Dutton noted that Scott Tucker served as Chair of the Plumbing Hearing Board when Docket No. CIB-19-P-002 was heard.

Matters heard by the Plumbing Hearing Board on Docket No. CIB-19-P-002 as follows:

<u>Case No.</u>	<u>Respondent</u>	<u>Violation</u>
Citation No. 20799	Christopher Jones	Inactive contractor or journeyman engaged in contracting
Citation No. 20802	Anthony Babb	Contracting without a license
Citation No. 20869	Robert Rudluff	Contractor working registered apprentice without direct supervision (per apprentice)
Citation No. 20372	Justin Shell	Contracting without a license

MOTION BY MIKE COOKE WITH SECOND BY KEITH DEEVER TO ACCEPT THE PROPOSED ORDERS FOR THE MATTERS LISTED ON THE CONSENT AGENDA RELATED TO PLUMBING HEARING BOARD DOCKET CIB-19-P-002.

MOTION PASSED

Voting Aye: Tony Boevers  
Mike Cooke  
Keith Deaver  
Paul Magdeburg  
Scott Soder

Recused: Scott Tucker

**ADJOURNMENT**

MOTION BY TONY BOEVERS WITH SECOND BY SCOTT SODER TO ADJOURN THE MEETING.

MOTION PASSED

Voting Aye: Tony Boevers  
Keith Deaver  
Paul Magdeburg  
Scott Soder

Scott Tucker

Voting Nay: Mike Cooke

The meeting was adjourned at approximately 3:07 p.m.

Minutes approved in Regular Session on the 21<sup>st</sup> day of August, 2019.

/s/ Scott Tucker  
Scott Tucker, Chair

/s/ Stephanie Brown  
Stephanie Brown, Board Secretary