

**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**

**August 21, 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 Tony Boevers at approximately 1:30 p.m. on Wednesday, August 21, 2019, in the Conference Room of the Construction Industries Board.

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

MEMBERS ABSENT: None

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; 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 21<sup>st</sup> day of August, 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 21<sup>st</sup> day of August, 2019.

**ADMINISTRATOR'S REPORT**

Ms. Hubbard reported that there are several legislators wanting to discuss ideas regarding workforce development, which is exciting for the agency. She stated there would be two new laws effective November 1<sup>st</sup> that would impact CIB. The first is HB 1373, the Criminal Justice Reform Bill, which strikes the language in the Home Inspectors Act regarding "good moral character". Also, SB 733 makes a change to Building Inspectors by adding a license for authorized provider which allows for 3<sup>rd</sup> party inspectors. Those changes would require administrative rules which will first come through the committees and then to the Board in November. She stated the administrative rules approved by the Board last November have been fully approved and will be effective October 1<sup>st</sup>.

**FINANCIAL REPORT FOR MONTH ENDED JULY 31, 2019**

Ms. LaTisha Edwards reviewed the CIB's financial report for the month ended July 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 months of June and July. 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 months of June and July. 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 months of June and July. 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 months of June and July. 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 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  
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 JUNE 26, 2019.**

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

MOTION BY PAUL MAGDEBURG WITH SECOND BY KEITH DEEVER TO APPROVE THE JUNE 26, 2019, BOARD MEETING MINUTES AS PRESENTED.

MOTION PASSED

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

Abstain: Kevin Westmoreland

**DISCUSSION AND POSSIBLE VOTE ON OMES MASTER SERVICE AGREEMENT FOR SHARED SERVICES THROUGH OMES INFORMATION SERVICES (APPENDIX C: OMES INFORMATION SERVICES)**

Ms. Hubbard reported that this was for the information services contracted through OMES IT. Since the end of January CIB has been researching and trying to understand the items as charged in the bill. She stated of the things the agency has been able to identify, the current numbers have been confirmed in terms of how many ports, VPN's, etc. are being used. There is a new charge on the bill for the help desk, so that every time we call that number it initiates action on their side. In addition, the storage cost was large. We have had to go back and forth on charges including which drive is free and which drives cost the agency. Currently they took the cost of the "H" drive off. The bill is \$417 more a month than what we have been paying.

MOTION BY SCOTT SODER WITH SECOND BY PAUL MAGDEBURG TO APPROVE THE CHANGES TO THE MASTER SERVICES AGREEMENT APPENDIX C AS PRESENTED.

MOTION PASSED

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

**DISCUSSION WITH POSSIBLE VOTE ON THE FY 2021 CIB BUDGET REQUEST**

The Board was provided a copy of the proposed FY 2021 budget request. Ms. Hubbard reminded the Board that it reviews the proposed budget for each fiscal year twice. What is being considered now is the budget request, which is what we think would be needed beginning July 1, 2020. This will be reviewed again next April or May for the FY 2021 budget work program, when we have a better idea of revenue and expenditures for FY 2020 and projected expenses for FY 2021. She stated that it was a standstill budget request as there were no changes expected at this time from the FY 2020 Budget Work Program previously approved by the Board.

MOTION BY TONY BOEVERS WITH SECOND BY KEVIN WESTMORELAND TO ACCEPT THE PROPOSED FY 2021 BUDGET REQUEST AS PRESENTED.

MOTION PASSED

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

**DISCUSSION AND POSSIBLE VOTE TO APPOINT TWO BOARD MEMBERS TO AN INTERVIEW SUBCOMMITTEE FOR THE NEW POSITION OF PUBLIC RELATIONS AND OUTREACH OFFICER AND TO GRANT AUTHORITY TO THE SUBCOMMITTEE TO WORK WITH THE ADMINISTRATOR TO INCLUDE ANY OTHER PERSONS APPROPRIATE ON THE INTERVIEW SUBCOMMITTEE**

Ms. Hubbard stated that the position for Public Relations and Outreach Officer has been posted. She stated she knows the board wants to have good oversight regarding the hiring of the position so this item is to propose that two members of the Board be appointed to serve on an interview subcommittee, and to allow the interview subcommittee to have the authority to bring in anybody that they feel needs to be in on the interview process. She stated that the subcommittee and CIB staff would do the initial interview, and the Board would do the final interview.

Board Chair Scott Tucker and Board Vice-Chair Paul Magdeburg both volunteered to sit on the interview subcommittee.

MOTION BY MIKE COOKE WITH SECOND BY SCOTT SODER TO APPOINT SCOTT TUCKER AND PAUL MAGDEBURG TO THE INTERVIEW SUBCOMMITTEE WITH THE AUTHORITY TO BRING IN ANYBODY THE SUBCOMMITTEE FEELS IS NEEDED FOR THE INTERVIEW PROCESS.

MOTION PASSED

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

**DISCUSSION WITH POSSIBLE VOTE REGARDING APPOINTMENT OF A STRUCTURAL ENGINEER TO THE OKLAHOMA (PLUMBING, ELECTRICAL, MECHANICAL & ROOFING) CODE VARIANCE AND APPEALS BOARD FOR THE STRUCTURAL ENGINEER SEAT**

Ms. Hubbard reported that this seat was previously held by Edward Sturm, but he has retired. She stated the statute requires that the person appointed is nominated by the statewide association and that they have 10 years' experience, 5 years as a principle. Ms. Hubbard received a nomination from the Oklahoma Structural Engineers Association nominating Ron Jantz. Mr. Jantz has been with Wallace Engineering Structural Consultants for over 30 years and has been a principle longer than 5, and is a U.S. citizen. He is licensed with no discipline and the firm is licensed and he is willing and happy to serve.

MOTION BY KEITH DEAVER WITH SECOND BY TONY BOEVERS TO APPOINT RON JANTZ TO THE OKLAHOMA (PLUMBING, ELECTRICAL, MECHANICAL & ROOFING) CODE VARIANCE AND APPEALS BOARD FOR THE STRUCTURAL ENGINEER SEAT.

MOTION PASSED

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

**DISCUSSION WITH POSSIBLE VOTE ON ADMINISTRATIVE CONSENT ORDER REFLECTING AGREEMENT BETWEEN THE PARTIES IN LIEU OF AN ADMINISTRATIVE HEARING *IN RE* THE MATTERS OF ALLEGED MECHANICAL INDUSTRY RULES VIOLATIONS OF KEVIN R. JOHNSON**

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. He noted that this consent order is different than most considered by the Board as it is related to a complaint filed against a home inspector. Mr. Dutton recommended approval of the proposed consent order.

MOTION BY PAUL MAGDEBURG WITH SECOND BY TONY BOEVERS TO ACCEPT THE PROPOSED ADMINISTRATIVE CONSENT ORDER *IN RE* THE MATTERS OF ALLEGED ELECTRICAL INDUSTRY RULES VIOLATIONS OF JEFFREY W. CHAMBERS.

MOTION PASSED

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

**DISCUSSION AND POSSIBLE VOTE FOR CHAIR AND VICE CHAIR BEGINNING SEPTEMBER 1, 2019, PURSUANT TO 59 O.S. § 1000.3(A)(1).**

Board members discussed the positions of Chair and Vice Chair. Paul Magdeburg stated that he would be interested in becoming the Chair and asked the Board for their consideration. Scott Tucker stated that he would like to remain Chair but would also like to see Paul Magdeburg have a chance to be Chair since he has not had the opportunity yet and would move to Vice Chair if a motion was made. A motion was made for Paul Magdeburg to be Chair and Scott Tucker to be Vice Chair.

MOTION BY KEITH DEAVER WITH SECOND BY MIKE COOKE TO APPOINT PAUL MAGDEBURG AS CHAIR OF THE BOARD BEGINNING SEPTEMBER 1, 2019.

MOTION PASSED

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

MOTION BY SCOTT SODER WITH SECOND BY MIKE COOKE TO APPOINT SCOTT TUCKER AS VICE CHAIR OF THE BOARD BEGINNING SEPTEMBER 1, 2019.

MOTION PASSED

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

**DISCUSSION WITH POSSIBLE VOTE REGARDING APPOINTMENT OF BOARD MEMBER TO SERVE ON THE BUDGET SUBCOMMITTEE (NEW CHAIR REPLACING PREVIOUS CHAIR, IF NECESSARY)**

Ms. Hubbard reported that since there has been a change in the Chair, it allows to replace the Chair position on the Budget Subcommittee accordingly. Scott Tucker would be replaced by Paul Magdeburg on the Budget Subcommittee.

MOTION BY TONY BOEVERS WITH SECOND BY MIKE COOKE TO APPOINT PAUL MAGDEBURG TO SERVE ON THE BUDGET SUBCOMMITTEE.

MOTION PASSED

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

**PUBLIC COMMENTS**

There were no public comments.

**NEW BUSINESS**

There was no new business discussed.

**BREAK**

At approximately 2:11 p.m. the meeting was recessed for a short break.

**RECOGNITION OF SERVICE AND PRESENTATION OF CERTIFICATE OF APPRECIATION TO CONSTRUCTION INDUSTRIES BOARD MEMBER MIKE COOKE**

Ms. Hubbard recognized Mike Cooke for his many years of service to the Electrical Committee and the Board. She stated that the letter that he sent to the Board and CIB staff members was appreciated.

Chair Tucker presented Mike Cooke with a plaque to commemorate his years of service.

**ADJOURNMENT**

MOTION BY PAUL MAGDEBURG WITH SECOND BY SCOTT SODER TO  
ADJOURN THE MEETING.

MOTION PASSED

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

Voting Nay: Mike Cooke

The meeting was adjourned at approximately 2:17 p.m.

Minutes approved in Regular Session on the 25<sup>th</sup> day of September, 2019.

/s/ Paul Magdeburg  
Paul Magdeburg, Chair

/s/ Stephanie Brown  
Stephanie Brown, Board Secretary