

**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**

**April 14, 2021**

**CALL TO ORDER AND RECORDING OF MEMBERS PRESENT AND ABSENT**

The regular meeting of the Construction Industries Board was called to order by Chair Paul Magdeburg at approximately 1:30 p.m. on Wednesday, April 14, 2021, in the Conference Room of the Construction Industries Board.

MEMBERS PRESENT: Tony Boevers, Larry Buxton, Lupe Ibarra, Paul Magdeburg and Scott Soder.

CIB STAFF PRESENT: Janis Hubbard, Administrator; Windy Nunnery, Office Manager; Debra Wojtek, Public Relations and Outreach Officer; Dannette Yousey, Plumbing Secretary; Gary Kirk, Mechanical Supervisor; Ron Morris, Electrical Supervisor; and Richard Hager, Plumbing & Roofing Supervisor.

OTHERS PRESENT: Jon Dutton, Assistant Attorney General; LaTisha Edwards, OMES ABS; Justin Hopkins, Hopkins Electric Company; Jamey Mullin, Hi-Tech Plumbing; Kenny Whitson, PP344.

**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 14<sup>th</sup> day of April, 2021, 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 14<sup>th</sup> day of April, 2021.

**FINANCIAL REPORT**

Written financial reports for the month ended March 31, 2021, prepared by OMES/ABS were provided for review and discussion.

**ADMINISTRATOR'S REPORT**

Ms. Hubbard reported that the Governor issued a new executive order restructuring his Cabinet Secretary positions creating for the first time, a Secretary of Licensing and Regulations. She stated that he appointed Susan Winchester as Cabinet Secretary to that position, pending confirmation.

Ms. Hubbard reported that the credit card project is continuing to move forward but there is still a lot of work to do. She stated that the agency is still dealing with connectivity issues, most recently with VPN's being down. She reported that for employees working from home they are

unable to connect to their desktop computer. She stated that there is still an office vacancy, and that the position has been reposted in hopes of getting more applicants for that position. She reported that staff is continuing to rotate schedules to prevent office exposure of COVID-19 resulting in staff having to quarantine for 2 weeks.

Ms. Hubbard stated that she has received questions about committees and their role and since there are several committee appointments on the agenda, she wanted to provide some context and some reminders.

Ms. Hubbard stated that she wanted to remind the Board that each of the six trades administered by the CIB have their own licensing/registration act. She stated that they are all different and were created at different times. She stated the Plumbing License Act of 1955, as its name states, has been around since 1955. She stated that the committees are advisory to the CIB Board, the details of which can be found in the statutes that are on the CIB website. She stated that each trade licensing/registration act provides the authority for its committee. She gave examples and stated that each trade has something similar explaining what authority each committee has. Ms. Hubbard stated that regarding the membership and terms of the committee members, each are different so it is very important to check the statute for each trade and each seat on that committee.

Ms. Hubbard stated that there are no overlapping duties of each committee as they are specific to the trade licensing acts.

## **PUBLIC RELATIONS REPORT**

### **Workforce Development**

Ms. Wojtek reported that on March 25<sup>th</sup> she along with two field supervisors and others had the opportunity to speak on a Career Tech Panel about Construction Careers in Oklahoma. She stated that this was a live panel for high school counselors and was recorded and sent out following the event. She stated that everyone did an amazing job articulating the industries and the opportunities kids can have in them.

Ms. Wojtek reported that following that panel, she was contacted by OETA about participation in a Round Table Discussion about Construction Careers in Oklahoma.

Ms. Wojtek reported that CIB is continuing to move forward with the Inter-Agency Agreement with Career Tech. She stated that work began on site in Tulsa with Board member Larry Buxton. She stated that they filmed several individuals in the Electrical Industry along with staff and students. She stated that this footage would be used in several videos and clips to help educate young people about the possibilities in the Electrical Industry.

Mr. Buxton stated it was great to see young men involved in the trade be able to articulate their excitement about being a part of it.

Ms. Wojtek stated that she is working on getting some updated talking points and flyers with current information on the industries that will be available on the website for school counselors and parents to use.

#### Communications & Outreach

Ms. Wojtek reported that with the website being switched over the agency now has some website analytics. She stated that the number of active users for the website for the last 28 days has been just under 11,000. She stated that the analytics show that the public is using the website to confirm licensure and they are finding what information they are looking for quickly.

Ms. Wojtek reported that the agency's Facebook followers have increased in the last three weeks and the CIB's email subscribers have increased by 168 since the last meeting. She reported that she has been continuing to research and produce infographics, memes and artwork to assist in the communications plan that she then showed the Board.

#### Legislative Update

Ms. Wojtek reported that the deadline for bills to be out of the opposite chamber was April 8, and that the next bill deadline is April 22. She stated that there are several bills that would have directly affected CIB's licensing and administration that did not advance past the last deadline, but are still being watched. She provided a brief update on legislation. Ms. Wojtek reported that the agency is continuing to be available as a resource for all legislator and industry inquiries and have been providing rules and administration information when requested.

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

MOTION PASSED

Voting Aye: Tony Boevers  
Larry Buxton  
Lupe Ibarra  
Paul Magdeburg  
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 MARCH 24, 2021**

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

MOTION BY TONY BOEVERS WITH SECOND BY LARRY BUXTON TO ACCEPT THE MARCH 24, 2021, BOARD MEETING MINUTES AS PRESENTED.

MOTION PASSED

Voting Aye: Tony Boevers  
Larry Buxton  
Lupe Ibarra  
Paul Magdeburg  
Scott Soder

**DISCUSSION 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 2023. TITLE 59 O.S. § 1004(A)(1)**

Ms. Hubbard reported that the agency received an email from PHCC endorsing Ronnie Smith for re-appointment. She stated that Ronnie Smith was initially appointed in 2013 then re-appointed continuously since then. She stated that he is willing and able to continue serving.

MOTION BY SCOTT SODER WITH SECOND BY LUPE IBARRA TO RE-APPOINT RONNIE SMITH AS A MEMBER OF THE OKLAHOMA STATE COMMITTEE OF PLUMBING EXAMINERS FOR A TWO-YEAR TERM EXPIRING SEPTEMBER 2023

MOTION PASSED

Voting Aye: Tony Boevers  
Larry Buxton  
Lupe Ibarra  
Paul Magdeburg  
Scott Soder

**DISCUSSION 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 2023. TITLE 59 O.S. § 1004(A)**

Ms. Hubbard stated that she had received a letter from the Oklahoma Plumbing Inspectors Association nominating Glen Cates to be re-appointed to the Committee. She stated that Mr. Cates was originally appointed in 2012, and has been re-appointed continuously since then. She stated that he is willing and able to continue serving.

MOTION BY LUPE IBARRA WITH SECOND BY SCOTT SODER TO RE-APPOINT GLEN CATES AS A MEMBER OF THE OKLAHOMA STATE COMMITTEE OF PLUMBING EXAMINERS FOR A TWO-YEAR TERM EXPIRING SEPTEMBER 2023

MOTION PASSED

Voting Aye: Tony Boevers  
Larry Buxton  
Lupe Ibarra  
Paul Magdeburg  
Scott Soder

**DISCUSSION AND POSSIBLE VOTE TO RE-APPOINT JOHN TAYLOR (BUILDING INSPECTOR) AS A MEMBER OF THE OKLAHOMA INSPECTOR EXAMINERS COMMITTEE FOR A FOUR-YEAR TERM EXPIRING SEPTEMBER 2025. TITLE 59 O.S. § 1034**

Ms. Hubbard stated that John Taylor was originally appointed in September 2017. She stated that she has received a letter from the Oklahoma Building Inspectors Association nominating John Taylor for re-appointment and that he is willing and able to continue serving.

MOTION BY TONY BOEVERS WITH SECOND BY LARRY BUXTON TO RE-APPOINT JOHN TAYLOR AS A MEMBER OF THE OKLAHOMA INSPECTORS EXAMINERS COMMITTEE FOR A FOUR-YEAR TERM EXPIRING SEPTEMBER 2025

MOTION PASSED

Voting Aye: Tony Boevers  
Larry Buxton  
Lupe Ibarra  
Paul Magdeburg  
Scott Soder

**DISCUSSION AND POSSIBLE VOTE TO RE-APPOINT DON BEACH AS A MEMBER OF THE OKLAHOMA STATE COMMITTEE OF ELECTRICAL EXAMINERS FOR A TWO-YEAR TERM EXPIRING SEPTEMBER 2023. TITLE 59 O.S. § 1683(B)(3)**

Ms. Hubbard stated that Don Beach was originally appointed in 2015 and was re-appointed in 2017. She stated that she has received a letter from the AGCOK recommending Don Beach for re-appointment and that he is willing and able to continue serving.

MOTION BY LARRY BUXTON WITH SECOND BY TONY BOEVERS TO RE-APPOINT DON BEACH AS A MEMBER OF THE OKLAHOMA STATE

COMMITTEE OF ELECTRICAL EXAMINERS FOR A TWO-YEAR TERM  
EXPIRING SEPTEMBER 2023

MOTION PASSED

Voting Aye: Tony Boevers  
Larry Buxton  
Lupe Ibarra  
Paul Magdeburg  
Scott Soder

**DISCUSSION AND POSSIBLE VOTE TO APPOINT JASON KYLE WILLIAMSON AS A MEMBER OF THE OKLAHOMA STATE COMMITTEE OF ELECTRICAL EXAMINERS FOR A TWO-YEAR TERM EXPIRING SEPTEMBER 2023. TITLE 59 O.S. § 1683(B)(2)**

Ms. Hubbard stated that this position is nominated by NECA and OK NECA sent a letter nominating Jason Kyle Williamson to serve. She stated that this would be a new appointment, taking the place of Joe Hutmacher who has served for many years and whose service is very much appreciated. She stated that Mr. Williamson is held in high regard in the community, has no history of citations, and has been a contractor for more than 10 years. She stated that IEC also sent a letter in support of Mr. Williamson. She stated that Mr. Williamson is willing to serve.

MOTION BY TONY BOEVERS WITH SECOND BY SCOTT SODER TO  
APPOINT JASON KYLE WILLIAMSON AS A MEMBER OF THE OKLAHOMA  
STATE COMMITTEE OF ELECTRICAL EXAMINERS FOR A TWO-YEAR TERM  
EXPIRING SEPTEMBER 2023

MOTION PASSED

Voting Aye: Tony Boevers  
Larry Buxton  
Lupe Ibarra  
Paul Magdeburg  
Scott Soder

**DISCUSSION WITH POSSIBLE VOTE ON RENEWAL OF THE FOLLOWING CONTRACTS FOR FY 22:**

**i. Sunset Courier**

Ms. Nunnery reported that Sunset Courier provides the agency with courier services. She stated that the agency was notified that there would be a price increase of \$1 per day in FY 22 which would be an 11.43% increase. She reported that Sunset Courier services stated that this price increase is due to gas prices. She stated that the last price increase was in FY 19. Ms. Nunnery stated that the other companies surveyed were more expensive or could not accommodate the time frame of our daily routine.

MOTION BY TONY BOEVERS WITH SECOND BY LUPE IBARRA TO RENEW THE  
CONTRACT WITH SUNSET COURIER FOR FY22 WITH AN INCREASE OF \$1 PER  
DAY

MOTION PASSED

Voting Aye: Tony Boevers  
Larry Buxton  
Lupe Ibarra  
Paul Magdeburg  
Scott Soder

**ii. AT&T**

Ms. Nunnery stated that this is for the contract with AT&T for mobile phone services and there would be no increase in cost from FY21. She stated that the agency did survey two other state vendors with cell phone plans, Verizon and T-Mobile. She stated that obtaining the viable cost comparison data was challenging. She reported that Verizon's plan was cheaper by \$7.18 less per month but their phones are more expensive. She stated that in parts of northwest and southeast Oklahoma Verizon has either limited or no service. T-Mobile's plans are \$12.73 per month cheaper but T-Mobile has no coverage in parts of southeastern and northwestern Oklahoma. She stated that CIB's field staff were surveyed and found that AT&T is the only viable coverage in parts of southeastern and northwestern Oklahoma and seems to get better coverage outside of major cities and towns. She stated that AT&T has begun working with OMES-ISD on the transition project from Mobile Iron to In Tune, which is the app that is loaded on mobile devices for security.

MOTION BY TONY BOEVERS WITH SECOND BY LUPE IBARRA TO ACCEPT CONTINUING TO USE THE SERVICES OF AT&T FOR FY22 AT THE SAME RATE AS FY21

MOTION PASSED

Voting Aye: Tony Boevers  
Larry Buxton  
Lupe Ibarra  
Paul Magdeburg  
Scott Soder

**iii. 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 FY21.

MOTION BY SCOTT SODER WITH SECOND BY LARRY BUXTON TO ACCEPT CONTINUING TO USE THE SERVICES OF GALT AS DISCUSSED

MOTION PASSED

Voting Aye: Tony Boevers  
Larry Buxton  
Lupe Ibarra  
Paul Magdeburg  
Scott Soder

**iv. Xerox**

Ms. Nunnery stated Xerox provides the agency with a workroom and front office copier/printer/fax machines. She stated that this is the second year renewal for FY22. There is no increase from FY21.

MOTION BY LUPE IBARRA WITH SECOND BY LARRY BUXTON TO ACCEPT CONTRACT WITH XEROX FOR FY22 AS DISCUSSED  
MOTION PASSED

Voting Aye: Tony Boevers  
Larry Buxton  
Lupe Ibarra  
Paul Magdeburg  
Scott Soder

**v. OMES – Risk Management (Workers Compensation)**

Ms. Nunnery stated that OMES- Risk Management provides the CIB with workers compensation insurance. She stated that the agency anticipates a future rate increase, but the agency will not be notified of the rate increase until after the budget is filed. She stated that the agency is requesting to renew at the same rate as FY21 at this time.

MOTION BY SCOTT SODER WITH SECOND BY LUPE IBARRA TO ACCEPT CONTRACT WITH OMES RISK MANAGEMENT-WORKERS COMPENSATION FOR FY22 AS DISCUSSED  
MOTION PASSED

Voting Aye: Tony Boevers  
Larry Buxton  
Lupe Ibarra  
Paul Magdeburg  
Scott Soder

**vi. OMES – Risk Management (D&O, Tort & Liability)**

Ms. Nunnery stated that OMES- Risk Management provides the CIB Directors and Officers Tort & Liability Insurance and agency property insurance. She stated that the agency was notified of a 20.62% increase for FY22. She stated that the reason for the increase given was the continued deterioration of market conditions due to losses globally, regionally and locally as well as the State of Oklahoma's losses during FY21 which further increased the states negative loss development causing further pressure for additional premiums and increased deductibles for the state.

Mr. Magdeburg asked about the MOD factor. Ms. Nunnery stated that she would find out and get back to him with that information.

MOTION BY SCOTT SODER WITH SECOND BY TONY BOEVERS TO ACCEPT CONTRACT WITH OMES-RISK MANAGEMENT-D&O, TORT & LIABILITY FOR FY22 AS DISCUSSED

MOTION PASSED

Voting Aye: Tony Boevers  
Larry Buxton  
Lupe Ibarra  
Paul Magdeburg  
Scott Soder

**IF AT&T IS NOT APPROVED, CONSIDERATION AND POSSIBLE VOTE TO CONTRACT WITH VERIZON OR T-MOBILE FOR MOBILE PHONE SERVICES**

This item was not needed and there was no discussion or vote taken.

**PUBLIC COMMENTS**

There were no public comments.

**NEW BUSINESS**

There was no new business discussed.

**BREAK**

At approximately 2:23 pm the meeting was recessed for a five-minute break.

**RECORDING OF MEMBERS PRESENT AFTER SCHEDULED BREAK**

MEMBERS PRESENT: Tony Boevers, Larry Buxton, Lupe Ibarra, Paul Magdeburg and Scott Soder

**Electrical Hearing Board:**

Possible vote to approve or deny and remand the Proposed Orders recommended by the Administrative Law Judge in the following matters for which no timely appeal was filed:

Mr. Dutton noted that Scott Soder served as Chair of the Electrical Hearing Board when Docket No. CIB-20-E-001 was heard.

Matters heard by the Electrical Hearing Board on Docket No. CIB-20-E-001 as follows:

| <u>Case No.</u>    | <u>Respondent</u> | <u>Violation</u>   |
|--------------------|-------------------|--|
| Citation No. 20487 | Jason Hillhouse   | Contractor working registered apprentice without direct supervision (per apprentice) |
| Citation No. 21142 | Raymond Crone     | Contracting without a license  |
| Citation No. 21143 | Jarod Crisswell   | Contractor working unlicensed or unregistered individual (per person)                |
| Citation No. 21144 | Maria Caceres     | Contracting without a license  |
| Citation No. 21180 | Gerardo Lopez     | Contracting without a license  |
| Citation No. 20487 | Casey Nichols     | Contracting without a license  |
| Citation No. 20808 | Jermaine O'Guin   | Contracting without a license  |

MOTION BY TONY BOEVERS WITH SECOND BY LARRY BUXTON TO ACCEPT THE PROPOSED ORDERS FOR THE MATTERS LISTED ON THE CONSENT AGENDA RELATED TO ELECTRICAL HEARING BOARD DOCKET CIB-20-E-001.

MOTION PASSED

Voting Aye: Tony Boevers  
Larry Buxton  
Lupe Ibarra  
Paul Magdeburg

Recused: Scott Soder

**Electrical Hearing Board:**

Mr. Dutton noted that Tony Boevers served as Chair of the Electrical Hearing Board when Docket No. CIB-19-E-005 was heard.

Matters heard by the Electrical Hearing Board on Docket No. CIB-20-E-002 as follows:

| <u>Case No.</u>    | <u>Respondent</u>  | <u>Violation</u>   |
|--------------------|--------------------|--|
| Citation No. 21172 | Lonnie Shields     | Contracting without a license  |
| Citation No. 21392 | Joshua Harmon      | Contractor working registered apprentice without direct supervision (per apprentice) |
| Citation No. 21288 | Thomas Thornsberry | Contracting without a license  |
| Citation No. 20905 | William Branam     | Inactive contractor or journeyman engaged in contracting                             |
| Citation No. 21343 | Lloyd Austin       | Contracting without a license  |
| Citation No. 21042 | Timothy Anderson   | Contracting without a license  |

MOTION BY TONY BOEVERS WITH SECOND BY SCOTT SODER TO ACCEPT THE PROPOSED ORDERS FOR THE MATTERS LISTED ON THE CONSENT AGENDA RELATED TO ELECTRICAL HEARING BOARD DOCKET CIB-20-E-002.

MOTION PASSED

Voting Aye: Larry Buxton  
Lupe Ibarra  
Paul Magdeburg  
Scott Soder

Recused: Tony Boevers

**ADJOURNMENT**

MOTION BY SCOTT SODER WITH SECOND BY LARRY BUXTON TO  
ADJOURN THE MEETING.

MOTION PASSED

Voting Aye: Tony Boevers  
Larry Buxton  
Lupe Ibarra  
Paul Magdeburg  
Scott Soder

The meeting was adjourned at approximately 2:42 p.m.

Minutes approved in Regular Session on the 26<sup>th</sup> day of May, 2021.

/s/ Paul Magdeburg  
Paul Magdeburg, Chair

/s/ Stephanie Brown  
Stephanie Brown, Board Secretary