

**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 19, 2020**

**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, August 19, 2020, in the Conference Room of the Construction Industries Board.

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

MEMBERS ABSENT: Todd Finley

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

OTHERS PRESENT: LaTisha Edwards, OMES; Kenny Whitson, 344.

**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 19<sup>th</sup> day of August, 2020, 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 19<sup>th</sup> day of August, 2020.

**ADMINISTRATOR'S REPORT**

Ms. Hubbard reported that the rules approved by the Board last November and went through the public hearing process in January were approved by the Governor and are effective on October 1.

Ms. Hubbard reported that the current Executive Order from the Governor would extend the expiration dates on all occupational licensing.

Ms. Hubbard reported that the Board has seen the agency's response to the Executive Order for agencies to review all Administrative Rules, looking for unnecessary rules. She stated that the agency has been looking at rules for years, and has done a complex review of all the trade rules.

Ms. Hubbard reported that she attended the Governor's Virtual Leadership Summit 2020, where he spoke on his core values and vision. She also stated OMES has notified CIB the software that hosts the CIB's website is obsolete, and OMES would be transferring the CIB website to a different hosting software.

She stated that she had previously reported to the Board about the numerous fraudulent unemployment claims that had been received by the agency. In total, the agency received approximately 200 false unemployment claims. She reported that the agency did receive an invoice from OESC to make payment on those and that CIB was able to resolve the issue with OESC so that the agency would not be charged for any of the fraudulent claims.

Ms. Hubbard reported that a small working group had met with Representative McBride concerning home inspection issues. She stated that Representative McBride is on the Occupational Licensing Advisory Commission and that he raised a question about problems in completing the sales of homes having to do with over reporting by home inspectors. She stated that they were looking forward to continuing to work with Representative McBride and possibly real estate and lending representatives to see if there are changes needing to be made to reasonably resolve the issue. She stated the home inspector rules do not have a cap on what is to be reported on. She stated there was a lot of discussion. The meeting was beneficial, and she appreciated Representative McBride being interested enough to work on these issues with the CIB.

Ms. Hubbard reported that she received a call from the interim Fire Marshall, Carl Hickman, regarding an interim study on a one stop shop for codes. She stated he described the purpose he had in mind for this interim study and that he was going to submit the CIB as a possible spokesperson on what CIB does and how the agency could be involved. She stated that she was told the Senator who was sponsoring it may not proceed with it, but that if he did it would also include speakers from the Uniform Building Code Commission, the Department of Labor, and the licensing boards for Architects and Engineers.

Ms. Hubbard extended her thanks to staff who have continued working hard through the unprecedented times of this pandemic and have continued addressing all issues.

### **FINANCIAL REPORT FOR MONTH ENDED JULY 31, 2020**

Ms. LaTisha Edwards reviewed the CIB's financial report for the month ended July 31, 2020.

### **PUBLIC RELATIONS REPORT**

#### **Workforce Development**

Ms. Wojtek reported that CIB has continued the outreach and partnership expansion with different groups whose focus is on workforce development and has continued to act as a resource to them. She stated that CIB has also set up a video making program, so short clips of educational information can be made. She stated that the agency has been incorporating workforce development in ongoing social media communications through targeted content.

#### **Communications & Outreach**

She reported that Facebook followers have again increased by 24% since the last meeting and that the interaction and activity on the page have also increased. She stated that the agency has also been collecting data and producing infographics, memes and artwork to assist in the communications plans. She reported that in addition to the state changing the software

provider, the website is currently undergoing a thorough review and update to create cohesive communication to make sure all the information is accurate and all the links work to streamline it as much as possible. She stated that the agency has modernized their communications through gov delivery which is the email platform that is used to notify the public about items of importance. She stated that this platform has grown by 200 people since the last meeting and she has been taking classes to maximize the use of it.

#### Legislative Update

Ms. Wojtek reported that interim studies have started and that the agency is monitoring those that could affect the agency. She stated there have been limited interim studies due to COVID-19 and the amount of meetings that they are having. She stated that the agency is continuing to respond to legislative inquiries and providing data 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 months of June and July.

#### **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.

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

MOTION PASSED

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

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 24, 2020.**

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

MOTION BY KETIH DEAVER WITH SECOND BY LARRY BUXTON TO APPROVE THE JUNE 24, 2020, BOARD MEETING MINUTES AS PRESENTED.

MOTION PASSED

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

**DISCUSSION AND POSSIBLE VOTE ON AUDIT ENGAGEMENT WITH OFFICE OF STATE AUDITOR AND INSPECTOR FOR FY 19 AUDIT**

Ms. Hubbard explained that the agency is audited every year by the State Auditor and Inspectors Office. She reported that they did complete their FY 18 audit and there were no findings, and now they would be starting the FY 19 audit. She stated that they are asking for a fee increase of \$1,900. She reported that she did speak with them, since the increase came after the budget was already submitted, but they stated that they would still be requesting the increased amount and would also be expecting delays. Discussion was had.

MOTION BY TONY BOEVERS WITH SECOND BY SCOTT SODER TO APPROVE THE AUDIT ENAGEMENT WITH THE OFFICE OF STATE AUDITOR AND INSPECTOR FOR FY 19 AUDIT WITH A \$1,900 INCREASE FROM THE PREVIOUS AUDIT COST.

MOTION PASSED

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

**DISCUSSION WITH POSSIBLE VOTE ON THE FY 2022 CIB BUDGET REQUEST**

The Board was provided a copy of the proposed FY 2022 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 includes needs anticipated for the fiscal year beginning July 1, 2021. This will be reviewed again next April or May for the FY 2022 budget work program, when we have a better idea of revenue and expenditures for FY 2021 and projected expenses for FY 2022. She stated that it was mostly a standstill budget request with the only exception being an extra \$1000 for the Auditor and Inspector's office to adjust for the increase.

MOTION BY SCOTT SODER WITH SECOND BY TONY BOEVERS TO ACCEPT THE PROPOSED FY 2022 BUDGET REQUEST AS PRESENTED.

MOTION PASSED

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

**DISCUSSION WITH POSSIBLE VOTE TO RENEW LEASE WITH VTA FOR CURRENT OFFICE SPACE AT SHEPHERD CENTER**

Ms. Hubbard stated that it has been about 2 years since the OUBCC was going to move out of and the agency was going to get a new lease with VTA. She stated that the agency currently pays \$11 per square foot, and due to many different reasons, OUBCC has not moved out so the agency still does not have a new lease and has been paying year to year. Since there is not a new lease, the agency is seeking approval to continue paying the \$11 per square foot for the next fiscal year or until there is a new lease completed. She stated that the budget shows a higher amount since the new lease would be at an increased cost. Questions were asked and discussion was had.

MOTION BY TONY BOEVERS WITH SECOND BY KEITH DEEVER TO CONTINUE PAYING VTA \$11 PER SQUARE FOOT FOR FY 21.

MOTION PASSED

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

**CONSIDERATION AND POSSIBLE VOTE TO RE-APPOINT STACY COE AS A MEMBER OF THE OKLAHOMA STATE COMMITTEE OF PLUMBING EXAMINERS FOR A TWO-YEAR TERM ENDING SEPTEMBER 2022. TITLE 59 O.S. § 1004 (A)(3)**

Ms. Hubbard reported that Ms. Coe was first appointed in 2016, has been an active and involved member of the Committee and is willing and able to serve.

MOTION BY SCOTT SODER WITH SECOND BY LUPE IBARRA TO RE-APPOINT STACY COE AS A MEMBER OF THE OKLAHOMA STATE COMMITTEE OF PLUMBING EXAMINERS FOR A TWO-YEAR TERM ENDING SEPTEMBER 2022.

MOTION PASSED

Voting Aye: Tony Boevers  
Larry Buxton  
Keith Deaver  
Lupe Ibarra  
Paul Magdeburg

Scott Soder

**CONSIDERATION AND POSSIBLE VOTE TO RE-APPOINT KENNY WHITSON AS A MEMBER OF THE OKLAHOMA STATE COMMITTEE OF PLUMBING EXAMINERS FOR A TWO-YEAR TERM ENDING SEPTEMBER 2022. TITLE 59 O.S. § 1004 (A)(2)**

Ms. Hubbard reported that Mr. Whitson was first appointed in 2010, has been an active and involved member of the Committee and is willing and able to serve.

MOTION BY KEITH DEEVER WITH SECOND BY LUPE IBARRA TO RE-APPOINT KENNY WHITSON AS A MEMBER OF THE OKLAHOMA STATE COMMITTEE OF PLUMBING EXAMINERS FOR A TWO-YEAR TERM ENDING SEPTEMBER 2022.

MOTION PASSED

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

**CONSIDERATION AND POSSIBLE VOTE TO RE-APPOINT SONNY STAS (INDEPENDENT ELECTRICAL CONTRACTOR) AS A MEMBER OF THE COMMITTEE OF ELECTRICAL EXAMINERS FOR A TWO-YEAR TERM EXPIRING SEPTEMBER 2022. TITLE 59 O.S. § 1683(B)(6)**

Ms. Hubbard reported that Mr. Stas was first appointed in 2014, has been an active and involved member of the Committee and is willing and able to serve.

MOTION BY TONY BOEVERS WITH SECOND BY SCOTT SODER TO RE-APPOINT SONNY STAS AS A MEMBER OF THE COMMITTEE OF ELECTRICAL EXAMINERS FOR A TWO-YEAR TERM EXPIRING SEPTEMBER 2022.

MOTION PASSED

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

**CONSIDERATION AND POSSIBLE VOTE TO RE-APPOINT CLIFF STEWART (ELECTRICAL JOURNEYMAN) AS A MEMBER OF THE COMMITTEE OF ELECTRICAL EXAMINERS FOR A TWO-YEAR TERM EXPIRING SEPTEMBER 2022. TITLE 59 O.S. § 1683(B)(4)**

Ms. Hubbard reported Mr. Stewart was first appointed in 2014, has been an active and involved member of the Committee and is willing and able to serve.

MOTION BY LARRY BUXTON WITH SECOND BY TONY BOEVERS TO RE-APPOINT CLIFF STEWART AS A MEMBER OF THE COMMITTEE OF

ELECTRICAL EXAMINERS FOR A TWO-YEAR TERM EXPIRING SEPTEMBER 2022.

MOTION PASSED

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

**CONSIDERATION AND POSSIBLE VOTE TO RE-APPOINT LES CURRIE (ELECTRICAL INSPECTOR) AS A MEMBER OF THE COMMITTEE OF INSPECTOR EXAMINERS FOR A FOUR-YEAR TERM EXPIRING SEPTEMBER 2024. TITLE 59 O.S. § 1034**

Ms. Hubbard reported that Mr. Currie was first appointed in 2008, has been an active and involved member of the Committee and is willing and able to serve.

MOTION BY SCOTT SODER WITH SECOND BY KEITH DEEVER TO RE-APPOINT LES CURRIE AS A MEMBER OF THE COMMITTEE OF INSPECTOR EXAMINERS FOR A FOUR-YEAR TERM EXPIRING SEPTEMBER 2024.

MOTION PASSED

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

**CONSIDERATION AND POSSIBLE VOTE TO RE-APPOINT JAMES MANSELL (LAY MEMBER) AS A MEMBER OF THE COMMITTEE OF INSPECTOR EXAMINERS FOR A FOUR-YEAR TERM EXPIRING SEPTEMBER 2024. TITLE 59 O.S. § 1034**

Ms. Hubbard reported that Mr. Mansell was first appointed in 2008, has been an active and involved member of the Committee and is willing and able to serve.

MOTION BY KEITH DEEVER WITH SECOND BY LARRY BUXTON TO RE-APPOINT JAMES MANSELL AS A MEMBER OF THE COMMITTEE OF INSPECTOR EXAMINERS FOR A FOUR-YEAR TERM EXPIRING SEPTEMBER 2024.

MOTION PASSED

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

**PUBLIC COMMENTS**

There were no public comments.

**NEW BUSINESS**

There was no new business discussed.

**BREAK**

At approximately 2:04 p.m. the meeting was recessed for a short break.

**RECORDING OF MEMBERS PRESENT AFTER SCHEDULED BREAK**

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

**CONSENT AGENDA FOR INDIVIDUAL ADMINISTRATIVE PROCEEDINGS**

**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 Tony Boevers was the Chair of the Electrical Hearing Board when Docket No. CIB-19-E-004 was heard.

Matters heard by the Electrical Hearing Board on Docket No. CIB-19-E-004 as follows:

<u>Case No.</u>	<u>Respondent</u>	<u>Violation</u>
Citation No. 20894	Joel Johnson	Failure to display state contractor license number on advertising, contracts, and bids
Citation No. 20895	Joel Johnson	Failure to display state contractor license number on advertising, contracts, and bids
Citation No. 20896	Joel Johnson	Failure to display state contractor license number on advertising, contracts, and bids

MOTION BY SCOTT SODER WITH SECOND BY KEITH DEAVER TO ACCEPT THE PROPOSED ORDERS FOR THE MATTERS LISTED ON THE CONSENT AGENDA RELATED TO MECHANICAL HEARING BOARD DOCKET CIB-19-E-004.

MOTION PASSED

Voting Aye: Larry Buxton  
Keith Deaver  
Lupe Ibarra  
Paul Magdeburg  
Scott Soder

Recused: Tony Boevers



**Plumbing Hearing Board:**

Mr. Dutton noted that Paul Magdeburg served as Chair of the Plumbing Hearing Board when Docket No. CIB-19-P-004 was heard.

Matters heard by the Electrical Hearing Board on Docket No. CIB-19-P-004 as follows:

<u>Case No.</u>	<u>Respondent</u>	<u>Violation</u>
Citation No. 20933	Rudy Montez	Contracting without a license
Citation No. 20934	Rudy Montez	Contractor working unlicensed or unregistered individual (per person)
Citation No. 20935	Rudy Montez	Contractor working registered apprentice without direct supervision (per person)

MOTION BY TONY BOEVERS 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-004.

MOTION PASSED

Voting Aye: Tony Boevers  
Larry Buxton  
Keith Deaver  
Lupe Ibarra  
Scott Soder

Recused: Paul Magdeburg

**ADJOURNMENT**

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

MOTION PASSED

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

The meeting was adjourned at approximately 2:14 p.m.

Minutes approved in Regular Session on the 21 day of October, 2020.

/s/ Paul Magdeburg  
Paul Magdeburg, Chair

/s/ Stephanie Brown  
Stephanie Brown, Board Secretary