

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

December 9, 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, December 9, 2020, in the Conference Room of the Construction Industries Board.

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

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

OTHERS PRESENT: Kenny Whitson, 344; Brenda Magdeburg; Jon Dutton, OAG

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 9th day of December, 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 9th day of December, 2020.

ADMINISTRATOR'S REPORT

Ms. Hubbard provided an update on posted vacant field investigator positions, explaining applications are actively being received for the roofing/mechanical field investigator positions in central Oklahoma and the electrical field investigator position in north central Oklahoma.

Ms. Hubbard provided explanations on financial reports and trends.

Ms. Hubbard provided an update on the Occupational Licensing Advisory Commission. She stated she was present at the November 5, 2020, meeting to answer questions and provide explanations on Home Inspector Licensing if needed. She stated that the Commission indicated that there would be no recommendations for changes to Home Inspector Licensing.

FINANCIAL REPORT

Board member were provided a written report of the CIB's financial report for the month ended November 30, 2020.

PUBLIC RELATIONS REPORT

Workforce Development

Ms. Wojtek reported that CIB had the opportunity to participate in the Choctaw Nation EXPLORE: A Virtual Career Expo where over 7,500 students were registered. She stated that to participate the agency produced three (3) five-minute videos about the trades. She stated these were brief descriptions of the trade, how to get into it, median income levels and some examples.

Ms. Wojtek reported that she has now started creating more in-depth and educational videos about the trades and would love to have Board member participation. She reported that Board member Larry Buxton had already volunteered to help get it started. She stated that she is wanting these to be filmed on jobsites, with examples of the work in action. She stated that these videos will be used for virtual events, social media and the website.

Communications & Outreach

She reported that Facebook followers have again increased by 10% since the last meeting and that the email subscribers list has increased by over 400. She stated that the agency has also been collecting data and producing infographics, memes and artwork to assist in the communications plans. She showed some recent posts, videos and infographics that she has been using on the social media platforms. She also reported that social media has been used to advertise for the two open investigator positions.

Legislative Update

Ms. Wojtek reported that the deadline for bill request is next Friday, December 11. She reported that the bill filing deadline is January 21 and session starts February 1 and can continue through May 28. She reported that the agency has continued responding to Legislator inquiries as needed and providing 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. 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. 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. 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. 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
Larry Buxton
Keith Deaver
Todd Finley
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 OCTOBER 21, 2020.

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

MOTION BY SCOTT SODER WITH SECOND BY KEITH DEAVER TO APPROVE THE OCTOBER 21, 2020, BOARD MEETING MINUTES AS PRESENTED.

MOTION PASSED

Voting Aye: Tony Boevers
Keith Deaver
Todd Finley
Lupe Ibarra
Paul Magdeburg
Scott Soder

Abstaining: Larry Buxton

DISCUSSION AND POSSIBLE VOTE ON RENEWAL OF THE PSI CONTRACT FOR TESTING SERVICES FOR THE PERIOD OF 02/16/2021 thru 02/15/2022

Ms. Hubbard reported that it is the end of the third renewal or fourth year of the PSI contract, so another renewal is needed. She stated that the contract is for \$.01, because the applicants pay

PSI directly. She stated that the contract would be continued under the current terms with no fee change to licensees.

Ms. Hubbard reported that there have been some issues with PSI due to the pandemic, and that some testing centers have been closed because of it. She stated that CIB is working with them and they have been very transparent.

It was requested that PSI notify CIB when a testing center will be closed in addition to the people taking the tests.

MOTION BY SCOTT SODER WITH SECOND BY TONY BOEVERS TO APPROVE THE RENEWAL OF THE CONTRACT WITH PSI UNDER THE CURRENT TERMS.

MOTION PASSED

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

DISCUSSION WITH POSSIBLE VOTE ON PROCEEDING WITH MAKING APPLICATION TO GTARB (GOVERNMENTAL TECHNOLOGY APPLICATIONS REVIEW BOARD) FOR APPROVAL TO RECEIVE LICENSE AND REGISTRATION RENEWAL FEES BY CREDIT CARD PAYMENT, HANDLING OF ANY TRANSACTION AND MERCHANT FEES, AND ANY OTHER ITEMS PER TITLE 62

Ms. Hubbard reported that this would allow CIB to accept online credit card and debit card payments on renewals for contractors and journeyman. After this stage is complete, the next step would be to do an online application and then other trades and other items. She stated that with this there is always a transaction fee and a merchant fee that credit card companies charge. She stated that this would allow the tracking of transaction and merchant fees. She stated in order to do this it has to be reviewed and approved by GTARB to see if the agency has to pay those fees or if they can be passed on to the user.

MOTION BY SCOTT SODER WITH SECOND BY LARRY BUXTON TO PROCEED WITH MAKING APPLICATION TO GTARB FOR APPROVAL TO RECEIVE LICENSE AND REGISTRATION FEES BY CREDIT CARD PAYMENT, HANDLING OF ANY TRANSACTION AND MERCHANT FEES AND ANY OTHER ITEMS PER TITLE 62.

MOTION PASSED

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

DISCUSSION WITH POSSIBLE ON FURTHER ENGAGEMENT WITH THE STATEWIDE VENDOR, NIC, UP TO AND INCLUDING A CONTRACT AGREEMENT AT AN AMOUNT NO MORE THAN \$200.00 FOR PERFORMING POINT-OF-SALE CREDIT CARD PAYMENT PORTAL TECHNOLOGY FUNCTIONS NECESSARY TO IMPLEMENT CREDIT CARD PAYMENTS FOR RENEWALS

Ms. Hubbard reported that with the statewide contract it is not believed that the agency will have to pay for anything but the details are unknown regarding if the agency will need an individual state contract with NIC or if there will be set up fees. She stated that since all of this could come together in prior to the next Board meeting, the agency is seeking authority to enter into a contract agreement at an amount no more than \$200.00 for NIC to perform the point-of-sale credit card payment portal technology functions. She stated that there are other state agencies that use NIC and they have been around for many years.

MOTION BY TONY BOEVERS WITH SECOND BY LUPE IBARRA TO FURTHER ENGAGE WITH THE STATEWIDE VENDOR, NIC, UP TO AND INCLUDING A CONTRACT AGREEMENT AT AN AMOUNT NO MORE THAN \$200.00 FOR PERFORMING POINT-OF-SALE CREDIT CARD PAYMENT PORTAL TECHNOLOGY FUNCTIONS NECESSARY TO IMPLEMENT CREDIT CARD PAYMENTS FOR RENEWALS

MOTION PASSED

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

DISCUSSION WITH POSSIBLE VOTE ON RECOMMENDING NIC TRANSACTION FEES BE PASSED ON TO AND PAID BY THE USER

Ms. Hubbard reported that this is a \$2.00 transaction fee set by state contract and that the agency is seeking approval to request from GTARB that this transaction fee be passed on to and paid by the user.

The Board members discussed the added cost to licensees and noted that they would still have the ability to pay by check or cash if they did not want to pay this additional fee.

MOTION BY LUPE IBARRA WITH SECOND BY SCOTT SODER TO RECOMMEND TO GTARB THAT CIB PASS THE \$2.00 FEE SET BY STATE CONTRACT ON TO THE USER TO BE PAID BY THE USER

MOTION PASSED

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

DISCUSSION WITH POSSIBLE VOTE ON RECOMMENDING CREDIT CARD MERCHANT FEES BE PASSED ON TO AND PAID BY THE USER

Ms. Hubbard reported that this is a 2.5% credit card merchant fee that is set by state contract and that the agency is seeking approval to request from GTARB that this merchant fee be passed on to and paid by the user.

MOTION BY SCOTT SODER WITH SECOND BY TONY BOEVERS TO RECOMMEND TO GTARB THAT CIB PASS THE 2.5% MERCHANT FEE SET BY STATE CONTRACT ON TO THE USER TO BE PAID BY THE USER

MOTION PASSED

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

DISCUSSION WITH POSSIBLE VOTE ON ENGAGING OMES/ISD TO PERFORM REQUIRED INFORMATION TECHNOLOGY SERVICES TO FINALIZE TECHNICAL CONNECTIONS BETWEEN THE LICENSING SOFTWARE (GL SOLUTIONS), NIC, AND THE OFFICE OF THE STATE TREASURER FOR RECEIPT OF RENEWAL APPLICATION FEES PAID BY CREDIT CARD WITH POSSIBLE ADDITIONAL COSTS TO BE INVOICED AND BILLED AT THE HOURLY RATE PROVIDED IN THE MSA UP TO THE AMOUNT OF \$1,800.00

Ms. Hubbard reported that the agency has been working with OMES/IT, and they have some last minute finalization to do on the IT technology and those functions. OMES/IT is unclear what work will have to be done until the final approval comes through from GTARB and NIC. OMES/IT says it may not cost anything at all, depending on how much work is required, but if there is work they anticipate the most it would be is 20 hours at \$90.00 per hour for a total cost not to exceed \$1,800.00.

MOTION BY TODD FINLEY WITH SECOND BY LARRY BUXTON TO ENGAGE OMES/ISD TO PERFORM REQUIRED INFORMATION TECHNOLOGY SERVICES TO FINALIZE TECHNICAL CONNECTIONS BETWEEN GL SOLUTIONS LICENSING SOFTWARE AND THE OFFICE OF THE STATE TREASURER FOR RECEIPT OF RENEWAL APPLICATION FEES PAID BY CREDIT CARD TO BE INVOICED AT A COST NOT TO EXCEED \$1,800.00.

MOTION PASSED

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

PUBLIC COMMENTS

There were no public comments.

NEW BUSINESS

There was no new business discussed.

BREAK

At approximately 2:10 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, Todd Finley, Lupe Ibarra, Paul Magdeburg and Scott Soder

CONSENT AGENDA FOR INDIVIDUAL ADMINISTRATIVE PROCEEDINGS

Mechanical 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 Tucker served as Chair of the Mechanical Hearing Board when Docket No. CIB-20-M-001 and that he was no longer on the Board.

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

<u>Case No.</u>	<u>Respondent</u>	<u>Violation</u>
Citation No. 21213	Jose Iraheta	Contracting without a license
Citation No. 21230	Timothy Wilkerson	Contractor working unlicensed or unregistered individual (per person)
Citation No. 21231	Timothy Wilkerson	Contractor working registered apprentice without direct supervision (per apprentice)

MOTION BY TODD FINLEY 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-20-M-001.

MOTION PASSED

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

ADJOURNMENT

MOTION BY TODD FINLEY WITH SECOND BY SCOTT SODER TO ADJOURN
THE MEETING.

MOTION PASSED

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

Voting Nay: Keith Deaver

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

Minutes approved in Regular Session on the 24th day of March, 2021.

/s/ Scott Soder
Scott Soder, Vice-Chair

/s/ Stephanie Brown
Stephanie Brown, Board Secretary