

CONSTRUCTION INDUSTRIES BOARD

(A self-funded, non-appropriated agency whose mission is to protect life and property by licensing and inspection of the related trades for the health, safety and welfare of the public.)

Regular Board Meeting

Conference Room
2401 N.W. 23rd Street, Suite 2F
Oklahoma City, Oklahoma 73107

October 20, 2021

1:30 p.m.

AGENDA

Note: The Board may discuss, vote to approve, vote to disapprove, vote to table or decide not to discuss any item on the agenda.

1. **CALL TO ORDER AND RECORDING OF MEMBERS PRESENT AND ABSENT** - Chair Scott Soder/Stephanie Brown
2. **STATEMENT OF COMPLIANCE WITH THE OPEN MEETING ACT** – Stephanie Brown
3. **NEW BOARD MEMBER WELCOME** – Chair Scott Soder & Janis Hubbard, Administrator
4. **NEW BUSINESS**
In accordance with 25 O.S. § 311(A)(9) and (10), new business not known at the time of the posting of the agenda, if any, will now be heard. – Jon Dutton, Assistant Attorney General
5. **PUBLIC COMMENTS**
(Opportunity for the Board to receive public comments. Each person wanting to make a public comment is asked to sign in and remember time is limited to three minutes. To comply with the intent of the public notice requirements, the Board does not respond to or discuss comments regarding matters not on today's agenda.) – Jon Dutton, Assistant Attorney General
6. **REPORTS**
 - (A) Administrator's Report – Janis Hubbard, Administrator
 - (B) Report by the Office of the State Auditor & Inspector on FY 19 Audit – Billy Swindell and Wendy Wilkinson, Office of the State Auditor & Inspector

- (C) Financial Report – Steve Funck and/or LaTisha Edwards, OMES ABS
- (D) Public Relations Report – Debra Wojtek, Public Relations and Outreach Officer
 - Workforce Development
 - Communications and Outreach
 - Legislative Update

7. DIVISION REPORTS

- (E) Mechanical Division statistical report and Division activity update – Gary Kirk, Supervisor
- (F) Electrical Division statistical report and Division activity update – Ron Morris, Supervisor
- (G) Plumbing Division statistical report and Division activity update – Richard Hager, Supervisor
- (H) Roofing Division statistical report and Division activity update – Richard Hager, Supervisor

8. CONSENT AGENDA FOR UNCONTESTED CITATIONS PAID, HEARING WAIVED

- (I) 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. (Any item may be removed from the consent agenda by any Board member who requests to discuss the item for consideration as a separate action item.) – Jon Dutton, Assistant Attorney General
- (J) Possible vote to remove item from Consent Agenda for Uncontested Citations Paid, Hearing Waived, for consideration as a separate action item – Jon Dutton, Assistant Attorney General
- (K) Discussion and possible action on items removed from Consent Agenda for Uncontested Citations Paid, Hearing Waived.

9. ACTION AND DISCUSSION ITEMS:

- (L) Discussion and possible vote on the Minutes of the Regular Meeting of the Construction Industries Board held August 18, 2021 – Chair Scott Soder
- (M) Discussion and possible vote to authorize issuance of a Request for Proposals (RFP) for testing services – Janis Hubbard, Administrator
- (N) Discussion and possible vote to allow two (2) or no more than three (3) Board members, based on availability, to assist in evaluating RFP for testing services – Janis Hubbard, Administrator

- (O) Discussion with possible vote on the Construction Industries Board regular meeting dates for calendar year 2022 – Janis Hubbard, Administrator
- (P) Discussion with possible vote to renew contract with eCapitol for legislative tracking services for calendar year 2022 – Janis Hubbard, Administrator
- (Q) Discussion and possible vote on Administrative Consent Order reflecting agreement between the parties in lieu of an administrative hearing In Re the Matters of Alleged Plumbing Industry Rules Violations of Clinton Van Caswell, Citation Nos. 21086 & 21087 – Jon Dutton, Assistant Attorney General

10. BREAK

11. RECORDING OF MEMBERS PRESENT AFTER SCHEDULED BREAK – Stephanie Brown

12. POSSIBLE VOTE TO REMOVE ITEM FROM CONSENT AGENDA FOR INDIVIDUAL ADMINISTRATIVE PROCEEDINGS FOR CONSIDERATION AS A SEPARATE ACTION ITEM – Jon Dutton, Assistant Attorney General

13. DISCUSSION AND POSSIBLE ACTION ON ANY ITEM REMOVED FROM CONSENT AGENDA FOR INDIVIDUAL ADMINISTRATIVE PROCEEDINGS – Jon Dutton, Assistant Attorney General

- i. Possible vote to convene into Executive Session pursuant to 25 O.S. § 307(B)(8) to engage in deliberations on any matter removed from Consent Agenda for Individual Administrative Proceedings.
- ii. If Executive Session convened, vote to return to Open Session.
- iii. Possible vote on any matter removed from Consent Agenda for Individual Administrative Proceedings discussed in Executive Session or in Open Session.

14. CONSENT AGENDA FOR INDIVIDUAL ADMINISTRATIVE PROCEEDINGS - (Any item may be removed from the consent agenda by any Board member who requests to discuss the item for consideration as a separate action item.) – Jon Dutton, Assistant Attorney General

- (R) 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:

Matters heard by the Electrical Hearing Board on Docket No. CIB-21-E-001 as follows:

| <u>Case No.</u> | <u>Respondent</u> | <u>Violation</u> |
|--------------------|--------------------|--|
| Citation No. 21106 | Philip Jackson Jr. | Contracting without a license |
| Citation No. 21448 | Jason Sitsler | Inactive contractor or journeyman engaged in contracting |
| Citation No. 21450 | Jerod Wood | Loaning a license |

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|--------------------|-----------------|--|
| Citation No. 21347 | James McElfresh | Contractor working registered apprentice without direct supervision (per apprentice) |
| Citation No. 21291 | Perry Ketron | Inactive contractor or journeyman engaged in contracting |
| Citation No. 21292 | Perry Ketron | Contractor working unlicensed or unregistered individual (per person) |
| Citation No. 21424 | Lloyd Briscoe | Contracting without a license |
| Citation No. 21510 | Kyle Hohlier | Contractor working registered apprentice without direct supervision (per apprentice) |

- (S) 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:

Matters heard by the Mechanical Hearing Board on Docket No. CIB-21-M-001 as follows:

| <u>Case No.</u> | <u>Respondent</u> | <u>Violation</u> |
|--------------------|-------------------|---|
| Citation No. 21449 | Jason Sitsler | Contracting without a license |
| Citation No. 21385 | Wesley Phillips | Contractor working unlicensed or unregistered individual (per person) |

- (T) 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:

Matters heard by the Plumbing Hearing Board on Docket No. CIB-21-P-001 as follows:

| <u>Case No.</u> | <u>Respondent</u> | <u>Violation</u> |
|--------------------|-------------------|--|
| Citation No. 21413 | Ricky Bastoe | Contracting without a license |
| Citation No. 21517 | Omar Acuna | Contractor working registered apprentice without direct supervision (per apprentice) |
| Citation No. 21300 | Kevin Shafer | Contracting without a license |
| Citation No. 21301 | Derek Lane | Contracting without a license |
| Citation No. 21258 | Harlan Yochum II | Contracting without a license |

15. ADJOURNMENT