

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

March 23, 2022

CALL TO ORDER AND RECORDING OF MEMBERS PRESENT AND ABSENT

The regular meeting of the Construction Industries Board was called to order by Chair Scott Soder at approximately 1:30 p.m. on Wednesday, March 23rd, 2022, in the Conference Room of the Construction Industries Board.

MEMBERS PRESENT: Tony Boevers, Keith Deaver, Larry Buxton, Lupe Ibarra, Jamey Mullin & Scott Soder

MEMBERS ABSENT: Todd Finley

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: Jon Dutton, Assistant Attorney General; Steve Funck, OMES ABS; David Hames, PHCC Executive Director; Kenny Whitson, 344 Training; Veronica Alarcon, OK Dept. of Commerce; Suzanne Broadbent, A to Z Inspections; Stacy Coe, CIB Plumbing Committee; Daniel Favata, OUBCC; Gary Cartwright, 344; Larry Brouk, 344; James Clouse, 344; Jack Werner, A to Z Inspections.

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 23rd day of March, 2022, 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 23rd day of March, 2022.

NEW BUSINESS

There was no new business discussed.

PUBLIC COMMENTS

There were no public comments.

ADMINISTRATOR'S REPORT

Ms. Hubbard reported that the Board room end tables had been returned and thanked Chairman Soder for getting the return accomplished.

Ms. Hubbard reported that the agency has been busy answering questions and providing information about the CIB and its trade laws. She stated that CIB was invited by the Commissioner of Labor to a meeting with the State Home Builders Association and others on plumbing workforce questions and that Board member Jamey Mullin was there. She stated that many different ideas were discussed and that she was able to answer all the questions and would keep the Board posted on anything further.

Ms. Hubbard reported that there was a follow-up meeting with reps from OMMA. She stated that they continue to be interested in and working on ways to help with CIB's concerns regarding life safety, enforcement on unlicensed activity, and being able to obtain the information needed for enforcement.

Ms. Hubbard reported that she had a virtual meeting with OMES/Central Purchasing and that they are beginning an audit of the CIB's purchasing processes and internal controls but there will be no charge to the agency for the audit.

Ms. Hubbard reported that there was an initial meeting with State Leasing and the Shepherd Center property management company also attended by Board member Tony Boevers. She stated that there was a review of what has been discussed the last few years on re-purposing the vacated area of the office and that Shepherd Center is working on estimating the costs now.

Ms. Hubbard reported that Tim Hillman is planning to retire after 19 years with the CIB. She stated that at the next CIB meeting the agency will be asking permission to post the position and receive applications.

Ms. Hubbard reported that the front desk position had been reposted and interviews were held in hopes of filling that vacancy soon.

Ms. Hubbard reported that this is the time of year the agency begins bringing the annual contracts that are up for renewal at the end of this FY so that everything can be in place for the new FY beginning on July 1. She stated that these numbers will be put into the Budget Work Program that will be presented to the Board in the near future.

Ms. Hubbard reported that sometimes it takes a while for all of the paperwork to come in before bills can be paid on approved contracts. She stated that for example, the agency has done everything needed on its end but are still waiting on paperwork from another agency to be able to pay invoices to Phillips Murrah. She stated there is about \$13,474 unpaid until the paperwork is completed. She stated that when it is paid Board members might notice a jump in Professional Services costs on the monthly Financial Statements.

FINANCIAL REPORT

Written financial reports for the month ended February 28, 2022, prepared by OMES/ABS were provided for review and discussion.

PUBLIC RELATIONS REPORT

Workforce Development

Ms. Wojtek reported that the agency is continuing to move forward with the first Inter-Agency Agreement with Career Tech. She stated that they are working on filming the Mechanical video, and that this month they filmed at the Moore Norman Career Tech, where Gary Kirk was able to join them and also filmed with a contractor here in OKC. She stated that they were able to get some really great footage to use. Ms. Wojtek showed a short clip of the video but stated that it was just the beginning and that the full video would be approximately 10 minutes.

Ms. Wojtek reported that a member of the field staff was helping her out today by presenting to the Central Tech Center at the Sapulpa's Principal/Counselor Luncheon, and that this is the school that just started a plumbing program.

Ms. Wojtek reported that she met with a few industry groups on Workforce Development so that they can increase collaboration and the sharing of information for recruiting into the industries.

Communications & Outreach

Ms. Wojtek reported that she is continuing to provide CIB information when requested about the trades and the industry to various industry groups and the public.

Ms. Wojtek reported that the active users for the website for the last month was 11,868. She stated that these users had over 48,000 page views. She stated that in continuing to dig into the analytics she was researching the demographics of CIB's website users and that this month 60.8% were males and 39.2% were females, and the largest age group being between 35-44 years old at 25.65%.

Ms. Wojtek reported that all of the social media followings have increased since the last meeting and that Facebook specifically increased by over 100 in this short time. She stated that email subscribers are currently at 8,603, up over 300 from the last meeting.

Ms. Wojtek reported that an email was sent out to all subscribers last month to let them know about the new license and registration opportunities, namely the electrical intern and the residential plumber.

Ms. Wojtek reported that she has continued researching and producing infographics, memes and artwork to assist in the agency's communications plan and thanked Board members who like and share posts.

Legislative Update

Ms. Wojtek reported that the Legislature convened on February 7.

Ms. Wojtek reported that the session started with just under 2,300 new bills filled for this year and reminded the Board that this is the 2nd year of a 2 year session, so any bill that is still "alive" from last year, can still be passed this year as long as it has met whatever deadline it is at.

Ms. Wojtek reported that a few bills that were filed that could have affected the CIB, but failed to meet deadline were:

- SB 756 and SB 1720 which would have allowed for a private certification to replace licensure in Oklahoma.
- SB 1735 which would have done the same thing, but specifically for Mechanical Contractors.
- SB 1752 would have created the Real Estate Owner's Rights Act, which made it to where persons (or relatives or employees) would not need a license to work on property they owned.
- SB 1759 would have repealed the Roofing Contractor Registration Act.

Ms. Wojtek reported that a few bills that are still "alive" and have through tomorrow, which is the next deadline that bills must be heard out of the house of origin, to move to the next step are;

- HB 2007 which would generally reduce the experience required for an individual to sit for certain Mechanical License exams if a contractor signs that the applicant is qualified.
- SB 1750 would allow home inspectors to estimate costs of repairs needed during their inspection.
- HB 4357 and SB 1691 are not the exact same but would allow certain individuals with criminal history to receive a license.
- SB 1549 would require state agencies to conduct an additional audit, this one by a 3rd party evaluation of the agencies digital processes, forms, storage, etc. and then implement what the 3rd party reports to the legislature.

Ms. Wojtek stated that there are still several bills that would affect workers compensation, construction bidding on public projects, liens, etc. but she is not sure which bills will be moving forward.

Ms. Wojtek stated that the agency has continued to respond to legislative requests and inquiries as requested. She stated that the agency had the opportunity to meet with Representative Stinson who had questions, and is wanting to work towards incentivizing companies to hire apprentices. She stated that the meeting went really well and was excited the agency was invited to be part of this preliminary discussion on various ideas.

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 February. 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 February. 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 February. Mr. Hager reported on activities of the Plumbing Division since the last Board meeting.

Mr. Mullin asked if on the Residential Journeyman Exam Mr. Hager was aware of any place to get the International Residential Code with just plumbing and not the full code with all the trades, because PSI is not allowing use of that book with all of them in there.

Mr. Hager stated it should be the International Residential Code Book that they accept and that is the only way he knows of that the book is available, but that he would check with PSI to make sure they are allowing it in.

Mr. Mullin stated that contractors have also mentioned that it is a problem and that nobody can find the book for it to be an open book exam.

Mr. Hager said he is not aware of the book being broken up any other way and that he would look into it.

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 February. Mr. Hager reported on the 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 LARRY BUXTON TO APPROVE THE CONSENT AGENDA FOR UNCONTESTED CITATIONS PAID, HEARINGS WAIVED.

MOTION PASSED

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

Due to action taken on this item, Agenda Items 7(I) and 7(J) were not needed.

DISCUSSION AND POSSIBLE VOTE ON THE MINUTES OF THE REGULAR MEETING OF THE CONSTRUCTION INDUSTRIES BOARD HELD JANUARY 26, 2022

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

MOTION BY TONY BOEVERS WITH SECOND BY LUPE IBARRA TO ACCEPT THE JANUARY 26, 2022, BOARD MEETING MINUTES AS PRESENTED.

MOTION PASSED

Voting Aye: Tony Boevers
Larry Buxton
Lupe Ibarra
Jamey Mullin
Scott Soder

Abstaining: Keith Deaver

UPDATE ON AWARD OF CONTRACT FOR TESTING SERVICES WITH DISCUSSION AND POSSIBLE VOTE ON CONTRACT DETAILS INCLUDING THE ABILITY TO INCREASE THE NUMBER AND LOCATION OF CURRENT TESTING SITES

Ms. Hubbard reported she wanted to give an update on the reward of the contract for testing services. She stated that now that the contract has been awarded the agency is clear of the confidentiality requirements of Central Purchasing and she can tell the Board that vendor A is PSI and that PSI was awarded the testing services contract. She stated that as part of that contract they are willing to increase the testing sites by seven. She stated that there would be a new site in Weatherford, Enid and Ponca City. Then additional sites would be added to OKC and two would be added to Tulsa for a total of twelve sites. She stated that all new sites would comply with the parameters of the existing sites, including the prohibition on conflicts of interest.

Mr. Boevers asked if the addition of the sites is covered under their pricing.

Ms. Hubbard stated that the additional sites are covered under the pricing.

Mr. Ibarra asked how PSI decides which questions to put under the residential plumbing license versus the commercial plumbing license. He stated that the reason he asks is because he has been asking a lot of questions around his part of the world and he does not know a single plumber that has a residential license and he asked why they did not just test for the residential if they are only doing residential and they stated that it is a lot easier to pass the entire license than just half of it.

Ms. Hubbard asked Mr. Hager to explain how the test was developed and the process behind that including who is involved.

Mr. Hager explained that the residential test has only been available since November and that PSI had a pool of questions that were already developed and there is a review committee of 6-7 people including residential contractors, commercial contractors, building inspectors and technical instructors and they all reviewed the questions PSI provided for the exam, and removed a few that were not appropriate for the Oklahoma area or for just the residential exam itself and they made changes and reviewed them all as a group and then submitted their results to the Plumbing Committee.

Mr. Ibarra asked if we have a list of how many Residential licenses versus how many commercial license CIB has?

Mr. Hager said he could get that information for as far as he knows there has not been a residential license issued at this time but that he would verify that.

Chairman Soder stated that he believes this line of questioning should have been handled under division reports and not this item.

Mr. Mullin stated that he had asked a couple of meetings ago that the information be provided in the plumbing report and it was not in his materials that he received.

Mr. Soder stated again that this is something that should be addressed in the plumbing report and not in the item related to the expansion of testing sites.

MOTION BY TONY BOEVERS WITH SECOND BY LUPE IBARRA TO APPROVE THE SEVEN ADDITIONAL TESTING SITES PROVIDED BY PSI AS DESCRIBED IN THE CONTRACT DOCUMENTS.

MOTION PASSED

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

DISCUSSION WITH POSSIBLE VOTE ON RENEWAL OF THE FOLLOWING CONTRACTS FOR FY 23:

i. Phillips Murrah

Ms. Nunnery stated that there would be no change in the cost of the contract with Phillips Murrah for FY 23.

MOTION BY KEITH DEAVER WITH SECOND BY JAMEY MULLIN TO RENEW THE CONTRACT WITH PHILLIPS MURRAH AT THE SAME COST AS FY 22

MOTION PASSED

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

ii. Michael Mitchelson

Ms. Nunnery stated that the agency is requesting to continue the contract with Mr. Mitchelson at the current rate.

MOTION BY TONY BOEVERS WITH SECOND BY LUPE IBARRA TO RENEW THE CONTRACT FOR ALJ SERVICES WITH MICHAEL MITCHELSON THE SAME RATE AS FY 22

MOTION PASSED

Voting Aye: Tony Boevers

Larry Buxton
Keith Deaver
Lupe Ibarra
Jamey Mullin
Scott Soder

iii. James A. Slayton PC

Ms. Nunnery stated that the agency is requesting to continue the contract with Mr. Slayton at the current rate.

MOTION BY LUPE IBARRA WITH SECOND BY LARRY BUXTON TO RENEW THE CONTRACT FOR ALJ SERVICES WITH JAMES A. SLAYTON PC FOR THE SAME RATE AS FY 22

MOTION PASSED

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

iv. OMES – Risk Management Divison

Ms. Nunnery stated that OMES Risk Management Division provides CIB's workers' compensation insurance. She stated that the agency was requesting to renew at the current cost and would come back to the Board if they were notified by OMES Risk Management of an increase.

MOTION BY KEITH DEEVER WITH SECOND BY LUPE IBARRA TO RENEW THE CONTRACT WITH OMES RISK MANAGEMENT DIVISION FOR WORKERS COMPENSATION INSURANCE FOR THE SAME RATE AS FY 22

MOTION PASSED

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

v. OMES – Interagency Mail

Ms. Nunnery stated that OMES Interagency Mail Services provides postage and mail handling services for CIB. She stated that there would be no change in the cost of services for FY 23. She stated that if the agency is notified of an increase, it will be brought before the Board.

MOTION BY LARRY BUXTON WITH SECOND BY KEITH DEEVER TO RENEW THE CONTRACT WITH OMES INTERAGENCY MAIL SERVICES FOR THE SAME RATE AS FY 22

MOTION PASSED

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

vi. Security Services

Ms. Nunnery stated that Oklahoma City Police Department is willing to continue working as security services for the CIB for hearings and meetings, and that the rate for FY23 would remain the same as FY22.

MOTION BY TONY BOEVERS WITH SECOND BY KEITH DEEVER TO RENEW CONTRACT WITH OKLAHOMA CITY POLICE DEPARTMENT FOR SECURITY SERVICES FOR THE SAME RATE AS FY 22

MOTION PASSED

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

vii. For information purposes only - the OMES Master Service Agreement ("MSA") for on-going state services originally approved in January 2017, and is a continuing agreement. When requested changes would be over the estimated cost reflected in FY 21 Budget Work Program, they will be brought to the Board upon notification of change. The MSA includes: Agency Business Services Division – Shared Financial Services, Human Capital Management Division – Shared Payroll Services, and Information Services Division – Shared IT Services.

Ms. Nunnery reported that the OMES Master Service Agreement as originally approved in January 2017, is a continuing agreement between CIB and OMES. CIB has received no notice of a price change, and OMES is required to provide CIB 30 days' notice for any price increases or changes. She stated when any changes are made to the MSA that would be over the estimated cost reflected in FY 23 Budget Work Program; those changes would be presented to the Board upon notification of change.

ADJOURNMENT

MOTION BY JAMEY MULLIN WITH SECOND BY KEITH DEEVER TO ADJOURN THE MEETING.

MOTION PASSED

Voting Aye: Tony Boevers
Larry Buxton
Keith Deaver
Lupe Ibarra

Jamey Mullin
Scott Soder

The meeting was adjourned at approximately 2:11 p.m.

Minutes approved in Regular Session on the 13th day of April, 2022.

/s/ Scott Soder
Scott Soder, Chair

/s/ Stephanie Brown
Stephanie Brown, Board Secretary