

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

July 26th, 2023

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, July 26th, 2023, in the Conference Room of the Construction Industries Board.

MEMBERS PRESENT: Tony Boevers, Larry Buxton, Keith Deaver, Todd Finley, Lupe Ibarra, Jamey Mullin & 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, Ron Morris, Electrical Supervisor and Gary Kirk, Mechanical Supervisor

OTHERS PRESENT: Jon Dutton, Assistant Attorney General; Melody Kellogg, OMES/ABS; Mitchell Thomas, Gary Shenold, Renee Reed & Greg Neely, ODCTE; Brian Dearman, Local 344 JATC; Matt Wansley, MCA/SMACNA of OK; Charles Glenn, Airco Service

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 26th day of July, 2023, 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 26th day of July, 2023.

NEW BUSINESS

There was no new business discussed.

PUBLIC COMMENTS

There were no public comments.

ADMINISTRATOR'S REPORT

Ms. Hubbard reported that the office is still very short-handed and that since the last meeting there have been two additional vacancies, one in reception and the Hearing Clerk/Building Inspector Administrative Program Officer who is moving out of state. She stated that the agency is working diligently to fill the vacancies with qualified candidates. She stated that staff is

going above and beyond to cover all the agencies needs and continue a high level of customer service and it is much appreciated.

Ms. Hubbard reported that the field staff vacancies are posted as well, and that staff would be working through those applications when the posting period closes. She stated that the links to those positions could be found on the website's home page.

Ms. Hubbard reported that the Budget Work Program for FY 24 has been approved and posted and CIB is able to make payroll and pay bills. She stated that the agency is also working on getting purchase orders in place for the next fiscal year. She stated that it should be noted that due to issues with the new Workday software system moving to the new fiscal year, employees are not able to view their pay statements until the end of the week. She stated that employees will still be able to see them before payday, but it will be an adjustment for employees who are used to seeing them earlier. She stated that this should be corrected going forward.

Ms. Hubbard reported that after discussion at the previous Board meeting concerning citation procedures and in talking with Jon, she has began drafting written procedures for writing citations. She stated that she is also performing a comprehensive review of the employee handbook for any needed updates. She stated that any proposals would need to be reviewed by CIB's legal advisor, but she anticipates having a draft for the Board to see and vote on by the next Board meeting.

Mr. Finley asked if the handbook updates could be emailed to the Board members for review to save time at the next meeting.

Ms. Hubbard stated yes that she had planned to have those changes out to Board members before the meeting for review.

FINANCIAL REPORT

Written financial reports for the month ended June 30th, 2023, prepared by OMES/ABS were provided for review and discussion.

PUBLIC RELATIONS REPORT

Workforce Development

Ms. Wojtek reported she was able to attend an Educate the Educators event in OKC last week. She stated that it was a great event again and that they are looking to do one in Tulsa next year as well.

Ms. Wojtek reported that the National Skills Competition was held June 26-30 and that Oklahoma had two competitors place in the top three. She stated one was in heating ventilation, air condition and refrigeration from Metro Technology Center on South Bryant and that the other was sheet metal from Oklahoma Technology Center and that both competitors placed third.

Ms. Wojtek reported that later in the agenda there would be discussion about the Skilled Trade Education and Workforce Development Fund application forms.

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, legislators and the public.

Ms. Wojtek reported that she spoke at a roofing group last week and was able to provide them with industry information.

Ms. Wojtek reported that OMES has made the decision to discontinue support for the platform host Acquia and the Drupal Website platform on June 1st, 2024. She stated that after this date, the Adobe Experience Manager (AEM) will be the only supported Content Management System (CSM) so the agency will be working to migrate the website over and hopefully this will take care of some of the website issues.

Ms. Wojtek reported an update on the agency's email subscribers stating that they are up to 11,459 and that all of the agency's social media followers/subscribers have increased as well.

Ms. Wojtek reported that she has continued researching and producing infographics, memes and artwork to assist in the agency's communications plan.

**Ms. Wojtek showed a few of the recent posts on the overhead screen.*

Legislative Update

Ms. Wojtek reported that House members completed their submission of interim study requests on June 30th. She stated that there were a total of 110 filed. She stated that House Speaker Charles McCall has indicated he will announce which ones were approved, combined and disapproved by July 28th.

Ms. Wojtek reported that the Senate Pro Tem approved 61 interim study requests and that they must be heard by November 3rd.

Ms. Wojtek reported that December 8th will be the deadline for requesting bills or joint resolutions and that January 18th will be the deadline for introducing language in those bills.

COMMITTEE OF PLUMBING EXAMINERS RESPONSE LETTER WITH TASKFORCE REPORT

Chairman Soder stated that in the findings they could review in their packets it was stated that no action was taken or requested on the Home Builders Association letter.

Mr. Mullins asked how that taskforce formed.

Ms. Hubbard stated that the letter went to the Plumbing Committee and the Plumbing Committee appointed a taskforce and the taskforce invited a broad spectrum of the plumbing industry to attend.

Mr. Mullins stated that there were a lot of comments in the report about the residential journeyman and asked how the residential journeyman category was established and how that process worked in comparison with this process.

Ms. Hubbard stated that with this process, a letter was sent to the Board, the Board sent the letter to the Plumbing Committee. She stated that with the Residential Journeyman there was legislation that allowed for categories and in conversation with Mike Means, you and others knew that the purpose behind that legislation for categories was to have

a residential journeyman. She stated that in consulting with CIB's legal advisor the agency was advised that they did not need to have Administrative Rules because there was quite a bit of pressure to get it up and running as quickly as possible. She stated with rules it would have taken a whole year so it was taken to the Plumbing Committee for them to develop the exam. She stated that they appointed an Exam Taskforce Subcommittee to develop that exam and the agency made changes to the software for the licensing category.

Mr. Ibarra asked why the Board was not part of the decision making on the Residential License.

Ms. Hubbard stated that it was clear through the legislation that was changed that they wanted that category so it was not a Board decision, it was a legislative decision.

Mr. Ibarra stated that the way he sees it, if it affects the plumbing trade he thinks the Board should have been involved because as of right now we come here one day and the next thing you know we have a license that we did not know about and wonder how that happened.

Ms. Hubbard stated that she could check her notes but she is sure it was reported to the Board, but stated that it is interesting that he raises that because it did come up in the taskforce that industry was wanting to see some Administrative Rules about the Residential Plumbing Journeyman so the agency is starting to work on some Administrative Rules for the Residential Plumbing Journeyman and the Board will see those.

Mr. Mullins asked if Ms. Hubbard could provide an example of what she is calling rules.

Ms. Hubbard stated that it would be recommendations to the Plumbing Committee on rules that outline what the Residential Journeyman is and a pathway for them to become contractors.

Chairman Soder stated that he appreciates the responses but believes the conversation is veering off the agenda item since this was strictly responding to what the taskforce had submitted.

Mr. Mullins stated that he respects the Chairmans opinion but that in the report provided there is discussion all over that pertains to the Residential Journeyman license and that is the root of the issue, there has not been any progress there so there is desires to try and fix something else and nothing was done.

Chairman Soder stated that he appreciates that and that is a path that needs to be directed and taken but at this point in the agenda the Board is not addressing that issue and that it would need to be a separate agenda item to be addressed in the future.

Mr. Ibarra asked how they can put that in the agenda.

Mr. Dutton stated that putting it on the next agenda is what you would do.

Mr. Mullins asked how you request that.

Mr. Dutton stated that you talk to staff.

Chairman Soder stated that it would just need to be submitted as a potential agenda item.

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

ROOFING & OTHER DIVISION STATISTICAL REPORTS

The Board was provided a written report on roofing written warnings, citations, complaints, renewals, and applications received and new registrations and endorsements processed during the month of June along with Home Inspector and Building Inspector numbers. 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 TODD FINLEY WITH SECOND BY LUPE IBARRA TO APPROVE THE CONSENT AGENDA FOR UNCONTESTED CITATIONS PAID, HEARINGS WAIVED.

MOTION PASSED

Voting Aye: Tony Boevers

Larry Buxton
Keith Deaver
Lupe Ibarra
Todd Finley
Jamey Mullin
Scott Soder

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

DISCUSSION AND POSSIBLE VOTE ON THE MINUTES OF THE REGULAR MEETING OF THE CONSTRUCTION INDUSTRIES BOARD HELD JUNE 21, 2023

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

MOTION BY TONY BOEVERS WITH SECOND BY KEITH DEAVER TO APPROVE THE JUNE 21, 2023, MEETING MINUTES AS PRESENTED

MOTION PASSED

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

DISCUSSION AND POSSIBLE VOTE ON RECOMMENDATION BY LEGAL COUNSEL REGARDING THE EXTRAORDINARY NUMBER OF CITATIONS WRITTEN AS DISCUSSED IN THE PREVIOUS BOARD MEETING MECHANICAL DIVISION REPORT

Mr. Dutton stated that he wanted to close the loop on this since the Board takes their mission and purpose seriously and there was discussion on the number of citations that was raised. He stated that he discussed this with Mr. Kirk and that he would like to reiterate that since this is a public meeting, he will not be discussing facts or specifics of these citations other than that after his discussion with Mr. Kirk and based on the information that he obtained it is his recommendation that only two of the citations that the investigator was involved with directly should be issued, and the rest should be voided based upon the law that would potentially have issues related to abuse of prosecutorial discretion as well as the 8th Amendment of the Constitution which addresses excessive fines. He stated that this is his recommendation to the Board.

Mr. Deaver stated that it was a huge decrease from 75 down to 2.

Mr. Dutton stated that it was because they were unsubstantiated by the information that was provided.

Mr. Finley asked if it would be fair to say that this is an internal issue.

Mr. Dutton stated that it would be and that as Jan talked about previously there would be some changes to the policy related to the issuing of citations, so it is an internal matter to address going forward, but to resolve this particular circumstance this is his recommendation. He stated that if the Board does not accept his recommendation then he is not sure if they would have the support of the Attorney General's Office or not in this matter.

MOTION BY LUPE IBARRA WITH SECOND BY TODD FINLEY TO ACCEPT
LEGAL COUNSEL'S RECOMMENDATION AS PRESENTED

MOTION PASSED

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

Abstaining: Jamey Mullin

**DISCUSSION AND POSSIBLE VOTE ON APPLICATION OF THE FOLLOWING STATUTES
FOR THE CONSTRUCTION INDUSTRIES BOARD APPOINTED COMMITTEE SEATS
EXPIRING IN 2023, OR CURRENTLY VACANT:**

**§1004 (A) Plumbing Committee, Plumbing Inspector seat, usually names
provided by the Oklahoma Plumbing Inspectors Association (OPIA),**

**§1004(A)(1) Plumbing Committee, Plumbing Contractor, usually names
provided by the Plumbing, Heating, Cooling Contractors Association
(PHCC),**

**§1034 Inspector Committee, Mechanical Inspector, usually names provided
by the Oklahoma Mechanical Inspectors Association (OMIA),**

**§1034 Inspector Committee, Municipal officer as defined in Section 1-102 of
Title 11 (vacant), only aware of one appointment and was from nomination
by the Oklahoma Municipal League (OML),**

**§1683(B)(1) Electrical Committee, Electrical Inspector seat, usually names
provided by the International Association of Electrical Inspectors (IAEI),
and**

**§1850.4(B)(3) Mechanical Committee, Layperson, names and references
have been provided by state or local governmental representatives.**

Mr. Dutton stated that he is not sure why this item is on the agenda other than it was a follow-up from the last meeting. He stated that his understanding is that these positions have been filled. He stated that this Board is provided its authority through the legislators and legislation and that is what these are, these are statutory authorities being given to you. He stated that the Board can review statutory authority but that they have to take the statutes as a whole, as well as these individual sections and then if there is something that is not defined, there is case law that would show that you use the ordinary course of a definition.

Mr. Mullin asked if this was the item he read in the minutes from the last meeting.

Ms. Hubbard stated that this was put on the agenda last time as an item before the specific votes were taken from the letters that the agency had and that the item was to accommodate the request of a Board member to have it on there to have this discussion. She stated that most of the seats were appointed but that this is a discussion issue on the statutes, not with any specific appointee in mind or nominee to consider.

Mr. Finley stated that he had a legal question for Mr. Dutton. He asked if there is one of these statutes that the Board has questions about what the route would be to discuss that since the Board is only allowed to follow state statutes in the meeting.

Mr. Dutton said if the Board has questions regarding state statutes he is happy to answer those questions and the Board can call him so they can discuss it one on one. He stated that as he indicated in his preface, the Board is beholden to follow the statute and that the statute is where the authority this Board has comes from.

Mr. Mullin asked Ms. Hubbard if he is the Board member that she was referring to.

Ms. Hubbard stated yes.

Mr. Mullin stated that he would like to clarify what his desire was. He stated that when they had the vote about some of the seats on the Electrical Committee there was a lot of confusion and he asked a couple of the other Board members how the Board makes those Committee appointments as a Board, and what the guidelines are. He stated that he did not have a consistent answer. He stated that was a big reason he was hesitant, and he asked in that meeting, and there was a motion that did not pass, that they better understand as a Board how they make these appointments. He stated that he is sorry if she thought he meant that he wanted a summary of each of these statutes labeled out, he wanted a discussion of how these Committees are selected. He stated that another Board member pointed out after the meeting that in the back of the book there is a list of statutes and he had not found that before, but when he did it was very enlightening on how some of those read and how the Board has filled those spots. He stated that what he wanted was a discussion on the agenda about how some of those Committees are because usually we get one name that is submitted by an association that says this is who I want in this seat and we do not have a lot of information on who those candidates are or even if we are following statutes. He stated that when he did review that under the Plumbing there is some substantial differences in how the statutes says we are to select those and how we do it so I would like to read that and the difference in how we have been doing it and my desire is that we are following the statute when we make those appointments.

Chairman Soder stated that as the Board they do not make the nominations or bring the individuals forward, they only act on the ones who have been brought forward and asked if that was correct.

Ms. Hubbard stated that was correct for the most part. She stated that every statute is different and every subsection in every statute is different. She stated that the statute was listed next to the seat/position so far as she is concerned the Board follows the statute in making these appointments. She stated that if there is a requirement that it be from a list of names that the Board is presented with a nomination then the Board has followed the statute on the appointment.

Mr. Deaver asked Mr. Mullin if he has any idea what those discrepancies are so they would know.

Mr. Mullin stated that each statute is significantly different on how those Committees are appointed per trade. He stated that the Plumbing refers to county districts, that someone has to be appointed to the Committee per county district, then restated that he meant per congressional district. He stated that if they do not know what congressional district those nominations are from, how do they know that they are making the right recommendation. He stated that he just wants to understand how those are made. He stated that if you look at 1004 at the bottom of a in the front of it states that one member shall be appointed from each congressional district and any remaining members shall be appointed from the state at large, however when congressional districts are redrawn each member appointed prior to July 1st of the year, it goes on to say how that works and we just went through a redistricting so by July 1st we have to make sure that those new seats are aligned properly. He stated that at the bottom of that paragraph it states whenever appoints of initial, new or replacement plumbing members of the Committee are to be made the Board shall chose them from only lists from at least three names to be furnished whenever needed as follows. He stated so we are supposed to select under plumbing from three names provided by these four areas. He stated that his point is a letter from an association naming one name requires more background and things to know to make sure that the Board is following those statutes correctly.

Mr. Ibarra asked if he was able to figure out how many districts are represented in plumbing.

Mr. Mullin stated that he did not know that but that there are five congressional districts in the state.

Mr. Ibarra asked so we do not know who came from which district.

Mr. Mullin stated that he does not and if an association just gives a name then they have not been seated according to the statute. He stated that in electrical there were several different associations that could have, my concern at that meeting was have all of those that could have been notified that there is a seat open and how do you know who to contact there. He stated how do they know that a seat is coming up in September but it is on the agenda for April.

Chairman Soder stated that this is an open meeting and everything is done according to the open meetings act.

Mr. Mullin stated that it is in the open meetings act but if you do not even know that it is in the agenda how do associations know that it will be that month. He stated that they would have to be contacted. He stated that if they are contacted then it is not fair to those who could have nominated someone.

Mr. Finley stated that it is difficult to go out and educate everybody on how to come in individually. He stated that if you have a set of rules that are published and someone is interested in that area it would behoove that group to go out and seek that information. He stated that it is like statutes, there are twenty something books of statutes and for us to go out and say you cannot empty that trashcan on Sunday's, I am just throwing that out there and nobody know that, well it is up to the citizens to figure out what it is. He

stated it is the same thing with anything else, if you are interested in a field, you should probably go out and investigate that or ask questions to the Board or Jan or anybody else.

Mr. Mullin stated that as Board members they should know how those Committee members are being appointed because we appoint them, but the nomination comes from other places.

Chairman Soder stated that they do come from appropriate places and the Board acts upon the ones that are presented to them and that is all they can do. He stated that they do not solicit.

Mr. Mullin stated that he is not saying to solicit, he is just saying that if the statute says the Board has to select from at least three, we have to get three names.

Mr. Buxton stated but if we do not then it is written that if it is unappointed, they sit so again, we have been on that road to where it has sat and we have had no movement. He stated that he also wanted to go back and answer his previous question but it was a good one, he wanted to answer the how do you know part. He stated that on the website it is very clearly stated what all the Committees are and who is on the Committees and it also says what their term is so you are able to get that information as an interested party. He stated that it is posted for people and that social media is also used to let people know and point them to that. He asked how much more he thinks should be done and stated that it is correct that we do not want to solicit. He stated that the Board does not want to be in the place where it picks an association and goes to them and says something to them about this seat is coming up because what if someone was unintentionally left out and then that appears to be favoritism and the Board appears to not be above reproach.

Mr. Mullins said what you brought up is my exact concern but let me describe it a little differently. He stated that on the website it states that most of those seats come up for renewal in September and understanding that how would some associations know that it will be on our agenda in April to fill those seats. He stated that he wants to make sure that it is a fair process to all of those associations that may have been a stakeholder in nominating someone for that. He stated that as a Board we choose from two or three of those for what candidate is the best fit to put on those Committees.

Chairman Soder stated that he believes most stakeholders are versed on the process.

Mr. Finley asked if it is advertised anywhere that a committee seat is coming available.

Chairman Soder asked who it would be advertised to.

Mr. Finley stated the public.

Mr. Mullin stated that the public may not have a seat to be able to be able to offer up but the statute outlines who has that and who those stakeholders are.

Mr. Finley asked how they were going to find out who all the stakeholders are.

Mr. Mullin stated that some of them are labeled here and they have to fit into that category.

Mr. Finley stated that it goes back to Mr. Buxton's answer about if we were to miss one or two.

Mr. Buxton stated that he wants to go back to open meetings and giving notifications, the agenda does go out and it is made public and if people want to be part of the process they are a part of it. He stated that if a trade organization is a responsible trade organization then he hopes that they are responsible enough to subscribe to the agenda when it comes out to see that something is coming up at that meeting. He stated that when he sees something that he is interested in and is late to the party he accepts it but makes a calendar entrance to note when he needs to be a part of it and how to get a seat at the table.

Mr. Mullin stated if it is on the agenda, this month's agenda was not ready for even the Board to review until early this week, so how are they able to write a letter that is two weeks before we get that, how do they know that.

Mr. Deaver stated that he appreciates Mr. Mullins bringing this up because it is a question he had a long time ago about this same exact scenario. He stated that he posed the same questions to Jan a year or two ago and it is the same thing and nobody knows and the public does not know and he believes there needs to be a means of getting that out there.

Chairman Soder stated that there are fifty that are currently signed up as interested parties to receive agendas.

Mr. Deaver stated that there is nothing in the minutes that talk about appointing a seat.

Mr. Mullin asked Ms. Brown if any of the interested parties signed up receive the agendas before Board members do.

Ms. Brown stated no, not before Board members.

Mr. Mullin stated that his point is there is no way they would know it is on the agenda unless someone told them two weeks prior to that.

Mr. Buxton asked Mr. Mullin what his suggestion is.

Mr. Mullin stated that he does not have it figured out he just saw a problem and he wanted a discussion prior to seating committee members. He stated that he has no problem with them he just wants to make sure that the Board is following the correct statutes as they were written for the Board and that they are making it fair for other associations. He stated that Electrical is not done by congressional and that is what is difficult when you have a different set of rules for each trade but before the Board seats people on that committee they need that information because in plumbing they would have to know where they come from and he think it would be important for the Board to make sure the ones that are seated are according to the statute.

Mr. Finley asked how the candidates are vetted.

Chairman Soder stated that everyone who has been seated have been done in accordance to what the requirements were.

Mr. Finley asked who vetted them.

Mr. Mullin stated that you would have to know where they are from.

Mr. Finley stated that is part of the vetting process, but he is just asking in general who vets the candidates.

Mr. Deaver stated that when you go to the website in plumbing it does not state what district each one comes from.

Mr. Finley stated again, that is the process of vetting so who vets the candidates.

Mr. Boevers stated that the sponsoring group that puts the name forward is the one who is doing the vetting but to answer Mr. Mullins question about congressional, I do not know if anyone has been paying attention to congressional.

Ms. Hubbard stated yes I have been and I also pay attention to whether or not they have current citations, whether or not their license is current and I report all of that to the Board, I have not reported about congressional district but I do report and I think you will all remember that there is a statutory citation on the agenda and that I reported when they were first appointed to the Committee, whether or not they have any citations, whether or not their license is current.

Mr. Finley asked so you are part of the vetting system then.

Ms. Hubbard replied yes.

Mr. Finley asked so when we get an approval or not approval it is safe to say that those candidates have already been vetted.

Ms. Hubbard replied yes.

Mr. Boevers asked if we know their congressional districts then.

Ms. Hubbard replied yes, but I cannot recall them right now.

Mr. Mullins asked if that can be provided to the Board because the only trade is plumbing and if they could have information on what congressional district each of those members are from.

Ms. Hubbard stated that Home Inspectors also require congressional districts.

Mr. Boevers asked if since it is in the section if it should also be posted on the website what congressional district the committee members are from.

Ms. Hubbard asked how many requirements they want on the website and stated that she is happy to put anything they want on the website.

Mr. Boevers stated that he is just saying since it is in there.

Ms. Hubbard stated that there is also five years and ten years and differences in years of experience and that all of that can be put on the website but she would just like to know what it is.

Mr. Boevers stated that he is just spit balling here because he thinks that what has been brought up would help in the nomination process if they see somebody who is getting ready to expire and we know they are from this district.

Ms. Hubbard stated that there are other requirements besides congressional district and they can all be put on there if they want that, it just depends on what the Board wants and how they would like for her to proceed.

Mr. Boevers stated that he is not saying that is what we need to do he is just saying that because each seat has a basic set up that says who is sponsoring the seat...

Ms. Hubbard stated that the whole statutory citation is on the website so if anybody would go look at the statute they would see all of the requirements having to do with that seat for every trade.

Mr. Boevers stated that he is not against having the congressional district on there and he thinks it might be a benefit. He stated that it may give more public information and the whole goal is to be as transparent as they can be.

Ms. Hubbard stated that they have to have years of experience as well.

Mr. Boevers stated right, and there can be a statement that says that they have met the requirements of the seat but are representing which district. He stated that he thinks that cleans it up a little bit.

Ms. Hubbard asked what they are trying to provide to the public is my concern.

Mr. Boevers stated that he thinks what Mr. Mullins is saying is that if they get on the website and they see a Committee member that is expiring in September of 23 and they represent this certain congressional district somebody from the public says hey I am from that district and he is expiring so I want to apply they can call and get information on how to put their name in the hat. He stated that they have to meet all the criteria but this is just a way to open the door.

Mr. Buxton asked Ms. Wojtek about the work that she mentioned that was being done to the website.

Ms. Wojtek stated that it was just the host, they are changing the host.

Mr. Buxton asked if the formatting is changing.

Ms. Wojtek stated that they update it regularly.

Mr. Buxton stated that if there was something for the public or consumers that points and talks about these committees that is done with a hyperlink that says here are these committees, here is the information on what you need, click this link and it takes you to the rules and gives them all of the things that they need to meet but what if something

was added that says these committees are seated in September and if interested and qualified please reach out to the appropriate organization or make sure your information is in within a timely manner. He stated that he does not know what it would be exactly but this is just a line item, a paragraph and it would have some hyperlinks in it to different committees and puts them right in the section they need to be and then I think we have met the burden.

Mr. Deaver stated that he thinks that is perfect.

Ms. Wojtek stated that she does see an issue with asking them to submit it to the proper organization to be submitted to CIB because they could ask what the proper organization is and we cannot give them names or show favoritism.

Mr. Buxton stated well that is in here in the rules.

Ms. Wojtek stated that they could ask who those trade organizations are and that is where it could get problematic because the agency cannot tell them who to go to in order to get nominated.

Mr. Mullin stated that at least this would tell us what group we can expect that nomination from but if some groups are being provided information on hey we need this so we can make that nomination, all of them that qualified and all of them do not qualify, I do not think it is that big of a group that we know might but I think we have to be fair to them.

Mr. Boevers stated yeah if we go statewide, it trims it down.

Mr. Buxton asked if we could get help on cleanup of this language a little bit on what they can do.

Ms. Hubbard stated that there would have to be some time spent on it because there are several problems that she sees coming up when you are making standardized general statements that can change due to circumstances, for instance, somebody does not fill their full two year term so there needs to be an appointment prior to September sort of thing and we have to get the language approved by our legal advisor so I think there needs to be quite a bit of work done on it.

Mr. Boevers stated that there might be something more simple that we can do. He stated that if appointments are going to be made in April maybe put an agenda item in February or March that they are going to be accepting nominations in April for these seats.

Mr. Mullin stated or those trade organizations understand fairly that that is when we are going to do it.

Mr. Boevers stated that the 50 that are notified before the meeting would have a months notice.

Mr. Dutton stated that he would point out a fact that these laws have been effective for a long time and these trade organizations have been involved for a long time and they are not ignorant to the process. He stated that he hears what they are saying but he wanted

to point that fact out. He stated that some of this, if they have names to submit he is sure that they have been involved in the process over the course of years.

Mr. Boevers stated that in the time that he has been on the Board they have fought to get enough names to fill the Committees. He stated that sometimes they get a couple of names, sometimes they get three but most of the time they struggle to get one name out of the organizations.

Mr. Mullin stated that they can serve until we find those names and make that decision on who to appoint.

Mr. Boevers stated that what he is saying is that he remembers on Electrical one year when he was chair at the time, they left that seat with somebody sitting in it expired for two years because they could not get any names. He stated that they finally got somebody, but more often than not we are getting one name and it is vetted through the nominating organization and then we are appointing them to the seat but we are basing it on the vetting they have done and then once it is put forward Jan does her vetting and then once it gets on the agenda we can vote on them.

Mr. Mullin stated that he thinks if it is a competent trade organization, they are going to have more than one candidate.

Mr. Boevers asked Mr. Mullin to name a trade organization that has given them more than one most of the time. He stated that it is across the board and it is not to say that they are incompetent it is just finding people that want to serve.

Mr. Mullin stated that they may think that it is just their seat to nominate one.

Mr. Boevers stated that he thinks they go through a vetting process within their organization and they come up with the one they want in the seat instead of giving us three names they give us this is the guy we want, we have looked at whoever is in our organization. He asked Ms. Hubbard how many times he has asked for more names.

Ms. Hubbard replied several times in several trades.

Mr. Boevers agreed that he asked for more names several times in several trades and they sat them expired quite a bit because they would have a name but wanted more options.

Mr. Mullin stated that as a Board and understanding what that statute is he thinks it is important for them to try.

Mr. Boevers stated that is what he is saying, they have tried. He stated that he is not saying they cannot try more, and he thinks there is a couple of things that can be done that might alleviate some of that and it could be as simple as posting in an agenda that we are going to take nominations next month for appointing these seats. He stated that it would give any organization a month notice that the seat is coming open.

Mr. Mullin stated that he appreciates the Board for seeing this on the agenda and giving him the opportunity to address it because all he wanted was the discussion.

Jon verified that there was no action on this item.

**No vote was taken on this item.*

BREAK

At approximately 2:31 pm 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, Jamey Mullin and Scott Soder

DISCUSSION AND POSSIBLE VOTE ON ADMINISTRATIVE CONSENT ORDER REFLECTING AGREEMENT BETWEEN PARTIES IN LIEU OF AN ADMINISTRATIVE HEARING IN RE THE MATTERS OF ALLEGED MECHANICAL INDUSTRY RULES VIOLATIONS OF JOSHUA WADE BROWN, CITATION NO. 22147

Mr. Dutton stated there are times when a citation is issued and due to circumstances related to that citation the best resolution is a consent order which reduces the fine while the situation gets corrected without having to go to hearing.

MOTION BY KEITH DEAVER WITH SECOND BY TODD FINLEY TO ACCEPT THE PROPOSED ADMINISTRATIVE CONSENT ORDER IN RE THE MATTERS OF ALLEGED MECHANICAL INDUSTRY RULES VIOLATIONS OF JOSHUA WADE BROWN, CITATION NO. 22147

MOTION PASSED

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

DISCUSSION AND POSSIBLE VOTE THE PURCHASE OF A NEW SECURITY CAMERA SYSTEM DUE TO OMES REQUIREMENTS AND ANY ADDITIOINAL ACTION NEEDED

Ms. Nunnery reminded Board members that in the last Board meeting they were told that OMES is requiring CIB to replace their current security camera system with a state standard OMES ISD security spec approved security camera system, including being installed and maintained by an OMES ISD state approved vendor. She stated that after receiving and comparing the two quotes the agency would like to request the Board's permission to engage in a contract with Convergent to install and maintain a new security camera system for the CIB. She stated that Convergent's most recent quote is comparable with the quote received from Automation Integrated but cheaper. She stated that there were some different offerings that caused the difference in the quotes and explained the differences in the quotes and warranties. Ms. Nunnery then detailed the possible future costs of the system. She discussed the possibility of part of the future costs being absorbed by OMES ISD but that it would require the agency to join AMAG through OMES ISD which is the state standard of access control but would also give OMES ISD access and control to the CIB's security camera system if enrolled in AMAG.

Mr. Ibarra asked if there was more details about the potential future costs.

Ms. Nunnery stated that it would depend on the needs of the agency at that time and what was being purchased. She then detailed the warranty information as it relates to potential future costs.

Mr. Boevers asked why there is a recurring cost now when there was not in the initial quote.

Mr. Buxton explained the quote difference between the prior quote and this quote and why there is a recurring cost if not associated with AMAG.

Mr. Deaver asked if Mr. Buxton investigated whether the agency could still use its current system.

Mr. Buxton explained why that would not be possible and gave details about the camera system, firewalls and other related specifications. He stated that he thinks it is important to have it written in the contract that only CIB has access and control to the cameras.

MOTION BY TODD FINLEY WITH SECOND BY LUPE IBARRA TO APPROVE THE PURCHASE OF A NEW SECURITY CAMERA SYSTEM FROM CONVERGINT AT THE COST AS DISCUSSED WITH THE CONTRACT NEGOTIATED TO STATE THAT ONLY CIB IS TO HAVE ACCESS

MOTION PASSED

Voting Aye: Larry Buxton
Keith Deaver
Lupe Ibarra
Todd Finley
Jamey Mullin
Scott Soder

Abstaining: Tony Boevers

DISCUSSION AND POSSIBLE VOTE TO APPROVE APPLICATION FORM PURSUANT TO HB 2858 (2023) AND ALLOW STAFF TO UPDATE THE FORM APPLICATION DEADLINE AS NEEDED WITH THE NEXT DEADLINE ON THE SCHEDULE AS PRESENTED

Ms. Wojtek presented the application form to the Board. She stated that the Board had previously approved the content, so this was just the finished form. She stated that this would be a fillable form making it easier for schools to fill out and apply. She stated that the agency is working on deadlines both with the schools on when they need money and when they can submit applications versus when we need to pay them so she has left the application deadline blank on the form but would like the ability to change it as needed.

MOTION BY TONY BOEVERS WITH SECOND BY LUPE IBARRA TO APPROVE THE APPLICATION FORM PURSUANT TO HB 2858 (2023) AND TO ALLOW STAFF TO UPDATE THE FORM APPLICATION DEADLINE AS NEEDED

MOTION PASSED

Voting Aye: Tony Boevers
Larry Buxton
Keith Deaver

Lupe Ibarra
Todd Finley
Jamey Mullin
Scott Soder

ADJOURNMENT

MOTION BY JAMEY MULLIN WITH SECOND BY TONY BOEVERS TO
ADJOURN THE MEETING.

MOTION PASSED

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

The meeting was adjourned at approximately 2:49 p.m.

Minutes approved in Regular Session on the 16th day of August, 2023.

/s/Scott Soder
Scott Soder, Chair

/s/ Stephanie Brown
Stephanie Brown, Board Secretary