

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

September 21st, 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, September 21st, 2022, in the Conference Room of the Construction Industries Board.

MEMBERS PRESENT: Tony Boevers, Keith Deaver, Larry Buxton, 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 and Ron Morris, Electrical Supervisor

OTHERS PRESENT: Jon Dutton, Assistant Attorney General; Steve Funck and Melody Kellogg, OMES/ABS; Mike Skinner, Joe Washington, Landon Varnell and Mike Mayhugh, Local 430; Tim Yaciuk, IEC; Brian Dearman & Larry Brouk, Local 344; Veronica Alarcon, OK Dept. of Commerce

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 21st day of September, 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 21st day of September, 2022.

NEW BUSINESS

There was no new business discussed.

PUBLIC COMMENTS

There were no public comments.

ADMINISTRATOR'S REPORT

Ms. Hubbard reported that the agency is currently working on the Strategic Plan Workbooks to submit along with the FY 2024 Budget Request approved at the last meeting. She stated that the due date for both is October 1. She reported that the strategic plan presentation would be in

conformity with the requirements and the Governor's goal of advancing state government through modernization of service delivery.

Ms. Hubbard reported that the CIB was notified that OMES will be conducting another Employee Engagement Survey for all state employees during October. She stated that supervisors are continuing to meet with staff to engage with them and focus on improving communication throughout the agency.

Ms. Hubbard reported that CIB's Cabinet Secretary, Susan Winchester, held a meeting with her assigned agencies. She stated that it was interesting to hear what other agencies are involved in and some of their challenges, some different and some similar to the CIB. She stated that in this meeting agencies were reminded of the Governor's 2020 Executive Order to "Break the Tape" by eliminating two administrative rules for every one new rule proposed and in identifying unnecessary and unneeded rules. She stated that the CIB had been reviewing and cleaning up rules for many years prior to that Executive Order and have not added any new rules since the Executive Order. She stated that agencies were commended for this work and encouraged to keep the Executive Order in mind.

Ms. Hubbard reported that agencies were also informed that LOFT (Legislative Office of Fiscal Transparency) is performing an evaluation on non-appropriated agencies with authority over professional licensing that is expected to be completed in October. She stated that she would keep the Board informed of what the agency hears on that report.

Ms. Hubbard reported that the HVAC concerns in the new lease space were resolved and thanked Scott and Keith for their assistance. She stated that the new lease has been approved by OMES/Capital Assets Management and signed by the Mall. She stated that there is one more document to obtain before the agency can sign and then the lease will be effective on October 1. She stated that it is her understanding that the remodeling of the vacated space is set to begin very soon.

Ms. Hubbard reported that the last item is really good news for the agency and its licensees. She stated that the credit card/ACH payment program for most renewals is now online, open and working. She stated that the agency would be posting information about this service to the licensees and most registrants on its website and social media very soon. She thanked Windy, Dannette, Basel and all those who helped for all their hard work on this project.

FINANCIAL REPORT

Written financial reports for the month ended August 31st, 2022, prepared by OMES/ABS were provided for review and discussion.

PUBLIC RELATIONS REPORT

Workforce Development

Ms. Wojtek stated that she is still waiting to get the finalized Mechanical video and invoice from Career Tech.

Ms. Wojtek stated that she is continuing to keep up with workforce development all across the state, including the OKC Bond issue that would put shop class back into some schools. She asked that if anyone sees anything relevant to please let her know.

Ms. Wojtek stated that she recently had the opportunity to meet with the SEP Energy Programs Planner with the Energy Team at the Oklahoma Department of Commerce to discuss areas of overlap in workforce development and to partner in educating about the trades and state licensing/registration requirements.

Ms. Wojtek stated that she is continuing to meet with industry groups on Workforce Development so the agency can increase collaboration and 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 10,524. She stated that these users had 46,038 page views. She stated that in continuing to dig into the analytics over the last six months she was able to see what days of the week CIB had the most users on its website. She stated that from March 1 to August 31, Tuesdays have the most users followed closely by Wednesdays.

Ms. Wojtek reported that all of the social media followings have increased since the last meeting. She stated that email subscribers are currently at 9,600.

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

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

Legislative Update

Ms. Wojtek reported that interim studies started last month and that as a reminder Pro Tem Treat approved 41 out of the 60 requests on the Senate side, and Speaker McCall approved all 82 requests on the House side and while none were on the CIB or the industries the agency would continue to watch them.

Ms. Wojtek reported that on August 30 she went to the Capitol for a couple of interim studies:

- IS22-066 which is a continuation of Oklahoma's Economic Diversification and the Growing Workforce Gap.
- IS22-067 which is a continuation of the Creation and Support of Innovation Economy that is sustainable in Oklahoma.

She stated that both are by Representative Hill. She stated that she was able to listen to multiple industries speak about their needs and that Plumbers, Electricians and HVAC Mechanics were mentioned in several including oil and gas, manufacturing and agricultural just to name a few. She stated that it was very informative to other industries that ours feed into throughout the state.

UPDATE ON PUBLIC COMMENTS AT THE AUGUST 17, 2022, MEETING RAISING CONCERNS ABOUT THE ORIGIN OF THE HOME BUILDERS ASSOCIATION LETTER SUBMITTED TO THE BOARD AT ITS MAY 25, 2022, MEETING

Chair Soder reported that the update at this time is that the Board is continuing to evaluate a possible course of action.

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 August.

Mr. Mullin stated that the meeting for the Mechanical Committee had been canceled a couple of times in a row and asked if they would be rescheduled. Ms. Hubbard stated that the Mechanical and Electrical Hearings and Committee meetings were canceled in July for lack of quorum and at the last meeting where the Board appointed new members to those committees it was to help avoid future quorum issues. She stated that regular committee meetings, Board meetings and hearings are all scheduled in advance for the year and that the next committee meetings are scheduled for November and all of the Respondents were notified and served with a new hearing date. Mr. Mullin stated that his concern is that from the records he pulled up the last meeting was in May which would have been in the second quarter and then the meeting was canceled for July which would have been the third quarter and it was canceled again in September and the Administrative Rules Subchapter 3, 158:50:3-1 states the Committee is to meet as often as necessary but at least once per quarter so we would not be compliant with those rules if it is not rescheduled prior to that.

Ms. Hubbard stated that she is not sure how one would force a meeting without a quorum. Mr. Dutton agreed with Ms. Hubbard but stated he would review the rule.

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

Mr. Hager followed up with Keith Deaver's question from the prior meeting on the enrollment from the Sapulpa report. Mr. Hager stated that there were 20 seats available and 15 are currently enrolled. He stated that there are 5 adults, 10 students and that two are female. He stated that they are very excited about it and expect full enrollment in the future.

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 August. 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 LUPE IBARRA 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
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 AUGUST 17, 2022

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

Mr. Mullin stated that there was a discussion had at the last meeting regarding a typo on the letter appointing Sonny Stas to the Electrical Committee that was not listed in the minutes and he was requesting an amendment.

Mr. Boevers stated that his memory of that discussion was thanking Mr. Mullin for catching the typo, but the typo having no effect on the vote or the item itself.

Mr. Dutton stated meeting minutes are a summary of the meeting and not a verbatim transcript and that that if the typo changed the item or vote it would have been reflected that way in the motion.

Mr. Mullin withdrew his amendment request.

MOTION BY TONY BOEVERS WITH SECOND BY KEITH DEAVER TO ACCEPT THE AUGUST 17, 2022, BOARD MEETING MINUTES AS PRESENTED.

MOTION PASSED

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

Scott Soder

CONSIDERATION AND POSSIBLE VOTE TO RE-APPOINT CHAD DENSON (BUILDING AND CONSTRUCTION INSPECTOR) AS A MEMBER OF THE COMMITTEE OF ROOFING EXAMINERS FOR A TWO-YEAR TERM EXPIRING OCTOBER 2024. TITLE 59 O.S. § 1151.26(B)(5)

Ms. Hubbard reported that Chad Denson is willing, able and interested in continuing to serve. She stated that the Board appointed Chad Denson in January of this year to fill the position left vacant by David Smith retiring. She stated that meant he filled the remainder of a two-year term, so this re-appointment would be for a first full two-year term for Mr. Denson.

MOTION BY TODD FINLEY WITH SECOND BY LUPE IBARRA TO RE-APPOINT CHAD DENSON AS A MEMBER OF THE COMMITTEE OF ROOFING EXAMINERS FOR A TWO-YEAR TERM EXPIRING OCTOBER 2024.

MOTION PASSED

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

DISCUSSION WITH POSSIBLE VOTE TO RENEW CONTRACT WITH ECAPITOL/QUORUM CALL FOR LEGISLATIVE TRACKING SERVICES FOR CALENDAR YEAR 2023

Ms. Hubbard reported eCapitol is now called Quorum Call and that they perform the same services and have the same software that CIB has been using for many years and that they were willing to renew at the same cost with no increase.

MOTION BY KEITH DEAVER WITH SECOND BY LUPE IBARRA TO RENEW CONTRACT WITH ECAPITOL/QUORUM CALL FOR LEGISLATIVE TRACKING SERVICES FOR CALENDAR YEAR 2023.

MOTION PASSED

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

DISCUSSION WITH POSSIBLE VOTE ON THE CONSTRUCTION INDUSTRIES BOARD REGULAR MEETING DATES FOR CALENDAR YEAR 2023

The proposed dates were provided for review.

MOTION BY JAMEY MULLIN WITH SECOND BY LARRY BUXTON TO ACCEPT THE CONSTRUCTION INDUSTRIES BOARD REGULAR MEETING DATES FOR CALENDAR YEAR 2023

MOTION PASSED

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

BREAK

At approximately 1:59 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

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 served as Chair of the Electrical Hearing Board when Docket No. CIB-21-E-005 was heard.

Matters heard by the Electrical Hearing Board on Docket No. CIB-21-E-005 as follows:

<u>Case No.</u>	<u>Respondent</u>	<u>Violation</u>
Citation No. 21665	Daniel Edwards	Contracting without a license
Citation No. 21565	Marcus Rempe	Contractor working unlicensed or unregistered individual (per person)
Citation No. 21564	Thomas Andrews	Contractor working unlicensed or unregistered individual (per person)
Citation No. 21876	Donnie Thacker	Unlicensed or unregistered individual performing trade work under the direction of another
Citation No. 21875	Ryan Corbow	Contracting without a license
Citation No. 21245	Shane Bagley	Contracting without a license
Citation No. 21242	Shane Bagley	Contracting without a license
Citation No. 21837	Christopher Bowden	Contractor working registered apprentice without direct supervision (per apprentice)

Citation No. 21804	Kerry Story	Contracting without a license
Citation No. 21805	Kerry Story	Contracting without a license
Citation No. 21803	Kerry Story	Contractor working unlicensed or unregistered individual (per person)
Citation No. 21802	Jonathan Blue	Unlicensed or unregistered individual performing trade work under the direction of another
Citation No. 21801	Scott Boillin	Unlicensed or unregistered individual performing trade work under the direction of another
Citation No. 21799	Marcus Lee	Contracting without a license
Citation No. 21798	Marcus Lee	Contracting without a license
Citation No. 21797	Marcus Lee	Contracting without a license
Citation No. 21486	Marcus Lee	Contracting without a license
Citation No. 21485	Marcus Lee	Contracting without a license
Citation No. 21484	Marcus Lee	Contracting without a license
Citation No. 21483	Marcus Lee	Contracting without a license
Citation No. 21482	Marcus Lee	Contracting without a license
Citation No. 21481	Marcus Lee	Contracting without a license
Citation No. 21775	James Miller	Unlicensed or unregistered individual performing trade work under the direction of another
Citation No. 21675	Jason Vaughn	Contractor working unlicensed or unregistered individual (per person)
Citation No. 21674	Jason Vaughn	Contractor working registered apprentice without direct supervision (per apprentice)
Citation No. 21496	Steven Hambrick	Unlicensed or unregistered individual performing trade work under the direction of another
Citation No. 21644	Daniel Edwards	Contracting without a license
Citation No. 21643	Daniel Edwards	Contracting without a license
Citation No. 21648	Brandon Hafer	Contractor working unlicensed or unregistered individual (per person)

MOTION BY TODD FINLEY WITH SECOND BY LUPE IBARRA TO ACCEPT THE PROPOSED ORDERS FOR THE MATTERS LISTED ON THE CONSENT AGENDA RELATED TO ELECTRICAL HEARING BOARD DOCKET CIB-21-E-005.

MOTION PASSED

Voting Aye: Larry Buxton
Keith Deaver

Todd Finley
Lupe Ibarra
Jamey Mullin
Scott Soder

Abstain: Tony Boevers

ADJOURNMENT

MOTION BY TODD FINLEY WITH SECOND BY JAMEY MULLIN TO ADJOURN
THE MEETING.

MOTION PASSED

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

The meeting was adjourned at approximately 2:02 p.m.

Minutes approved in Special Session on the 30th day of November, 2022.

/s/ Scott Soder
Scott Soder, Chair

/s/ Stephanie Brown
Stephanie Brown, Board Secretary