

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

June 21, 2023

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 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

4. 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

5. REPORTS

(A) Administrator's Report – Janis Hubbard, Administrator

(B) Financial Report – OMES ABS Representative

(C) Public Relations Report – Debra Wojtek, Public Relations and Outreach Officer

- Workforce Development
- Communications and Outreach
- Legislative Update

6. DIVISION REPORTS

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

7. CONSENT AGENDA FOR UNCONTESTED CITATIONS PAID, HEARING WAIVED

- (H) 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
- (I) 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
- (J) Discussion and possible action on items removed from Consent Agenda for Uncontested Citations Paid, Hearing Waived.

8. ACTION AND DISCUSSION ITEMS:

- (K) Discussion and possible vote on the Minutes of the Regular Meeting of the Construction Industries Board held April 26, 2023 – Chair Scott Soder
- (L) Discussion and possible vote on the purchase of a new security camera system due to OMES requirements – Windy Nunnery, Office Manager; Tony Ruml, OMES & Security Companies Representatives
- (M) 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.

- (N) Consideration and possible vote to re-appoint Glen Cates (plumbing inspector) as a member of the Committee of Plumbing Examiners for a two-year term expiring September 2025. Title 59 O.S. § 1004(A) – Janis Hubbard, Administrator
- (O) Consideration and possible vote to re-appoint Ronnie Smith (plumbing contractor) as a member of the Committee of Plumbing Examiners for a two-year term expiring September 2025. Title 59 O.S. § 1004(A)(1) – Janis Hubbard, Administrator
- (P) Consideration and possible vote to re-appoint John Moore (mechanical inspector) as a member of the Inspector Examiners Committee for a four-year term expiring September 2027. Title 59 O.S. § 1034 – Janis Hubbard, Administrator
- (Q) Discussion and possible vote to appoint a member of the Inspector Examiners Committee (Municipal officer) for a four-year term expiring September 2027. Title 59 O.S. § 1034 – Janis Hubbard, Administrator
- (R) Discussion and possible vote regarding appointment of the Electrical Inspector seat to the Committee of Electrical Examiners (position formerly held by David Adcock) for the remainder of a two-year term expiring September 2023. Title 59 O.S. § 1683(B)(1) – Janis Hubbard, Administrator
- (S) Discussion and possible vote regarding appointment of the Electrical Inspector seat to the Committee of Electrical Examiners (position formerly held by David Adcock) for the remainder of a two-year term expiring September 2025. Title 59 O.S. § 1683(B)(1) – Janis Hubbard, Administrator
- (T) Discussion and possible vote to re-appoint Miguel Baez as a layperson to the Committee of Mechanical Examiners for a two-year term expiring September 2025. Title 59 O.S. § 1850.4(B)(3) – Janis Hubbard, Administrator
- (U) Discussion and possible vote on Administrative Consent Order reflecting agreement between parties in lieu of an administrative hearing in Re the Matters of Alleged Plumbing Industry Rules Violations of Dave Shaw, Citation No. 21859. – Jon Dutton, Assistant Attorney General
- (V) Discussion and possible vote on the transfer of FY 2022 administrative fines to the Skilled Trade Education and Workforce Development Fund – Debra Wojtek, Public Relations & Outreach Officer & Janis Hubbard, Administrator
- (W) Discussion and possible vote to approve application content pursuant to HB 2858 (2023) and authorize staff to draft application form – Debra Wojtek, Public Relations and Outreach Officer

- (X) Discussion and possible vote on Administrator's recommendation of Candidate to fill the vacant Plumbing Field Investigator position previously held by Marion Harris – Janis Hubbard, Administrator
 - (i) Possible vote to convene into Executive Session pursuant to 25 O.S. § 307(B)(1) for discussion and possible action on Administrator's recommendation of for employment, hiring, appointment, for the vacant Plumbing Field Investigator position.
 - (ii) If Executive Session convened, vote to return to Open Session.
 - (iii) Possible vote on matters discussed related to Administrator's recommendation of Candidate for employment, hiring, appointment, for the vacant Plumbing Field Investigator position either from Executive Session or as discussed in Open Session.

9. CONSENT AGENDA TO RENEW ELECTRICAL RECIPROCITY AGREEMENTS- (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

- (Y) Discussion and possible vote on renewal of Reciprocal Journeyman Electrician License Agreement between the States of Nebraska and Oklahoma, contingent upon the State of Nebraska's approval – Ron Morris, Supervisor
- (Z) Discussion and possible vote on renewal of Reciprocal Journeyman Electrician License Agreement between the States of Colorado and Oklahoma, contingent upon the State of Colorado's approval – Ron Morris, Supervisor

10. BREAK

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

12. APPEAL OF PROPOSED ORDER FOR CITATION NO. 21060 ISSUED TO MICHAEL GOLDSTON – TIMELY FILED APPEAL AND BRIEF WITH REQUEST FOR ORAL ARGUMENT FOR INDIVIDUAL HEARING – Jon Dutton, Assistant Attorney General

- i. Review of Request for Appeal and Brief, and Brief in Response.
- ii. Hearing of Oral Arguments (limited to no more than 10 minutes for each side pursuant to OAC 158:1-5-13.1) – Michael Goldston, Pro Se; CIB Special Counsel
- iii. Possible vote to convene into Executive Session pursuant to 25 O.S. § 307(B)(8) to engage in deliberations on the Appeal of the Proposed Order for Citation No. 21060.
- iv. If Executive Session convened, vote to return to Open Session.
- v. Possible vote to Affirm the Proposed Order, Deny the Proposed Order or Remand the case to the Hearing Officer, with or without instructions, in the matter of the Appeal of the Proposed Order for Citation No.21060.

13. ADJOURNMENT