

**MINUTES OF THE REGULAR MEETING OF
THE INSPECTOR EXAMINERS
COMMITTEE
October 25, 2023
10:00 a.m.**

CALL TO ORDER:

At approximately 10:00 a.m., Chairman Les Currie called the meeting of the Inspector Examiners Committee to order in the CIB Conference Room, 2401 NW 23rd Street, Suite 2F, Oklahoma City, OK 73107.

COMMITTEE MEMBERS PRESENT: Les Currie, James Mansell, John Taylor, John Moore, Bryan Logan

COMMITTEE MEMBERS ABSENT: Keith Welsh

PRESENT FROM THE CONSTRUCTION INDUSTRIES BOARD: Janis Hubbard, Administrator; Angie Bookout, Inspector Division Secretary; Richard Hager, Inspector Liaison; Dannette Yousey, Plumbing Division Secretary; Debra Wojtek, Public Relations and Outreach Officer

OTHERS PRESENT: Jon Dutton, Assistant Attorney General

STATEMENT OF COMPLIANCE WITH THE OPEN MEETING ACT:

This regular meeting of the Oklahoma Inspector Examiners Committee, scheduled to begin at 10:00 a.m. on this 25th day of October, 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.

6 people have filed a written request for notice of meetings of this public body to date.

Read aloud this 25th day of October 2023.

NEW BUSINESS

There was no new business.

PUBLIC COMMENTS

There were no public comments.

ACTION ITEMS:

DISCUSSION WITH POSSIBLE VOTE ON THE MINUTES OF THE REGULAR MEETING OF THE COMMITTEE OF INSPECTOR EXAMINERS HELD ON JUNE 28, 2023.

The Committee was provided a draft of the Minutes for the June 28, 2023, meeting of the Inspector Examiners Committee.

MOTION MADE BY JOHN TAYLOR WITH A SECOND BY JAMES MANSELL TO APPROVE THE JUNE 28, 2023, COMMITTEE MEETING MINUTES AS SUBMITTED.

MOTION PASSED

Voting aye: Les Currie
James Mansell
John Taylor
John Moore

Absent: Keith Welsh
Abstain: Bryan Logan

DISCUSSION AND POSSIBLE VOTE TO CONSIDER RECOMMENDING AN ADMINISTRATIVE RULE TO THE CIB BOARD FOR THE ADMINISTRATIVE RULEMAKING PROCESS, PURSUANT TO THE OKLAHOMA ADMINISTRATIVE PROCEDURES ACT, TO PROPOSE A CHANGE TO OAC 158:60-5-5 BY DRAFTING AND APPROVING LANGUAGE THAT WOULD ALLOW FOR THE AUTOMATIC RECOGNITION AND APPROVAL OF ALL INTERNATIONAL CODE COUNCIL (ICC) CONTINUING EDUCATION COURSES (CEUS) WITHOUT THE PROVIDER, ICC, FILING AN APPLICATION AND WITHOUT ICC OBTAINING PROVIDER, COURSE OR INSTRUCTOR APPROVAL BY THE COMMITTEE - AS REQUESTED IN TELEPHONE CALL ON AUGUST 22, 2023, BY RANDALL FRYAR, CHIEF BUILDING OFFICIAL, MIDWEST CITY, WITH HIS REASONING PROVIDED AS:

- i. **THERE ARE CURRENTLY INSUFFICIENT CONINUING EDUCATION COURSE OFFERINGS FOR INSPECTORS, THERE NEEDS TO BE MORE COURSES AVAILABLE, AND MORE ONLINE COURSES AVAILABLE.**
- ii. **THE NUMBER OF OFFERING FOR CONTRACTORS DWARFS THOSE FOR INSPECTORS, EVEN THOUGH THERE ARE MANY MORE CONTRACTORS THAN INPSECTORS, INSPECTORS HAVE TO HAVE MORE CEU HOURS (ANNUALLY) THAN CONTRACTORS (EVERY 36 MONTHS),**
- iii. **OKLAHOMA ACCEPTS ICC CODES, AND**
- iv. **ICC PROVIDES INSPECTOR EXAMS.**

The Committee considered the request submitted by Randall Fryar, Chief Building Official, Midwest City.

INSPECTOR EXAMINERS COMMITTEE MEETING MINUTES

October 25, 2023

Page 3

Mr. Currie deferred to Mr. Jon Dutton, Attorney General, for his counsel regarding the request since it applies to rule changes.

Mr. Dutton shared two concerns as the Committee considered the request:

1) Mr. Dutton stated that there could be a delegation issue. The legislature has authorized the Construction Industries Board (CIB) and this committee to approve continuing education requests. The process has been to review applications, skills of the provider and it's application to the inspector trade(s). The delegation issue comes into place because the courses would not go through the review process. It could appear that the CIB would be delegating the review power (given by the legislature) to an independent entity. This could be misconstrued as an improper delegation of authority and result in legal challenges.

2) Mr. Dutton stated that although this is a rule and not a statute request, there is a concept called "Special Law". Special laws can be in violation when they carve out a specific entity and treat them differently than the rest of the population. This could have the potential to create problems for the CIB.

The committee discussed that some courses presented in the past did not always apply to inspectors so all courses submitted are not approved.

MOTION MADE BY JOHN TAYLOR WITH A SECOND BY JAMES MANSELL TO DENY THE REQUEST TO PROPOSE A CHANGE TO OAC 158:60-5-5 BY DRAFTING AND APPROVING LANGUAGE THAT WOULD ALLOW FOR THE AUTOMATIC RECOGNITION AND APPROVAL OF ALL INTERNATIONAL CODE COUNCIL (ICC) CONTINUING EDUCATION COURSES (CEUS) WITHOUT THE PROVIDER, ICC, FILING AN APPLICATION AND WITHOUT ICC OBTAINING PROVIDER, COURSE OR INSTRUCTOR APPROVAL BY THE COMMITTEE.

MOTION PASSED

Voting aye: Les Currie
James Mansell
John Taylor
Bryan Logan
John Moore

Absent: Keith Welsh

DISCUSSION WITH POSSIBLE VOTE ON CEU REQUEST:

- *American Concrete Institute (ACI)*, The New ACI Code 440.11 on GFRP Reinforced Concrete: Implementation of Building Code Officials, 9/11/2023, Jay Pease, Instructor, 2 credit hours for Building Inspectors.

The Committee reviewed the material submitted by American Concrete Institute.

MOTION MADE BY BRYAN LOGAN WITH A SECOND BY JOHN MOORE TO APPROVE AMERICAN CONCRETE INSTITUTE APPLICATION AS PRESENTED.

INSPECTOR EXAMINERS COMMITTEE MEETING MINUTES

October 25, 2023

Page 4

MOTION PASSED

Voting aye: Les Currie
James Mansell
John Taylor
Bryan Logan
John Moore

Absent: Keith Welsh

- ***O.M.I.A. (OK Mechanical Inspector's Association)***, Flue Gas Vent Materials and Standards, October 25, 2023, Issac Favata & William A Summers, Instructors, 4 credit hours for Mechanical Inspectors.

The Committee reviewed the material submitted by O.M.I.A. (OK Mechanical Inspector's Association).

MOTION MADE BY JOHN TAYLOR WITH A SECOND BY BRYAN LOGAN TO APPROVE O.M.I.A. (OK MECHANICAL INSPECTOR'S ASSOCIATION) APPLICATION AS PRESENTED.

MOTION PASSED

Voting aye: Les Currie
James Mansell
John Taylor
Bryan Logan
John Moore

Absent: Keith Welsh

- ***OPIA***, Fuel Gas Venting Fundamentals, 10/26/2023, John Magloughlin, Instructor, 2 credit hours for Plumbing Inspectors.

The Committee reviewed the material submitted by OPIA.

MOTION MADE BY JOHN TAYLOR WITH A SECOND BY BRYAN LOGAN TO APPROVED O.M.I.A. (OK MECHANICAL INSPECTOR'S ASSOCIATION) APPLICATION AS PRESENTED.

MOTION PASSED

Voting aye: Les Currie
James Mansell
John Taylor
Bryan Logan
John Moore

Absent: Keith Welsh

INSPECTOR EXAMINERS COMMITTEE MEETING MINUTES

October 25, 2023

Page 5

- **Oklahoma Uniform Building Code Commission**, Photovoltaic Systems, October 3, 2023, Jeff Fecteau, Instructor, for 6 credit hours (maximum allowable) for Building Inspectors.

The Committee reviewed the material submitted by Oklahoma Uniform Building Code Commission.

MOTION MADE BY JOHN MOORE WITH A SECOND BY JOHN TAYLOR TO APPROVE OKLAHOMA UNIFORM BUILDING CODE COMMISON APPLICATION AS PRESENTED.

MOTION PASSED

Voting aye: Les Currie
James Mansell
John Taylor
Bryan Logan
John Moore

Absent: Keith Welsh

- Approval of additional Instructor on previously approved course. **Manufactured Housing Association of Oklahoma**, Manufactured Housing Installation 101, October 5, 2023, Calvin Phillips, Instructor, 6 credit hours for City Inspectors.

The Committee reviewed the material submitted by Manufactured Housing Association of Oklahoma.

MOTION MADE BY JOHN TAYLOR WITH A SECOND BY JOHN MOORE TO APPROVE MANUFACTURED HOUSING ASSOCIATION OF OKLAHOMA APPLICATION AS PRESENTED.

MOTION PASSED

Voting aye: Les Currie
James Mansell
John Taylor
Bryan Logan
John Moore

Absent: Keith Welsh

ADJOURNMENT

A MOTION WAS MADE JAMES MANSELL WITH A SECOND BY BRYAN LOGAN TO ADJOURN.

MOTION PASSED

Voting aye: Les Currie

Absent: Keith Welsh

INSPECTOR EXAMINERS COMMITTEE MEETING MINUTES

October 25, 2023

Page 6

James Mansell
John Taylor
Bryan Logan
John Moore

Minutes approved in regular Session on the 25rd day of October, 2023.

 /s/ Les Currie
Les Currie, Chairperson

PREPARED BY: /s/ Brittany Haywood
Brittany Haywood, Secretary to the Electrical Examiners Committee