

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

April 24th, 2024

CALL TO ORDER AND RECORDING OF MEMBERS PRESENT AND ABSENT

The regular meeting of the Construction Industries Board was called to order by Chair Larry Buxton at approximately 1:30 p.m. on Wednesday, April 24th, 2024, in the Conference Room of the Construction Industries Board.

MEMBERS PRESENT: Larry Buxton, Jason Deal, Keith Deaver, Todd Finley, Lupe Ibarra, Jonathan Jackson & Jamey Mullin

CIB STAFF PRESENT: Janis Hubbard, Administrator; Stephanie Brown, Board Secretary/ Executive Assistant; Windy Nunnery, Office Manager; Tony DeSha, Public Relations and Outreach Officer; Richard Hager, Plumbing & Roofing Supervisor; Gary Kirk, Mechanical Supervisor and Ron Morris, Electrical Supervisor

OTHERS PRESENT: Jon Dutton, Assistant Attorney General; Christy Tubbs, OMES/ABS; Michael Kubala, Applicant; Trey Tiderman, Ford AV

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 24th day of April, 2024, 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 24th day of April, 2024.

NEW BUSINESS

There was no new business discussed.

PUBLIC COMMENTS

There were no public comments

ADMINISTRATOR'S REPORT

Ms. Hubbard thanked Ford AV for being present to help with audio issues.

Ms. Hubbard reported that the agency has been very busy but one of the biggest accomplishments is the successful transition of the website to Adobe AEM platform. She stated that there are still some tweaks to make but that all the feedback so far has been positive. She thanked Windy and other staff members involved with working through the transition.

Ms. Hubbard stated that the agency is continuing to make social media posts and received a lot of engagement on a recent Skills USA post that will be discussed later in the meeting. She thanked field supervisors putting in so much extra time this month interviewing, working a booth at the Tulsa Spring Home & Garden show as well as working and judging the Skills USA competition along with other field staff and Chairman Buxton.

Ms. Hubbard reported that legislatively this is a deadline week. She stated that the two electrical bills, the roofing bill and the agency's Administrative rules are still moving forward.

Chairman Buxton thanked staff again for their work on the website and discussed how the changes made have helped the public.

FINANCIAL REPORT

Written financial reports for the month ended March 31st, 2024, prepared by OMES/ABS were provided for review and discussion.

Chairman Buxton stated that he knows OMES/ABS has had staff changes but stated that the agency is having issues staying compliant because of the instability at OMES/ABS. He asked Christy Tubbs what can be done for both agencies to partner together to get better results, specifically with answering and responding timely on varying emails and inquiries and things that are audit findings for the agency that are negative for the agency. He stated that the agency has not had audit findings in a great number of years and does not want one and is not looking forward to having one due to OMES/ABS. He asked how it can be prevented moving forward.

Ms. Tubbs stated that during the transition someone was trained but she is not sure if they just did not have the experience or the knowledge to complete the things for the Form 11 and the transfer, so it was passed off to her after the due date for that transfer. She stated that it would not happen again. She stated that she has made it clear that she is taking that over until someone steady is in that position that can take care of it for the agency. She stated that she is going to meet with staff to go over any questions or issues she has with the reports and so that she can understand them fully until the new person is in place.

Mr. Buxton verified that Ms. Tubbs would be the point person on this moving forward and that the agency could be confident knowing that moving forward there were not going to be any more late transfers and that will prevent the agency from having any audit findings or negative impact.

Ms. Tubbs stated that is correct.

Mr. Buxton thanked her and stated that he really looks forward to seeing her and hearing from her moving forward.

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

Mr. Mullin stated that for electrical there is 17,000 combination of apprentices, contractors and journeyman and in plumbing there is a combination of 8,800 so almost half but in citations there is more citations and the same field contacts so it looks like there is the same amount of work with half the volume and asked why.

Mr. Hager stated that the citations listed for plumbing are part of the plumbing field staff report so the citations could be for any trade and not just plumbing, they were just citations written by the plumbing division that become part of the plumbing division report.

Mr. Mullin asked if that is the case why even report it. He stated it is clear and that is a good answer, but he did not understand what the numbers were.

Mr. Deaver stated that he thought each division was separate.

Mr. Hager said the complaints are just for plumbing, but the report is all citations written by the plumbing division.

Ms. Hubbard stated that for context, since this report has been around since before she was the Administrator, this is a division report and the divisions started out as separate committees under the Health Department, so it might be helpful to think of it as an activity report of what that division's staff has been doing so even if they write citations to another trade, it goes on their activity report as part of what they have been doing.

Mr. Mullin stated that he would like to see the volume under each of the trades.

Chairman Buxton said that it could be followed up on later.

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 March along with Home Inspector and Building Inspector numbers.

**Tony DeSha showed pictures from Skills USA*

Chairman Buxton asked if the Board would start getting website analytics back anytime soon.

Ms. Hubbard stated that Mr. DeSha is still relatively new, only being employed for 3 ½ weeks, and that the website was the first priority, and continuing to make social media posts while keep track of legislation but that yes, it would be one of the next things.

Mr. Finley asked if there is a way statistically to track where the interest lies in the trades.

Mr. DeSha stated that he is not sure if he will have access to that data, but he will find out if he can get that data.

Ms. Hubbard stated that it is a big ask, but to narrow it down, on these agreements, part of which are later in the agenda, they have to put what they anticipate the increase will be in interest. She stated that as far as the return on investments, it is supposed to be on those reports to the Board that are part of the contracts.

Mr. Mullin stated that they normally receive reports about bills or things that pertain to the construction industry and asked Mr. DeSha if he gives those updates or if Ms. Hubbard would.

Mr. DeSha stated that going forward he would be doing them, but that if there are questions now, Ms. Hubbard would be the best person to speak on it.

Ms. Hubbard stated that she reported on the two electrical bills, the roofing bill and the Administrative rules back in her report. She stated that if there is something else the Board wants the agency to track to let her know.

Mr. Mullin asked if there was an update on the rules bill.

Ms. Hubbard stated that the only update she has is that they are continuing to move forward. She stated that she has not heard any issues with the rules.

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 JAMEY MULLIN TO APPROVE THE CONSENT AGENDA FOR UNCONTESTED CITATIONS PAID, HEARINGS WAIVED.

MOTION PASSED

Voting Aye: Larry Buxton
Jason Deal
Keith Deaver
Todd Finley
Lupe Ibarra
Jonathan Jackson
Jamey Mullin

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

DISCUSSION AND POSSIBLE VOTE ON THE MINUTES OF THE REGULAR MEETING OF THE CONSTRUCTION INDUSTRIES BOARD HELD MARCH 27th, 2024

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

MOTION BY KEITH DEEVER WITH SECOND BY LUPE IBARRA TO ACCEPT THE MARCH 27th, 2024, MEETING MINUTES AS PRESENTED

MOTION PASSED

Voting Aye: Larry Buxton
Jason Deal
Keith Deaver
Todd Finley
Lupe Ibarra
Jonathan Jackson
Jamey Mullin

DISCUSSION AND POSSIBLE VOTE ON ADMINISTRATOR'S RECOMMENDATION OF CANDIDATE TO FILL THE VACANT MECHANICAL FIELD INVESTIGATOR POSITION PREVIOUSLY HELD BY DAVID VETETO

(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 Mechanical 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 Mechanical Field Investigator position either from Executive Session or as discussed in Open Session.

Ms. Hubbard stated that the agency received 6 applications, interviewed 3 applicants and that the highest scoring applicant is Michael Kubala and he is her recommendation for this position.

Mr. Kirk gave a brief background for Mr. Kubala to the Board and told the Board that Mr. Kubala was present for any questions.

Mr. Mullin asked questions of Mr. Kubala.

MOTION BY JAMEY MULLIN WITH SECOND BY JONATHAN JACKSON TO HIRE MICHAEL KUBALA FOR THE VACANT MECHANICAL FIELD INVESTIGATOR POSITION

MOTION PASSED

Voting Aye: Larry Buxton

Jason Deal
Keith Deaver
Todd Finley
Lupe Ibarra
Jonathan Jackson
Jamey Mullin

DISCUSSION AND ANNOUNCEMENT OF ANY DISQUALIFICATION OR CONFLICT OF INTEREST AS DEFINED BY STATE LAWS AND RECUSAL OF ANY BOARD MEMBER DUE TO CONSIDERATION OF A PROPOSED AGREEMENT FOR THE SKILLED TRADE EDUCATION WORKFORCE DEVELOPMENT FUND AUTHORIZED BY 59.O.S. § 1000.4A, AS LISTED IN THE FOLLOWING AGENDA ITEM

Mr. Dutton stated that this is just to make sure that there are no conflicts and no impartiality in relation to Meridian Technology Center. He then explained that you would have to have a financial interest in Meridian Technology, not just hire their students. He asked if any Board members have anything to declare in relation to Meridian Technology.

**No Board members responded*

DISCUSSION AND POSSIBLE VOTE ON PROPOSED AGREEMENT FOLLOWING APPLICATION APPROVED BY THE BOARD FOR SKILLED TRADE EDUCATION WORKFORCE DEVELOPMENT FUNDS AUTHORIZED BY 59.O.S. § 1000.4A, CONTINGENT UPON APPROVAL BY MERIDIAN TECHNOLOGY CENTER

- i. **Project: Plumbing Trade Video**
 Applicant: Meridian Technology Center, Stillwater
 Amount: \$8,000.00

Ms. Hubbard stated that the Board looked at the application at the January meeting, and after the application was approved by the Board, it was drafted into the form of an agreement for the Board's final review. She stated that the final agreement draft is what is before the Board today.

She stated that the next deadline for applications is July 15.

MOTION BY JONATHAN JACKSON WITH SECOND BY JASON DEAL TO APPROVE THE AGREEMENT WITH MERIDIAN TECHNOLOGY CENTER AS PRESENTED

MOTION PASSED

Voting Aye: Larry Buxton
 Jason Deal
 Keith Deaver
 Todd Finley
 Lupe Ibarra
 Jonathan Jackson
 Jamey Mullin

DISCUSSION AND POSSIBLE VOTE ON THE TRANSFER OF FY 23 ADMINISTRATIVE FINES TO THE SKILLED TRADE EDUCATION AND WORKFORCE DEVELOPMENT FUND

Ms. Hubbard stated that as a reminder every year, according to the statute the agency reviews fines collected in the prior fiscal year. She explained how the amount to be transferred to the fund is determined. She stated that all of the fine money for FY 23 can be transferred to the fund.

MOTION BY KEITH DEAVER WITH SECOND BY JONATHAN JACKSON TO APPROVE THE TRANSFER OF THE FY 23 ADMINISTRATIVE FINES TO THE SKILLED TRADE EDUCATION AND WORKFORCE DEVELOPMENT FUND.

MOTION PASSED

Voting Aye: Larry Buxton
Jason Deal
Keith Deaver
Todd Finley
Lupe Ibarra
Jonathan Jackson
Jamey Mullin

DISCUSSION AND POSSIBLE VOTE ON EMPLOYEMENT, HIRING, APPOINTMENT, PROMOTION, DEMOTION, DISCIPLINING OR RESIGNATION OF ALL CIB STAFF SPECIFICALLY CONCERNING THE EVALUATION OF POSSIBLE STAFF PAY ADJUSTMENTS FOR ALL ELIGIBLE CIB STAFF

- (i) Possible vote to convene into Executive Session -- Pursuant to 25 O.S. § 307(B)(1), the Board may convene in Executive Session to discuss changes to existing salaries, or setting salary ranges, for all eligible CIB employees as follows: Linnie Bicknell, Melissa Briones, Stephanie Brown, Cody Davis, Tony DeSha, Susan Fleck, Clifford Foster, David Fox, Richard Hager, Brittany Haywood, Carla Hipkins, Janis Hubbard, Dale Hudson, Basel Kilani, Gary Kirk, Brandy Lermon, Timothy Mahoney, Johnny Miller, Ron Morris, Robert Newberg, Windy Nunnery, Buddy Osborn, Derric Pruitt, Stanley Scheilz, Jason Smith, Michael Smith, Tamara Solano, Kim Stell, Ronnie Terry, Shereice Word, Christopher Wyre and Dannette Yousey.
- (ii) Possible vote to return to Open Session
- (iii) Possible vote on matters discussed in Executive Session related to possible action on changes to existing salaries, or setting salary ranges, for all eligible CIB employees as follows: Linnie Bicknell, Melissa Briones, Stephanie Brown, Cody Davis, Tony DeSha, Susan Fleck, Clifford Foster, David Fox, Richard Hager, Brittany Haywood, Carla Hipkins, Janis Hubbard, Dale Hudson, Basel Kilani, Gary Kirk, Brandy Lermon, Timothy Mahoney, Johnny Miller, Ron Morris, Robert Newberg, Windy Nunnery, Buddy Osborn, Derric Pruitt, Stanley Scheilz, Jason Smith, Michael Smith, Tamara Solano, Kim Stell, Ronnie Terry, Shereice Word, Christopher Wyre and Dannette Yousey.

MOTION BY JAMEY MULLIN WITH SECOND BY LUPE IBARRA TO CONVENE INTO EXECUTIVE SESSION.

MOTION PASSED

Voting Aye: Larry Buxton
Jason Deal
Keith Deaver
Todd Finley
Lupe Ibarra
Jonathan Jackson
Jamey Mullin

Note: The Board went into Executive Session at approximately 2:11 p.m., and Mr. Dutton and Ms. Hubbard joined the Board in Executive Session.

MOTION BY TODD FINLEY WITH SECOND BY KEITH DEAVER TO RETURN TO OPEN SESSION FROM EXECUTIVE SESSION.

MOTION PASSED

Voting Aye: Larry Buxton
Jason Deal
Keith Deaver
Todd Finley
Lupe Ibarra
Jonathan Jackson
Jamey Mullin

Mr. Dutton noted that there were no votes taken in Executive Session.

MOTION BY TODD FINLEY WITH SECOND BY LUPE IBARRA TO INCREASE THE SALARIES OF ALL ELIGIBLE EMPLOYEES BY 8% TO BEGIN ON JULY 1, 2024, FOR FY 25 AND NOT TO EXCEED ANY LEGISLATIVE DIRECTION

MOTION PASSED

Voting Aye: Larry Buxton
Jason Deal
Keith Deaver
Todd Finley
Lupe Ibarra
Jonathan Jackson
Jamey Mullin

MOTION BY TODD FINLEY WITH SECOND BY JASON DEAL TO PROVIDE A ONE-TIME PAY DIFFERENTIAL OF \$3,500 TO ALL ELIGIBLE EMPLOYEES IN POSITIONS EMPLOYED ON MAY 31, 2024, FOR SPECIAL REQUIREMENTS UNDER UNPRECEDENTED CIRCUMSTANCES AND UNPARALLELED INFLATION

MOTION PASSED

Voting Aye: Larry Buxton

Jason Deal
Keith Deaver
Todd Finley
Lupe Ibarra
Jonathan Jackson
Jamey Mullin

DICUSSION AND POSSIBLE VOTE TO APPROVE THE FY 25 BUDGET WORK PROGRAM

Ms. Hubbard thanked Stephanie for all her work on the budget. She stated that it is better than a flat budget. She stated that the savings are due to nonrecurring expenses from the previous fiscal year and explained those savings. She stated that she wants to remind the Board that they look at the budget twice a year, once in September for the Budget Request and now for the Budget Work Program. She stated that the budget does not include the salary increase that was just approved by the Board. She reminded the Board that the budget work program is not a statement of what the agency will spend but it establishes the amount that the CIB would have the ability to spend. She stated that the approval is not a blanket approval of all expenditures and does not mean that the Board is approving any particular contract as contracts will still be brought before the Board for approval as they have been.

MOTION BY JONATHAN JACKSON WITH SECOND BY JASON DEAL TO APPROVE THE FY 25 BUDGET WORK PROGRAM AS AMENDED BY THE SALARY CHANGES APPROVED IN ITEM O OF THIS AGENDA

MOTION PASSED

Voting Aye: Larry Buxton
Jason Deal
Keith Deaver
Todd Finley
Lupe Ibarra
Jonathan Jackson
Jamey Mullin

CONSIDERATION AND POSSIBLE VOTE TO RE-APPOINT SONNY STAS (INDEPENDENT ELECTRICAL CONTRACTOR) AS A MEMBER OF THE COMMITTEE OF ELECTRICAL EXAMINERS FOR A TWO-YEAR TERM EXPIRING SEPTEMBER 2026. TITLE 59 O.S. § 1683(B)(6)

Chairman Buxton stated that as a reminder on these appointments, the agency sent out letters to the committee members asking them to notify their appointing agency, to send in something sooner for them, and the appointing agencies also provided, at our request, some bios giving the Board a more historical background on the people being appointed and that is what we have on those agenda items moving forward.

He stated that this is starting with the letter received from IEC requesting the re-appointment of Sonny Stas. He stated that he has an active license, no citations pending and has over 40 years of experience in the trade and comes with great recommendation from IEC.

MOTION BY TODD FINLEY WITH SECOND BY JAMEY MULLIN TO RE-APPOINT SONNY STAS AS A MEMBER OF THE ELECTRICAL EXAMINERS COMMITTEE FOR A TWO-YEAR TERM EXPIRING SEPTEMBER 2026

MOTION PASSED

Voting Aye: Larry Buxton
Jason Deal
Keith Deaver
Todd Finley
Lupe Ibarra
Jonathan Jackson
Jamey Mullin

CONSIDERATION AND POSSIBLE VOTE TO RE-APPOINT CLIFF STEWART (ELECTRICAL JOURNEYMAN) AS A MEMBER OF THE COMMITTEE OF ELECTRICAL EXAMINERS FOR A TWO-YEAR TERM EXPIRING SEPTEMBER 2026. TITLE 59 O.S. § 1683(B)(4)

Chairman Buxton stated that Cliff Stewart has an active license, no pending citations and has been in the trade for over 38 years. He stated that he has a great recommendation from IBEW.

MOTION BY JASON DEAL WITH SECOND BY KEITH DEEVER TO RE-APPOINT CLIFF STEWART AS A MEMBER OF THE ELECTRICAL EXAMINERS COMMITTEE FOR A TWO-YEAR TERM EXPIRING SEPTEMBER 2026

MOTION PASSED

Voting Aye: Larry Buxton
Jason Deal
Keith Deaver
Todd Finley
Lupe Ibarra
Jonathan Jackson
Jamey Mullin

CONSIDERATION AND POSSIBLE VOTE TO RE-APPOINT LES CURRIE (ELECTRICAL INSPECTOR) AS A MEMBER OF THE COMMITTEE OF INSPECTOR EXAMINERS FOR A FOUR-YEAR TERM EXPIRING SEPTEMBER 2028. TITLE 59 O.S. § 1034

Chairman Buxton stated this is a four-year term, that Les Currie has a recommendation from the IAEI and his biography is provided as well. He stated that he has an active license, has no pending citations, and has been in the trade for over 33 years.

MOTION BY JONATHAN JACKSON WITH SECOND BY LUPE IBARRA TO RE-APPOINT LES CURRIE AS A MEMBER OF THE COMMITTEE OF INSPECTOR EXAMINERS FOR A FOUR-YEAR TERM EXPIRING SEPTEMBER 2028

MOTION PASSED

Voting Aye: Larry Buxton
Jason Deal
Keith Deaver
Todd Finley
Lupe Ibarra

Jonathan Jackson
Jamey Mullin

CONSIDERATION AND POSSIBLE VOTE TO APPOINT A PERSON (LAY MEMBER) TO THE COMMITTEE OF INSPECTOR EXAMINERS FOR A FOUR-YEAR TERM EXPIRING SEPTEMBER 2028. TITLE 59 O.S. § 1034

Chairman Buxton stated that this is for a lay person for the Committee and that because this position is unaffiliated it does not come with a letter of recommendation, but that Scott Cox has provided a general resume for this position. He stated that you want someone on this committee who knows what following the rules is and how to apply that and Mr. Cox has a wealth of experience in law enforcement.

Mr. Finley stated that having 20+ years in law enforcement, investigations, and internal affairs it seems like he has a lot of upper management experience and would make a very good layman for this position.

MOTION BY TODD FINLEY WITH SECOND BY JONATHAN JACKSON TO APPOINT SCOTT COX AS A MEMBER OF THE COMMITTEE OF INSPECTOR EXAMINERS FOR A FOUR-YEAR TERM EXPIRING SEPTEMBER 2028

MOTION PASSED

Voting Aye: Larry Buxton
Jason Deal
Keith Deaver
Todd Finley
Lupe Ibarra
Jonathan Jackson
Jamey Mullin

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 2026. TITLE 59 O.S. § 1151.26(B)(5)

Chairman Buxton stated that this item is to re-appoint Chad Denson to the Committee of Roofing examiners. He stated that Mr. Denson has been with the City of Moore as a building inspector, his license status is active and has no pending citations. He stated that he has been licensed since 2005 and comes with a great reference from the Oklahoma Building Inspector's Association.

Mr. Finley stated that he was privileged to be on one of the hiring committees for Chad Denson back in the day when he started with the City of Woodward and he is very knowledgeable about the trades, very intuitive, and very active in working with different agencies and various entities with community development and would be a great representative.

Mr. Mullin stated that the rules in appointment for roofing are similar to plumbing, so it requires that the member be selected from a list of 3 qualified and eligible inspectors submitted by a state organization representing inspectors. He stated that they provided

the 3 inspectors but only provided a biography for one. He asked if the Board chooses the member or is the trade organization making that selection for the Board.

Chairman Buxton stated that Mr. Denson has more knowledge and experience than the other two names listed and provided those details. He stated that Chad Denson is who they are recommending.

Mr. Mullin asked if it is them that makes the decision or the Board. He stated that he did not get the information the Chairman provided.

Chairman Buxton stated that he had additional information on the other two listed in case this came up and he needed to have it. He stated that as he understands it, there are to be three names presented and they gave those three names along with their recommendation.

Mr. Dutton read the statute. He verified that they are to provide a list of three names.

Chairman Buxton stated that the Board can choose from any of those three names.

Mr. Mullin stated that they do not have information for the other two.

Mr. Jackson stated that the recommendation is just stating that of these three, this is the one I would pick, but we can still choose one of the other two but none of them gave us a resume.

Chairman Buxton stated we do not have those, we requested it, but the best we can do is make the request, we cannot compel them.

Mr. Jackson stated that it can be kicked back.

Mr. Finley stated that they are recommending that the incumbent be re-appointed.

Mr. Dutton stated that there is no statutory authority to do anything about them not providing more information beyond the three names. He stated that you can request new names, but the association can choose to submit the exact same names.

Mr. Mullin stated that he understood that the Board is picking from the names and not the trade organization stating this is who we want you to pick so we are not going to provide you any detail on the other two, just the one we want.

Mr. Dutton stated that the authority the Board has is to pick from the list of names.

Mr. Mullin stated that he would like more information.

Mr. Dutton stated that you can request more information, but they do not have to provide that. There is no authority saying that they have to provide more information.

Mr. Mullin stated that there is no authority saying that we have to accept their names.

Mr. Dutton stated that to put someone on that committee, you would have to accept a name eventually, unless you want the seat to sit expired.

Chairman Buxton stated that if they are not re-appointed, they will sit expired until somebody is appointed. He stated that if they do not want to take action that is fine but there is no way to compel further information.

Mr. Jackson asked if there are any issues with Chad in the position currently.

Chairman Buxton stated there are none that he has been made aware of.

Mr. Jackson stated that there would be no compelling reason to remove him.

Mr. Mullin stated not to remove him, but we do not know anything about these other candidates that may be as qualified before we re-appoint someone who has already been there.

Mr. Finley stated that he would like more information too but in the end, they are required to pick from the list of names provided by the association.

Mr. Mullin stated that he wants them to come and present themselves.

Mr. Deaver asked if the Board is allowed to reach out to the other candidates.

Mr. Buxton stated that the law is very clear that the Board chooses from a list of names presented. He stated that if the Board keeps putting steps and hurdles into the process they will get down to where they are putting nobody on these committees and no work will happen.

Mr. Mullin stated that he would like to not set a precedent about the Board not making the choices and a trade organization is, and he would like to see resumes in advance and be sure it is the Boards choice, even if it is the three that they provide.

Mr. Finley stated that would require a legislative change.

Mr. Mullin asked how if it is the Board's choice.

Mr. Dutton stated again you can ask for them but you cannot compel them since the statute only requires them to provide three names.

Mr. Mullin asked if there is another association that can provide names. He stated that if they get to make the choice why would there be three names in the statute.

Mr. Jackson stated that we can request the information but not compel it.

Chairman Buxton stated that it does not appear there is going to be any action taken on this item so it will be pushed so that the information can be requested, and it can be taken up at the next meeting if it is received in time. He asked if this delay would hinder the roofing committee.

Ms. Hubbard stated that she did not believe so.

Chairman Buxton stated that the Board would move onto the next item.

**There was no action taken on this item.*

CONSIDERATION AND POSSIBLE VOTE TO APPOINT A PERSON TO THE OKLAHOMA STATE COMMITTEE OF PLUMBING EXAMINERS FOR A TWO-YEAR TERM ENDING SEPTEMBER 2026. TITLE 59 O.S. § 1004 (A)(3)

Chairman Buxton stated that on the next two items there are Congressional Districts to pay attention to. He stated that the two Districts that both of the gentleman sit in, one is Congressional District 5, which is Scott and the other is district 1. He stated that each Congressional District has one representative on this committee. He stated that his license is active, he has no pending citations, no recent citations, has been in the trade as a contractor for over 14 years. He stated that these are unaffiliated positions, they are not affiliated with any organization and that the letter about the positions was given to the committees, handed out to members and read aloud at their meeting and is in their meeting minutes so everyone has been notified.

Mr. Mullin asked if anyone else knows these are open. He stated that if the public does not know that there is a seat available how did these two candidates know that this was available.

Chairman Buxton stated that it was published on the front page of the website.

Mr. Mullin asked if people wanted to serve at all they would have to look at the website.

Chairman Buxton stated that you would have to know something about the industry to know where it is that you would look.

Mr. Jackson stated that you can get on the website's email list, and they will email information out to you.

Mr. Finley stated that if he was interested in being on a committee, Board or anything else, he would research it and try to find it, that he would not expect them to come to him.

Mr. Mullin stated that he is pretty savvy on rules and things related to the industry, but he was on the Board a year and a half before he even knew how this worked or what positions were or how they are appointed, and asked how the public would know.

Chairman Buxton stated that if there is something that needs to be done differently it has to be done through the legislative process, to give direction. He stated that the agency is doing everything that it is instructed to do and this time a little more was done since the Board tried to get notice out there quicker. He stated that it was posted on the website, and that the industry was notified and asked what more Mr. Mullin is seeking to be done.

Mr. Mullin stated that he just does not think the public had prior knowledge in advance that there was a public opening.

Mr. Jackson asked if a burst email could be sent when an appointment opens and if that would satisfy the additional notification. He stated that he is just discussing what the CIB could do but not advocating not voting for him.

Chairman Buxton stated that he wants to make sure there will not be a quorum issue by not voting.

Mr. Mullin stated that it is a two-year term so the Board would not be able to revisit it for two years.

Chairman Buxton stated that he understands that but if there is a quorum issue then it becomes a business issue that the Board has to take into consideration and business would take precedence.

Mr. Finley asked if there were any legal issues as far as making a vote or not on accepting him or is there something that would need to be tabled to research farther before the next meeting.

Chairman Buxton stated that the Board needs to make sure the things they are asking are within their scope. He stated that if there are no quorum issues then just like item U, they can take no action and move past it and come back around to it. He stated that does not mean that this is what we are not going to get again when they revisit it but at least run

the traps to make sure what the Board can and cannot do. He stated that they can ask some questions and take no action on item V.

Mr. Mullin asked if there was a deadline for applications to that position.

Chairman Buxton stated that the deadline was given by the Board in the announcement that was made to have it end of March, the Board set the deadline, it was posted. He stated that the Board said this is what it is and now they would be moving the goalpost.

Mr. Deaver asked where it was posted.

Chairman Buxton stated that it was posted on front page of the website.

Mr. Mullin stated that the website is very difficult to find information on.

Chairman Buxton stated that it was posted where it was to draw attention to it. He stated it was on the front page and it was beyond updates, it said here are some announcements that you need to look at and there were three items listed and this was the second item in there and bolded.

Mr. Mullin asked why it would not be posted on the Facebook page if there is an opening.

Chairman Buxton stated that he is not a Facebook guy so he cannot answer that question.

Mr. Mullin stated that it just makes sense.

Mr. Finley asked if that is different from anything else that is being done and if it has to be publicized differently. He asked what about all the other positions and if they would fall under the same criteria.

Mr. Mullin stated that this is a lay position, and that the Board voted on positions that were recommended by trade organizations, these are actually open, you do not have to have a letter of recommendation and they just happen to have two candidates in two spots. He stated that it does not seem fair.

Mr. Finley asked if there was anything legislatively keeping the Board from voting one way or the other.

Mr. Mullin stated that you can take a vote.

Mr. Finley stated that he is just curious about what is holding them up. He stated that he could see if there was something they needed to abound by legislatively, but if not why not vote.

Mr. Deaver stated that he gets where Mr. Mullin is coming from. He stated that the whole point is how does the public know to go to the website to even know the position is available.

Chairman Buxton asked if they want to chase somebody down to be on this committee or do they want somebody that is in the know and understands what is needed to be on this committee. He stated that they could go out and end up with a lot of people who are interested but have no idea what it is, or they could have somebody that knew, that knew the deadlines, that knew where to look and the Board got that already. He stated that he is not opposed one way or the other if they wanted to take no action and move past it and ask some questions about how else this could be announced but he just wants to make sure the Board is making a good decision in what they do.

Mr. Mullin stated that in his opinion it is the Boards due diligence to be sure when they fill these committees that the public was made aware as much as possible and that we do have a Facebook page out there but there are only two candidates, and it looks to the public like maybe these guys knew somebody here.

Mr. Finley stated that his view is that these were the only two guys that were interested.

Mr. Mullin stated that they could put that we have an opening on the plumbing committee for a lay person in District 5 and here is the deadline.

Mr. Dutton stated that he would like to clarify that this is not a lay position. The statute says it has to be a plumbing contractor who is not a member of an association of plumbing, heating or cooling contractors.

Mr. Finley asked how long this position has existed historically.

Mr. Dutton stated since 1955.

Mr. Finley stated that he would think by now if you were interested you would probably want to go after that. He stated that if it was relatively new then he would say we need to advertise in multiple different ways but if this has been a position that has been filled since 1955, they did not even have internet in 1955. He stated that he thinks people would know if their interest were in this field and they would want to go for it.

Mr. Mullin asked Mr. Finley if he thinks that the Board has the capacity to put the word out that there is an opening other than just put it on the website.

Mr. Finley stated yes. He stated that there are a lot of ways to do that but asked if the Board is doing it differently for this one specific position or are they doing it the same for everything. He asked why they voted to appoint the other people but are holding this one up.

Mr. Mullin stated that it is because they had a letter and it was not a public position. He stated that these are public positions that the public should have been better informed of.

Chairman Buxton stated that the Board has restrictions, guidelines and things it needs to adhere to make sure they can move past it. He stated that they can take no action on both items and can revisit it with more information but that right now they were speculating and coming from a place of not having all the information. He stated that if they cannot make a decision one way or the other, then sitting and analyzing it is just paralysis and they should move on.

Mr. Jackson stated that he does not think they should necessarily move past it. He stated that he agrees that they need to set new precedents but also does not want to cripple the CIB in the process. He stated that he thinks it would behoove the Board to go ahead and take action on these with the notion that in the future they can put it on the Facebook page, and send an email out because they have the availability to do that and be more proactive in making it known but at the same time do not want to push so many agenda items off that it ends up hurting the CIB.

Mr. Mullin stated that this is not a new issue that has just come up this year. He stated that last year they had the same deal and they voted him in and said okay come January we are going to make some changes, make it more fair to the public, and we have made steps to do that but this one has come up with no notice.

Chairman Buxton stated that it came up with notice. He stated that a letter was put out to all of the committee that had seats that were opening and asked every member to take the letter back with them. He stated that the same letter was posted on the website with an announcement so that everybody would have enough time to respond to this position. He stated that whatever it was, if they wanted it, did not want it, applied for it or did not want to apply for it, they knew that it was coming up and the Board was requesting them to have completed the process by April 5th so that at this Board meeting we could have this conversation.

Mr. Mullin stated that they have the ability to send a notice out to every apprentice, contractor, journeyman, FB page and that he thinks they can do much better than just throwing something on the website.

Chairman Buxton stated that if it is within their capabilities they can do it and he has no issue if the Board wants to take no action and do research on it, but that he is not certain the outcome will be different. He stated that to the best of their ability they made the best decision they could make with the information they had when they talked about this around November. He stated that when they reported on it in January, they said this is what is

happening and set the boundary, said this is the goal you have to reach, and this is what they got. He stated that they did all they could, but again it can be tabled, and they can find a way past it but he is not certain that there will be a different result. He stated that he would caution the Board that if they do that, then the goals and the requests and everything that they set moving forward will be all for naught and will set a different precedence for them being able to get anything moving forward so those are things to think about as they make decisions.

Mr. Deaver stated that he personally thinks that the CIB should review all the processes for all the committees and how they are chosen. He stated that the Board has these discussions every year about how people are chosen. He stated that he thinks someone needs to dive into this and look at every one of these committees and how people are chosen, how it is put out to the public for view and get this solved once and for all.

Chairman Buxton stated that they are going to table this and take no action so they can move on. He stated that to the best of what he knows they have done what they are supposed to do, but he will ask a few more questions and if there is something that can be done that is within the Boards rules, purview and acts, he will report back.

Mr. Jackson stated that he thinks they should make a motion to at least vote on it and see where the ayes and nays are.

Mr. Finley stated that he agrees unless there is something statutorily that needs to be looked at.

Mr. Jackson stated that he makes a motion.

Mr. Mullin stated that he moves they go into executive session.

Mr. Dutton stated that you cannot go into executive session because this does not meet the standard for executive session according to the statute.

Mr. Jackson stated that every time they have asked for something like resumes, they have received them but to the Chairman's point, if the Board set a precedent of saying this is when we need it and then we move the dates out, what does that say about the Board.

Mr. Deaver stated that the Board is privy to review and to accept or not.

Mr. Mullin stated that he would like to ask Mr. Hager if he knows Scott Ringwald.

Mr. Hager stated that he sits on Mr. Ringwald's advisory Board like he does every other advisory Board in the state of Oklahoma. He stated that as far as his individual plumbing class, they have discussed the class, but he does not know him personally. He stated that

he believes he sits on every advisory board in the state and knows every instructor and every approved class there is.

Mr. Mullin asked Mr. Hager if he had any discussion with Mr. Ringwald about there being an opening.

Mr. Hager stated that Mr. Ringwald came to all the meetings and is on the email list, but that he has come to licensing discussion meetings, committee meetings and is very actively involved and did call regarding how to apply.

Mr. Mullin stated that this is his point, the rest of the public could not call him to ask how to apply.

Mr. Hager stated that they absolutely can, his number is on the website.

Chairman Buxton asked if there was a motion.

Mr. Jackson stated that his motion was to vote to accept this guy but there was no second so the motion is dead in the water.

Chairman Buxton stated that with no second the motion dies, and the Board will take no action on this item.

**There was no action taken on this item*

CONSIDERATION AND POSSIBLE VOTE TO APPOINT A PERSON TO THE OKLAHOMA STATE COMMITTEE OF PLUMBING EXAMINERS FOR A TWO-YEAR TERM EXPIRING SEPTEMBER 2026. TITLE 59 O.S. § 1004(A)(4)

**There was no action taken on this item*

BREAK

At approximately 3:41 pm the meeting was recessed for a short break.

RECORDING OF MEMBERS PRESENT AFTER SCHEDULED BREAK

MEMBERS PRESENT: Larry Buxton, Jason Deal, Keith Deaver, Todd Finley, Lupe Ibarra, Jonathan Jackson & Jamey Mullin

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:

Matters heard by the Electrical Hearing Board on Docket No. CIB-23-E-001 as follows:

<u>Case No.</u>	<u>Respondent</u>	<u>Violation</u>
Citation No. 22242	Cory Atnip	Contracting without a license
Citation No. 22277	Zachary Biegler	Other Violation
Citation No. 22274	Bret Duplantis	Contractor working registered apprentice without direct supervision (per apprentice)
Citation No. 22275	Bret Duplantis	Contractor working unlicensed or unregistered individual (per person)
Citation No. 21836	Michele Hartman	Contractor working unlicensed or unregistered individual (per person)
Citation No. 22239	Scott Leduc	Failure to properly display license member/firm name on vehicle
Citation No. 21593	Travis Mays	Unlicensed or unregistered individual performing trade work under the direction of another
Citation No. 22243	Roderick McGary	Contractor working unlicensed or unregistered individual (per person)
Citation No. 22244	Roderick McGary	Failure to properly display license member/firm name on vehicle
Citation No. 22226	Cesar Soto	Contractor working unlicensed or unregistered individual (per person)
Citation No. 21597	Clinton Patterson	Contractor working registered apprentice without direct supervision (per apprentice)
Citation No. 21598	Clinton Patterson	Contractor working unlicensed or unregistered individual (per person)
Citation No. 22266	Clinton Patterson	Contractor working unlicensed or unregistered individual (per person)
Citation No. 22267	Clinton Patterson	Contractor working registered apprentice without direct supervision (per apprentice)

MOTION BY TODD FINLEY WITH SECOND BY KEITH DEAVER TO ACCEPT THE PROPOSED ORDERS FOR THE MATTERS LISTED ON THE CONSENT AGENDA RELATED TO ELECTRICAL HEARING BOARD DOCKET CIB-23-E-001.

MOTION PASSED

Voting Aye: Larry Buxton
Jason Deal
Keith Deaver
Todd Finley
Lupe Ibarra
Jonathan Jackson
Jamey Mullin

ADJOURNMENT

MOTION BY JONATHAN JACKSON WITH SECOND BY JAMEY MULLIN TO
ADJOURN THE MEETING.

MOTION PASSED

Voting Aye: Larry Buxton
Jason Deal
Todd Finley
Lupe Ibarra
Jonathan Jackson
Jamey Mullin

Voting Nay: Keith Deaver

The meeting was adjourned at approximately 3:44 p.m.

Minutes approved in Regular Session on the 19th day of June, 2024.

/s/ Larry Buxton
Larry Buxton, Chair

/s/ Stephanie Brown
Stephanie Brown, Board Secretary