

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

November 20th, 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, November 20th, 2024, in the Conference Room of the Construction Industries Board.

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

MEMBERS ABSENT: Keith Deaver

CIB STAFF PRESENT: Janis Hubbard, Administrator; Stephanie Brown, Board Secretary; 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; Scott Ringwald, Mid-Del Technology Center; Seth Thomas, Oklahoma's Finest Plumbing; Chris Daniel & Karen Hemmerling, Mid-American Tech Center; Scott Soder, Soder Mechanical/MCA; Darlene Schiffli, MCA/SMACMA of Oklahoma; Brian Twitty, Service Pro Plumbing; Jim Griffy, IBEW; David Hames, PHCC

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 20th day of November, 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 20th day of November, 2024.

NEW BUSINESS

There was no new business discussed.

PUBLIC COMMENTS

** This is a summarization of the public comments of the November meeting based upon review of the recordings but is not a verbatim transcript.*

Mr. Dutton explained that any person wishing to make public comments would be called upon to speak and would have 3 minutes each. He stated that public comments is a time for the public to be able to make their comments to the Board, but is not a time for the Board to react, respond or make comments, they are just to hear what the public comments are. He stated that if there was anything the Board were to hear in the public comments that they would like to address, it can be put on a future agenda as an item to be discussed.

Seth Thomas, with Oklahoma's Finest Plumbing, stated that he wanted to give his opinion on the proposed plumbing reciprocity agreement between Arkansas and Oklahoma but stated that he figured he was too late for the vote. He stated that he a contractor from Sperry, OK, and he believes that the agreement will create a problem with unlicensed contractors. He stated that allowing this agreement would open the door for Arkansas contractors to come into Oklahoma and undercut local contractors on jobs of all sizes. He stated that while the agreement applies only to journeyman holding an unlimited license, this would not prevent out of state businesses from entering the bidding pools and taking jobs from Oklahoma businesses. He stated that Arkansas businesses already win a bid, send Arkansas plumbers to work in Oklahoma and then find an Oklahoma contractor with low moral standings to pull permits for them. He stated that not a month goes by where he is not approached from a Texas, Kansas or Arkansas company and asked to pull permits for them. He stated that he does not think the agreement will bring the funds expected. He stated that it will harm Oklahoma licensure standards, drive down wages, and jobs to other states at the expense of local contractors. He stated that he believes the real issue that needs to be addressed is the growing number of unlicensed contractors working throughout the state, especially in northeastern Oklahoma. He stated that the amount of unlicensed work he sees in a day is far more than 3 or 4 investigators can handle. He stated that he believes the state needs to direct its resources into higher fines, more investigators and perhaps even a CIB office in Tulsa. He stated that you cannot expect someone to follow the rules if there is no one enforcing them, and if there is no resources other than licensed plumbers themselves to inform the public about serious safety risks of unlicensed plumbing. He stated that if we do not stand up against the growing threats posed by unlicensed contractors, we risk losing licensure all together. He stated that we do not need easier licensing, such as a Residential Plumbing License that is not even based on the IPC, nor do we need to allow out of state contractors to flood into Oklahoma just because people do not understand the importance of getting their journeyman license in Oklahoma. He stated that he believes the state needs more investigators, stricter fines, a CIB office in northeastern Oklahoma, better education, more awareness and a greater commitment to supporting the states workforce. He stated that since it has already passed it is what it is but he genuinely believes it will take jobs away from Oklahomans. He thanked the Board.

ADMINISTRATOR'S REPORT

Ms. Hubbard reported that CIB timely filed its Budget Request that is due every year by October 1st. She stated that the supervisors, including Windy had a training session with the CIB's eight newest field staff recently and everyone learned something and appreciated that time. She stated that the supervisors were doing a great job working with them to get them oriented into their new spots and what the supervisors do is appreciated.

FINANCIAL REPORT

Written financial reports for the month ended October 31st, 2024, prepared by OMES/ABS were provided for review and discussion. Chairman Buxton stated that Michael Clark is no longer with ABS so Christy Tubbs is taking back over but is not present today.

PUBLIC RELATIONS REPORT

Workforce Development

Mr. DeSha reported that for Workforce Development, the next application deadline is March 7, 2025. He stated that today the Board would be hearing from three Workforce Development applicants. He stated that other than working on those, he has been attending events like Build Your Future in Tulsa and will be attending another Build Your Future event in Claremore in December. He stated that he would be attending Oklahoma City Public Schools 8th grade career fair in February and that the field supervisors have been attending events with him to help him cover everything.

He reported that he had an update on an older Workforce Development project related to the Plumbing trades video prior to his employment. He stated that he met with the instructor and four students assigned to make that video and gave them all the things they would need to make that video successful, and they expect to have it done for Skills USA in 2025. He stated that they would be using it as their competition video.

Communications & Outreach

Mr. DeSha reported that the implementation of the new laws took effect November 1st. He stated that included the new testing requirements for Electrical which has all been going smoothly and all the testing centers know the new rules. He stated that the first mailer was sent out to continuing educating providers along with an email informing them of the changes that will be required January 1, 2026. He stated that the plan is to get classes going in 2025 so that the people who need it in 2026 will already be able to renew and will have already met those continuing education requirements. He stated many more mailers and emails will be going out over the next year.

He reported that CIB would be sending out a mailer and an email to all Electrical licensees in the next couple of months and throughout the next year. He stated that the expense is quite hefty to send out notices to all licensee's multiple times but that it would be split between two fiscal years.

Chairman Buxton asked if costs could be reduced by including that information in other mailings that are already going out.

Mr. DeSha stated that he has already been working with Electrical staff on including language regarding the new law in their renewals but the thought behind sending out mailers was just to reemphasize to licensees what they will need to renew their license in 2026.

Mr. Finley asked if there was an option to receive notifications by either mail or email.

Mr. DeSha stated that there is not an option to pick one or the other, but that the agency is covering both in case someone does not read their email. He stated that he wants to make sure every Electrical licensee receives this information, so that is why multiple notices are being sent by both email and mail.

He stated the agency does not get a lot of analytics from X, since you would have to pay to get that. He stated that on Facebook the social media reach has increased by 1900. He stated that there was a 125% increase in new followers this month. He stated that the content interaction has increased 48% over the last month as well.

He reported that there are 139 new email subscribers since last month, putting the agency close to 18,000 subscribers total.

Legislative Update

Mr. DeSha reported that again the new laws went into effect on November 1st, so the agency has been doing the notices as discussed. He stated that they are also getting new business cards for the electrical division that will have QR codes on the back that will take people to the HB 3215 information so that when investigators are in the field they can let people scan the code and go right to the information and be better informed. He stated that was a request from field investigators to help educate people in the field.

Mr. DeSha reported that the Student Electrical Apprenticeship law also went into effect on November 1st. He stated that so far the agency has received no applications for that but has all the information published and is ready to receive them.

Mr. DeSha reported that over the last couple of months the agency has been tracking interim studies. He stated that so far the most relevant to the CIB is IS 001, which is a potential change to the Administrative Procedures Act. He stated the agency would be watching to see what potential legislation may come from that.

Mr. DeSha reported that elections are now over with a lot of changes and gave an update on the changes to state legislators. He stated that both the House and Senate have selected new leaders and new committee chairs will come with that.

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 October. 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 October. Mr. Morris reported on activities of the Electrical Division since the last Board meeting.

Mr. Mullin asked if he was to divide the field contacts per team, how many would there be per team member.

Mr. Morris stated that if you were to divide them it would be about 100 contacts per individual but that not everyone has that many, because their areas are not as populated.

Mr. Mullin asked if Mr. Morris believes his staff is adequate to handle those.

Mr. Morris stated that they could always use more help, especially to handle the complaints that are received. He stated that in the larger areas his guys are more tied up with complaints as opposed to being able to just randomly check job sites.

Mr. Mullin asked what the bulk of complaints are about.

Mr. Morris stated that most of them are closer to the state lines and involve complaints of unlicensed contractors doing work over the state line.

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

Mr. Mullin asked if the number of questions for the contractor test is different from the journeyman test.

Mr. Hager stated that the tests have the same number of questions and the same allotted time.

Mr. Mullin asked what the process is for picking the questions.

Mr. Hager stated that there is a pool of questions, and they are reviewed and if there is any alteration or a question that does not fit, it can be removed or a question can be added if the committee feels it is necessary.

Mr. Mullin asked when it goes live.

Mr. Hager stated that it was live as soon as it was approved by the committee.

Mr. Jackson asked if there were any applicants for the Residential Contractor License.

Mr. Hager stated that they have not received any yet.

Mr. Mullin asked if Mr. Hager believes he is adequately staffed.

Mr. Hager stated that their staff has not had a lot of problems covering the state, but that sometimes there might be a delayed response if they are 4 or 5 counties away when they receive a call.

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 October along with Home Inspector and Building Inspector numbers. Mr. Hager reported on 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 JAMEY MULLIN WITH SECOND BY LUPE IBARRA TO APPROVE
THE CONSENT AGENDA FOR UNCONTESTED CITATIONS PAID, HEARINGS

WAIVED.

MOTION PASSED

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

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

DISCUSSION AND POSSIBLE VOTE ON THE MINUTES OF THE REGULAR MEETING OF THE CONSTRUCTION INDUSTRIES BOARD HELD SEPTEMBER 25th, 2024

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

MOTION BY JAMEY MULLIN WITH SECOND BY JASON DEAL TO ACCEPT THE SEPTEMBER 25th, 2024, MEETING MINUTES AS PRESENTED

MOTION PASSED

Voting Aye: Larry Buxton
Jason Deal
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 EITHER THE APPLICATION OR PROPOSED AGREEMENT FOR THE SKILLED TRADE EDUCATION WORKFORCE DEVELOPMENT FUND AUTHORIZED BY 59.O.S. § 1000.4A, AS LISTED IN THE FOLLOWING AGENDA ITEMS

Mr. Dutton stated that this is just to make sure that there are no conflicts and no impartiality in relation to Central Technology Center, Mid-Del Technology Center, Mid America Technology Center and Meridian Technology Center. He asked if any Board members have anything to declare in relation to those schools. No conflicts were stated.

DISCUSSION AND POSSIBLE VOTE ON COMPLETE APPLICATIONS RECEIVED FOR SKILLED TRADE EDUCATION WORKFORCE DEVELOPMENT FUNDS AUTHORIZED BY 59 O.S. § 1000.4A THAT MAY BE APPROVED FOR ANY AMOUNT UP TO AND INCLUDING THE APPLICATION AMOUNT REQUESTED, SUBJECT TO THE AVAILABILITY OF FUNDS, TO BE PRIORITIZED AND EVALUATED BASED UPON: SUFFICIENT JUSTIFICATION, PROJECT COST, ANTICIPATED RETURN ON INVESTMENT, BEST VALUE, AND VIABILITY OF THE PROPOSAL

Mr. DeSha stated that there were three applications being presented today, but that one of the presenters, Nancy Overton from Central Tech, had a family emergency and would not be able to give her presentation in person.

- i. **Project:** **Developing a Construction Unit with an
Electrical Trades Pathway for Middle School Students**
 Applicant: **Central Technology Center**
 Amount: **\$6,098.65**

Mr. DeSha stated that he has the presentation for the Board and he could provide it to the Board in Ms. Overtons absence.

The Board discussed the application.

MOTION BY JONATHAN JACKSON WITH SECOND BY TODD FINLEY TO APPROVE THE APPLICATION BY CENTRAL TECHNOLOGY CENTER FOR DEVELOPING A CONSTRUCTION UNIT WITH AN ELECTRICAL TRADES PATHWAY FOR MIDDLE SCHOOL STUDENTS AS PRESENTED

MOTION PASSED

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

- ii. **Project:** **Equipment Updates to Accommodate Instruction of
Advanced Technologies in the Plumbing Industry**
 Applicant: **Mid-Del Technology Center**
 Amount: **\$10,233.41**

John Day introduced Scott Ringwald to present the application on behalf of Mid-Del Tehcnology Center. Mr. Ringwald gave his presentation to the Board.

The Board discussed the application and asked questions of Mr.Ringwald.

MOTION BY TODD FINLEY WITH SECOND BY JAMEY MULLIN TO APPROVE THE APPLICATION BY MID-DEL TECHNOLOGY CENTER FOR EQUIPMENT UPDATES TO ACCOMMODATE INSTRUCTION OF ADVANCED TECHNOLOGIES IN THE PLUMBING INDUSTRIES AS PRESENTED.

MOTION PASSED

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

- iii. **Project:** **Alternative Energy Learning Project**
 Applicant: **Mid-America Technology Center**
 Amount: **\$34,441.00**

Chris Daniel and Karen Hemmerling with Mid-America Technology Center gave a presentation for their application to the Board.

The Board discussed the application and asked questions of Mr. Daniel and Ms. Hemmerling.

There was a motion made to accept the application but with no second there was no vote taken and the motion failed.

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 TULSA TECHNOLOGY CENTER

Mr. Buxton stated that all of these agreements follow applications that have been approved by the Board. He stated that there was one or more previous applications the Board was concerned with the language related to gifting but that has been fixed in the agreements.

- i. **Project:** **Mobile Heat Pump Trainer with Inverter Compressor and R290 Refrigerant**
 Applicant: **Meridian Technology Center**
 Amount: **\$15,950.00**

MOTION BY TODD FINLEY WITH SECOND BY JAMEY MULLIN TO APPROVE THE AGREEMENT WITH MERIDIAN TECHNOLOGY CENTER AS PRESENTED

MOTION PASSED

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

- ii. **Project:** **Tool Bags for HVAC Course**
 Applicant: **Meridian Technology Center**
 Amount: **\$3,294.30**

MOTION BY TODD FINLEY WITH SECOND BY LUPE IBARRA TO APPROVE THE AGREEMENT WITH MERIDIAN TECHNOLOGY CENTER AS PRESENTED

MOTION PASSED

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

Voting Nay: Jamey Mullin

- iii. **Project:** Interplay Learning: Interactive Curriculum
Applicant: Meridian Technology Center
Amount: \$6,980.00

MOTION BY TODD FINLEY WITH SECOND BY JAMEY MULLIN TO APPROVE THE AGREEMENT WITH MERIDIAN TECHNOLOGY CENTER AS PRESENTED

MOTION PASSED

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

Voting Nay: Jonathan Jackson

- iv. **Project:** Tool Bags for Electrical Course
Applicant: Meridian Technology Center
Amount: \$6,600.00

MOTION BY TODD FINLEY WITH SECOND BY JONATHAN JACKSON TO APPROVE THE AGREEMENT WITH MERIDIAN TECHNOLOGY CENTER AS PRESENTED

MOTION PASSED

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

Voting Nay: Jamey Mullin

- v. **Project:** Tool Bags for Plumbing Course
Applicant: Meridian Technology Center
Amount: \$2,200.00

MOTION BY JONATHAN JACKSON WITH SECOND BY LUPE IBARRA TO APPROVE THE AGREEMENT WITH MERIDIAN TECHNOLOGY CENTER AS PRESENTED

MOTION PASSED

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

- vi. **Project:** **DeWalt 20V MAX Compact Press Took Kit**
 Applicant: **Meridian Technology Center**
 Amount: **\$2,950.00**

MOTION BY JAMEY MULLIN WITH SECOND BY TODD FINLEY TO APPROVE THE AGREEMENT WITH MERIDIAN TECHNOLOGY CENTER AS PRESENTED

MOTION PASSED

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

- vii. **Project:** **Virtual Reality Headsets for Instruction & Marketing**
 Applicant: **Meridian Technology Center**
 Amount: **\$12,718.00**

MOTION BY TODD FINLEY WITH SECOND BY JASON DEAL TO APPROVE THE AGREEMENT WITH MERIDIAN TECHNOLOGY CENTER AS PRESENTED

MOTION PASSED

Voting Aye: Larry Buxton
 Jason Deal
 Todd Finley
 Lupe Ibarra

Voting Nay: Jonathan Jackson
 Jamey Mullin

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 MAYER BATCHELOR, CITATION NO. 22731

Mr. Dutton stated that 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 JONATHAN JACKSON WITH SECOND BY JAMEY MULLIN TO ACCEPT THE ADMINISTRATIVE CONSENT ORDER IN RE: THE MATTERS OF ALLEGED PLUMBING INDUSTRY RULES VIOLATIONS OF DAVE MAYER BATCHELOR, CITATION NO. 22731

MOTION PASSED

Voting Aye: Larry Buxton

Jason Deal
Todd Finley
Lupe Ibarra
Jonathan Jackson
Jamey Mullin

BREAK

At approximately 2:52 pm the meeting was recessed for a short break.

RECORDING OF MEMBERS PRESENT AFTER SCHEDULED BREAK

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

Mechanical 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 the Board member that served as Chair of the Mechanical Hearing Board when Docket No. CIB-24-M-001 was heard is no longer on the Board.

Matters heard by the Mechanical Hearing Board on Docket No. CIB-24-M-001 as follows:

<u>Case No.</u>	<u>Respondent</u>	<u>Violation</u>
Citation No. 22484	Roy Coble	Contracting without a license
Citation No. 22773	Kurtis Mark	Contractor working registered apprentice without direct supervision (per apprentice)
Citation No. 22557	Matthew Gatson	Contractor working registered apprentice without direct supervision (per apprentice)
Citation No. 22689	Thomas Bruner	Contractor working registered apprentice without direct supervision (per apprentice)
Citation No. 22518	Jared Alviso	Contractor working registered apprentice without direct supervision (per apprentice)

MOTION BY LUPE IBARRA WITH SECOND BY JAMEY MULLIN TO ACCEPT THE PROPOSED ORDERS FOR THE MATTERS LISTED ON THE CONSENT AGENDA RELATED TO MECHANICAL HEARING BOARD DOCKET CIB-24-M-001.

MOTION PASSED

Voting Aye: Larry Buxton
Jason Deal
Todd Finley

Lupe Ibarra
Jamey Mullin

Voting Nay: Jonathan Jackson

ADJOURNMENT

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

MOTION PASSED

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

The meeting was adjourned at approximately 3:06 p.m.

Minutes approved in Regular Session on the 22nd day of January, 2025.

/s/ Larry Buxton
Larry Buxton, Chair

/s/ Stephanie Br
Stephanie Brown, Board Secretary