

MINUTES OF THE JANUARY 27, 2015 CONSTRUCTION CONTRACTORS BOARD MEETING

The Construction Contractors Board (CCB) met on Tuesday, January 27, 2015, in Conference Room B, 700 Summer St NE, Salem, Oregon.

Attendees:

Board Members present: Board Chair, Kimberly Wood, and Board Members: Sandi Warren, and Rob Yorke.

Board Members appearing by phone: Vice-Chair Jim Patrick, Mariana Lindsay, Simone Neall, and Melvin Oden-Orr.

Staff: Administrator James Denno, Communications/Education Manager Cheryl Martinis, Enforcement Manager Stan Jessup, Licensing Manager Laurie Hall, Education Program Analyst Tori Garcia, Enforcement Compliance Officer/Lead Worker Brian Halfman, Administrative Assistant Brandy Richter, and Board Secretary Catherine Dixon, Assistant Attorney General Susan Bischoff.

Guests: Bonnie Sullivan, and Krista McDowell.

A. MEETING CALLED TO ORDER:

Chair Wood called the meeting to order at 9:30 a.m.

B. APPROVAL OF AGENDA AND ORDER OF BUSINESS:

MOTION: Rob Yorke moved to approve the agenda.
Motion carried unanimously.

C. APPROVAL OF MINUTES:

MOTION: Rob Yorke moved to approve the December 2, 2014 meeting minutes.
Motion carried unanimously.

D. DATE OF NEXT REGULARLY SCHEDULED MEETING: The next meeting is scheduled for February 24, 2015, at Broadway Commons.

E. PUBLIC COMMENT:

1. **Bonnie Sullivan** discussed the Oregon Contractor's Reference Manual revisions. She feels that the manual needs to have local people involved with writing the manual. She likes the new webpage format, but reported she is having trouble finding education provider list.

F. AGENCY REPORTS:**1. Administrator****a. Administrator's Report:**

Mr. Denno gave an update on the following:

- IT strategic planning
- Stakeholder and legislator meetings
- Home inspector exam
- Restoration companies
- New headquarters
- Building Codes Division (BCD) partnership
- Ethics Commission training

b. Oregon Records Management System:

Mr. Denno reported that the agency is contracting with the Secretary of State's office to move to the statewide Oregon Records Management System for our document storage and archiving requirements.

c. Home Inspector Exam:

Mr. Denno discussed CCB moving to a national test for home inspectors. The next steps would be to set up a rulemaking group to research draft rule revisions. Board members voiced their support to proceed with the project.

d. New Headquarters:

Mr. Denno reported that the agency will be moving to its new location at 201 High Street July 2015. Floorplans will be available at the next meeting.

(Staff Action item 1-27-15.F1d)

e. Mr. Denno shared Construction Contractors Board/Building Codes Division partnership legislative concept (LC 2551), which will facilitate greater collaboration between the two agencies. The Board expressed their support of the concept.

f. Ethics Commission training is scheduled for the February meeting.

2. Licensing

Licensing Manager Laurie Hall reported that the number of new licensees continues to increase slightly. Revised and streamlined applications are now on CCB's website and staff are working to create fillable application forms for CCB's website customers.

3. Education

Communications/Education Manager Cheryl Martinis introduced Tori Garcia, Education Program Analyst. Mr. Garcia works on CCB's website, publications and outreach. Currently, he is putting together a continuing education video course on contracts.

a. Education Update:

- 1) Ms. Martinis reported that the agency has contracted with a firm to produce a lead-based paint video for residential continuing education.

- 2) Ms. Martinis gave an update on the status of current projects the Communications/Education Section is working on. Staff are going to survey licensees who have been licensed for three years or less to see what they found most useful in the course manual.

b. 2015 Winter/Spring Home Show Schedule and Speaking Events

Ms. Martinis discussed the agency's upcoming outreach efforts. She is working with the Building Codes Division to conduct joint presentations around the state.

4. Enforcement

a. Consent Agenda:

Enforcement Manager Stan Jessup discussed the memo regarding the two enforcement actions that were held over from the previous Board meeting consent agenda as well as the current consent agenda.

MOTION: Rob Yorke moved to approve the two enforcement actions and the consent agenda notices of intent and final orders issued.

Motion carried unanimously.

- 1) Mr. Jessup reported that he is working with Building Codes Division to develop a field notice of intent that CCB field investigators can issue in the field. Enforcement staff from the two agencies will work together on an upcoming sweep.
- 2) Mr. Jessup reported that he plans to add two field investigator positions and revise the coverage areas around the state.

b. Letter from Mr. Manzalji, Enforcement Case No. 103094:

Mr. Jessup discussed the letter from Mr. Manzalji.

Assistant Attorney General Bischoff stated that the agency should treat the letter as a request for reconsideration and vote to approve or deny Mr. Manzalji's request.

Chair Wood called the Board into deliberations under the authority of ORS 192.690(1) and recessed the meeting at 10:23 a.m.

Chair Wood called the meeting back to order at 10:38 a.m.

MOTION: Melvin Oden-Orr moved to deny Mr. Manzalji's request for reconsideration.

VOTE: Motion carried. 6-1, Ayes— Neall, Oden-Orr, Patrick, Yorke, Warren, and Wood; Nays— Lindsay.

c. Quarterly Reports:

Mr. Jessup reviewed quarterly enforcement reports with the Board.

5. Administration/IT**a. Budget:**

Mr. Denno reviewed the financial report with the Board. CCB currently has six months of operating cash estimated ending fund balance. Overall, revenue is slightly ahead of projections and expenses slightly less than projections.

Chair Wood stated that she really appreciates and would like to recognize Kimberlee Ayers for her hard work on the agency revenue and expenditures activities and reports.

b. Annual All Staff Meeting:

Chair Wood discussed Board members attending an all-staff meeting on an annual basis. The agency will set a date and time for the annual all staff meeting with Board members.

(Staff Action item 1-27-15.F5b)

c. Program Areas:

Chair Wood discussed the recommendation that each Board member be responsible for a program area of the agency to be available to assist staff on issues involving their area. She asked that staff send a list of the different program areas of the agency to Board members to review for the next meeting.

(Staff Action item 1-27-15.F5c)

d. Board Calendar:

Mr. Denno reviewed the 2015 meeting calendar. No changes were made.

G. NEW BUSINESS:**1. Delegation for Petition for Reconsideration:**

Assistant Attorney General Bischoff reported that when the delegations were made by the Board at the September 2014 Board meeting, no delegation was made for Enforcement Manager Jessup and Administrator Denno to issue orders on petitions for reconsideration. She reported that it is important that the Board make a decision today due to the fact that in cases where the agency does not take action within 60 days, the petition for reconsideration is deemed denied.

Mr. Jessup explained the current process staff follows for petitions for reconsideration.

MOTION: Sandi Warren moved to proceed with delegation to Enforcement Manager Stan Jessup and Administrator James Denno to make decisions on petitions for reconsideration prior to final order.

Motion carried unanimously.

Reconsideration decisions will be placed on the consent agenda for the Board to ratify. Mr. Jessup will write a memo explaining each case and decision made by staff.

H. ADJOURNED:

The meeting adjourned at 11 a.m.