

DRAFT

3/16/15

**MINUTES OF THE FEBRUARY 24, 2015
CONSTRUCTION CONTRACTORS BOARD MEETING**

The Construction Contractors Board (CCB) met on Tuesday, February 24, 2015, at the Broadway Commons, Peru Room (306), 1300 Broadway St NE, Salem, Oregon.

Attendees:

Board Members present: Board Chair, Kimberly Wood, Vice-Chair Jim Patrick, and Board Members: Mariana Lindsay, Simone Neall, Melvin Oden-Orr, and Rob Yorke.

Excused Board Members: Sandi Warren.

Staff: Administrator James Denno, Administrative Services Manager Kimberly Ayers, Communications/Education Manager Cheryl Martinis, Enforcement Manager Stan Jessup, Licensing Manager Laurie Hall, Education Program Assistant Tami Rhein, Administrative Assistant Brandy Richter, and Board Secretary Catherine Dixon, Assistant Attorney General Susan Bischoff.

Guests: Bonnie Sullivan, and Tammy Hedrick.

A. MEETING CALLED TO ORDER:

Chair Wood called the meeting to order at 9:40 a.m.

B. APPROVAL OF AGENDA AND ORDER OF BUSINESS:

MOTION: Rob Yorke moved to approve the February 24, 2015 agenda.
Motion carried unanimously.

C. APPROVAL OF MINUTES:

MOTION: Melvin Oden-Orr moved to approve the January 27, 2015 meeting minutes.
Motion carried unanimously.

D. DATE OF NEXT REGULARLY SCHEDULED MEETING: The next meeting is scheduled for March 24, 2015, at CCB offices, 700 Summer St NE, Ste 300, Salem, Oregon.

Board member Patrick suggested statute changes for CCB to :

- Combine the three required consumer notices into one notice and remove the notice forms from statute so the agency can more easily update them.
- Revise the three-day right of rescission statute wording so it better reflects the intent of the law. The intent of the law, he said, is to protect homeowners from unsolicited door-to-door sales and not constructor contractors who submit a bid to a property owner at the homeowner's residence in response to a homeowner's call.
- Consider an increase in the \$2,000 threshold for a written contract. He said many clients want the job done the same day, and a written contract can be impractical in these circumstances.

E. PUBLIC COMMENT:

None.

F. ETHICS TRAINING:

Tammy Hedrick, Oregon Ethics Commission conducted a training session on ORS 244, ethics.

G. AGENCY REPORTS:**1. Administrator's Report:**

Mr. Denno gave an update on the following:

- Rulemaking process
- Legislature
- Building/new headquarters
- Board liaisons

a. Rulemaking Process:

Mr. Denno proposed streamlining the rulemaking process to make sure rules are thoroughly vetted, board meeting time is used efficiently, and to make it easier for stakeholders to attend rule hearings.

The proposed procedure:

1. Proposed rule changes would be discussed by the Board to determine whether there is need for a rule change.
2. If so, staff solicits stakeholder input.
3. Staff then returns the rule to the Board for a policy decision on whether to move forward with the rule change.
4. Staff would then:
 - Assemble a rule advisory committee from stakeholders,
 - Draft rule language, and
 - Conduct a rulemaking hearing
5. Staff would then bring all the information, including input from rulemaking, to the Board for a final decision to adopt or amend the proposed rules.

Mr. Denno reported that staff sought input from home inspectors and will bring a draft rule requiring future candidates to pass a national exam to the next Board meeting.

Other: Assistant Attorney General Bischoff suggested that the agency look at all the rules for things that are unnecessary, ambiguous, or need simplification.

b. Legislative Update:

Mr. Denno discussed proposed legislation that the agency is tracking.

c. Board Liaisons:

Board members decided who would be program liaisons for the agency.

- Jim Patrick - Enforcement
- Kimberly Wood - Administration and IT
- Mariana Lindsay – Education and Outreach
- Sandi Warren – (Mr. Denno will check to see if Ms. Warren is interested in being the liaison for Licensing).

(Staff Action item 2-24-15.G1d)

Mr. Denno reported that three Board members will finish their terms at the end of June. He is working with the Governor's Office to fill the vacant positions on the Board.

d. All-Staff Meeting:

Mr. Denno reported that the next all-staff meeting is tentatively scheduled for April 28, 2015. Board members determined that they will attend the staff meeting and hold the Board meeting afterwards at the CCB offices.

2. Licensing

Licensing Manager Laurie Hall reviewed the January quarterly report. She reported that the number of new licensees has decreased slightly.

3. Education

Communications/Education Manager Cheryl Martinis introduced Tammy Rhein, Education Program Assistant.

a. Education Update

Ms. Martinis discussed upcoming outreach and noted the agency is working with the Building Codes Division to conduct joint presentations around the state.

b. Contractor Reference Manual Survey

Ms. Martinis discussed the contractor reference manual survey results. Seventy percent of contractors say they occasionally use the manual; 60 percent thought the information in the manual was just right; 65 percent felt that the government regulation information was extremely important and 33 percent thought the business information was extremely important.

c. Home Inspector Exam:

Ms. Martinis reported that the draft rule to move to a national exam will be discussed at the next Board meeting.

(Staff Action item 2-24-15.G.3.c)

4. Enforcement**a. Consent Agenda:**

Enforcement Manager Stan Jessup discussed the consent agenda.

Chair Wood pulled file number 108589, Stellar Structures LLC from the consent agenda to be considered separately.

MOTION: Rob Yorke moved to ratify actions taken by staff and approve consent agenda notices of intent and final orders issued.

Motion carried unanimously.

File No. 108589, Stellar Structures LLC:

Chair Wood declared a potential conflict of interest (ORS chapter 244) and recused herself from participation in the discussing and voting on the Stellar Structures issue because her employer, Perlo Construction, has a financial relationship with Stellar.

MOTION: Jim Patrick moved to ratify the action taken by staff on file no. 1085989, Stellar Construction LLC.

Motion carried unanimously, Chair Wood abstained.

b. Sweeps:

Mr. Jessup reported that some Building Codes Division staff will join CCB enforcement staff on the next sweep. He is working with the Independent Contractor Network to get other agencies involved in sweeps.

5. Administration/IT

a. Budget:

Ms. Ayers reported that the CCB currently has seven months of operating cash estimated ending fund balance. Overall, revenue is slightly ahead of projections and expenses slightly less than projections.

b. Administration Update:

Ms. Ayers reported that work continues on the records management system with the Enforcement Section being the first to move to the new system.

G. ADJOURNED:

The meeting adjourned at 12:35 p.m.