

# Construction Contractors Board

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State of Oregon  
Honorable John A. Kitzhaber, MD,  
Governor



Construction Contractors Board  
Craig P. Smith, Administrator

## NOTICE OF PUBLIC MEETING

Tuesday, December 6, 2011

8:30 a.m.—12:30 p.m.

(Appeal Committee to Follow 12:30—3:00 p.m.)

West Salem Roth's IGA Hospitality Center, Oregon Room  
425 Glen Creek Rd NW  
Salem, Oregon

Times are Staff Estimates Only – Actual Agenda Item Times are Subject to Change by Chair

8:30 a.m.

(ITEM TYPE) (PAGE #)

### A. Preliminary

1. Call to Order
2. **Approval of Agendas and Order of Business.....ACT (pg 1-2)**
3. **Approval of Minutes, September 27, 2011, Board Meeting.....ACT (pg 3-50)**
4. Governor's Executive Appointments .....FYI (pg 51-52)
5. Letter from DOJ re: Reassignment of Backup General Counsel .....FYI (pg 53)
4. Introduce New Board Members.....DIS (no attach)
  - Andrew Colas
  - Melvin Oden-Orr
5. Graduation of Board Members:
  - Chuck Crump (December 2011)
  - Rob Hernandez (February 2012)
6. Board Member Reports .....DIS (no attach)
7. Agency Report:
  - a. Number of New Licenses Processed Per Month .....FYI (pg 54)
  - b. Rate of Renewals .....FYI (pg 55)
  - c. Workload Charts.....FYI (pg 56-58)
  - d. Summary of Revenue Analysis .....FYI (pg 59-63)

9:00 a.m.

### B. Ongoing Issues:

1. KPMs .....DIS (pg 64-111)
2. **Best Practices for Boards and Commission (Exercise/Discussion).....ACT (pg 112-138)**  
(Possible Action)

9:45 a.m. Break

10:00 a.m.

3. ORS 701.035(5) Issue re: Mandate for Commercial Contractors .....DIS (pg 139-197)  
Panel Discussion: Guests Gordon Fiddes and AGC

10:30 a.m.

### C. Administrative Rules:

1. Review of Rules Up for Hearing Today (Smith) .....REV (pg 198-265)

11:00 a.m.

**2. Public Rulemaking Hearing December 6, 2011 @ 11:00 a.m.:**

Two notices were filed regarding: Housekeeping and Home Inspectors

- a. Procedure for Rulemaking Hearing.....FYI (Handout/Chair)
  - b. Take Public Testimony.....ACT (no attach)**
  - c. Cover Memo .....FYI (pg 198-199)
  - d. Notices (forms) .....FYI (pg 200-207)
  - e. Rule Language Chart:**
    - **Housekeeping Rules .....ACT (pg 208-212)**
    - **Home Inspector .....ACT (pg 213-217)**
  - f. Memos and Background Information (made part of hearing record):
    - Housekeeping Rules Memo .....FYI (pg 218-222)
    - Home Inspector Rule Memos .....FYI (pg 223-245)
  - g. Memo and correspondence from public.....FYI (pg 246-265)
- 3 Temporary Rules Filed (no action needed).....FYI (pg 266-281)
- a. Emergency Suspensions
  - b. Residential Continuing Education (RCE) Exemptions
4. Permanent Rules Filed—Forms (no action needed)
- a. Memo from Dixon to Smith and copy of notice .....FYI (pg 282-327)

10:30 a.m. Public Comment<sup>1</sup>

**D. New Business:**

- 1. Education Provider Lists (First Look Rule Concept).....DIS (pg 328-335)
- 2. First Look at Proposed Draft Rules for February Rulemaking Hearing.....DIS (pg 336-374)
- 3. CCB 2011-15 Strategic Plan Draft.....DIS (appendix)

12:00 p.m. Working Lunch

**E. CCB Program Issues:**

- 1. Administrative Services:
  - a. Strategic Plan for 2012.....FYI (pg 374-379)
  - b. Administrative Services Quarterly Report .....FYI (pg 380-387)
  - c. Information Technology Report and Accomplishments.....FYI (pg 388-400)
  - d. State Archives Retention Schedule Agreement and Information.....FYI (pg 401-452)
- 2. Education:
  - a. Strategic Plan for 2012.....FYI (pg 453-458)
  - b. Quarterly Report.....FYI (pg 459-475)
  - c. CCB Laws, Regulations and Business Practices (LRB) Plan .....FYI (pg 476-480)
  - d. Continuing Education Program Business Plan .....FYI (pg 481-496)
  - e. Sam Kahl Issue .....FYI (pg 497-500)
  - f. Paul Christensen Issues.....FYI (pg 501-502)
  - g. Memo from Fox re: Small and Minority Business Outreach.....FYI (pg 503)
  - h. Memo from Fox re: Free Elective Courses.....FYI (pg 504-505)
  - i. Press Release re: Elective RCE Education.....FYI (pg 506-507)
  - j. RCE LRB Course Survey .....FYI (pg 508-550)
- 3. Licensing/CSU:
  - a. Quarterly Report.....FYI (pg 551-607)
  - b. State of Field Investigation Section/Accomplishments.....FYI (pg 608-611)
- 4. Field Investigations:
  - a. State of Field Investigation Section/Accomplishments.....FYI (pg 612-614)
  - b. Quarterly Report.....FYI (pg 615-636)
- 5. Enforcement Program:
  - a. State of Field Investigation Section/Accomplishments.....FYI (pg 637-638)
  - b. Quarterly Report.....FYI (pg 639-667)

<sup>1</sup> This time is set aside for persons wishing to address the Board on any matter of interest. Speakers will be limited to five minutes, unless extended by the Board chair. The Board chair reserves the right to further limit or exclude repetitious or irrelevant presentations. **If written material is included, 20 three-hole punched copies of all information to be distributed to Board members should be given to the Recorder prior to the meeting. Action will not be taken at this meeting on citizen comments.** The Board, however, after hearing from interested citizens, may place items under new business on a future agenda so proper notice may be given to all interested parties. If no one wishes to comment, the next scheduled agenda item will be considered.

- 6. Dispute Resolution Services (DRS):
  - a. State of Field Investigation Section/Accomplishments.....FYI (pg 668-670)
  - b. Quarterly Report.....FYI (pg 671-730)
- 7. News Clippings/Press Releases/Blogs .....FYI (pg 731-735)
- 8. Board Calendar 2012 .....FYI (pg 736)
- Appendix (CCB 2011-15 Strategic Plan Draft) .....FYI

12:45 p.m. Adjournment

**1:00 p.m. Appeal Committee Meeting**

*The Board may meet in executive session under authority of ORS 192.660 from time to time. The specific statutory basis for the executive session will be announced on the record prior to the commencement of the executive session. Executive sessions are closed to the public.*

*The meeting location is accessible to persons with disabilities. A request for an interpreter for the hearing impaired or for other accommodations for persons with disabilities should be made at least 48 hours before the meeting to Catherine Dixon (503) 934-2185 or Oregon Relay 7-1-1.*