



State of Alabama
The Alabama Board of Electrical Contractors
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MINUTES
Board Meeting
January 29, 2018

The Alabama Board of Electrical Contractors met on Monday, January 29, 2018 at the Board's Office located at 2777 Zelda Road, Montgomery, Alabama, to conduct business. Those members in attendance were as follows: Mr. Jay Stutts (Board Chair), Mr. Mike Custred (Vice Chair), Mr. Bruce Taylor (member), Mr. Richard Meadows (member), Mr. Mark Lamborne (member), Mr. Mac McCreless (member), Mr. Fred Moore (member) and Mr. Johnny Grimes (member). Board member not in attendance was Mr. Terry Wallace. Also in attendance were Mr. Keith Warren (Executive Director), Mrs. Hendon Coody (General Counsel), Mr. Randy Barrows (Administrator), Mr. Mike James (Investigator) and Ms. Renee' Reames (Executive Secretary to Mr. Warren, Executive Director, and serving as recording secretary).

The meeting was called to order at 10:05 a.m. by Mr. Stutts, Board Chair, and a quorum was present to conduct business. The meeting was advertised on the Board's website, www.aecb.alabama.gov, and the Secretary of State's website, www.sos.alabama.gov, in accordance with requirements of the Alabama Open Meetings Act.

Mr. Warren administered the oath of office to three new Board members, Mr. Fred Moore, Mr. Johnny Grimes and Mr. Mac McCreless, Jr. They were welcomed by the other members of the Board.

The minutes from the November 13, 2017 regularly scheduled Board meeting were presented by Mr. Stutts for the Board's approval. The Board members were provided a copy of the minutes prior to the meeting for their review. Mr. Lamborne made a motion to approve the November minutes as presented. The motion was seconded by Mr. Taylor and unanimously approved by the Board.

Mr. Warren presented the Executive Director's Report that included financial activities for the first quarter of FY 2018, ending December 31, 2017. He reviewed the line item expenses and budget information and reported on the current number of licensees and number of complaints received in FY 2018 (report filed for viewing in the Board's official Book of Minutes). Mr. Warren also presented the Administrator's report listing daily activities performed by the staff, since the last Board meeting. Mrs. Coody reported on the status of outstanding disciplinary fines.

Mr. Meadows made the motion to approve the financial report as presented. The motion was seconded by Mr. Custred and unanimously approved by the Board.

Mrs. Coody commented on the Board's role and risk management coverage. She presented the General Counsel report, which included 18 complaint cases:

- 2017-074: Mrs. Coody reported that this complaint case was a second offense by a non-licensed individual and, in this case, he used an expired Provisional license to obtain a city permit. Mr. Taylor made the motion to issue a civil injunction in this matter. The motion was seconded by Mr. Lamborne and unanimously approved by the Board.
- 2017-077: Mrs. Coody reported that this complaint case was a third offense by a company for employing an unlicensed person to perform electrical work. Mr. Lamborne made the motion to issue a cease and desist letter to the non-licensee. The motion was seconded by Mr. Custred and unanimously approved by the Board. Mr. Meadows made the motion to notify the company to hire a licensed electrical contractor to perform electrical work. The motion was seconded by Mr. Lamborne and unanimously approved by the Board. It was the consensus of the Board that the Alabama Plumbers and Gas Fitters Board would be notified of the violation by the company.
- 2018-005: Mrs. Coody explained that a non-licensee had previously been issued a cease and desist and had moved out-of-state. Mr. Meadows made the motion to issue a second cease and desist letter to the non-licensee for doing the electrical work, in this case, without a license. The motion was seconded by Mr. Lamborne and unanimously approved by the Board.
- 2018-006: Mr. Taylor made the motion to issue a cease and desist letter to the non-licensee for advertising to provide electrical work without being properly licensed. The motion was seconded by Mr. Lamborne and unanimously approved by the Board.
- 2018-008: Mr. Lamborne made the motion to issue a cease and desist letter to the non-licensee for performing electrical work without a license and to notify the homeowner to hire licensed electrical contractors. The motion was seconded by Mr. Meadows and unanimously approved by the Board.
- 2018-009: Mrs. Coody reported a third offense by a non-licensee, who had a civil injunction filed by the Board for prior violations and the civil case was still pending. The Board concurred that the Franklin County Circuit Court would be notified of the current complaint case (2018-009).
- 2018-011: Mr. Meadows made the motion to issue a cease and desist letter to the non-licensee for performing electrical work without a license. The motion was seconded by Mr. Grimes and unanimously approved by the Board. Mr. Lamborne made the motion to notify the Alabama General Contractors Board about the company that employed the non-licensed person performing the work. The motion was seconded by Mr. Taylor and unanimously approved by the Board.
- 2018-012, 2018-014, 2018-025, 2018-027, 2018-028: Mrs. Coody reported on one Respondent in five complaint cases. Mr. Lamborne made the motion that the non-licensee be issued a cease and desist letter, referencing the five complaint cases, for performing electrical work without a license. The motion was seconded by Mr. Custred and unanimously approved by the Board.

- 2018-013: Mr. Lamborne made the motion to close the case due to no jurisdiction over billing disputes. The motion was seconded by Mr. Taylor and unanimously approved by the Board.
- 2018-015: Mr. Lamborne made the motion to issue a cease and desist letter to the individual with an expired license for performing electrical work without a license. The motion was seconded by Mr. McCreless and unanimously approved by the Board. Mr. Lamborne made the motion to issue a cease and desist to the licensee for pulling the permit for another individual to perform the work. The motion was seconded by Mr. Moore and unanimously approved by the Board.
- 2018-016: Mr. Taylor made a motion to issue a cease and desist letter to a non-licensee for advertising electrical work without a license. The motion was seconded by Mr. Moore and unanimously approved by the Board.
- 2018-017: Mr. Lamborne made a motion to issue a cease and desist letter to a non-licensee for performing electrical work without a license. The motion was seconded by Mr. Grimes and unanimously approved by the Board.
- 2018-019: Mr. Taylor made a motion to issue a cease and desist letter to a non-licensee for performing electrical work without a license. The motion was seconded by Mr. Lamborne and unanimously approved by the Board. Mr. Lamborne made a motion to notify the owner/employer about employee/employer relationship and employing licensed electrical contractors. The motion was seconded by Mr. Moore and unanimously approved by the Board.
- 2018-021: Mr. Moore made a motion to issue a cease and desist letter to a non-licensee for performing electrical work without a license. The motion was seconded by Mr. Lamborne and unanimously approved by the Board.

The Board discussed circumstances in an investigation when the Respondent admits to violations. Mr. Lamborne made the motion that when an investigation results in the Respondent admission of guilt, that cease and desist language be included in the signed statement by the Respondent. The motion was seconded by Mr. Moore and unanimously approved by the Board.

Mr. Warren presented a request from a Board-approved Continuing Education Provider to conduct live-stream education programs. Mr. Barrows explained that the CE Provider planned to employ a company to do verification of individual participation in live-stream programs. Mr. Stutts indicated that he had prior knowledge of the specific matter and recused himself from the discussion. Mr. Lamborne made a motion to modify Rule 303-X-5 to include live-stream programs. Mr. Warren indicated that the Board Rule allowed for this training modality, and Mr. Lamborne withdrew his motion. It was the consensus of the Board to allow the request with the proper safeguards to ensure licensee participation.

Mr. Barrows presented applications for the Board's approval. Mr. Lamborne made the motion to approve the Reciprocity Electrical Contractor applications as presented (a list available for viewing in the Board's official Book of Minutes). The motion was seconded by Mr. Taylor and unanimously approved by the Board.

Mr. Lamborne made a motion to approve the Journeyman Electrician applications for examination as presented (a list available for viewing in the Board's official Book of Minutes). The motion was seconded by Mr. Grimes and unanimously approved by the Board.

Mr. Lamborne made a motion to approve the Electrical Contractor applications for examination as presented (a list available in the Board's official Book of Minutes). The motion was seconded by Mr. Custred and unanimously approved by the Board.

Mr. Warren reported that he had been notified by the Alabama Electronic Security Board (AESBL) that they were proposing legislative changes to their statute concerning the electrical contractor exemption. Mr. Lamborne made the motion to authorize the Board's legal counsel to consult with AESBL about the Board's goal to not exclude an electrical contractor from doing electrical work in the wiring installation of security systems and certification by an AESBL licensee. The motion was seconded by Mr. McCreless and unanimously approved by the Board.

Mr. Warren presented a request for the Board to investigate the possibility of allowing local electrical examinations as comparable examinations for licensing by the Board. Mr. Lamborne made the motion that a written request be submitted that specifically indicated what the Board was to consider in this matter. The motion was seconded by Mr. Moore and unanimously approved by the Board. The Board asked Mr. Warren to follow up on this matter.

The Board discussed sponsoring continuing education programs and identifying instructors for the seminars. It was noted that the Board's CE rules requires 14 continuing education hours every two years, of which 7 hours must be in NEC/NFPA courses (code updates). Mr. Lamborne made the motion to poll the instructors offering topics on code updates. The motion was seconded by Mr. Taylor and unanimously approved by the Board.

Mr. Lamborne made the motion to approve the 2017 NEC for examination purposes. The motion was seconded by Mr. Custred and unanimously approved by the Board. Mr. Warren reported that he would notify PROV to make revisions to the Board's licensure exams and the examinations would become effective in June 2018.

Mr. Stutts announced that the next regularly scheduled meeting of the Board was scheduled March 12, 2018 at 10:00 a.m.

There was no further business of the Board, Mr. Stutts adjourned the meeting at 12:11 p.m.

Respectfully submitted,



Jesse P. Stutts, III
Board Chair



Keith E. Warren
Executive Director