



State of Alabama
The Alabama Board of Electrical Contractors

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MINUTES
Board Meeting
November 13, 2017

The Alabama Board of Electrical Contractors met on Monday, November 13, 2017, 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. Chuck Turner (member), Mr. Bruce Taylor (member), Mr. Richard Meadows (member), Mr. Terry Wallace (member) and Mr. Mark Lamborne (member). Board members not in attendance were Mr. Ron Weaver and Mr. Gary Reaves. Also in attendance were Mr. Keith Warren (Executive Director), Ms. 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 10:00 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.

The minutes from the September 18, 2017 regularly scheduled 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. Turner made a motion to approve the September minutes as presented. The motion was seconded by Mr. Wallace and unanimously approved by the Board.

Mr. Barrows, Board Administrator, presented Reciprocity Electrical Contractor 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. Turner and unanimously approved by the Board.

Mr. Warren presented the Executive Director's Report that included financial activities as of September 30, 2017, the end of fiscal year 2017, through October 31, 2017. He reported that \$58,460.03 was reverted to the State, in accordance with the Board's statute (§34-36-17) requiring unspent funds over \$100,000 at the end of a fiscal year be reverted to the State's General Fund. Also reported was the current number of licensees and number of complaints received in FY 2017 (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, in processing applications and providing services for the licensees.

Ms. Coody presented the General Counsel report, which included 6 new complaint cases:

- 2017-045 and 2017-046: As discussed at the last Board meeting, the violations involved in these cases were consolidated into one Consent Agreement. Mr. Lamborne made the motion to approve the Consent Agreement with a \$1000 fine for multiple offenses. The motion was seconded by Mr. Wallace and unanimously approved by the Board.

Mr. Lamborne made the motion to authorize the Executive Director to execute the Consent Agreement in this matter on behalf of the Board. The motion was seconded by Mr. Turner and unanimously approved by the Board.

- Ms. Coody reported on a previous case of an unlicensed individual with second offenses, where a civil injunction had been filed and Order issued. The Board discussed notification of Board action to county/city inspectors and other licensing agencies that an individual may be licensed. Mr. Warren indicated that he would research how other Board's notify government agencies and report this information to the Board for consideration.
- 2017-064: Mr. Lamborne made the motion to issue a cease and desist letter to the non-licensee doing the electrical work in this case and issue a cease and desist to the licensee who pulled the permit and did not do the work. The motion was seconded by Mr. Turner and unanimously approved by the Board.
- 2017-067: Mr. Lamborne made the motion to issue a cease and desist letter to the non-licensee and provide a copy of the Board's action to the city building inspector. The motion was seconded by Mr. Taylor and unanimously approved by the Board.
- 2017-070: Mr. Wallace made a motion to issue a cease and desist letter to the Provisional licensee for violations of working outside licensed area. The motion was seconded by Mr. Taylor and unanimously approved by the Board.
- 2017-071: Mr. Turner made a motion to issue a cease and desist letter, as discussed, to the non-licensee for advertising and performing electrical work without a license, who obtained a permit without authority of employer. The motion was seconded by Mr. Wallace. The Board discussed a W-2 relationship between the employee and employer and asked that Ms. Coody notify the employer of the Board's intent. Following this discussion, Mr. Stutts called for a vote and the motion was unanimously approved by the Board.
- 2017-072: Mr. Custred made a motion to issue a cease and desist letter to the non-licensee for advertising and intent to perform work without a license. The motion was seconded by Mr. Meadows and unanimously approved by the Board.
- 2017-075: Mr. Wallace made a motion to issue a cease and desist letter to the non-licensee for performing work without a license. The motion was seconded by Mr. Turner and unanimously approved by the Board.

Mr. Warren reported that he had not received further information from the Electronic Security Board concerning the case presented to the Board in August.

The Board discussed having reciprocal CE requirements between the Board and the Alabama Electronic Security Board for individuals who hold licenses from each Board. Mr. Warren indicated that he would discuss this matter further with the Electronic Security Board about recognizing CE Provider requirements between the two Boards.

Mr. Warren reported that he, Ms. Coody, Mr. Meadows and Mr. Custred had attended the Board Training program sponsored by the Alabama Association of Regulatory Boards and commented that it was a good seminar. Mr. Warren also reported that the Board liability coverage for members and indicated that the Executive Director was not included in the Board's risk management coverage.

Mr. Stutts presented for the Board's approval the 2018 Board meeting dates. Mr. Lamborne made the motion to approve the following meeting dates: January 15th, March 12th, May 14th, July 9th, September 10th and November 5th. The motion was seconded by Mr. Turner and unanimously approved by the Board.

Mr. Barrows presented applications for the Board's approval, indicating that the Reciprocity Electrical Contractor applications had been approved earlier in the meeting.

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. Taylor 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. Wallace and unanimously approved by the Board.

Mr. Warren distributed, for informational purposes only, an IRS pamphlet on W-2 employees vs. independent contractors.


Mr. Stutts announced that the next regularly scheduled meeting of the Board was scheduled January 15, 2018 at 10:00 a.m.

There was no further business of the Board, Mr. Stutts adjourned the meeting at 11:26 p.m.

Respectfully submitted,



Jesse P. Stutts, III
Board Chair



Keith E. Warren
Executive Director

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