



State of Alabama

## **The Alabama Board of Electrical Contractors**

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### **MINUTES Board Meeting March 9, 2015**

The Alabama Board of Electrical Contractors met on Monday, March 9, 2015 at the Board's Office located at 2777 Zelda Road, Montgomery, Alabama, in order to conduct business. Those members in attendance were as follows: Mr. Ronald Weaver (Chair), Mr. Jay Stutts (Vice Chair), Mr. Chuck Turner, Mr. Bruce Taylor, Mr. Gary Reaves, Mr. Richard Meadows, Mr. Jeremy Vinson, Mr. Mark Lamborne and Mr. Mike Custred. Also in attendance were Mr. Randy Barrows (Administrator), Ms. Hendon Coody (General Counsel), Mike James (Investigator) and Ms. Renee' Reames (Executive Secretary to Mr. Warren, Executive Director). A quorum was present to conduct business.

The meeting was called to order at 10:01 a.m. by Mr. Weaver, Board Chair. The regularly scheduled meeting was advertised on the Board's web site, [www.aecb.alabama.gov](http://www.aecb.alabama.gov), and the Secretary of State's website, [www.sos.state.al.us](http://www.sos.state.al.us), in accordance with requirements of the Alabama Open Meetings Act.

The minutes from the January 12, 2015 regular meeting were presented for 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 January minutes as submitted. The motion was seconded by Mr. Stutts and unanimously approved by the Board.

Mr. Moses Hendrix, an inactive licensee, appeared before the Board and indicated that he was interested in renewing his license. He requested the Board give consideration of his medical hardship in renewing his license. Mr. Lamborne moved to grant a grace period of 60 days to Mr. Hendrix to submit a medical summary report, complete 14 continuing education hours and submit current year licensing fees to renew his license. The motion was seconded by Mr. Turner and unanimously approved by the Board.

Mr. Barrows presented the Executive Director's Report, to include financial information. A detailed report of expenditures and revenue as of February, 2015 was provided to the Board members. Mr. Barrows reported on the number of active and inactive licensees, along with the number of complaints in FY 2015 (report filed for viewing in the Board's official Book of Minutes). Mr. Turner made a motion to accept the financial report as presented. The motion was seconded by Mr. Lamborne and unanimously approved by the Board.

Ms. Coody presented the General Counsel Report. She reported on the criminal action against Mr. Gaudio, a respondent in a previous complaint case.

The Board discussed whether the Board needed more than one investigator and Ms. Coody explained that the Board was authorized to investigate complaints but was not allowed to conduct inspections. She stated that in order to conduct inspections and have more authority over unlicensed individuals doing electrical work, the statute would need to be modified. The Board discussed having more information posted on the Board's website in the form of commonly asked questions with answers to educate licenses and public. Mr. Weaver indicated that the discussion of Board jurisdiction would be deferred until the next meeting.

Ms. Coody reported on complaint cases that had been investigated:

Case 2015.10: Mr. Turner made the motion that the case be closed as unfounded. The motion was seconded by Mr. Turner and unanimously approved by the Board.

Case 2015.11: Mr. Lamborne made the motion that the case be closed by notifying the respondent in writing that he is denied to take the examination for licensing based on his criminal background and misrepresentation of his experience. The motion was seconded by Mr. Stutts and unanimously approved by the Board.

Case 2015.09: Mr. Taylor made a motion that the case be closed by sending a letter of concern to the licensee and assess \$1000 fine to the non-licensee for violations. The motion was seconded by Mr. Taylor and unanimously approved by the Board.

Case 2015.08: Mr. Taylor moved that the case be closed as unfounded and the complainant be asked to withdraw their complaint. The motion was seconded by Mr. Turner and unanimously approved by the Board.

Case 2015.07: Mr. Lamborne made a motion that the case be closed by notifying the respondent in writing that he is denied to take the examination for licensing due to having forged licensing documents. The motion was seconded by Mr. Turner and unanimously approved by the Board.

Case 2015.06: Mr. Lamborne made a motion to close the case due to no jurisdiction. The motion was seconded by Mr. Stutts and unanimously approved by the Board.

Case 2014.27: Mr. Lamborne made a motion to table discussion of this case until the next meeting. The motion was seconded by Mr. Stutts and unanimously approved by the Board.

Ms. Coody reported on the Supreme Court ruling in the matter of North Carolina State Board Dental Examiners v. Federal Trade Commission. She explained that a determination was made that actions by the Dental Board restricted business (an anti-competitive restraint of trade) in violation of the Sherman Act and, furthermore, would require supervision by someone that is not an active market participant. Mr. Lamborne made a motion to defer further discussion to allow more time to review the Board's rules and regulations and evaluate actions by other Boards. The motion was seconded by Mr. Stutts and unanimously approved by the Board.

In the circumstances of unlicensed individuals, the Board discussed petitioning the local district attorney to restrain the unlicensed individual from performing electrical work. Mr. Turner made a motion to abide by Ala. Code 34-36-15 in petitioning the district attorney regarding unlicensed individuals performing electrical work. The motion was seconded by Mr. Lamborne and unanimously approved by the Board.

Ms. Coody reported that she would meet with Mr. Warren about specifications concerning the Administrative Services ITB and present information at the next Board meeting.

Mr. Barrows presented applications from Continuing Education Provider for the Board's approval. Mr. Stutts made a motion to approve the CE Provider applications. The motion was seconded by Mr. Turner and unanimously approved by the Board.

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

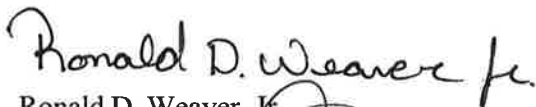
Mr. Lamborne made a motion to approve the Journeyman applications as presented. The motion was seconded by Mr. Turner and unanimously approved by the Board.

The Board reviewed the applications for Electrical Contractors. Mr. Lamborne made a motion to approve the Electrical Contractor applications for examination 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.

The next regularly scheduled meeting of the Board is May 11, 2015 at 10:00 a.m.

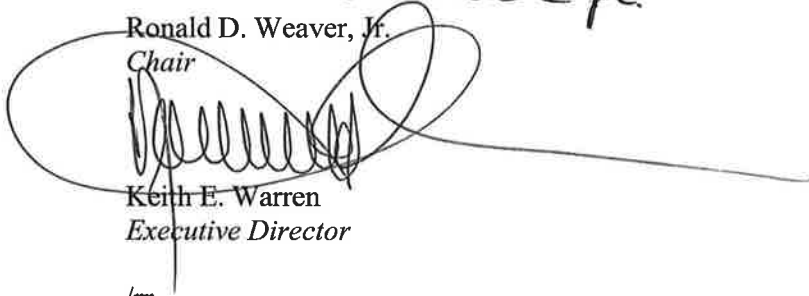
There was no further business and Mr. Turner made a motion to adjourn the Board meeting at 12:05 p.m. The motion was seconded by Mr. Reaves and unanimously approved by the Board.

Respectfully submitted,



Ronald D. Weaver, Jr.

*Chair*



Keith E. Warren

*Executive Director*

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