



State of Alabama
The Alabama Board of Electrical Contractors

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MINUTES
Board Meeting
July 17, 2023

The Alabama Board of Electrical Contractors met on Monday, July 17, 2023, at the Board's office located at 2777 Zelda Road in Montgomery, Alabama. Board members in attendance were Mr. Jeremy Atchley (Board Chair), Mr. Shon Rogers (Board Vice Chair), Mr. Fred Moore (member), Mr. Theodore Blunt (member), and Mr. Mac McCreless (member). Members absent were Mr. Terry Wallace (member), Mr. Robert Lamborne (member), Mr. Johnny Grimes (member) and Mr. Ben Freeman (member). Others present were Mr. Keith Warren (Executive Director), Mrs. Hendon Coody (Board General Counsel), Mr. Mike James (Investigator), Ms. Karen Harlow (Legal Assistant) and Ms. Renee' Reames (Recording Secretary), along with Mr. Alva Lambert and Mr. Patrick McWhorter.

CALL TO ORDER

The meeting was called to order at 10:00 a.m. by Mr. Jeremy Atchley, Board Chair. Mr. Warren called member roll and reported that 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 read the Opening Statement regarding Robert's Rules of Order and the Alabama Open Meetings Act.

APPROVAL OF MINUTES

Chairman Atchley presented for the Board's approval a copy of the minutes from the May 15, 2023, regular meeting. The Board members were provided with a copy of the minutes prior to the meeting for their review.

MOTION: Mr. Moore made a motion to approve the May meeting minutes as presented. The motion was seconded by Mr. Rogers and unanimously approved by the Board.

EXECUTIVE DIRECTOR REPORT

Mr. Warren presented the Executive Director's Report (available in Official Book of Minutes) that included a FY 2023 financial summary for the period ending June 30, 2023 and line-item expenditures of budget obligations vs. expenses for the same reporting period. Mr. Warren reported on the number of current licensees to include a comparison to FY 2022. Mr. Warren also reported on the number of complaints received during FY 2022 and FY 2023 (reports filed in the Board's official Book of Minutes). Mr. Warren reported that licensees who had outstanding disciplinary fines were not eligible to renew their license until the fine was paid. He reported on activities performed by the staff since the last Board meeting held in May. He asked the members to notify him about any additional information that the Board would like to review in the Executive Director report.

MOTION: Mr. Moore made a motion to accept the Financial Report as presented by Mr. Warren. The motion was seconded by Mr. Rogers and unanimously approved by the Board.

Mr. Warren reported that a State vendor manages online payments from licensees and had implemented a secure platform to receive payments. He also reported on an electronic platform he was considering that allowed Board members to review current and historic Board meeting documents and use during Board meetings.

LEGAL COUNSEL REPORT

Mrs. Coody reported that the new cease and desist letters issued while the Investigator was in the field, was working very well. She explained that the unlicensed person(s) received the letter more quickly during the investigation.

Ms. Coody reported that the specifications for the administrative services contract had been released to request proposals, and one proposal was received. She presented the proposal from Smith Warren Management Services, indicating that the proposal met the contract specifications, with a proposed amount of \$42,500 per month. The Board discussed with Mr. Warren the proposal contract amount and noted the increased complexity of complaint issues and plans for additional staff.

MOTION: Mr. Moore made the motion to accept the administrative services proposal as submitted. The motion was seconded by Mr. Blunt and unanimously approved by the Board.

Ms. Coody reported that the contract would be submitted to the State's Contract Review Committee for approval at its September 7, 2023, meeting. Mr. Warren reported that Mr. Lambert and Mr. McWhorter will be attending the meeting, and Mr. Warren encouraged the Board to attend.

Ms. Coody reported that the Investigative Committee had met, and she asked Mr. James to present the cases (available in Official Book of Minutes). Mr. James presented a summary on the following cases:

- Recommendation to close ECB cases with the cease and desist orders issued in the field for 2023-063, 2023-064, 2023-066.01, 2023-069, 2023-071, 2023-073, 2023-074, 2023-075, 2023-078.01, 2023-079, 2023-080, 2023-081, and 2023-083.
- Recommendation to close ECB cases as unfounded for 2023-059, 2023-065 and 2023-076.
- Recommendation to administratively closed ECB cases 2023-061 and 2023-070.
- Recommendation to close ECB case 2023-062BR with a consent agreement.
- Recommendation to close ECB case 2023-066.02 with a letter of concern.
- Recommendation to close ECB cases by issuing a cease and desist letter in 2022-110, 2023-.72, 2023-078.02 and 2023-082.

Ms. Coody reported that the respondent in case 2023-067 was in violation of a court order and a criminal warrant had been issued.

MOTION: Mr. Rogers made a motion to accept the recommendations of the Investigative Committee as presented. The motion was seconded by Mr. McCreless and unanimously approved by the Board.

OLD BUSINESS

Chairman Atchley called for any old business and there was none.

NEW BUSINESS

Mrs. Coody presented proposed changes to Rule 303-X-2-.07 for the Board's review and approval (copy available in the Board's official Book of Minutes) concerning license affiliation with more than one company. Following a discussion of proposed changes to the rule, the Board agreed that the licensee must own at least 50% of the additional entity and be in direct control.

MOTION: Mr. Moore made the motion to approve the changes in Rule 303-X-2-.07 as discussed. The motion was seconded by Mr. McCreless and unanimously approved by the Board.

Mrs. Coody will submit the revisions to Mr. Warren for publication and public comments.

Mr. Warren introduced Mr. Patrick McWhorter, Smith Warren's legislative lobbyist. Mr. Warren reported that Mr. McWhorter had worked with the Legislature on the Board's proposed statute changes introduced in the recent legislative session. The Board discussed the obstacles in having the legislative bill passed.

Mr. Warren reported that the Rules Committee, comprised of Mr. Moore, Mr. Wallace and Mr. Atchley, were continuing to review board rules. Mr. Moore reported on Committee's discussions regarding Journeyman licensure. The Board discussed documentation of a journeyman's experience on the work affidavit and removing the worksheet listing jobs in the application.

MOTION: Mr. Rogers made the motion to remove the business entity worksheet from the Journeyman Electrician application. The motion was seconded by Mr. McCreless and unanimously approved by the Board.

Mr. Warren indicated that he would review related matters in removing the job list from the application, etc.

The Board continued to discuss the examination process for Journeyman who were eligible to take the Electrical Contractor (EC) examination by having post-Journeyman license experience, with supervision experience. The Board discussed cases in which the EC was not willing to sign a Journeyman affidavit for EC consideration, and the EC would be asked to appear before the Board to provide an explanation.

MOTION: Mr. Moore made the motion to remove the requirement for a letter to the Board for the period that the applicant was self-employed. The motion was seconded by Mr. McCreless and unanimously approved by the Board.

MOTION: Mr. Moore made the motion to rescind the motion to remove the requirement for a letter to the Board if the applicant was self-employed. The motion was seconded by Mr. McCreless and unanimously approved by the Board.

Chairman Atchley asked the Rules Committee to review the applications for licensure for recommendation to the Board. Chairman Atchley appointed Mr. McCreless to the Rules Committee. The Rules Committee agreed to tentatively meet by Zoom on July 26, 2023.

Review of Applications

Mr. Warren presented the licensure applications for the Board's approval.

MOTION: Mr. Rogers made the motion to approve the Electrical Contractors Applications by Reciprocity as presented by Mr. Warren (list available in the Board's official Book of Minutes). The motion was seconded by Mr. Blunt and unanimously approved by the Board.

MOTION: Mr. Moore made the motion to approve the Journeyman Electrician Applications for Examination as presented by Mr. Warren (list available in the Board's official Book of Minutes). The motion was seconded by Mr. McCreless and unanimously approved by the Board.

MOTION: Mr. Moore made a motion to approve the Electrical Contractor Applications for Examination as reviewed by the Board (list available in the Board's official Book of Minutes). The motion was seconded by Mr. McCreless and unanimously approved by the Board.

ANNOUNCEMENTS

Chairman Atchley reminded the members that the next regularly scheduled meeting of the Board was September 18, 2023, at 10:00 a.m. at the Board's office.

He also reminded the members about attending the Contract Review Committee meeting to be held on September 7, 2023.

ADJOURNMENT

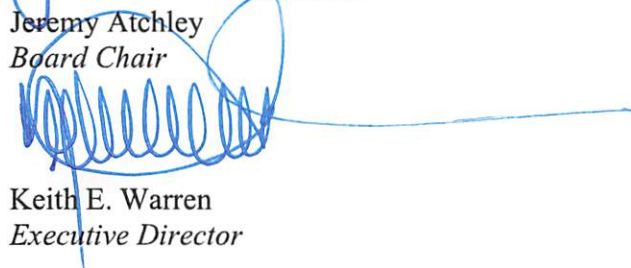
Chairman Atchley called for other business and there were none.

MOTION: Mr. Rogers made a motion to adjourn the meeting. The motion was seconded by Mr. McCreless, and having no objections from the members, Chairman Moore adjourned the meeting at 12:38 p.m.

Respectfully submitted,



Jeremy Atchley
Board Chair



Keith E. Warren
Executive Director

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