



State of Alabama

The Alabama Board of Electrical Contractors

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MINUTES

Board Meeting

January 24, 2022

The Alabama Board of Electrical Contractors met on Monday, January 24, 2022, at the Board's office located at 2777 Zelda Road in Montgomery, Alabama. Board members in attendance were Mr. Fred Moore (Board Vice Chair), Mr. Terry Wallace (member), Mr. Robert Lamborne (member), Mr. Mac McCreless (member), Mr. Theodore Blunt (member), Mr. Shon Rogers (member), Mr. Jeremy Atchley (member), and Mr. John Thomas (member attending virtually). Board member absent was Mr. Johnny Grimes (Board Chair). Also present at the meeting were Mr. Keith Warren (Executive Director), Ms. Hendon Coody (General Counsel), Mr. Mike James (Investigator), Ms. Karen Harlow (Legal Assistant) and Ms. Renee' Reames (recording secretary).

CALL TO ORDER

The meeting was called to order at 10:00 a.m. by Mr. Moore, Board Vice Chair, and following roll call of the members, Mr. Moore 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.

APPROVAL OF MINUTES

Mr. Moore presented for the Board's approval a copy of the minutes from the November 8, 2021, Board meeting. The Board members were provided a copy of the minutes prior to the meeting for their review. Mr. Rogers made a motion to approve the November minutes as presented. The motion was seconded by Mr. Wallace and unanimously approved by the Board.

EXECUTIVE DIRECTOR REPORT

Mr. Warren presented the Executive Director's Report that included a financial summary for the period ending December 31, 2021. The report included line-item expenditures for the same reporting period. Mr. Warren reported on the number of current licensees and provided comparative licensee data from FY 2018 through FY 2021. Mr. Warren reported on the number of complaints received during FY 2021 and in FY 2022 (report filed in the Board's official Book of Minutes).

Mr. Warren also presented the Administrator's Report on the activities accomplished by the staff since the last Board meeting that was held in November (report filed in Board's official Book of Minutes). He indicated that the licensing examination had not changed over the NASCLA exam. He reported that the examination contract would end in March and a RFP would be issued to solicit responses.

Mr. Wallace made a motion to accept the financial report as presented. The motion was seconded by Mr. Lamborne and unanimously approved by the Board.

LEGAL COUNSEL REPORT

Ms. Coody presented the Legal Counsel report and reported on the following cases:

Case 2021-082 - She recommended a letter of concern be issued about supervision wrongdoing. The Board discussed the potential hazardous outcome and indicated that the local jurisdiction would receive notification of the Board's action. Mr. Wallace made a motion to issue a letter of concern as recommended by Ms. Coody. The motion was seconded by Mr. Lamborne and unanimously approved by the Board.

Case 2021-088 – She recommended that a letter of concern be issued about W-2 employee violations and incorrect advertising on the employee's business card. Mr. Atchley made a motion to issue a letter of notice about the definition of employees and a copy of the letter be sent to the local jurisdiction. The motion was seconded by Mr. Wallace and unanimously approved by the Board.

Case 2021-089 – She recommended \$3,600 fine for multiple violations, 1-year probationary period, and local jurisdiction be notified of the Board's action. Mr. Wallace made the motion to approved Ms. Coody's recommendations and the licensee not be eligible to renew their license until outstanding fines were paid. The motion was seconded by Mr. Atchley and unanimously approved by the Board.

Case 2021-110 – She reported that no electrical contractor was affiliated with the franchised company and recommended a cease and desist letter be issued until an Alabama electrical contractor was employed affiliated with this location. She reported an out-of-state licensee was affiliated with the company, but had no affiliation with the business at this location. The Board discussed supervision issues. Mr. Wallace made the motion to issue a cease and desist of all electrical work until a licensee was employed, and the local jurisdiction be notified of the Board's action, along with notification to the out-of-state licensee. The motion was seconded by Mr. Lamborne and unanimously approved by the Board. The Board asked that the licensee database be flagged pending compliance.

Case 2021-113 – She reported the complaint was the third violation in 12 months. The Board discussed assessing fines for this complaint. Mr. Wallace made the motion that a criminal injunction be filed in this case to cease and desist all electrical work and advertising. The motion was seconded by Mr. Rogers and unanimously approved by the Board.

Case 2021-123 – She reported the complaint was one of two received in FY 2021. She explained the Respondent’s reported confusion about the violations. Mr. Lamborne made the motion that another cease and desist letter be sent to Respondent and the second offense fine be waived. The motion was seconded by Mr. Wallace and unanimously approved by the Board.

Case 2021-137 – She reported this was a second offense about performing work without a license and that this occurred within weeks following being notified of violations in the first complaint case. Mr. Wallace made a motion to issue a cease and desist letter, with a \$2,500 fine. The motion was seconded by Mr. Atchley and unanimously approved by the Board.

OLD BUSINESS

Mr. Warren provided an update concerning the proposed changes to the Board’s statute. He indicated that opposition to the proposed legislation had not been resolved in averting unlicensed individuals performing electrical work through real estate sales. The Board discussed the detrimental consequences in having work performed by non-qualified individuals. Mr. Warren requested from the members and legal counsel a summary of incidences that threaten public safety.

Mr. Warren reported that an update on the examination process was provided earlier in the meeting.

Mr. Warren reported that the annual election of Board officers was due. Mr. Blunt nominated Mr. Moore as Board Chair. Mr. Moore nominated Mr. Wallace. Following a vote by the members, Mr. Moore was elected by the majority of the Board.

Mr. Moore nominated Mr. Atchley as Board Vice Chair. There were no other nominations from the floor and Mr. Atchley was unanimously approved by the Board.

Mr. Warren presented for Board approval the proposed rule for Application for Spouses of Active Duty Military Personnel. He explained the Alabama Act behind this recommended action to waive the initial licensing fee and expedite licensure for those that meet the licensure qualifications. Mr. McCreless made the motion to approve this new rule 303-X-2-.11. The motion was seconded by Mr. Atchley and unanimously approved by the Board.

APPLICATIONS

Mr. Blunt made a motion to approve the Electrical Contractor Applications by Reciprocity as recommended by Mr. Warren (a list available for viewing in the Board’s official Book of Minutes). The motion was seconded by Mr. Atchley and unanimously approved by the Board.

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

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

Mr. Lamborne made a motion to approve two CE Providers applications, Electrical Training Alliance and Construction Seminars Inc., as recommended by Mr. Wallace following his review of the applications. The motion was seconded by Mr. McCreless and unanimously approved by the Board.

Mr. Thomas reported that he was tendering his resignation from the Board due to health concerns for his spouse. He indicated that he had a recommendation for his replacement on the Board, which the Board encouraged. Mr. Thomas left the meeting at 11:00 a.m.


Vice Chair Moore reminded the members that the next regularly scheduled meeting of the Board was March 14, 2022, at 10:00 a.m.

The Board had no further business to discuss and Mr. McCreless made a motion to adjourn the meeting. The motion was seconded by Mr. Atchley, and having no objections from the members, Vice Chairman Moore adjourned the meeting at 11:36 a.m.

Respectfully submitted,



Fred J. Moore
Board Chair



Keith E. Warren
Executive Director

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