



State of Alabama
The Alabama Board of Electrical Contractors

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MINUTES
Board Meeting
January 25, 2021

The Alabama Board of Electrical Contractors met on Monday, January 25, 2021 at the Board's Office located at 2777 Zelda Road, Montgomery, Alabama. Due to the COVID 19 State of Emergency, the members attended the meeting virtually. Board members in attendance on the call were Mr. Johnny Grimes (Board Chair), Mr. Fred Moore (Board Vice Chair), Mr. Mac McCreless (member), Mr. Robert Lamborne (member), Mr. Theodore Blunt (member), Mr. John Thomas (member), Mr. Jeremy Atchley (member), Mr. Shon Rogers (member) and Mr. Terry Wallace (member). Ms. Hendon Coody (General Counsel) and Mr. Mike James (Investigator) also participated virtually in the meeting and others in attendance onsite were Mr. Keith Warren (Executive Director), Mr. Randy Barrows (Administrator), Ms. Karen Harlow (Legal Assistant), Ms. Danielle Averhart (Licensing Specialist) and Ms. Renee' Reames (recording secretary).

The meeting was called to order at 10:00 a.m. by Mr. Grimes, Board Chair. Mr. Warren called roll of the members 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 Board meeting minutes from the November 9, 2020 meeting were presented by Chairman Grimes for the Board's approval. The Board members were provided a copy of the minutes prior to the meeting for their review. Mr. Moore made a motion to approve the November minutes as presented. The motion was seconded by Mr. Blunt and, following a roll call vote, the motion was unanimously approved by the members in attendance.

Mr. Wallace and Mr. Atchley arrived on the call at 10:05 a.m.

Mr. Warren presented the Executive Director's Report that included a financial summary for the first month of FY 2021 (as of October 31, 2020) The report included line-item expenditures for the same period, along with a report on the number of current licensees and number of complaints received in FY 2021 (report filed for viewing in the Board's official Book of Minutes). Mr. Warren reported that the financial information would be updated prior to the next Board meeting.

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. He reported that mail

deliveries had been delayed and slower since the holidays and the applicants/licenseses were being encouraged to send licensure information to the Board that could be tracked through the mail and gave the example of sending by certified mail or by other deliver services.

Mr. Rogers made a motion to approve the Executive Director report as presented. The motion was seconded by Mr. Moore, and, following a roll call vote, the motion was unanimously approved by the Board. Mr. Warren indicated that a roll call vote had been established.

Ms. Coody presented the General Counsel Report. She reported that the Board had been compensated \$29,478.47 through a court order in the complaint Case #2016.18.01. The Board thanked Ms. Coody for her services in representing the Board in this case.

Ms. Coody also presented a memorandum on the definition of an employee as it relates to the Board's Rule 303-X-1-.02(5). She proposed modifying the rule to indicate that an employee would have evidence of a W-2 filed with the IRS and not be an independent contractor of the company that they were affiliated. The Board discussed the Board's rules for licensure exemptions. Mr. Lamborne made the motion to replace the current rule 303-X-1-.02(5) with the proposed language recommended by Ms. Coody to include the amendments discussed by the Board. The motion was seconded by Mr. Rogers. Chairman Grimes called for any objections to the motion, using the previous roll, and there were no objections. Chairman Grimes stated the motion was unanimously approved by the Board.

Mr. Warren presented a summary of proposed statute changes approved in 2020. Mr. Moore made the motion for the Executive Director to proceed with a proposed bill for the 2021 Legislative Session to include the changes presented in the summary. The motion was seconded by Mr. Blunt. Chairman Grimes called for any objections to the motion, using the previous roll, and there were no objections. Chairman Grimes stated the motion was unanimously approved by the Board. Mr. Warren reported that he would present the changes to the Legislative Services Agency to draft the proposed bill and a copy would be provided to the Board.

Mr. Warren reported that the State of Emergency was continued and inquired about suspending the CE requirement for the 2021 renewals. It was the consensus of the Board to not suspend the CE requirement since training was available online.

The Board discussed situations of electrical work being performed under an Electrical Contractor's license and the Electrical Contractor was not a W-2 employee of the company. The Board discussed potential violations of the Board's Rule 303-X-2-.10 of an Electrical Contractor allowing their license to be used by a firm, partnership, association or corporation without having any active participation in the operations or management of the firm or allowing an unlicensed person to use their license with the intent to evade licensure, etc. Mr. Warren reported that it was not uncommon for the Board to receive complaints from city inspectors reporting violations. The Board also considered similar violations occurring in unincorporated areas of the state that may not have inspection/permit departments.

Mr. Warren left the meeting due to a conflict in schedule.

Mr. Barrows presented a list of applications for the Board to review. He reminded the members of Board action authorizing the Executive Director to review and approve EC applications and Board ratify this action.

Mr. Moore made the motion to approve the Reciprocity Electrical Contractor applications as presented by Mr. Barrows (a list available for viewing in the Board's official Book of Minutes). The motion was seconded by Mr. Blunt. Chairman Grimes called for any objections to the motion, using the previous roll, and there were no objections. Chairman Grimes stated the motion was unanimously approved by the Board.

Mr. Moore made a motion to approve the Journeyman Electrician applications for examination as presented by Mr. Barrows (a list available for viewing in the Board's official Book of Minutes). The motion was seconded by Mr. Blunt. Chairman Grimes called for any objections to the motion, using the previous roll, and there were no objections. Chairman Grimes stated the motion was unanimously approved by the Board.

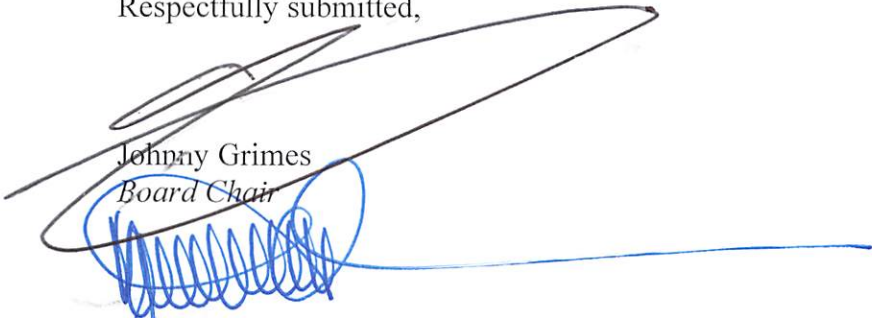
Mr. Lamborne made the motion to ratify the approval of the Electrical Contractor applications for examination as presented by Mr. Barrows (a list available for viewing in the Board's official Book of Minutes). The motion was seconded by Mr. McCreless. Chairman Grimes called for any objections to the motion, using the previous roll, and there were no objections. Chairman Grimes stated the motion was unanimously approved by the Board.

Mr. McCreless made a motion to approve the CE Provider application as presented by Mr. Barrows. The motion was seconded by Mr. Wallace. Chairman Grimes called for any objections to the motion, using the previous roll, and there were no objections. Chairman Grimes stated the motion was unanimously approved by the Board.

Mr. Grimes announced that the next regularly scheduled meeting of the Board March 15, 2021 at 10:00 a.m.

The Board had no further business to discuss and Mr. Moore made a motion to adjourn the meeting. The motion was seconded by Mr. Blunt, and having no objections from the members, Chairman Grimes, adjourned the meeting at 10:53 a.m.

Respectfully submitted,



Johnny Grimes
Board Chair

Keith E. Warren
Executive Director
/rr