

State of Alabama

The Alabama Board of Electrical Contractors

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MINUTES Board Meeting November 14, 2022

The Alabama Board of Electrical Contractors met on Monday, November 14, 2022, at the Board's office located at 2777 Zelda Road in Montgomery, Alabama. Board members in attendance were Mr. Fred Moore (Board Chair), Mr. Jeremy Atchley (Board Vice Chair), Mr. Robert Lamborne (member), Mr. Theodore Blunt (member), Mr. Shon Rogers (member) and Mr. Johnny Grimes (member), Mr. Terry Wallace and Mr. Mac McCreless. A vacancy existed on the Board due to a resignation. Also present at the meeting were Mr. Keith Warren (Executive Director), Mrs. Hendon Coody (Board General Counsel), Mr. Randy Barrows (Board Administrator), Mr. Mike James (Investigator) and Ms. Renee' Reames (recording secretary).

CALL TO ORDER

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

Chairman Moore presented for the Board's approval a copy of the minutes from the September 12, 2022, Board meeting. The Board members were provided a copy of the minutes prior to the meeting for their review. Mr. Grimes made a motion to approve the September 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 September 30, 2022. The report included line-item expenditures for the same reporting period. Mr. Warren reported on the number of current licensees to include a comparison to FY 2021. Mr. Warren also reported on the number of complaints received during FY 2021, FY 2022 and to-date in FY 2023 (reports filed in the Board's official Book of Minutes). He commented on the funds to be reverted back to the State due to end of fiscal year balance over \$100,000.

Mr. Warren presented the Administrator's Report on the activities accomplished by the staff since the last Board meeting that was held in September (report filed in Board's official Book of Minutes) and reviewed the examination results.

Mr. Atchley 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

Mrs. Coody reported that the Investigative Committee met and recommended the following:

Case 2022-067 – rescind the second offense fine of \$1000 due to complaint occurred prior to interview with Board Investigator regarding first offense, and the cease and desist order from the first offense remain in force.

Motion: Mr. Lamborne made the motion to approve the recommendation of the IC to rescind the \$1000 fine and enforce the cease and desist order previously issued. The motion was seconded by Mr. Wallace and unanimously approved by the Board.

Case 2022-106 – assess licensed electrical contractor \$1000 fine and one-year probation for violations of subcontracting with out of state contractor not licensed with the Board.

Motion: Mr. Rogers made the motion to approve the recommendation of the IC to assess the licensed Respondent \$1000 fine and one-year probation. The motion was seconded by Mr. Wallace and unanimously approved by the Board.

Case 2022-111 – non-licensed Respondent was previously assessed \$2500 fine in other cases, which remained unpaid, and IC recommended a criminal warrant be obtained and the case closed upon issuance of warrant.

Motion: Mr. Wallace made the motion to obtain a criminal warrant against the unlicensed Respondent (2022-111.01). The motion was seconded by Mr. Lamborne and unanimously approved by the Board.

Also reported in Case 2022-111, the licensed Respondent, which was previously assessed \$500 fine in another case and the fine remained unpaid. The IC recommended \$1000 fine.

Motion: Mr. Atchley made a motion to assess the licensed Respondent (Case 2022-111.03) a \$1,000 fine. The motion was seconded by Mr. Lamborne and unanimously approved by the Board.

Mrs. Coody also reported on outstanding fines by other non-licensees and the IC recommended that criminal warrants be obtained:

Case 2019-072 - \$100

Case 2021-008 - \$500

Case 2021-057 \$2500

Case 2021-059 and 2021-083 - \$2500

Case 2018-081 - \$500

Motion: Mr. Wallace made the motion to approve the IC recommendation to obtain a criminal warrant against the unlicensed Respondent in Cases 2019-072, 2021-008, 2021-057, 2021-083 and 2018-081. The motion was seconded by Mr. Rogers and unanimously approved by the Board.

Motion: Mr. Rogers made the motion that any licensee with an outstanding fine would not be eligible to renew their license. The motion was seconded by Mr. Wallace and unanimously approved by the Board.

Mrs. Coody reported that letters would be sent to the unlicensed and licensed Respondents who had outstanding fines.

She also indicated that all licensees would be notified that failure to pay fines would result in ineligibility to renew license or criminal warrants would be obtained regarding this matter. Mrs. Coody explained that an Administrative Hearing was required to revoke a license.

Mrs. Coody reported that an Administrative Hearing had been scheduled in the matter of a repeat offender in Case 2022-072. A copy of the Administrative Complaint and Notice of Administrative Hearing was provided to the Board. She reported that the Respondent's attorney offered to negotiate terms in lieu of a hearing.

Motion: Mr. Wallace made the motion to notify the Respondent to surrender license within 14 days or continue with the Administrative Hearing. The motion was seconded by Mr. Rogers and unanimously approved by the Board.

SPECIFICATIONS COMMITTEE – ADMINISTRATIVE SERVICES CONTRACT

Mr. Warren left the meeting at 11:07 a.m.

Mrs. Coody reminded the members that the Board was under an emergency contract with Warren and Company to provide administrative services. She recommended the Board create a committee to develop specifications for the Requests for Proposals for Administrative Services.

Chairman Moore called a recess at 11:10 a.m. for 10 minutes.

Chairman Moore reconvened the Board meeting at 11:20 a.m.

Mrs. Coody provided a draft of the Request for Proposal Administrative Services Contract. The Board discussed changes to the specifications to include in General Information (Part II) and in Requirement sections that administrative, managerial and logistical support experience be added regarding the professional regulator submitting the proposal, and the proposer shall have an understanding of electrical contracting licensing and regulations in order to represent the Board at meetings involving the electrical contracting profession at the federal, state and local profession meetings. The Board also recommended that the contractor have in place \$2 million General Liability Insurance policy. Other typographical corrections were made as well.

Motion: Mr. Wallace made the motion to approve the changes to the Request for Proposal Administrative Services Contract specifications as discussed. The motion was seconded by Mr. Grimes and unanimously approved by the Board.

Mr. Warren joined the meeting at 11:45 a.m.

CREDENTIALS COMMITTEE

Mr. Moore reported that the Credentials Committee met on September 19, 2022 and a copy of the minutes were distributed to the members. The Committee discussed establishing a rule to license journeyman, over a 12-month period, through a grandfather clause, requiring 10 years of continuous experience in electrical contractor or construction work, certified letter from the employer, and notarized affidavit documenting 20,000 hours of experience. It was the consensus of the Committee to continue to work on proposed licensing criteria.

Chairman Moore recognized Mr. Kirk Patterson to address the Board. Mr. Patterson requested that the Board amend the CE requirement to allow an age exemption for Provisional licensees over the age of 65 or having been licensed for over 10 years. Chairman Moore asked the Credentials Committee to consider the matter and make a recommendation to the Board on this matter.

PROPOSED 2023 LEGISLATION

Mr. Warren reported that he would work on proposed legislation for the March 2023 Legislative Session.

UPDATE ON BOARD TERMS

Mr. Warren reported that he was working with the Governor's office regarding Board appointments and would email an update to the Board.

PROPOSED 2023 BOARD MEETING CALENDAR

Chairman Moore reported that a list of proposed Board meeting dates in 2023 was distributed to the members.

Motion: Mr. Grimes made the motion to approve the following Board meeting dates: January 23, March 20, May 15, July 17, September 18, and November 13, 2023. The motion was seconded by Mr. Lamborne and unanimously approved by the Board.

APPLICATIONS

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

Mr. Lamborne made the 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. Wallace and unanimously approved by the Board.

Mr. McCreless made the motion to approve the CE Provider application from James Scerenscko as reviewed. The motion was seconded by Mr. Atchley and unanimously approved by the Board.

Mr. McCreless 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. Grimes and unanimously approved by the Board.

The Board discussed filing a complaint against an applicant presenting fraudulent information and misrepresented facts on an application.

Motion: Mr. Grimes made a motion to initiate a complaint on applicants regarding fraudulent information on licensure applications. The motion was seconded by Mr. Wallace and unanimously approved by the Board.

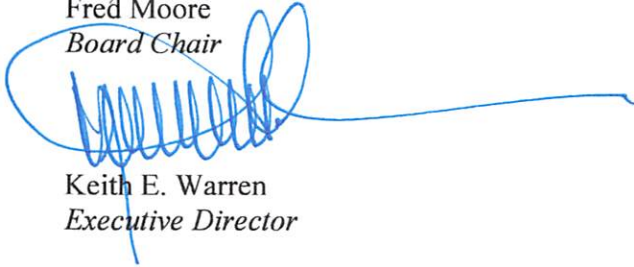
Chairman Moore reminded the members that the next regularly scheduled meeting of the Board was January 23, 2023, at 10:00 a.m. at the Board's office.

The Board had no further business to discuss and Mr. McCreless made a motion to adjourn the meeting. The motion was seconded by Mr. Rogers, and having no objections from the members, Chairman Moore adjourned the meeting at 12:52 p.m.

Respectfully submitted,



Fred Moore
Board Chair



Keith E. Warren
Executive Director

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