

State of Alabama
The Alabama Board of Electrical Contractors

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MINUTES
Board Meeting
September 12, 2022

The Alabama Board of Electrical Contractors met on Monday, September 12, 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. Terry Wallace (member), Mr. Robert Lamborne (member), Mr. Theodore Blunt (member), Mr. Shon Rogers (member), Mr. Mac McCreless (member) and Mr. Johnny Grimes (member). A vacancy existed on the Board due to a resignation. Also present at the meeting were Mr. Keith Warren (Executive Director), Ms. Hendon Coody (Legal Counsel), 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 Chair, and following a roll call of the members by Mr. Warren, 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

Chairman Moore presented for the Board's approval a copy of the minutes from the July 11, 2022, Board meeting. The Board members were provided a copy of the minutes prior to the meeting for their review.

MOTION: Mr. McCreless made a motion to approve the July minutes as presented. The motion was seconded by Mr. Grimes 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 August 31, 2022. The report included line-item expenditures for the same reporting period. Mr. Warren reported on the number of current licensees, along with the number of complaints received during FY 2021 and in FY 2022 (reports 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 July (report filed in Board's official Book of Minutes). He reported that a letter had been sent to all licensees advising them of the illegal of selling or lending their license to non-licensees.

Mr. Warren reported that the Board's website was being redesigned with several new features. He also reported that the licensee database would be converting to a new system, which would have enhanced online search capabilities. He reminded the Board that the add-on cost to processing licensee's transaction online, known as transactions fees, would be paid by the Board. He indicated that he was reviewing a vendor source to provide laminated licenses.

MOTION: Mr. Rogers 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 presented the Legal Counsel report. She reported that two Administrative Hearings were scheduled on the date of the November Board meeting and inquired about the Board's preference to have an Administrative Law Judge present over the meeting and to prepare a recommendation on the matter for the Board's approval.

MOTION: Mr. Wallace made a motion for an ALJ to preside over the Administrative Hearings and present a recommendation to the Board. The motion was seconded by Mr. Lamborne and unanimously approved by the Board.

MOTION: Mr. Wallace made a motion that the start time of the Administrative Hearings be amended to 10:30 a.m. for Case 2022-072 and 11:00 a.m. for Case 2022-038. The motion was seconded by Mr. Atchley and unanimously approved by the Board.

Mrs. Coody reported that the Circuit Court Judge in St. Clair County had granted an injunction in favor of the Board in the matter of ECB Case 2021-138.

Mrs. Coody also reported on the recommendation from the Investigative Committee concerning Case 2022-057, recommending a \$1,000 fine, with a Cease and Desist issued for the second time within a two-year period.

MOTION: Mr. Wallace made a motion to approve the recommendation of the Investigative Committee in the matter of Case 2022-057. The motion was seconded by Mr. Lamborne and unanimously approved by the Board.

CREDENTIALS COMMITTEE REPORT

The Board discussed establishing criteria to grandfather Journeyman for licensure over a 12-month period. Discussions included licensure of Journeymen, in lieu of examination, by requiring continuous work under the supervision of an electrical contractor and employment verified by both an affidavit and copy of a W-2(s). Other equivalents for a W-2 were also discussed and the Board determined that the burden of proof was on the applicant to document qualifications. The Board further consider the relevance of an applicant's age and a combination of years of age and years of experience.

The Board discussed introducing proposed legislation to establish various licensure designations for everyone to be registered and hold a license, e.g., an apprentice or helper and handyman, or any other license that the Board deemed appropriate in addressing needs, to include solar work. The Board discussed opposition by licensees who had taken the exam versus licensure through criteria established through a grandfather clause, along with adding the requirement for continuing education.

Mrs. Coody supported the Board's progressive action for public safety by establishing criteria and registering electrical workers.

ACTION: Chairman Moore asked the Credentials Committee, comprised of Mr. Wallace, Mr. Atchley, Mr. Warren and Mr. Moore to review the matter allowing Journeyman licensure through grandfather criteria and present a recommendation to the Board.

CONTINUING EDUCATION COMMITTEE (Board-sponsored CE Program)

Mr. Warren indicated that there was no report from the CE Committee at this time.

UPDATE ON LICENSURE EXAMINATION

Mr. Warren reported on the transitioning to the NASCLA exam beginning in October. Mr. Warren reminded the members that a separate Alabama Law exam had been added.

ACTION: The Board agreed that candidates that were currently taking/retaking the exam could choose between the two exams and not be required to change to the NASCLA exam beginning in October.

2023 PROPOSED LEGISLATION

The Board discussed the upcoming Legislative Session beginning in March 2023 and recommending proposed changes to the Board's statute. Mr. Warren reported that Mr. McWhorter would be present at the next Board meeting to assist in this matter.

UPDATE ON BOARD TERMS

Mr. Warren commented on the Board terms that had expired and the vacancy on the Board. He reported that he was working with the members about their eligibility for reappointment and/or the appointment of a replacement.

ADMINISTRATIVE SERVICES CONTRACT

Mr. Warren reported that the State's new Bid Law would be in effect in October and the Administrative Services Contract was scheduled to expire in November. He explained that specifications would need to be developed in accordance with the new procedures and recommended the Board approve an emergency contract with Warren and Company to allow time for the Board to complete the bid proposal process.

MOTION: Mr. Grimes made the motion to approve an emergency contract with Warren and Company for one year, with no changes in the management contract. The motion was seconded by Mr. Wallace and unanimously approved by the Board.

ACTION: Mr. Moore appointed a committee to develop the specifications for the administrative contract. The committee was comprised of Mr. Wallace, Mr. Lamborne, Mr. Grimes and Mrs. Coody.

APPLICATIONS

MOTION: 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. Lamborne and unanimously approved by the Board.

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

Mrs. Coody left the meeting at 11:14 A.M. due to a conflict in schedule.

MOTION: 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. Wallace and unanimously approved by the Board.

Mr. Warren reported that there were no CE Provider applications to consider at this time.

OTHER BUSINESS

The Board discussed establishing a path of licensure for high school graduates through experience and examination.

ACTION: Mr. Moore assigned the matter to the Credential Committee to recommend to the Board.

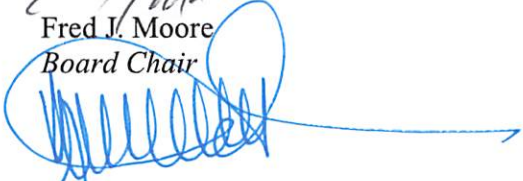
ACTION: Chairman Moore announced that the next regularly scheduled meeting of the Board was November 14, 2022, at 10:00 a.m. at the Board's office.

MOTION: Mr. Grimes made a motion to adjourn the meeting. The motion was seconded by Mr. Lamborne, and having no objections from the members, Vice Chairman Atchley adjourned the meeting at 11:38 a.m.

Respectfully submitted,



Fred J. Moore
Board Chair



Keith E. Warren
Executive Director

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