



State of Alabama

## **The Alabama Board of Electrical Contractors**

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### **MINUTES Board Meeting May 15, 2023**

The Alabama Board of Electrical Contractors met on Monday, May 15, 2023, 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. Theodore Blunt (member), Mr. Shon Rogers (member), Mr. Johnny Grimes (member), Mr. Terry Wallace (member), Mr. Mac McCreless (member), Mr. Robert Lamborne (member), and Mr. Ben Freeman (member). Others present were Mr. Keith Warren (Executive Director), Mrs. Hendon Coody (Board General Counsel), Mr. Randy Barrows (Board Administrator), Mr. Mike James (Investigator), Ms. Karen Harlow (Legal Assistant) and Ms. Renee' Reames (Recorder), and guests, Mr. Alva Lambert and Mr. Houston Baker.

#### **CALL TO ORDER**

The meeting was called to order at 10:01 a.m. by Mr. Fred Moore, Board Chair, and following roll call of the members by Mr. Warren, he reported that a quorum was present to conduct business. The meeting was advertised on the Board's website, [www.aecb.alabama.gov](http://www.aecb.alabama.gov), and the Secretary of State's website, [www.sos.alabama.gov](http://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 Moore presented for the Board's approval a copy of the minutes from the January 23, 2023 regular meeting and the minutes from the March 20, 2023 application review meeting. The Board members were provided with a copy of the minutes prior to the meeting for their review.

**MOTION:** Mr. Grimes made a motion to approve the January minutes as presented. The motion was seconded by Mr. Atchley and unanimously approved by the Board.

**MOTION:** Mr. Lamborne made a motion to approve the March minutes as presented. The motion was seconded by Mr. Rogers and unanimously approved by the Board.

#### **Request for to Qualify with Another Company (company affiliation)**

Mr. Warren introduced two guests to the Board, Mr. Alva Lambert and Mr. Houston Baker. He reported that Mr. Baker was present to address the Board about affiliating his license with more than one company.

**MOTION:** Mr. Atchley made the motion to suspend the regular order of business for Mr. Baker to address the Board. The motion was seconded by Mr. Rogers and unanimously approved by the Board.

Mr. Baker reported that as a licensed electrical contractor of the Board since 1986, he sought the Board's approval to be affiliated with a second company, wherein he would be employed to train other employees of this company to install low energy home thermostats. He reported that he was currently employed to do city inspections. He explained that he would not have ownership in the second company for which he was asking to serve as the electrical contractor in Alabama. He explained that he had requested in other states to serve as electrical qualifying agent for this company. Based on the information provided by Mr. Baker, the Board discussed the Board's low voltage exemption and indicated to Mr. Baker that the Board would consider the matter and advise him of their decision. Mr. Baker left the meeting at 10:18 a.m.

The Board discussed Rule 303-X-2-.07 pertaining to serving as a principal in both companies and actively engaged in the ongoing operations of both. The Board considered a principal as having 50% ownership in a company and actively involved in the company with activity authority in the company.

MOTION: Mr. Grimes made the motion to deny the request due to not being in compliance with the Board's rules. The motion was seconded by Mr. Atchley and unanimously approved by the Board.

Ms. Coody indicated that she would review Rule 303-X-2-.07 for any changes. Chairman Moore deferred further discussion on the matter to the next Board meeting.

MOTION: Mr. Grimes made the motion to return to the regular order of business. The motion was seconded by Mr. Atchley 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 April 30, 2023. 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 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) and activities performed by the staff since the last Board meeting held in March.

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

#### State Examination

Mr. Warren presented a copy of the NASCLA summary on states' examination to include the administrator of the exam, the number of questions on the states' exam, time allowed to take the exam and passing score percentage by state. Mr. Warren recommended that the Board resume offering the prior PROV exam and continue offering the NASCLA exam until more data became available. The Board discussed not allowing applicants to switch between examinations.

MOTION: Mr. Atchley made the motion that applicants would not be allowed to switch between the two exams and would be held to the initially registered exam. The motion was seconded by Mr. Wallace and unanimously approved by the Board.

### Policy and State Government Liaison

Mr. Warren reported on Executive Orders issued by the Governor's office and recommended Mr. Alva Lambert as policy director and state government liaison regarding the Governor's office and the legislature. He reported that Mr. Lambert is a former state employee.

MOTION: Mr. Grimes made the motion to approve the employment of Mr. Alva Lambert. The motion was seconded by Mr. Wallace and unanimously approved by the Board.  
Mr. Warren reported that Mr. Lambert would be asked to work on specific consultant matters.

### Update on Legislative Activities

Mr. Warren reported that the Board's proposed legislation, HB302, had been amended. The Board's review of the additions of property managers, staffing companies and changes in owner exemptions. The members recommended changes to § 34-36-13 regarding (1) the exempt owner and program, (2) separating manufacturing homes/modular house from retail merchant exemption and (3) add reference to appliances as "household".

MOTION: Mr. Wallace made the motion to accept the changes as discussed. The motion was seconded by Mr. Grimes and unanimously approved by the Board.

### Deadline to File Statement of Economic Interest

Mr. Warren reminded the Board members of the April 30<sup>th</sup> deadline to file with the Ethic Commission the Statement of Economic Interest (SEI).

### LEGAL COUNSEL REPORT

Mrs. Coody reported that the Investigative Committee had met, and she presented the IC recommendations (available in Official Book of Minutes). She presented 47 cases, that included additional respondents in some cases, and recommended that the cases be closed: 2022-111.01 and .02, 2022-111.03, 2023-001, 2023-007, 2023-019BR, 2023-025, 2023-026, 2023-027, 2023-028.01 and 02, 2023-029, 2023-030, 2023-031, 2023-032.01 and .02, 2023-033, 2023-034, 2023-035.01 and .02, 2023-036, 2023-037, 2023-038, 2023-039, 2023-040.01 and .02, 2023-041, 2023-042, 2023-043, 2023-044, 2023-045, 2023-046, 2023-047, 2023-048, 2023-049, 2023-050, 2023-051, 2023-052, 2023-053.01, .02, and .03 2023-054, 2023-055, 2023-056, 2023-057, 2023-058, 2023-060.

MOTION: Mr. Lamborne made the motion to accept the recommendations of the Investigative Committee as presented by Mrs. Coody. The motion was seconded by Mr. Wallace and unanimously approved by the Board.

Mrs. Coody thanked the Board for the continuation and approval of the Legal Counsel Contract.

### Update on Journeyworker Card Communications

Mrs. Coody presented a copy of the Board's communications regarding the journeyworker card issued by the Alabama Office of Apprenticeship. The Board received a response that indicated that the card did not constitute a license and any person requiring a license to work must apply with the appropriate licensing body. It was the consensus of the Board that licensure examination was required for licensure and the Board encouraged journeyworkers to become licensed. The Board agreed that should there be a violation of laws, the Board could take further action to enforce.

Mr. Warren and staff left the meeting prior to discussion of the Board's next business matter. Ms. Reames continued to record the minutes.

#### Specifications for Administrative Services Contract

Ms. Coody presented the specifications for the Administrative Services contract. She reviewed the prior specifications for services as a template for discussion and in determining the Board's requirements for administrative services. The Board discussed the workload and equipment needed to operate the Board, number of staff to perform services, and performance qualifications.

MOTION: Mr. Wallace made the motion to authorize the Board Chairman to finalize with the Board's Legal Counsel, the Request for Proposal and release for submission of proposals. The motion was seconded by Mr. Rogers and unanimously approved by the Board.

Mr. Warren joined the meeting.

Mr. Warren reported that he had contacted Representative Butler to present the amendments to HB302 that the Board discussed earlier in the meeting.

#### **OLD BUSINESS**

Chairman Moore called for old business and there was none.

#### **NEW BUSINESS**

##### Election of Board Officers

Mr. Warren reported that the annual election of Board officers was due. Mrs. Coody reviewed the Board's statute on the matter. Chairman Moore called for nominations.

Mr. Grimes nominated Mr. Atchley as Board Chairman. There were no other nominations from the floor and Mr. Atchley was elected by acclamation.

Mr. Grimes nominated Mr. Blunt as Board Vice Chair and Mr. Blunt declined. Mr. Grimes amended his nomination and nominated Mr. Rogers as Board Vice Chairman. There were no other nominations from the floor and Mr. Rogers was elected by acclamation.

Mr. Warren indicated that the new officers would take office at the next meeting.

##### Review of Applications

Mr. Barrows presented the applications for the Board's approval.

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

MOTION: Mr. Grimes made the motion to approve the Journeyman Electrician Applications for Examination as presented by Mr. Barrows (list available in the Official Book of Minutes). The motion was seconded by Mr. Lamborne and unanimously approved by the Board.

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

MOTION: Mr. Wallace made the motion to approve AMP Quality Energy Services as a continuing education provider as presented. The motion was seconded by McCreless and unanimously approved by the Board.

**ANNOUNCEMENTS**

Chairman Moore reminded the members that the next regularly scheduled meeting of the Board was July 17, 2023, at 10:00 a.m. at the Board's office.

**ADJOURNMENT**

The Board had no further business to discuss.

**MOTION:** Mr. Grimes made a motion to adjourn the meeting. The motion was seconded by Mr. Atchley, and having no objections from the members, Chairman Moore adjourned the meeting at 12:30 p.m.

Respectfully submitted,



Fred Moore  
*Board Chair*



Keith E. Warren  
*Executive Director*

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